



AGENDA

Planning and Zoning Board City of St. Augustine, Florida

Alcazar Room

Tuesday, March 1, 2022 at 2:00 p.m.

Regular Agenda

1. Roll Call

2. General Public Comments for Items Not on the Agenda

3. Approval of Minutes

- a. Special Meeting Minutes from October 28, 2021.

4. Variance

- a. 2022-0012

Shipyards Multifamily, LLC – Applicant & Owner
[Portions of Parcels 134340-0000, 134390-0010, 134390-0000 and 134230-0000](#) to form an approximately 3.98 acres site, referred to as Block B, centrally located between Arapaho Avenue and the San Sebastian River on the Windward Shipyards Master Site Plan dated 09-24-21.

To approve a variance to the minimum parking stall size requirement from 9 feet 6 inches by 19 feet down to 9 feet by 18 feet.

5. Use by Exception

- a. 2022-0008

Val Kleyman – Applicant

Stella Yuniver – Owner

[172 Cordova Street Unit #9](#)

To approve one (1) parking space in the City parking garage for a short-term rental.

- b. 2022-0009

Kimberly Nguyen – Applicant & Owner

[172 Cordova Street Unit #8](#)

To approve one (1) parking space in the City parking garage for a short-term rental.

6. Conservation Overlay Zone Development

- a. 2021-0156
Continued January 4, 2022
Continued February 1, 2022
- Blackbox Design – Applicant
Kevin Vandyke – Owner
[0 Magnolia Avenue / PID 191930-0010](#) (4/54 MIRAMAR PT OF LOTS 1 & 15 & RIPARIAN RIGHTS TO HOSPITAL CREEK (EX R/W IN DB227/354) OR3832/574). Approximately one (1) acre east of 39 May Street and south of May Street/Vilano Causeway at the Hospital Creek Bridge.
To approve a new bulkhead and gangway for a twelve (12) boat slip marina within Conservation Overlay Zone 1.
- b. 2022-0006
- Ryan Carter – Applicant
Patricia & Roland Anderson – Owners
[4 Lighthouse Avenue](#)
To approve an amended dock application that expired in April 2021 within Conservation Overlay Zone 1.
- c. 2022-0007
- Jared Whetstone – Applicant & Owner
[235 Coquina Avenue](#)
To approve a new bulkhead in Conservation Overlay Zone 1.
- d. 2022-0010
- Alan Stevenson – Applicant
c/o STA Beach Investments LLC
STA Beach Investments LLC – Owner
[34 N St. Augustine Boulevard](#)
To approve an existing bulkhead modification by adding a 24” cap within Conservation Overlay Zone 1.
- e. 2022-0011
- Ryan Carter – Applicant
Patricia Dobosz – Owner
[105 Marine Street](#)
To approve of a proposed dock addition to an existing dock over rip rap within Conservation Overlay Zone 1.

7. Other Business

- a. Planning and Zoning Board discussion and recommendation regarding an ordinance to update regulations related to home-based businesses and associated code revisions.

8. Adjournment

Notices: In accordance with Florida Statute 286.0105: “If any person decides to appeal any decision made by the Planning and Zoning Board with respect to any matter considered at this scheduled meeting or hearing, the person

will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.” In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone: (904) 825-1007; 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

Please note that one or more members of the City Commission or its appointed boards or committees may attend this meeting and participate, however they may not engage in a discussion or debate amongst themselves on any issue that will likely come before their respective elected or appointed body.

The materials prepared and presented are part of the City’s ongoing Florida Public Records and Government in the Sunshine compliance and are not intended to be relied upon or to reach investors or the trading markets.

CITY OF ST. AUGUSTINE



Planning and Zoning Board Special Meeting October 28, 2021

The Planning and Zoning Board met in formal session Thursday, October 28, 2021, at 9:00 a.m. in the Alcazar Room at City Hall. The meeting was called to order by Grant Misterly, Chairperson and the following were present:

1. Roll Call:



Grant Misterly, Chairperson
Mike Davis, Vice- Chair
Jon DePreter
Sarah Ryan
Carl Blow
William Masson
Charles Pappas

City Staff:

David Birchim, Director, Planning & Building Department
Amy Skinner, Deputy Director, Planning & Building Department
Ruben Franklin, Director, Public Works
Isabelle Lopez, City Attorney
Elyse Anderson, Recording Secretary

2. General Public hearings for Items Not on the Agenda



(None)

 Ms. Skinner stated a class from Flagler College was present to watch Government in Action, as well as Commissioner Blonder.

3. Discussion and Recommendation Related to Mobility Planning in the City of St. Augustine

 Ms. Skinner spoke regarding the topic. She said State required the City to review transportation and transportation planning. She said the City was required to have a mobility plan. She advised they had updated transportation element in the Comprehensive plan for the past few years which helped establish the framework for the mobility plan. She stated they were reviewing land development regulation, that would eventually be adopted into the land development code. She said there would a

mobility fee component that went along with the plan and this would be to make improvements to the City. She said the goal was to improve the City's mobility, and quality of service on the roadways. She said there would be other forms of movement in the City and there would be other options available such as biking and walking. She said moving forward, they wanted to have the item on the official agenda for December for a recommendation to the City Commission. She stated this was associated with a fee and would have a ninety-day waiting period before implemented in early spring. She stated after this they would look at updating the parking code to be consistent with the mobility plan.

 **3. (a) a. Discussion and Presentation of the Mobility Planning and Mobility Fee Technical Report and Sample Fee Schedule by the City's Mobility Consultant, Jonathan Paul, AICP, Principal, NUE Urban Concepts**
Jonathan Paul, New Urban Concepts

reviewed the topic. He said this was a vision over the next twenty years of how people would move around the City. He stated this was for new development to mitigate the impact on the transportation system. He said there was a technical report and a summary that detailed the plan and overall calculations and should be available on the website. He said the mobility plan had been incorporated into the Comprehensive Plan. He said they were at steps three and four which was to develop the fees and implementing ordinance. He said there were several legal and statutory requirements that must be met when developing the fee.

He said the City was moving people in a variety of ways from bike share, walking, ride share, and others. He reviewed the following:

- Focused on moving people and safer when speeds were slower
- Allowed the City to continue its planning for shared streets and innovative street designs
- First step in the mobility plan was roadways, with addressing regional and through traffic 
- Complete streets were retrofitting existing roadways to add wired sidewalks or protected/buffered bicycles lanes
- Shared street concept was curbside, slower moving vehicles, and people moved freely
- Identified major roadway improvement on the peripheral area of the City design for long range transportation plan
- Regional through traffic was at roughly 17% that went through the City
- Mobility plan would help eliminate through traffic
- Bicycle Pedestrian Network was a system of trails, protected bicycle lanes, and wider multi use facilities
- For the US1 resurfacing thought FDOT would add protected or buffered bicycle lanes
-  Discussed Multi-modal transportation to encourage people to park once outside the historic downtown and use separate mode of transportation into the City
- Reviewed circular routes to connect various garages with destinations in the City
- All those helped to frame the mobility fee
- Benefits to having mobility fee allowed City to pursue federal funds through the NPO process
- Allowed for congressional legislative appropriations
- Allow for opportunities for public and private partnerships
-  Mobility fee was a way to help mitigate traffic as a one-time fee assessed to new development only
- Would not be assessed to existing businesses or existing homes
- Based on the mobility plan and assume a certain level of funding available through gas tax or appropriations that recognize other cost that help funding
- Fees would be assessed at time of building permit application
- Permit would be issued when paid
- Would apply if redevelopment of an existing building were a more intense use, would pay the difference
- Would be able to offset cost if developer made improvements such as sidewalk or dedicated right-of-way
- County did not enforce the City to collect the fees

 Mr. Blow noted that the County did not share any fees with the City.

Mr. Paul continued:

- Legal requirement had to be met
- Any type of fee had to show a need for improvements which was the Mobility Plan
- Must provide a benefit to the people who pay it, have to show the build for the projects in the plan
- Fee had to be proportional or related to the impact of the new development
-  Technical report calculation and demonstrated how legal tests were met
- Report was essential to forming the basis of the mobility fee
- Proposed establishing two assessment areas within the City
- Could be changed but provided different fees based on location
-  Proposing a City-wide benefit district to be spent anywhere within the City for improvements
-  Two assessment areas: one downtown and surrounding neighborhoods, and second area was the outlying neighborhoods and new development and capture future annexations
- Monies collected can be spent in the overall area
- Fees were different for the two areas

Mr. Paul show the Board the two different districts and discussed the trip rates based on the two areas. He discussed the schedule fees and the High Daily Trip Generator/ Impact Land Use. He said the High Daily Trip Generator calculations were businesses that were visited more frequently. He said these were reflected in the proposed Mobility Fee schedule.

 Mr. Paul stated St. Johns County had focused on the residential uses. He said the fees were much higher than the City of St. Augustine.

 Mr. Davis within the County, there was a fee for just roads which he associated with the mobility fee. He said the county included much more and did not think this was an accurate comparison.

Mr. Paul said this information had been pulled from the County's technical report from their website.

 Ms. Skinner stated she table included from St. Johns County and the fee was higher than the City.

Mr. Davis clarified that the table was accurate, but the verbiage was inaccurate.

 Mr. Paul stated this was only for transportation. He said they were only focusing on roadway impacts. He noted the roadway impacts were significant as it related to residential uses.

 He explained there were two districts OMMD (Outside the Multimodal District) was anything outside the downtown area would pay the overall higher use, and the other was inside the downtown area, MMD. He said the Board could choose one assessment area.

 Mr. Misterly said he felt during the last meeting, the Board had asked for more information and felt the conversation had not extended past last months meeting.

Mr. Paul stated the difference was trip length within the core area. He said the fees were based on a variety of overall factors. He said it was in the technical report which explained most people were being charged for a mile and a half of travel.

 Mr. Pappas asked what trip lengths were calculated.

Mr. Paul replied that it was based on the type of uses and they were not charging for impacts outside the City.

 Mr. Pappas said assuming the trip length within the City might not be a reality of how citizens utilize the City.

 Mr. Paul stated the City was around two miles wide and four miles long and the overall travel was around a mile and a half to two miles.

Mr. Pappas stated it felt like an assumption that the trip length was less than the trip length if outside the downtown area.

 Mr. Paul stated there had not been any changes to the uses, but this had provided the Board with time to review the technical report and answer any questions.

 Ms. Skinner stated that since the last meeting included the final recommendations from the Building Code Task Force, this was an opportunity for the community to have input and to gather more information from the Board. She asked if there were any recommendations or directions they needed to move toward.

 Mr. Misterly stated he provided questions and thought those would be answered, but they had not. He felt this was the same meeting that was held two months ago since no new information had been provided.

Mr. Paul stated he was more than happy to answer any questions the Board had related to the presentation.

 Ms. Lopez referred to Mr. Pappas' comment regarding trip lengths and stated it might not reflect a person's movement exactly, but it was had to be reduced to within the City limits. She said the trip lengths were not an accurate picture of what a person's driving usage was all the time.

 Mr. Pappas understood but thought it was more of a theory of how residents lived within the City.

3.(b) Planning and Zoning Board discussion and recommendation

The Board and Mr. Paul Discussed:

-  Understood fees and calculations but wanted to know the theories on how they were generated
- Felt that fees could have unforeseen consequences
- If fees were higher outside the downtown area it could incentivize building in a more congested area
- Thought the list shown should be simplified and not broken down as much due to potential changes in the future
- Overall trip lengths could not be charged for in the County
- Thought the core part of the City was traveled less
- Thought better to recognize many uses than not enough since this was the first time proposing a fee

 Mr. Pappas asked if the fees could be more for those entering the City.

 Ms. Lopez responded those who were being charged the fee were not people coming and going; it was the new development or a business with a newly expanded area. She said it was not a person being charge. She stated the only way to do so would be to quantify a dual rational nexus that could be mathematically shown with data.

 Mr. Paul said it came down to who issued the building permits. He said there would have to be an agreement to allow the City to charge a mobility fee for development outside the City and have St.

Johns County collect the fee on the Cities behalf.

Ms. Lopez stated they did not have the ability to construct a table to break it down to 'user from the City' and 'user from the County'.

The discussion continued:

-  Would expect building a sidewalk or making road improvements downtown would cost more than outside the downtown area
- Mobility impact in downtown cost more to address than mobility impact on the outskirts of the City
- Felt the cost should be inverse
-  There were differences with cost in the Core part
- Sometimes came down to a policy decision
- Some communities actively incentivize development in the core area or other ways to encourage positive development
-  Could use this as a tool for the City Commission to recommend encouraging a certain area by recognizing a lower trip length or they could have a uniformed rate City wide
-  Understood the rationale for two zones, but leaned towards one zone for the City
- Did not want to incentivize more development in the core of downtown
-  If ordinance were to be recommended should be clearly stated that because something was listed with a fee, did not mean it could be built in the area if not appropriate
-  Section indicated list provided were for mitigating impacts nothing to do in terms of right for a use

- The ability to do a use was with the future land use element and zoning
-  Questioned how many driving uses would be allowed in the multi-model district
- Plan would attract or encourage around 1.7 million dollars in extra revenue
- Monies could be used to achieve the goals listed on the schedule
- Was it assumed the revenue would be obtained plus the mobility fee

 Ms. Skinner asked if they were referring to the examples in the packet. She said she reviewed 2017 and 2019 and it was not scientific, but she tried to determine the amount of development, both residential and commercial, based on the uses and square footage. She said she used the proposed table inside and outside the City and tried to come up with examples for an average household size and average impact. She said for those two years she calculated a potential collection fee of 1.6 million dollars. She stated this was strictly the mobility fee which were about one percent of the value of the construction and was trying to rationally understand the economic impact it could have on development in the City. She said this was an example of the fees that could be collected. She said the collected fees would be used on mobility improvements or fees could be offset if builder/developer were to provide a service to the City.

 Mr. Paul stated any type of fee had to recognize available funding sources and historically, the City was able to obtain grants, appropriations, allocations, and other sources which had to be recognized to offset the fee. He said the amount would vary from year-to-year. He said this was also a tool for the City to help obtain funding for the projects.

Discussion continued as follows:

-  Mobility plan on the Island started at State Road 312 and A1A
- Seemed to be two different bike paths: human powered and electric powered (e-bike)
- Unsure of the difference between the two paths
- In talks with the State to have protected bicycle lanes
- Plan funded by Florida with Sun Trail Network would be a trail
- Electric bikes were not allowed per legislation on the Sun Trail Network
- Thought in next legislation session would review if E-bikes were allowed
- Plan was to encourage parking on the peripheral and use another mode of transportation to enter the City

 Mr. DePreter asked if the E-bike program was doing well.

 Mr. Franklin stated there had been 1,000 riders in September and thought it would increase in the cooler months. He said the ribbon cutting ceremony would be on November 8, 2021 at the Visitors Information Center.

 Mr. Misterly stated he was in favor of the mobility fee and thought there was value in having a consultant that worked all over the State.

Discussion:

-   Including every event into an ordinance did not seem feasible and was included in sperate document called Administrative Procedures Manual
-  Did not feel items should be passed off to the Administrative Procedures Manual but needed to acknowledge for the community

- Community needed to know how this would affect them
-  County and City rates were different and was unsure if items were being over or under charged for
- County elected to charge residential full travel length of eight miles and the City could only charge for two miles
-  County was able to use different metrics based on road capacity and trip lengths that were county wide
- Properties could be annexed after construction to avoid County fees
- Annexed properties would pay a lesser fee as the fees with the City were lower
-  Unable to recommend until able to review the updated ordinance
- Updated ordinance should have available by December
-  Questioned if fees would slow down residential annexation into the City
- Could slow down the residential but might increase the amount of commercial with having different fees than the County
- Might become a bigger incentive to add more businesses
- Main roads in the City were State owned
-  Not charging for roads but the retro fit for roads
- Monies could work in conjunction with the State to fix the road
- Monies would be used for multi-model uses

 Mr. Franklin stated with the Department of Transportation (DOT) projects it was helpful to have money to contribute and, in some cases, could help accelerate the project. He said the fees could be spent as they accrued on San Marco Avenue, Anastasia Boulevard, and King Street. He said most of the time the contributions were based on improving underground utilities.

Mr. Davis asked if the fees being collected would have to be used on mobility.

Mr. Franklin answered in the affirmative.

 Mr. Davis asked if existing building were exempt from the ordinance or if an addition were to be added to an existing building, would a percentage of the fee would apply to the additional square footage.

 Mr. Paul said the fees would be based on the schedule or future use, and if the usage was the same or less there would be no extra fee; however, if the use was more they would be able to obtain a credit for the existing use and pay the difference.

Mr. Davis asked how the mobility fee off-set how the roadway improvement monies would be spent.

Mr. Franklin said the roadway improvements were paid for through parking fees and the projects listed in the twenty-year plan would help but would not pay for everything.

Board Discussed:

-  Thought it should be for road improvement instead of road repair
- Legally fees had to be used for the added demand
- Unable to use fees for backlog or maintenance
-  List of mobility projects fees would need to be spent on the list provided
- Monies would be spent on the multi-model projects
- Thought annexation was a good idea if a special tax was developed
- Mobility went hand and hand with livability and downtown was not just for tourist

 Mr. Franklin stated since the City developed the Mobility Plan, staff was able

to meet with DOT and the North Florida Transportation Organization and the long-range plan was adopted by them into their long-range plan. He said there was a recent study completed on Anastasia Boulevard and there were 1,700 survey responses, and in turn they were developed into two different plans and now they reference the Mobility plan when working within the City.

 Discussion continued:

- Mobility Plan laid out a general time frame for projects
- City Commission would prioritize the projects annually
-  The prioritized project list and a recommendation list was sent to the State
- Perhaps could have higher priority if City could contribute monies
- City had mobility issue and thought plan was well developed
- City should have transparent method to collecting fees
-  Unsure how to collect revenue from people who lived outside the City
-  2019 Florida Legislation stated only by statute were able to charge for new construction at the time of filing for a building permit
- Food Trucks were not assessed since there was no building permit
-  New bed tax does allow for charges like transportation needs triggered by tourism
- Issue was bed taxes was controlled by the County
-  Thought the mobility issue was day trippers
- Unsure how to collect fees from the day trippers
- To deal with the immediate influx would be through parking
- Could limit parking on street to business and create a residential parking program
- City could control the charges for the parking

-  Board had previously recommended a variable parking fee
-  Policies had been adopted that move towards having a variable cost
-  Parking garage was a flat rate but wanted to transition into an hourly rate
- Was cheaper to park on street than in the garage
-  Recommended making the ordinance more transparent
- Felt the vacant building credit should be longer than three years

 Ms. Skinner said they were open to having another workshop on the topic in December.

Mr. Misterly said he was not in favor of passing the Ordinance on to the City Commission and wanted to have another meeting with more explanations. He said if other Board members had specific questions, those could be sent to Ms. Skinner and have answers at that meeting.

Ms. Skinner said if anyone had any additional notes or questions, they were able to email them. She said the best possible date for a workshop would be December 21, 2021.

 Ms. Ryan asked if it could be added onto the December regular meeting agenda.

Ms. Skinner said it could be added in December, but it was up to the Boards discretion.

Ms. Pappas commended the staff and encouraged them not to forget the other parts of the City and not just the downtown area.

4. Public Comment and Discussion Related to Mobility Planning in the City of St. Augustine

 BJ Kalaidi said Masters Drive and South Dixie Road was not being taken care of. She thought it was very important that the verbiage was correct when writing an ordinance. She said the Board should remember residents paid both City and County taxes. She felt that annexation would not stop but would continue. She thought the Board was on the right track.

5. Adjournment

Having no further business, Mr. Misterly adjourned the meeting at 11:30 P.M.¹ 

Grant Misterly, Chairperson

¹ Transcribed by Elyse Anderson

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 1, 2022

RE: **VARIANCE 2022-0012**

AGENDA ITEM	4(a)
APPLICANT & OWNER	Shipyards Multifamily, LLC
LOCATION	Portions of Parcels 134340-0000, 134390-0010, 134390-0000 and 134230-0000 to form an approximately 3.98 acres site, referred to as Block B, centrally located between Arapaho Avenue and the San Sebastian River on the Windward Shipyards Master Site Plan dated 09-24-21.
REQUEST	To reduce the required parking stall size of 9'6" x 19' to a smaller size of 9' x 18'.
PLANS DATED	January 10, 2022
LAND USE	Residential Medium Density Mixed Use
ZONING	Residential, general office: RGO

APPLICABLE CODES/ORDINANCES

Variance means a relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship on the land. As used in this chapter, a variance is authorized only for height, area and size of structure or sides of yards and open spaces. Establishment or expansion of uses 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. A modification to lot requirements so as to increase the permitted density of multifamily dwellings shall not be considered a variance and is specifically prohibited.

Sec. 28-29. Zoning exceptions, variances and appeals.

(b) Variances:

- (1) Requirements for grant of variance. The board may grant a variance only under circumstances where practical difficulty or unnecessary hardship is so substantial,

serious and compelling that relaxation of the general restrictions should be granted; provided, however, that no variance may be granted for maximum lot coverage requirements within any historic preservation districts 1, 2 and 3, except variances may be obtained for school, church and governmental agency uses. No variance shall be granted unless the applicant shall show and the board shall find that:

- a. The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, which disadvantage does not apply to other properties in the vicinity; and
- b. Because of this disadvantage, the owner is unable to make reasonable use of the affected property; and
- c. This disadvantage does not exist because of conditions created by the owner or applicant; and
- d. Grant of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this section.

In passing upon a request for variance, the board shall not consider prospective financial loss or gain to the owner or applicant, nor shall the board by variance permit to be established or carried on in any use district an activity, business or operation which is not otherwise allowed in such district by a specific provision of this chapter.

- (2) Written application. All applications for variance from this chapter shall be in writing and in such form as may be determined by the board.
- (3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider an application for a zoning variance within not more than thirty (30) days from the date of filing of the complete application. Notice of such public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.
- (4) Violations of variances. The violation of the terms of a variance, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.

Sec. 28-2. – Definitions

Parking space, compact, means a space at least eight (8) by eighteen (18) feet into which vehicles park, most commonly where spaces are assigned or turnover is minimal.

Parking space, off-street, means a space adequate for parking a standard-sized automobile with room for opening doors on both sides. Such space shall measure not less than nine and five-tenths (9.5) feet by nineteen (19) feet (180.5 square feet) excluding paved area necessary for access and maneuvering. Such space shall also be paved with erosion resistant material in accordance with city specifications.

STAFF SUMMARY AND ANALYSIS

The applicant is requesting a variance to the required parking stall size requirement from 9'6" x 19' down to 9' x 18'.

No variance shall be granted unless the applicant shall show and the board shall find that:

- a. The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, which disadvantage does not apply to other properties in the vicinity;

Proposed use of the entire property has been a mixed use project. This specific 3.98 acre piece was recently purchased by a developer to build multifamily units with a parking garage to accommodate the parking needs on the site. A parking garage is needed to meet the City of St. Augustine's parking requirements. The variance request is to reduce the parking space sizes within the garage.

- b. Because of this disadvantage, the owner is unable to make reasonable use of the affected property;

A reduction in parking stall size would add an additional nine parking spaces overall while also reducing the amount of compact parking spaces by twenty-eight spaces. In order to build the desired amount of dwelling units parking must be provided and this request is an effort to meet the City of St. Augustine's parking requirements for the proposed multifamily development.

- c. This disadvantage does not exist because of conditions created by the owner or applicant;

The existing conditions related to a mixed use project were present before the current owner took ownership of the property. However, the owner did buy the footprint of the property separating from the larger piece.

- d. Grant of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this section.

Granting a variance would not adversely affect neighboring properties in a significant way due to the nature of the request and the overall minimal change to the site. The spirit, intent, and purpose of providing the required parking would still be met and since this will be a privately managed parking garage for the residents of the building there is no issue of shared parking.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

STAFF RECOMMENDATION

Based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a variance to reduce the required parking stall size from 9'6" x 19' down to 9' x 18' at the Shipyards Multifamily, LLC development.



Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$350 (plus advertising costs)

Project Number: 2022-0012

Receipt Number: 2316389

Meeting Date: March 1, 2022

Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Shipyards Multifamily, LLC Contact Number: 904-318-7722

Business (if applicable): _____

Address: P.O. Box 92306 City: Southlake State: TX Zip: 76092

E-Mail Address: Sean@venturesdevelopmentgroup.com

2. NAME OF PROPERTY OWNER: Shipyards Multifamily, LLC Contact Number: 904-318-7722

Business (if applicable): _____

Address: P.O. Box 92306 City: Southlake State: TX Zip: 76092

E-Mail Address: Sean@venturesdevelopmentgroup.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: See attached Survey Block: _____

Subdivision: _____ Parcel Number: _____

4. PROJECT STREET ADDRESS: _____

5. SPECIFIC PROPOSED USE: 100-acre site is part of a larger 133.85-acre property governed by an existing Amendment and Reinstated Shipyards Development Agreement. See attached for additional description.

6. ACTION REQUESTED:

☐ Conservation Zone Development

☐ Appeal of Staff Determination

☐ Exception

☐ Land Use Plan Amendment

☒ Variance

☐ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: See attached Description

8. JUSTIFICATION FOR ACTION REQUESTED: See attached Justification

RECEIVED

FEB 04 2022

04/18/2019

Planning/Building Dept.

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: See attached
- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: See attached
- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: See attached
- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: See attached

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☐ No If yes, please give date and final disposition below.

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.

Signature of Applicant

Date

Signature of Property Owner

Date

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04/18/2019

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5. SPECIFIC PROPOSED USE:

On January 7, 2022, Shipyards Multifamily, LLC ("Shipyards") purchased 3.98 acres from Windward Shipyard Land Holdings, LLC ("Windward"). Windward has an existing Amended and Restated Shipyards Development Agreement in place with the City of St. Augustine, which covers approximately 33.85 acres and has a variety of entitlements granted across the site. As part of the rights within the Development Agreement, Shipyards intends to develop 270 multifamily apartment units in a 4 story building along with a parking garage. Attached is the proposed site plan. See attached Exhibits 1 & 2.

7. DESCRIPTION OF ACTION REQUESTED:

Shipyards Multifamily, LLC requests a formal variance from the code required parking space stall (9'-6" x 19') within its proposed parking garage to a slightly smaller parking space stall (9'-0" x 18'-0").

See attached Exhibits 3 & 4.

8. JUSTIFICATION FOR ACTION REQUESTED:

Shipyards believes a smaller parking space stall is justified based on the following facts:

- I. Most apartment communities which have parking structures that have been or are being developed typically have a standard parking space stall of 9'-0" x 18'-0". Ventures Development Group, LLC (Developer of Shipyards) has another local project in NE Florida (The Southerly at Southbank) and this project also has a standard parking stall space of 9'-0" x 18'-0". VDG has previously developed two other apartment communities in Ft. Worth, Texas and both garages also had parking stall space sizes of 9'-0" x 18'-0". Additionally, the Pre-Cast Company (Gate Precast) for this proposed parking garage has indicated that most garages they design and construct have a standard parking stall size equal to 9'-0" x 18'-0". See attached list of properties from Gate Precast. In short, we believe the market norm for a parking structure/garage associated with a multifamily apartment community has a typical standard parking space stall of 9'-0" x 18'-0".

See attached Exhibits 5-8

- II. Our proposed parking garage will be for private use not public use. Meaning, only residents, their guests, staff and rental prospects will have access to the parking garage.
- III. Provided the City agrees to a smaller parking space stall, the design and construction of the parking garage would become more efficient. Meaning, a smaller standard parking space stall would allow the garage to have more standard spaces. If we were required

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to adhere to the standard parking space stall per code (9'-6" x 19'-0"), then we would have less standard parking space stalls and more compact parking space stalls. Attached are two exhibits that illustrate what the parking counts would be based on current parking code versus the parking count should the City grant a Variance.

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: Because the parking code requires a parking space stall size of 9'-6" x 19'-0", a larger garage footprint will be required, which causes a less efficient garage and limits the number of standard size spaces that could otherwise be provided assuming a 9' stall size. We are not aware of any other private multifamily properties within the immediate vicinity that have a parking garage component and as such are unable to compare our request for a Variance against other competing properties. That said, we believe that other multifamily properties within the NE Florida market (Jacksonville) that have garage parking have been designed and built using a standard parking space stall of 9'-0" x 18'-0".

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: Although we could still park a total of 427 spaces (354 standard and 73 compact) within the parking garage, the layout would not be as efficient, provided the standard parking space stall was 9'-0" x 18'-0". If a variance were granted for a parking space stall of 9'-0" x 18'-0", we could provide 391 standard spaces and 45 compact spaces for a total of 436 spaces.

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or the applicant: We do not believe we have created or caused a condition that is the catalyst of a disadvantage.

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section:

Yes, we can establish that the granting of a variance will not be contrary to public interests. The reason being is that this garage will be 100% private and only available to the residents, their guests, potential prospects and staff affiliated with the apartment community. Although our property is being developed within a larger overall tract (+33 acres), no outside public will be permitted to utilize the parking garage affiliated with the apartment community.

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PZB APPLICATION FEE SCHEDULE

Planning and Zoning Board fees are set by Resolution 2021-38 as follows:

Description of Work	Fee Amount
Rezoning: small scale	\$300.00 + ads & notices
Rezoning: large scale	\$1,000.00 + ads & notices
Land Use Plan Amendment: small scale	\$400.00 + ads & notices
Land Use Plan Amendment: large scale	\$1,400.00 + ads & notices
Planned Unit Development	\$400.00 or \$35.00/acre, whichever is greater, \$1,400 max + ads & notices
Zoning Variance	\$350.00 + ads & notices
Zoning Exception	\$250.00 + ads & notices
Conservation Overlay Zone Development	\$165.00 + ads & notices
Significant Tree Removal or Appeal of Tree Removal Permit Denial	\$165.00 + ads & notices
Appeal of Staff Determination	\$200.00 + ads & notices
Application to Amend Zoning Code	\$600.00 + ads & notices
Subdivision Plat Review	\$275.00 + ads, notices & additional associated costs

"Note: The cost of newspaper advertisement and all notices to surrounding property owners will be assessed by the city, paid by the city and reimbursed by the applicant. All advertising costs must be paid prior to issuance of a development permit.

The applicant shall reimburse the City the mailing cost for all notices and for any subsequent hearings requiring re-notice as a result of the applicant postponing or re-scheduling of any hearing."

If a Credit Card Authorization Form is used for the payment of fees, the City will maintain the form and automatically charge additional advertising and noticing fees, once determined, to the credit-card account submitted.

By signing below, I acknowledge responsibility for both the initial application fee and any subsequent costs associated with legal advertising and/or noticing and understand that permits associated with my application may not be issued until such fees are paid.

I authorize the Planning and Building Department to maintain my payment information until a final cost for advertising and/or noticing is determined and charged. If a payment method other than Credit Card Authorization Form is used, I understand that I will be sent an invoice for the costs of advertising/noticing which must be paid prior to the issuance of any development permit related to my application. I am aware that I can request a copy of these fees and my receipt from Building Department Staff.

Project Address: _____

Applicant's Name: Shipyard Multi Family LLC Applicant's Signature: [Signature]

Owner's Name: Shipyard Multi Family LLC Owner's Signature: [Signature]

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**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

X-P. Hill
Print name of applicant

X-P. Hill
Signature of applicant

2/4/22
Date

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Planning/Building Dept.

10/31/17



Owner's Authorization For Agent

SEAN P. Siebert is/are hereby authorized TO ACT ON BEHALF
OF Shipyards MultiFamily, LLC, the owner(s) of those lands described within
☒ the attached application, or ☐ described within the previously filed
Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:

BY: A.E. Hill
Signature of Owner
Shipyards MultiFamily, LLC
Print Name of Owner
904-318-7722
Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 4 day of February, 2022.

By Sean Siebert

Identification verified: DT

Oath sworn: Yes No

Notary Signature: [Signature]

My Commission expires: 4-26-25



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Jacob Fredriksson

From: Sean Siebert <sean@venturesdevelopmentgroup.com>
Sent: Monday, February 7, 2022 4:50 PM
To: Jacob Fredriksson
Cc: Tracey Mullins
Subject: RE: Shipyards Multifamily LLC

Jacob,

I pulled the following straight from the Special Warranty Deed:

The Property Appraiser's Parcel Identification Numbers (v
being conveyed) for the above described real property are: 134
134390-0010, or portion thereof; 134390-0000, or portion thereof
thereof.

Hopefully, this is what you needed. If not please let me know and I'll keep digging.

Thanks

Sean

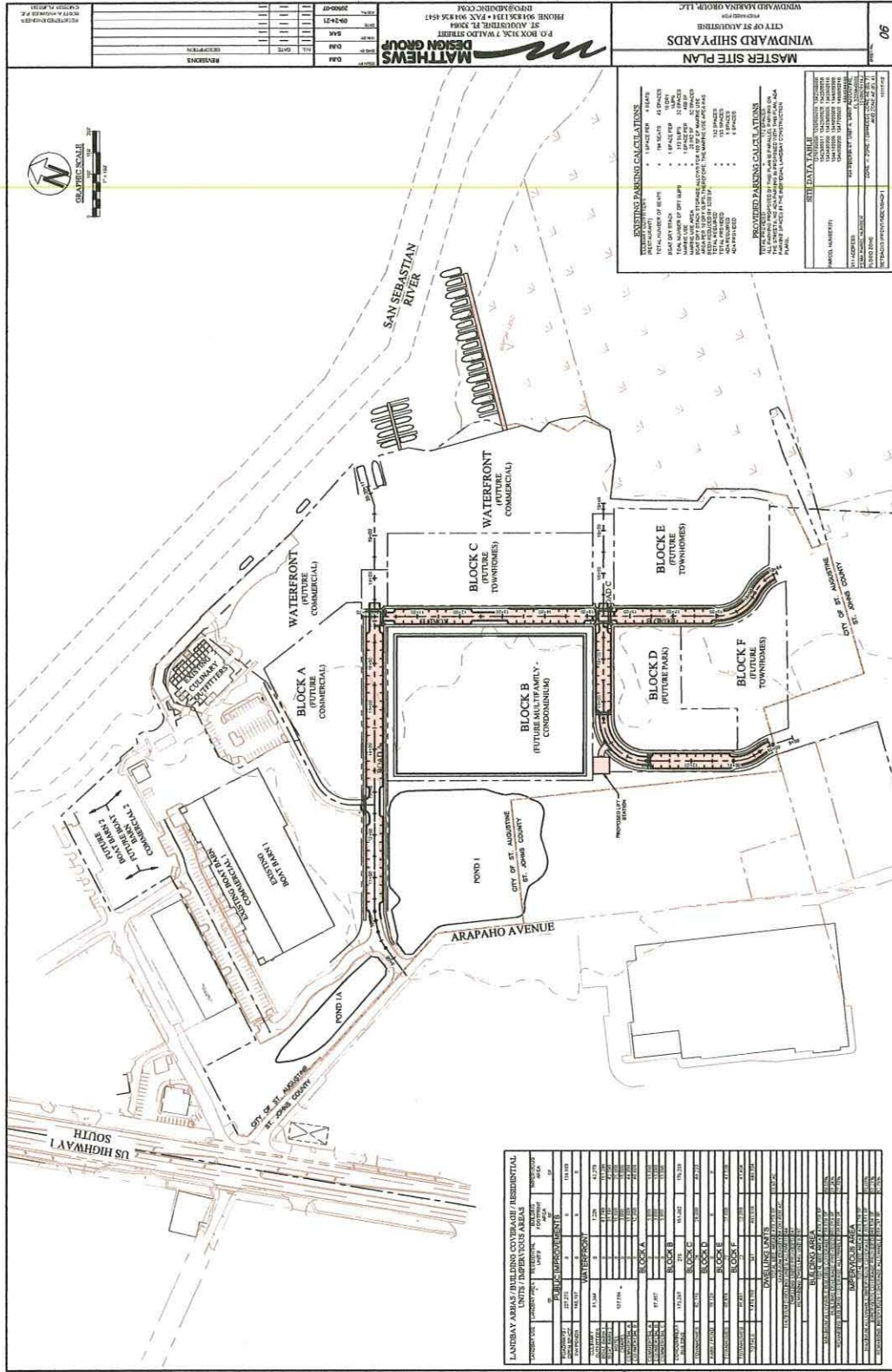
134340-0000
134390-0010
134390-0000
134230-0000

From: Jacob Fredriksson <jfredriksson@citystaug.com>
Sent: Monday, February 7, 2022 4:44 PM
To: Sean Siebert <sean@venturesdevelopmentgroup.com>
Cc: Tracey Mullins <tmullins@citystaug.com>
Subject: Shipyards Multifamily LLC

Good afternoon,

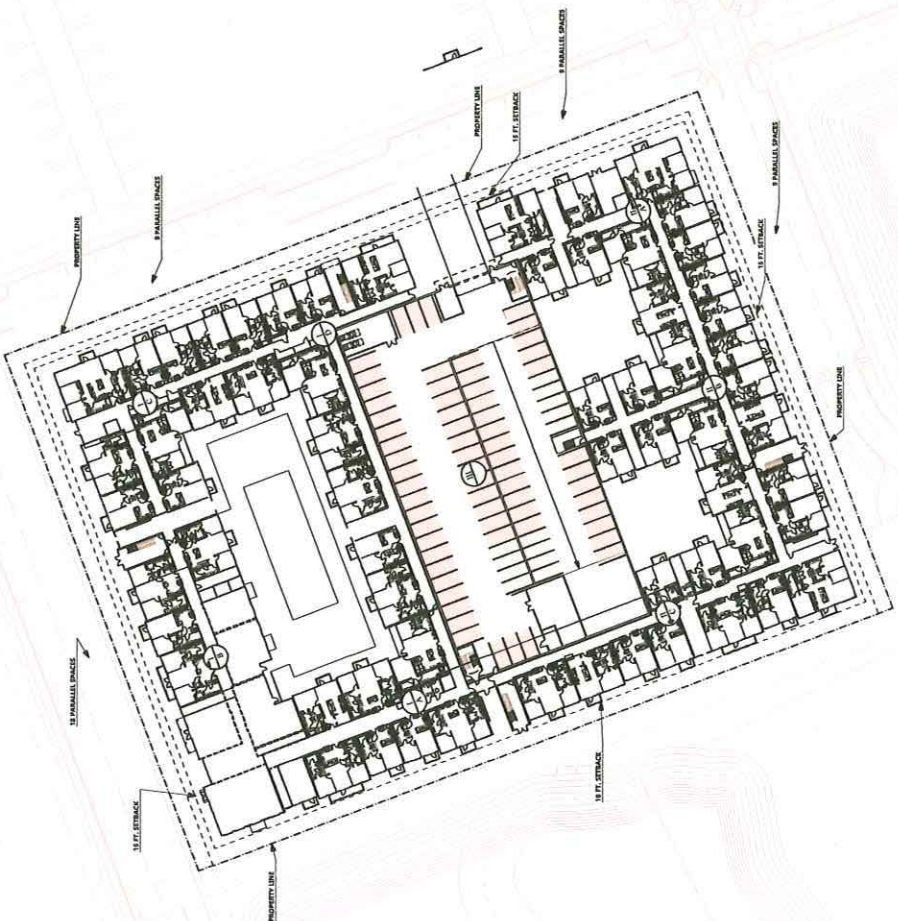
For your application for the City of St. Augustine's March Planning Board an address or parcel number of the property would be helpful in setting the agenda and writing of the staff report, if you could provide this information, it would be greatly appreciated. Thank you and hope to hear from you soon.

Jacob Fredriksson
Senior Planner
City of St. Augustine | Planning and Building Department
P.O. Box 210 | St. Augustine, FL 32085
Office: 75 King Street, Lobby B | Phone: 904.209.4331
Email: jfredriksson@citystaug.com
Web: www.CityStAug.com





11 Location Map



SITE PLAN NOTES AND LEGEND

1. REFER TO CIVIL DRAWINGS FOR GRADE, ELEVATIONAL, CONTROL, UTILITY, AND FINISH INFORMATION AND FINISH SCHEDULES FOR FURTHER DETAILS.
 2. REFER TO GEOTECHNICAL CONSULTANT'S SOIL TEST REPORT REQUIREMENTS OF FOUNDATION.
 3. REFER TO ARCHITECT'S ACCEPTED DRAWINGS FOR ALL INFORMATION REGARDING MATERIALS, FINISHES, AND SCHEDULING.
- LEGEND**
- TRANSFORMER LOCATION
 - ACCESSIBLE PARKING
 - 11 FT. SETBACK
 - 18 FT. SETBACK
 - 11 FT. SETBACK
 - 1 PARALLEL SPACE
 - PROPERTY LINE
 - ELECTRICAL METER LOCATION, SEE MAP
 - SPRINKLER LOCATION
 - TYPE "X" ACCESSIBLE UNITS
 - LEADING AND ASSEMBLY AREAS

SITE LOCATION

25 EXHIBIT 2 - ARCHITECTURAL SITE PLAN
 Scale: 1/32" = 1'-0"

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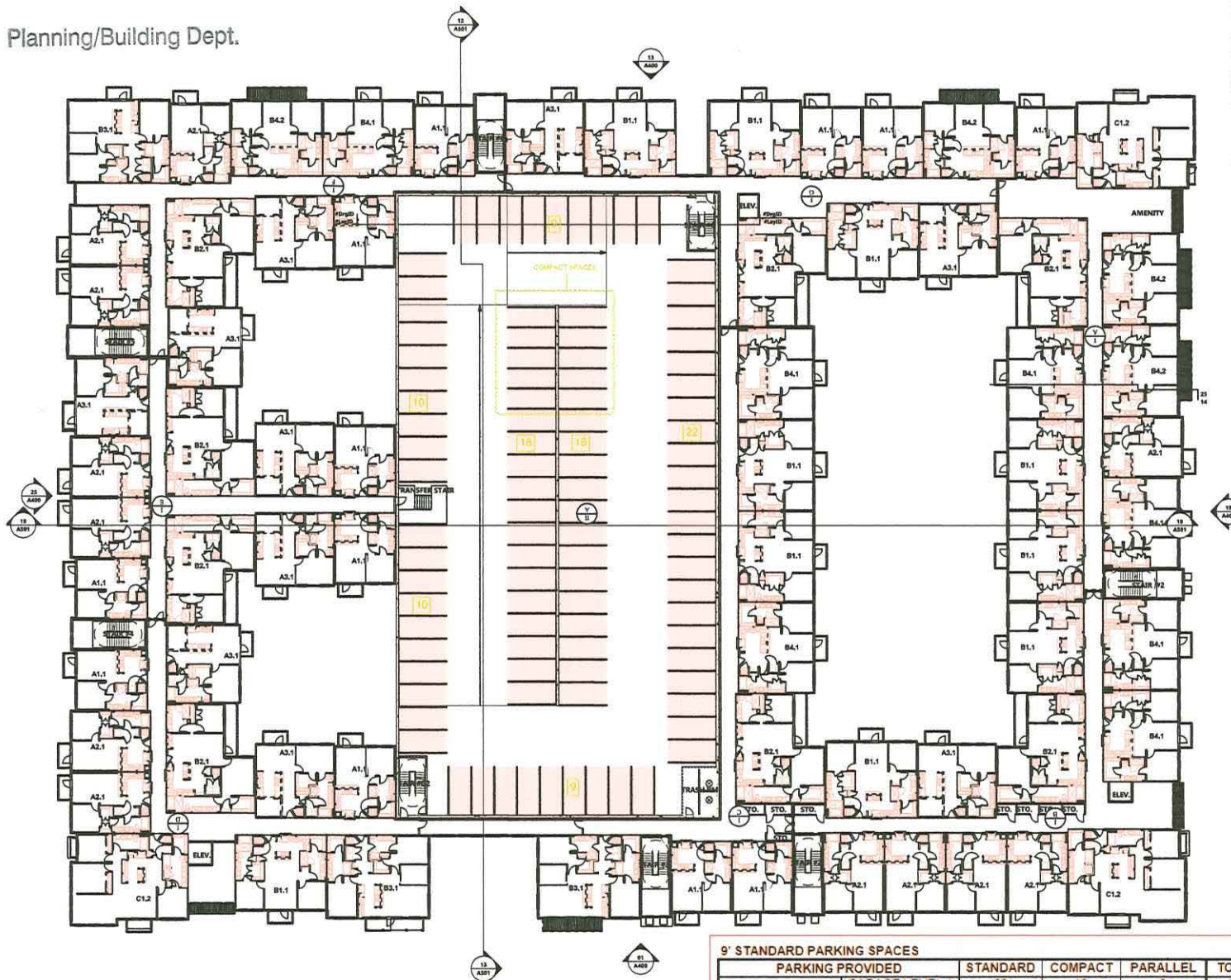
JHP
Architecture/Urban Design
A FIRM WITH A VIBRANT &
EXCITING CULTURE RECOGNIZED
FOR ELEVATED DESIGN

Ventures
Development Group LLC

Windward TND
St. Augustine, Florida

BUILDING PLAN NOTES AND LEGEND

1. ALL BUILDING PLAN DIMENSIONS ARE TO FACE OF STUD UNLESS NOTED OTHERWISE.
 2. ALL CEILING HEIGHTS TO 8'-0" UNLESS NOTED OTHERWISE.
 3. REFER TO STRUCTURE FOR LOCATION OF LOAD BEARING WALLS AND PARTY WALLS.
 4. CONTROL POINTS TO BE 30'-0" MAX UNLESS NOTED OTHERWISE. REFER TO PLANS FOR LOCATIONS AND *AS SHOWN* FOR DETAILS.
- TYPE "A" ACCESSIBLE UNIT
 - FIRE-DOWN LOCATIONS
 - MASONRY VENEER ON 1'-0" LEDGE
 - COND. X EXTERIOR UNIT CONDITION, RE UNIT PLANS
 - DOOR TYPE
 - STOCHPOINT TYPE
 - WINDOW TYPE
 - DECK DRAIN
 - DOWNPOUT
 - FLOOR DRAIN
 - OVERFLOW DRAIN
 - FIRE EXTINGUISHER CABINET: 4" MAX PROJECTION ON FORCES ROUTES, 12" MAX TRAVEL DISTANCE OR AS DIRECTED BY FIRE CHIEF. IF SURFACE ADJACENT ALONG ACCESSIBLE ROUTES, BOTTOM OF EXTINGUISHER CABINET MUST BE WITHIN MAX 37" A.F.F. OR HAVE CANE DETECTION DEVICE.
 - EXTERIOR BUILDING LIGHT
 - FIRE DEPARTMENT CONNECTION OR STANDPIPE



9' STANDARD PARKING SPACES

PARKING PROVIDED	STANDARD	COMPACT	PARALLEL	TOTAL
GARAGE LEVEL 1	69	10	0	79
GARAGE LEVEL 2	86	10	0	96
GARAGE LEVEL 3	86	10	0	96
GARAGE LEVEL 4	86	10	0	96
GARAGE LEVEL 5	64	5	0	69
GARAGE TOTAL	391	45	0	436

9.5%

25 EXHIBIT 3 - TYPICAL GARAGE FLOOR PLAN - 9' WIDE PARKING SPACE

Project: Windward TND
Drawn By: JHP
Issue: 1/21/22

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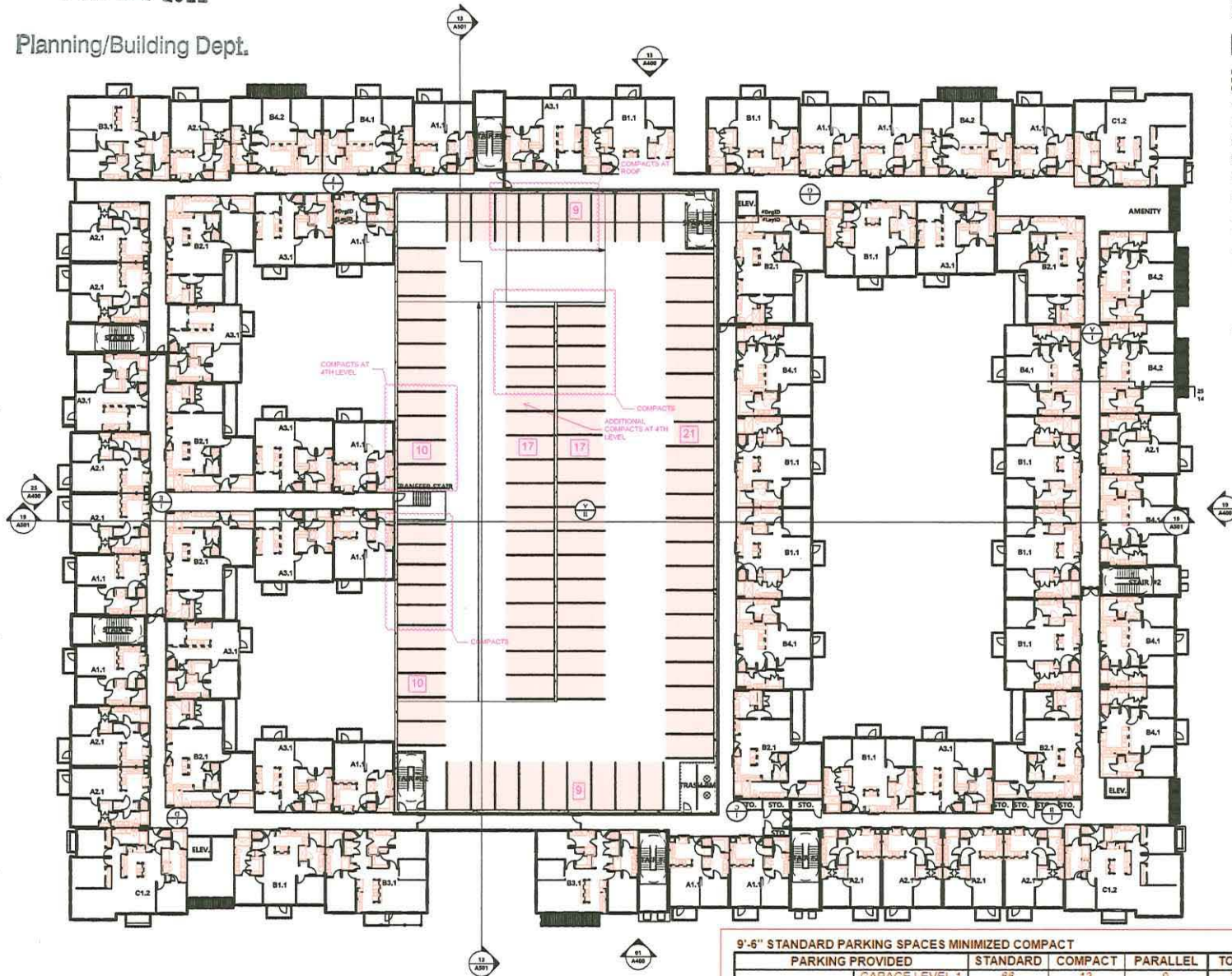
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CONSTRUCTION.**

JOHN M. SCHRADER
Registered Architect of the State of
FLORIDA
Registration Number:
AK57439

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Planning/Building Dept.



BUILDING PLAN NOTES AND LEGEND

1. ALL BUILDING PLAN DIMENSIONS ARE TO FACE OF STUD UNLESS NOTED OTHERWISE.
2. ALL CEILING HEIGHTS TO BE 10' UNLESS NOTED OTHERWISE.
3. REFER TO STRUCTURE FOR LOCATION OF LOAD BEARING WALLS AND PARTY WALLS.
4. CONTROL JOINTS TO BE 30'-0" MAX UNLESS NOTED OTHERWISE. REFER TO PLANS FOR LOCATIONS AND DETAILS FOR DETAILS.

TYPE "A" ACCESSIBLE UNIT

FURNISHING LOCATIONS

COND. X EXTERIOR UNIT CONDITION RE UNIT PLANS

DOOR TYPE

STORAGE TYPE

WINDOW TYPE

DECK DRAIN

DOWNPOUT

FLOOR DRAIN

OVERFLOW DRAIN

FIRE EXTINGUISHER CABINET: 4" MAX PROJECTION ON EGRESS ROUTES. 1" MAX TRAVEL DISTANCE OR AS DIRECTED BY FIRE OFFICIAL. IF MOUNTED ALONG ACCESSIBLE ROUTES, BOTTOM OF EXTINGUISHER CABINET MUST BE WITHIN MAX 27" AFF. OR MAX CANE DETECTION LEVEL.

WITHIN BUILDING LIGHT

FIRE DEPARTMENT CONNECTION OR STANDPIPE

JHP
Architecture/Urban Design
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Ventures
Development Group LLC



Windward TND
St. Augustine, Florida

25 EXHIBIT 4 - TYPICAL GARAGE FLOOR PLAN - 9'-6" WIDE PARKING SPACE W/ COMPACT

9'-6" STANDARD PARKING SPACES MINIMIZED COMPACT

PARKING PROVIDED	STANDARD	COMPACT	PARALLEL	TOTAL
GARAGE LEVEL 1	66	13	0	79
GARAGE LEVEL 2	80	13	0	93
GARAGE LEVEL 3	80	13	0	93
GARAGE LEVEL 4	71	24	0	95
GARAGE LEVEL 5	57	10	0	67
GARAGE TOTAL	354	73	0	427
15.5%				

Project Number: 202101

Drawn by: JHP

Issue Date: 01/2022

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JOHN M. SCHRADER

Registered Architect of the State of

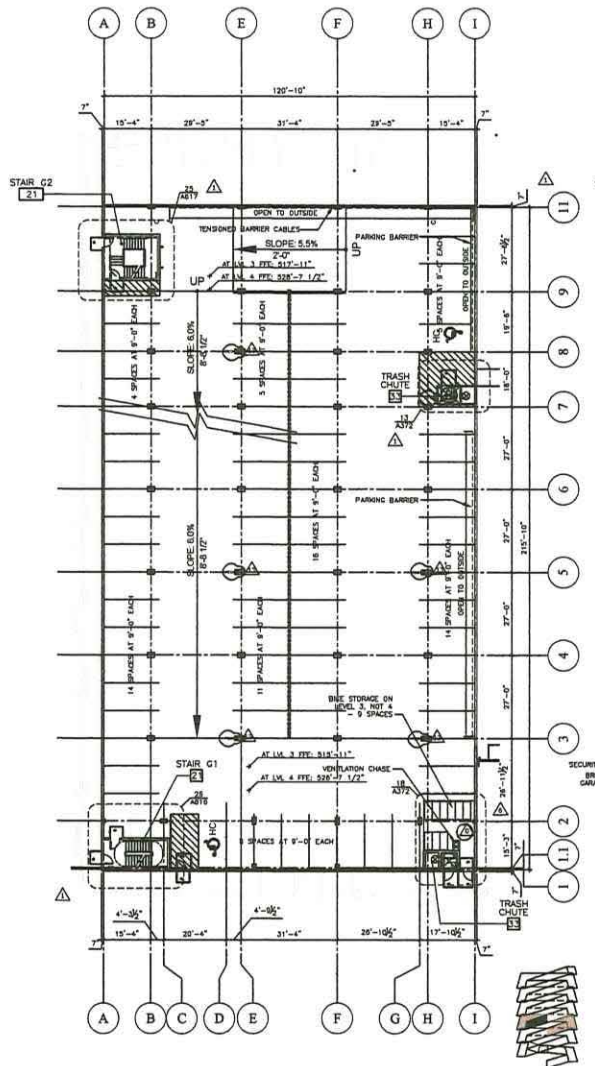
FLORIDA

Registration Number: 04

AS07430

04

PARKING EXHIBIT



19 EXHIBIT 5 - MODERA HALL STREET, DALLAS, TX, 9'X18' PARKING SPACES

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EXCITING CULTURE RECOGNIZED
FOR ELEVATED DESIGN

Ventures
Development Group LLC



Windward TND
St. Augustine, Florida

Project Number: 202112
Drawn By: JMS
Scale: 1/8"=1'-0"

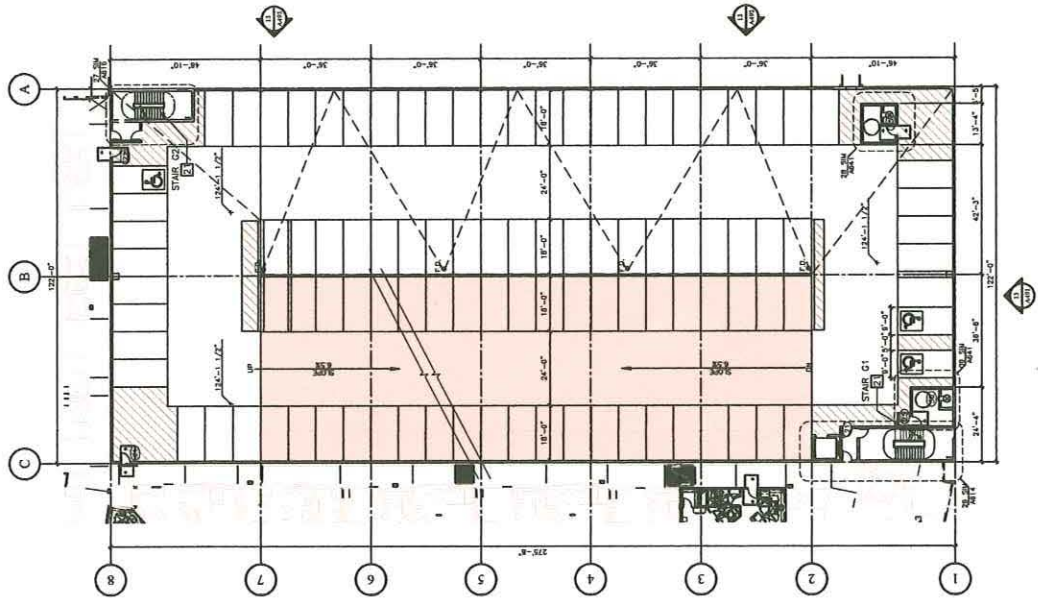
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CONSTRUCTION.

JOHN M. SCHRADER
Registered Architect of the State of
FLORIDA
Registration Number:
AB57459



NOT FOR REGULATORY
APPROVAL, PERMIT, OR
CONSTRUCTION
JOHN M. SCHAEFER
Registered Architect of the State of
FLORIDA
Professional Number
487433

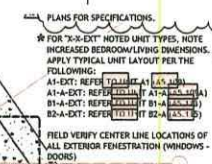


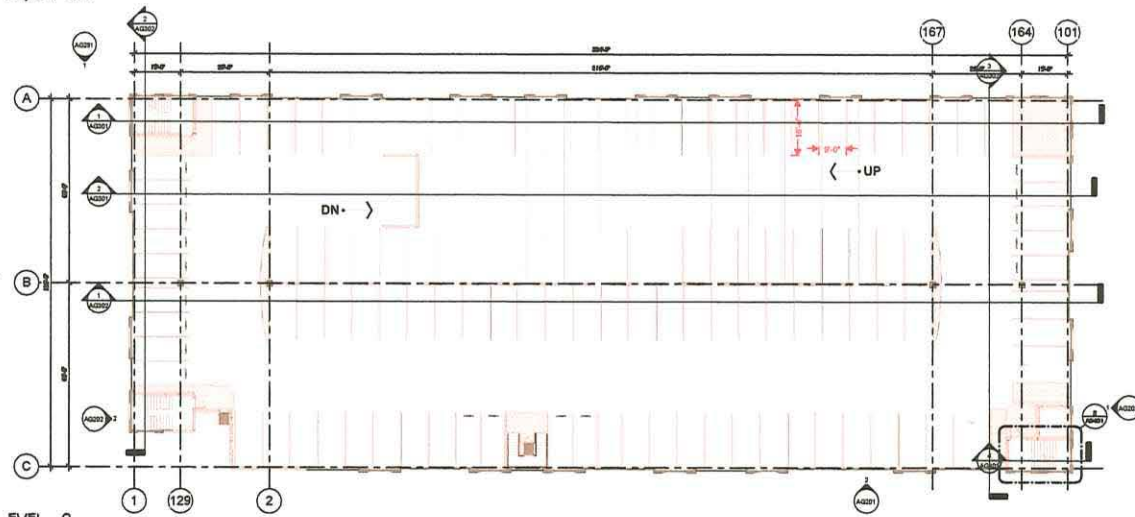
19 EXHIBIT 6 - VANTAGE AT SPRING CREEK, RICHARDSON, TX. 9'X18' PARKING SPACES

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FEB 04 2022

Planning/Building Dept.





EVEL - 2
07 EXHIBIT 8 - FLAGLER COLLEGE PARKING GARAGE, JACKSONVILLE, FL. 9'X18' PARKING SPACES

Jacksonville:
Hendricks Ave Apartments
Pinnacle Rental Community
Aston at Towncenter
404 Julia Street Development (Downtown Jax)
Doro Apartments (Downtown Jax)
Park Place at San Marco
Vista Brooklyn Apartments
Fusion Rental Community
Home Street Multi-Family Apartments
Satori Town Center Apartments

Orlando:
Creative Village Lot M
The Yards at Ivanhoe
Alexan North End
Sanctuary

Tallahassee:
Veridian One
Assemblage
Collegetown

Charleston, SC:
Daniel Island Apartments
North Charleston Uptown

Randy Phillips
Director of Technical Services



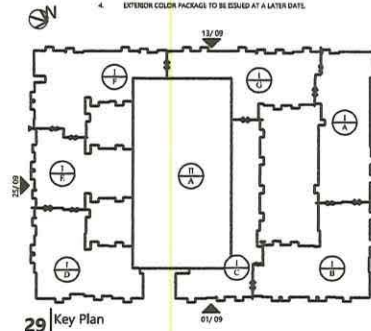
LIST OF ADDITIONAL PARKING GARAGES 9'-0" X 18'-0" STANDARD PARKING SPACE SIZE



25 Overall South Elevation
Scale: 1/16" = 1'-0"

ELEVATION GENERAL NOTES

1. ALL EXTERIOR BRICK PANEL AND SIDING TO WRAP CORNERS AND TERMINATE AT INSIDE CORNERS, TYPICAL, UNLESS NOTED OTHERWISE.
2. A VERTICAL BRICK CONTROL JOINT TO DETAIL AT ALL BRICK TO BRICK INSIDE CORNERS, TYPICAL AND AS SHOWN BY SEPARATION MARK.
3. ALL ROOF RISE PINK FINISHES TO BE PAINTED TO MATCH ADJACENT ROOF COLOR.
4. EXTERIOR COLOR PACKAGE TO BE ISSUED AT A LATER DATE.



ELEVATIONS

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board
DATE: March 1, 2022
RE: **USE BY EXCEPTION 2022-0008**

AGENDA ITEM	5(a)
APPLICANT	Val Kleyman
OWNER	Stella Yuniver
LOCATION	172 Cordova Street Unit 9 / PID 199990-0109
REQUEST	To approve a use by exception for one (1) short-term rental parking space off-site in the City parking garage.
LAND USE	Commercial Low Intensity
ZONING	Residential, general-one: RG-1

APPLICABLE CODES/ORDINANCES

Exception means a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning district as exceptions, if specific provision for such exception is made in the district regulations of this chapter.

Sec. 28-29. Zoning exceptions, variances and appeals.

(a) Zoning exceptions:

- (1) In general. In the granting of zoning exceptions, the planning and zoning board may provide such conditions and safeguards as may be appropriate of this chapter (see section 28-2, Exception).
- (2) Written applications. All applications for an exception under this chapter shall be in writing in such form as may be prescribed by the board.
- (3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider any application for a zoning exception within not more than thirty (30) days from the date of filing of the completed application. Notice of public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.
- (4) Violations of exceptions. The violation of the terms of an exception, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.

Sec. 28-151 Parking [for short term rentals]

- (i) Each vacation rental, except as provided in subparagraph (iii) below, will provide at least one (1) stabilized parking space per bedroom offered for rent.

- (ii) Stabilized parking for vacation rentals may not consist of unimproved dirt, sand, or grass. For the purposes of this Division, stabilized parking shall be defined as a space that is covered and graded by semi-permeable or impervious materials such as asphalt, concrete, pavers, gravel, or a similar material.
- (iii) Vacation rentals in all zoning districts that otherwise have on-site parking requirements will provide stabilized parking on the site of their rental property. If on-site parking is not feasible, the owner may make an application to the Planning and Zoning Board for a use by exception for offsite parking. The application to the Planning and Zoning Board for a use by exception for offsite parking may include in the alternative, parking permits to the municipal parking garage, or, if on-street parking permits for vacation rentals are provided pursuant to City regulations, residential street parking permits. Issuance of the necessary permits will meet the required parking for the vacation rentals.

STAFF SUMMARY AND ANALYSIS

Use by Exception - Off-site Parking within the municipal parking garage for short term rentals.

City code requires a use by exception for off-site parking when on-site, stabilized parking is not available, per Sec 28-151 (iii). Three options are provided for off-site parking for short term rentals:

- 1) Parking on-site with required stabilized surface
 - a. Only one parking space available to the owner.
- 2) Off-site use by exception for off-site parking (within 400 feet per Sec. 28-371).
 - a. No commercial parking facilities within 400 feet.
- 3) Off-site use by exception beyond 400 feet with a variance to the distance.
 - a. Not pursued by the applicant.
- 4) Off-site use by exception to parking permits to the municipal parking garage.
 - a. Option requested by the applicant.
- 5) On-street parking permits within established Residential Permit Program Areas.
 - a. Not pursued by the applicant.

The approval of short-term rental registrations is contingent upon being able to provide parking at a rate of one stabilized parking space per bedroom offered for rent. The annual registration renewal will require the applicant to provide proof of current parking on-site or the approval of the off-site parking by exception, and/or maintenance of valid parking passes to the city parking garage. If the applicant fails to renew parking permits, or off-site parking leases, they will be out of compliance with City Code requirements for short term rentals, and subject to code enforcement action.

- There are a total of two (2) bedrooms at 172 Cordova Street Unit 9. The property is a condominium which was built in 1935.
- 2 parking spaces are required for a short-term rental with 2 bedrooms.
- There is one parking space on site available to the owner on the property, leaving them one parking spaces short of the requirement.

Information Only: As of the date of this report, the Planning & Zoning Board has approved 25 offsite parking spaces within the municipal parking garage, this application, if approved, would result in a total of 26.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

STAFF RECOMMENDATION

Based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for one (1) short term rental offsite parking space in the municipal parking garage for 172 Cordova Street Unit 9 / PID 199990-0109.



Jacob Fredriksson
Senior Planner
Planning and Building Department



**CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD**

Application Fee: \$250 (plus advertising costs) Project Number: 2022-0008

Receipt Number: 2306804 Meeting Date: _____

Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Val Kleyman Contact Number: 718-666-7533

Business (if applicable): _____

Address: 11909 Mandevilla Court City: Tampa State: FL Zip: 33626

E-Mail Address: vkleyman@kleymanfirm.com

2. NAME OF PROPERTY OWNER: Stella Yuniver Contact Number: 718-666-7535

Business (if applicable): _____

Address: 11909 Mandevilla Court City: Tampa State: FL Zip: 33626

E-Mail Address: stella.yuniver@yahoo.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: OR5228 Block: 1307

Subdivision: _____ Parcel Number: 199990-0109

4. PROJECT STREET ADDRESS: 172 Cordova Street, Unit #9, Saint Augustine, FL 32084

5. SPECIFIC PROPOSED USE: Short Term Vacation Rental

6. ACTION REQUESTED:

☐ Conservation Zone Development ☐ Appeal of Staff Determination

☐ Exception ☐ Land Use Plan Amendment

☐ Variance ☐ Rezoning

☐ Other: Exception

7. DESCRIPTION OF ACTION REQUESTED: _____

Application to allow the second car for the second bedroom use the Parking Garage. The condo is a two bedroom but only has one assigned parking spot.

8. JUSTIFICATION FOR ACTION REQUESTED: The second parking spot will be provided in the nearest Parking Garage

04/18/2019

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

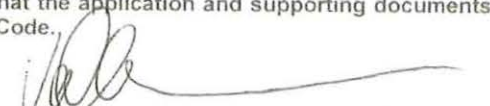
11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

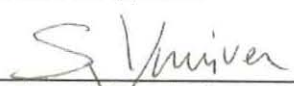
Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.


Signature of Applicant

1/27/22

Date


Signature of Property Owner

1/27/22

Date

04/18/2019



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Val Kleyman

Print name of applicant

Signature of applicant

1/27/22

Date



Owner's Authorization For Agent

Val Kleyman _____ is/are hereby authorized TO ACT ON BEHALF
OF Stella Yuniver _____, the owner(s) of those lands described within
☒ the attached application, or ☐ described within the previously filed
Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:
172 Cordova Street, Unit 9, Saint Augustine, FL 32084

BY: S. Yuniver
Signature of Owner
Stella Yuniver

Print Name of Owner
718-666-7535

Telephone Number

State of New York

County of Kings

Signed and sworn before me on this 27 day of January, 2022

By Stella Yuniver

Identification verified:

Oath sworn: ☒ Yes ☐ No

Notary Signature: _____

My Commission expires: _____

3/26/2024

STEVEN R. YUNIVER
Notary Public, State of New York
Reg. No. 02YU6256824
Qualified in Kings County
Commission Expires March 26, 2024

PZB APPLICATION FEE SCHEDULE

Planning and Zoning Board fees are set by Resolution 2021-38 as follows:

Description of Work	Fee Amount
Rezoning: small scale	\$300.00 + ads & notices
Rezoning: large scale	\$1,000.00 + ads & notices
Land Use Plan Amendment: small scale	\$400.00 + ads & notices
Land Use Plan Amendment: large scale	\$1,400.00 + ads & notices
Planned Unit Development	\$400.00 or \$35.00/acre, whichever is greater, \$1,400 max + ads & notices
Zoning Variance	\$350.00 + ads & notices
Zoning Exception	\$250.00 + ads & notices
Conservation Overlay Zone Development	\$165.00 + ads & notices
Significant Tree Removal or Appeal of Tree Removal Permit Denial	\$165.00 + ads & notices
Appeal of Staff Determination	\$200.00 + ads & notices
Application to Amend Zoning Code	\$600.00 + ads & notices
Subdivision Plat Review	\$275.00 + ads, notices & additional associated costs

"Note: The cost of newspaper advertisement and all notices to surrounding property owners will be assessed by the city, paid by the city and reimbursed by the applicant. All advertising costs must be paid prior to issuance of a development permit.

The applicant shall reimburse the City the mailing cost for all notices and for any subsequent hearings requiring re-notice as a result of the applicant postponing or re-scheduling of any hearing."

If a Credit Card Authorization Form is used for the payment of fees, the City will maintain the form and automatically charge additional advertising and noticing fees, once determined, to the credit-card account submitted.

By signing below, I acknowledge responsibility for both the initial application fee and any subsequent costs associated with legal advertising and/or noticing and understand that permits associated with my application may not be issued until such fees are paid.

I authorize the Planning and Building Department to maintain my payment information until a final cost for advertising and/or noticing is determined and charged. If a payment method other than Credit Card Authorization Form is used, I understand that I will be sent an invoice for the costs of advertising/noticing which must be paid prior to the issuance of any development permit related to my application. I am aware that I can request a copy of these fees and my receipt from Building Department Staff.

172 Cordova Street, Unit 9, Saint Augustine FL

Project Address: _____

Val Kleyman

Applicant's Name: _____ Applicant's Signature: _____

Stella Yuniver

Owner's Name: _____ Owner's Signature: _____



St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	1999900109
Location Address	172 CORDOVA ST UNIT 9 SAINT AUGUSTINE 32084-0000
Neighborhood	Lakeview Condo (610.29)
Tax Description*	LAKEVIEW CONDO (OR2450/607) UNIT 9 OR5442/882 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Condos (0400)
Subdivision	LAKEVIEW BLDG
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.000
Homestead	N

Owner Information

Owner Name	Yuniver Stella Et AL 50% Kleyman Mark 50%
Mailing Address	11909 MANDEVILLA CT TAMPA, FL 33626-0000

	2022
Building Value	\$225,000
Extra Features Value	\$0
Total Land Value	\$0
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$225,000
Total Deferred	\$0
Assessed Value	\$225,000
Total Exemptions	\$0
Taxable Value	\$225,000

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$225,000	\$0	\$0	\$0	\$0	\$225,000	\$184,800	\$40,200	\$184,800
2020	\$168,000	\$0	\$0	\$0	\$0	\$168,000	\$168,000	\$0	\$168,000
2019	\$160,000	\$0	\$0	\$0	\$0	\$160,000	\$160,000	\$0	\$160,000
2018	\$120,000	\$0	\$0	\$0	\$0	\$120,000	\$85,250	\$34,750	\$85,250
2017	\$77,500	\$0	\$0	\$0	\$0	\$77,500	\$77,500	\$0	\$77,500
2016	\$155,000	\$0	\$0	\$0	\$0	\$155,000	\$147,620	\$7,380	\$147,620
2015	\$137,000	\$0	\$0	\$0	\$0	\$137,000	\$134,200	\$2,800	\$134,200
2014	\$122,000	\$0	\$0	\$0	\$0	\$122,000	\$122,000	\$0	\$122,000
2013	\$118,250	\$0	\$0	\$0	\$0	\$118,250	\$118,250	\$0	\$118,250
2012	\$115,250	\$0	\$0	\$0	\$0	\$115,250	\$115,250	\$0	\$115,250
2011	\$115,250	\$0	\$0	\$0	\$0	\$115,250	\$115,250	\$0	\$115,250
2010	\$121,250	\$0	\$0	\$0	\$0	\$121,250	\$121,250	\$0	\$121,250

Building	1
Year Built	1935
Actual Area	961
Conditioned Area	961
Use	Condos
Style	08
Class	N
Exterior Wall	

Roof Cover
Roof Structure
Interior Flooring
Interior Wall
Heating Type
Air Conditioning
Bedrooms
Baths

Description	Square Footage
BASE AREA - FORCED	961
Total SqFt	961

https://qpublic.schneidercorp.com/Application.aspx?AppID=960&LayerID=21179&PageTypeID=4&PageID=9059&Q=787163087&KeyValue=1999900... 2/3

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Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
12/10/2021	11/30/2021	\$345,000.00	WARRANTY DEED	5442	882	Q	I	HOAG ELIZABETH M TRUST D: 12/31/2012	YUNIVER STELLA ET AL
4/6/2021	4/5/2021	\$272,500.00	WARRANTY DEED	5228	1307	Q	I	ALTENHOFEN JANE E	HOAG ELIZABETH M TRUST D: 12/31/2012
	6/28/2005	\$359,000.00	WARRANTY DEED	2483	105	Q	I	FARBER FAMILY PARTNERSHIP	ALTENHOFEN JANE E

No data available for the following modules: Exemption Information, Extra Feature Information, Land Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

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Version 2.3.175

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 1, 2022

RE: **USE BY EXCEPTION 2022-0009**

AGENDA ITEM	5(b)
APPLICANT & OWNER	Kimberly Nguyen
LOCATION	172 Cordova Street Unit #8 / PID 199990-0099
REQUEST	To approve a use by exception for one (1) short-term rental parking space off-site in the City parking garage.
LAND USE	Commercial Low Intensity
ZONING	Residential, general-one: RG-1

APPLICABLE CODES/ORDINANCES

Exception means a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning district as exceptions, if specific provision for such exception is made in the district regulations of this chapter.

Sec. 28-29. Zoning exceptions, variances and appeals.

(a) Zoning exceptions:

(1) In general. In the granting of zoning exceptions, the planning and zoning board may provide such conditions and safeguards as may be appropriate of this chapter (see section 28-2, Exception).

(2) Written applications. All applications for an exception under this chapter shall be in writing in such form as may be prescribed by the board.

(3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider any application for a zoning exception within not more than thirty (30) days from the date of filing of the completed application. Notice of public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.

(4) Violations of exceptions. The violation of the terms of an exception, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.

Sec. 28-151 Parking [for short term rentals]

- (i) Each vacation rental, except as provided in subparagraph (iii) below, will provide at least one (1) stabilized parking space per bedroom offered for rent.

- (ii) Stabilized parking for vacation rentals may not consist of unimproved dirt, sand, or grass. For the purposes of this Division, stabilized parking shall be defined as a space that is covered and graded by semi-permeable or impervious materials such as asphalt, concrete, pavers, gravel, or a similar material.
- (iii) Vacation rentals in all zoning districts that otherwise have on-site parking requirements will provide stabilized parking on the site of their rental property. If on-site parking is not feasible, the owner may make an application to the Planning and Zoning Board for a use by exception for offsite parking. The application to the Planning and Zoning Board for a use by exception for offsite parking may include in the alternative, parking permits to the municipal parking garage, or, if on-street parking permits for vacation rentals are provided pursuant to City regulations, residential street parking permits. Issuance of the necessary permits will meet the required parking for the vacation rentals.

STAFF SUMMARY AND ANALYSIS

Use by Exception - Off-site Parking within the municipal parking garage for short term rentals.

City code requires a use by exception for off-site parking when on-site, stabilized parking is not available, per Sec 28-151 (iii). Three options are provided for off-site parking for short term rentals:

- 1) Parking on-site with required stabilized surface
 - a. Only one parking space available to the owner.
- 2) Off-site use by exception for off-site parking (within 400 feet per Sec. 28-371).
 - a. No commercial parking facilities within 400 feet.
- 3) Off-site use by exception beyond 400 feet with a variance to the distance.
 - a. Not pursued by the applicant.
- 4) Off-site use by exception to parking permits to the municipal parking garage.
 - a. Option requested by the applicant.
- 5) On-street parking permits within established Residential Permit Program Areas.
 - a. Not pursued by the applicant.

The approval of short-term rental registrations is contingent upon being able to provide parking at a rate of one stabilized parking space per bedroom offered for rent. The annual registration renewal will require the applicant to provide proof of current parking on-site or the approval of off-site parking by exception, or maintenance of valid parking passes to the city parking garage. If the applicant fails to renew parking permits, or off-site parking leases, they will be out of compliance with City Code requirements for short term rentals, and subject to code enforcement action.

- There are a total of two (2) bedrooms at 172 Cordova Street Unit 8. The property is a condominium which was built in 1935.
- 2 parking spaces are required for a short-term rental with 2 bedrooms.
- There is one parking space on site available to the owner on the property, leaving them one parking spaces short of the requirement.

Information Only: As of the date of this report, the Planning & Zoning Board has approved potentially 26 offsite parking spaces within the municipal parking garage, this application, if approved (with Unit #9), would result in a total of 27.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

STAFF RECOMMENDATION

Based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for one (1) short term rental offsite parking space in the municipal parking garage for 172 Cordova Street Unit 8 / PID 199990-0099.



Jacob Fredriksson
Senior Planner
Planning and Building Department

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$250 (plus advertising costs)

Project Number: 2022-0009

Receipt Number: 2307410

Meeting Date: March 1, 2022

Advertising Costs: \$ _____

Paid On: _____

Receipt Number: _____

1. NAME OF APPLICANT: Kimberly Nguyen Contact Number: (904) 874-6245

Business (if applicable): _____

Address: 1650 6th St. S. City: Jacksonville Beach State: Florida Zip: 32250

E-Mail Address: kmakinster@gmail.com

2. NAME OF PROPERTY OWNER: Kimberly Nguyen Contact Number: (904) 874-6245

Business (if applicable): _____

Address: 172 Cordova St. #8 City: St. Augustine State: Florida Zip: 32084

E-Mail Address: kmakinster@gmail.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: _____

Block: _____

Subdivision: 0

Parcel Number: 199990 0099

4. PROJECT STREET ADDRESS: 172 Cordova St. #8

5. SPECIFIC PROPOSED USE: Short Term Rental

6. ACTION REQUESTED:

☐ Conservation Zone Development

☐ Appeal of Staff Determination

☐ Exception

☐ Land Use Plan Amendment

☐ Variance

☐ Rezoning

☒ Other: Parking

7. DESCRIPTION OF ACTION REQUESTED: Requesting to lease 1 additional parking space
from the public garage at the north end of Cordova St to abide by rental regulations of
1 parking space per unit.

8. JUSTIFICATION FOR ACTION REQUESTED: City requirements list one parking space
per bedroom. We have one dedicated space on property and we are seeking one space
in the public garage.

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

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Signature of Applicant

Date

Signature of Property Owner

Date



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

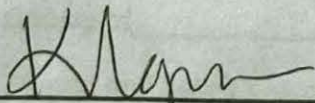
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The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Kimberly Nguyen

Print name of applicant



Signature of applicant

01/26/2022

Date

PZB APPLICATION FEE SCHEDULE

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Zoning Variance	\$350.00 + ads & notices
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Application to Amend Zoning Code	\$600.00 + ads & notices
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"Note: The cost of newspaper advertisement and all notices to surrounding property owners will be assessed by the city, paid by the city and reimbursed by the applicant. All advertising costs must be paid prior to issuance of a development permit.

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Project Address: 172 Cordova St. #8 St. Augustine, FL 32084

Applicant's Name: Kimberly Nguyen Applicant's Signature: [Signature]

Owner's Name: Kimberly Nguyen Owner's Signature: [Signature]



St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID 1999900108
 Location Address 172 CORDOVA ST UNIT 8
 SAINT AUGUSTINE 32084-0000
 Neighborhood Lakeview Condo (610.29)
 Tax Description* LAKEVIEW CONDO (OR2450/607) UNIT 8 OR3267/1349
 *The Description above is not to be used on legal documents.
 Property Use Code Condos (0400)
 Subdivision LAKEVIEW BLDG
 Sec/Twp/Rng 18-7-30
 District City of St Augustine (District 452)
 Millage Rate 19.3368
 Acreage 0.000
 Homestead Y

Owner Information

Owner Name Kiernan Lynda P 100%
 Mailing Address 172 CORDOVA ST
 SAINT AUGUSTINE, FL 32084-0000

Exemption Information

Exemption Type	Status	Amount
Homestead		\$50,000

	2022
Building Value	\$225,000
Extra Features Value	\$0
Total Land Value	\$0
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$225,000
Total Deferred	\$83,486
Assessed Value	\$141,514
Total Exemptions	\$50,000
Taxable Value	\$91,514

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$225,000	\$0	\$0	\$0	\$0	\$225,000	\$137,392	\$137,608	\$87,392
2020	\$171,000	\$0	\$0	\$0	\$0	\$171,000	\$135,495	\$85,505	\$85,495
2019	\$163,000	\$0	\$0	\$0	\$0	\$163,000	\$132,449	\$80,551	\$82,449
2018	\$163,000	\$0	\$0	\$0	\$0	\$163,000	\$129,979	\$83,021	\$79,979
2017	\$158,000	\$0	\$0	\$0	\$0	\$158,000	\$127,306	\$80,694	\$77,306
2016	\$158,000	\$0	\$0	\$0	\$0	\$158,000	\$124,688	\$83,312	\$74,688
2015	\$140,000	\$0	\$0	\$0	\$0	\$140,000	\$123,821	\$66,179	\$73,821
2014	\$130,000	\$0	\$0	\$0	\$0	\$130,000	\$122,838	\$57,162	\$72,838
2013	\$122,000	\$0	\$0	\$0	\$0	\$122,000	\$121,023	\$50,977	\$71,023
2012	\$119,000	\$0	\$0	\$0	\$0	\$119,000	\$119,000	\$50,000	\$69,000
2011	\$119,000	\$0	\$0	\$0	\$0	\$119,000	\$119,000	\$50,000	\$69,000
2010	\$125,250	\$0	\$0	\$0	\$0	\$125,250	\$125,250	\$50,000	\$75,250

Building	1
Year Built	1935
Actual Area	1013
Conditioned Area	1013
Use	Condos
Style	08
Class	N
Exterior Wall	

Roof Cover
Roof Structure
Interior Flooring
Interior Wall
Heating Type
Air Conditioning
Bedrooms
Baths

Description	Square Footage
BASE AREA - FORCED	1013
Total SqFt	1013

<https://qpublic.schneidercorp.com/Application.aspx?AppID=960&LayerID=21179&PageTypeID=4&PageID=9059&Q=1086193420&KeyValue=199990...>

	Room Type

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
12/11/2009	12/8/2009	\$165,000.00	WARRANTY DEED	3267	1349	U	I	ROSSWORN ROBERT,JACKIE A	KIERNAN LYNDA P
	4/10/2009	\$0.00	LIS PENDENS	3183	1597	U	I	DEUTSCHE TRUSTEE CO LIMITED AS TRUSTEE FOR HARBORV	ROSSWORN ROBERT,JACKIE A
	9/30/2005	\$350,000.00	WARRANTY DEED	2557	1936	Q	I	FARBER FAMILY PARTNERSHIP	ROSSWORN ROBERT,JACKIE A

No data available for the following modules: Extra Feature Information, Land Information.

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Developed by



Version 2.3.175

**AS OF 2/22/2022 NO NEW INFORMATION HAS BEEN PROVIDED
BY THE APPLICANT**

TO: Planning and Zoning Board

DATE: March 1, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2021-0156**

AGENDA ITEM	6(a)
APPLICANT	Blackbox Design c/o Augustine Development
OWNER	Kevin Vandyke
LOCATION	0 Magnolia Avenue / PID 191930-0010
REQUEST	To construct a marina with boat slips and a bulkhead within Conservation Overlay Zone 1.
LAND USE	Open Land
ZONING	Open Land (OL)

APPLICABLE CODES/ORDINANCES

Chapter 28 Land Development Code, Article I In General

Sec. 28-2. – Definitions.

Marina means an establishment with a waterfront location for the **refueling of watercraft**, providing minor repair services for such craft, and providing storage of watercraft. A marina may include, as accessory uses, a restaurant, a snack bar, lounge, motel, boatel, launching facilities and other customary accessory facilities.

Use, accessory, means a use which:

- (1) Is subordinate to and serves a principal structure or a principal use.
- (2) Is subordinate in area, extent, and purpose to the principal structure or use served.
- (3) Is located on the same lot as the principal structure or use served except as otherwise expressly authorized by provisions of this chapter.
- (4) Is customarily incidental to the principal structure or use.

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

Protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources.

CCM Objective 7

Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area.

Conservation overlay zone development means any construction or use which requires a permit from the city, physically located or taking place within a conservation overlay zone.

Conservation Overlay Zone 1 comprises the most environmentally sensitive and valuable natural resources within the city. It includes all beaches, shores and dunes seaward of the state's coastal construction control line (F.S. ch. 161), all wetlands within the state's wetlands jurisdiction line (F.S. ch. 403), brackish water, and some habitat areas for species recognized as endangered, threatened, of special concern, or unique by federal, state and local agencies. This zone includes the estuarine/riverine environments created by the San Sebastian and Matanzas Rivers and their tributaries.

Sec. 11-26. - Purpose and intent.

The purpose of this article is to establish criteria for the review of development proposals and to manage, regulate and direct development within Conservation Overlay Zones 1, 2 and 3 following the goals, objectives and policies contained in the conservation and coastal management element of the comprehensive plan. Further, this article shall serve to preserve and protect environmentally sensitive areas within the city; to promote an understanding of the importance of these areas through passive or scenic recreational opportunities; to protect and conserve endangered, threatened or unique plant and animal life; and to minimize the dangers of natural disasters by discouraging unsuitable development in areas where such growth could impair natural systems or result in loss of life or property.

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.

Sec. 11-29. Standards for review.

- (a) Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for such structures and uses which have received permits under provisions of applicable federal and state regulations and will be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and/or use so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to the animal, fish or shellfish contained therein, to avoid blocking or disrupting vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.
- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria: *Please refer to the staff summary and analysis below.*

Sec. 28-246. - Open lands district: OL.

Intent. This district is intended to apply to areas which are sparsely developed and including uses as normally found in environmentally sensitive areas away from urban activity. It is intended that substantial residential, commercial or industrial development shall not be permitted in the OL district; but lands in such district may be rezoned to the proper district to accommodate such uses when conditions warrant rezoning.

(1) *Permitted uses and structures:*

- a. Marinas, bait and tackle shops.
- b. Intermediate care facilities.
- c. Outdoor market.
- d. Commercial recreational facilities.
- e. Game preserves, wildlife management areas, fish hatcheries and refuges, watershed, water reservoirs and wells.
- f. Churches, monasteries, convents, temporary revival establishments, cemeteries, columbariums, crematories, mausoleums and memorial structures and monuments.
- g. Schools, colleges and universities with conventional academic curriculums.
- h. Housing for the elderly.
- i. Single-family dwellings on individual lots provided that no subdivision plat shall be recorded for such use in this district.
- j. Home office, private.
- k. Day nurseries and kindergartens (see section 28-347(2)).
- l. Governmental uses.
- m. Professional and business offices.
- n. Museums.
- o. The sale of wine, vinous spirits or vinous liquors for religious or sacramental purposes; however, the sale of said wine, vinous spirits or vinous liquors shall be in compliance with F.S. § 564.03 and any rules or regulations of the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business Regulation or its successor.

(2) *Permitted accessory uses and structures.* See section 28-348.

(3) *Permitted uses by exception:*

- a. See section 28-347.
- b. Radio or television broadcasting office, studio, transmitter, antenna and line-of-sight relay device.
- c. Racetrack for vehicles or animals.
- d. Animal hospital, veterinary clinic, animal boarding place, fur farm, dog kennel, provided no structure for the housing of animals shall be located within two hundred (200) feet of any residence.
- e. Caretaker residence.
- f. Commercial hunting or fishing camp.
- g. Mobile home on individual lots provided that no subdivision plat shall be recorded for such use in this district.
- h. Restaurant and refreshment stand (but not drive-in).
- i. Public Airport, if not GU zoning.
- j. Not-for-profit clubs.
- k. Travel trailer park.
- l. Sale of antiques, gift, souvenir and craft shops.

(4) *Minimum lot requirements:*

- a. Single-family dwelling or mobile home on individual lot:

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

1. Minimum lot width, one hundred (100) feet.
2. Minimum lot area, one-half acre.
- b. Other permitted or permissible uses or structures. None.
- (5) *Maximum lot coverage by all buildings:*
 - a. Single-family dwelling and mobile homes on individual lot and accessory building thereto, ten (10) percent.
 - b. Other permitted or permissible uses and accessory buildings thereto, twenty (20) percent.
- (6) *Minimum yard requirements.* All uses and structures:
 - a. Front, fifteen (15) feet.
 - b. Side, twenty (20) feet.
 - c. Rear, twenty (20) feet.
- (7) *Maximum height of structures.* Thirty-five (35) feet.

STAFF SUMMARY AND ANALYSIS

Note it has been determined based on information submitted by the applicant (see attached) that no significant trees are proposed to be removed. Therefore, at the time of this review there is no review required for tree removal in Conservation Overlay Zone 3.

This request is to approve the construction of a new bulkhead and marina. The largest issue in construction of a marina at this property is that the city defines a marina as a “waterfront location for refueling of watercraft,” in the plans provided there are no facilities for refueling of watercraft. In order for the “motel” to be recognized as part of the marina, the motel use must be ancillary to the marina use. (Sec. 28-2.)

The most recent site plan submitted with the application shows fifteen (15) individual structures, labeled as “motel rooms” and nine (9) individual boat slips, a small dock master office, and a second small office. The proposed number of fifteen motel buildings and nine boat slips makes it difficult for staff to determine that the marina would be the primary use. It is also unclear which use is the primary one especially when considering that twenty-one (21) parking spaces are designated for motel use while just five (5) spaces are designated for marina use.

The impact of this project has been reviewed by the City’s Public Works Department and Fire Department for access from East San Carlos Avenue and utilities availability and there is sufficient access available. The description below is the review for the proposed marina and bulkhead to be constructed.

Conservation Overlay Zone Development *(Staff analysis in italics)*

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria:

- (1) Site specific conditions:

The site is currently vacant, it has most recently been used as a staging area for FDOT during the May Street improvements project.

- (2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.

Other neighboring sites are waterfront properties along Hospital Creek, it is also adjacent to the Vilano Causeway.

- (3) Natural and proposed drainage patterns.

Patterns are expected to change since improvements will be made throughout the entire site.

- (4) Effect of point and nonpoint discharge in the marine environment.

The only potential effects would be from the use and storage of motorized vessels already experienced in the immediate and general area.

- (5) Proposed soil stabilization and erosion control methods.

Plans for soil stabilization and erosion control methods were not provided by the applicant.

- (6) Impact on floodplain.

N/A

- (7) Impact of development on vegetative and animal communities.

It would be a minimal impact towards these communities apart from disturbance during the construction process. A few trees will be removed due to their location of the proposed bulkhead to be installed. The applicant has not identified any significant trees to be removed.

- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.

The potential for contaminated drainage should remain very low and largely attributed to marine and watercraft activities.

- (9) Effect of shade on vegetation and shellfish.

It should be minimal in nature given the dimensions of the dock.

- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.

No additional effect since this proposal is similar to other docks in the area.

- (11) Impact of development on shoreline by linear feet and percent of site.

The new development of the bulkhead would stretch along the entire eastern edge of the property that abuts water. The new marina also appears to extend into the Hospital Creek channel.

- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.

This dock is proposed at a length that is longer than other docks in the area, the most similar dock in the area is for eight boats at a private residence south of the proposed development. The increased length does increase the impacts on vistas and scenic opportunities.

- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.

Very little amounts of existing native plants due to the site being used as an FDOT staging area for an extended period of time.

- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.

A conceptual site plan shows the removal of nine (9) existing trees, none of which are significant trees.

- (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)

A retention pond is located on the western side of the property away from Hospital Creek to reduce the amount of stormwater runoff making its way into the creek.

- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.

Minor impacts from the placement of pilings.

- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels.

The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.

The proposed dock does not include plans for boat lifts.

On Tuesday December 28th, 2021, an updated site plan was provided by the applicant to address issues of Residential single-family-one: RS-1 zoning on the western portion of the site.

- The portion of the property zoned for residential use has been changed to be the location of a new park along with a public access kayak launch.
- The original management office was removed and combined with the dock master building.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

- Motel buildings were largely reduced in size from the original 400 and 500 square foot buildings to 256 and 420 square foot buildings.
- Sitewide modifications included parking being reduced from 26 total spaces to 25 spaces, including 3 spaces for a new proposed public park.
- The updated site plan also increased the 9-boat slip dock to 12 boat slips, with one of them being for a water taxi.

STAFF RECOMMENDATION

Based on a review of section 28-2 staff finds that the board can **DENY** the construction of a marina at 0 Magnolia Avenue / PID 191930-0010 due to the complete lack of facilities and services for the refueling of watercraft which is a requirement of a marina.



Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED
NOV 09 2021
Planning/Building Dept.

Application Fee: \$165 (plus advertising costs) Project Number: 2021-0156
Receipt Number: 2235760 Meeting Date: _____
Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Blackbox Design Contact Number: 904-347-8331
Business (if applicable): Augustine Development
Address: 1031 A1A Beach Blvd. Suite 10A City: St. Augustine State: FL Zip: 32080
E-Mail Address: Dg@Augdev.net

2. NAME OF PROPERTY OWNER: Kevin Vandyke Contact Number: _____
Business (if applicable): _____
Address: 133 Oneida St. City: St. Augustine State: FL Zip: 32080
E-Mail Address: kvandyke66@gmail.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: 1.15 Block: 4/54
Subdivision: MIRAMAR Parcel Number: 1919300010

4. PROJECT STREET ADDRESS: 0 Magnolia Ave

5. SPECIFIC PROPOSED USE: Bulkhead, Gangway, Boat Slips

6. ACTION REQUESTED:
☒ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Installation of Bulkhead
Gangway and Boat Slips

8. JUSTIFICATION FOR ACTION REQUESTED: Permissible by Right

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

NO

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

NO

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

NO

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

NO

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. AGREEMENT:

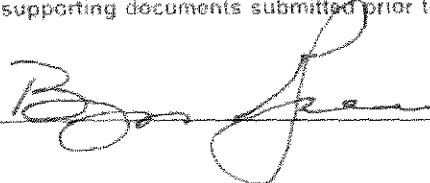
In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.

Signature of Applicant



Date

11/8/21

Signature of Property Owner

Date

04/18/2019



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

St. Augustine Development Group
Print name of applicant

[Signature]
Signature of applicant

11/9/21
Date



Owner's Authorization For Agent

Blackbox Design (St. Augustine Development) is/are hereby authorized TO ACT ON BEHALF
OF Kevin Vandyke, the owner(s) of those lands described within

☒ the attached application, or ☐ described within the previously filed
Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:

BY: _____
Signature of Owner

Print Name of Owner

Telephone Number

State of _____

County of _____

Signed and sworn before me on this _____ day of _____, 20____.

By _____

Identification verified:

Oath sworn: _____ Yes _____ No

Notary Signature: _____

My Commission expires: _____

PZB APPLICATION FEE SCHEDULE

Planning and Zoning Board fees are set by Resolution 2021-38 as follows:

Description of Work	Fee Amount
Rezoning: small scale	\$300.00 + ads & notices
Rezoning: large scale	\$1,000.00 + ads & notices
Land Use Plan Amendment: small scale	\$400.00 + ads & notices
Land Use Plan Amendment: large scale	\$1,400.00 + ads & notices
Planned Unit Development	\$400.00 or \$35.00/acre, whichever is greater, \$1,400 max + ads & notices
Zoning Variance	\$350.00 + ads & notices
Zoning Exception	\$250.00 + ads & notices
Conservation Overlay Zone Development	\$165.00 + ads & notices
Significant Tree Removal or Appeal of Tree Removal Permit Denial	\$165.00 + ads & notices
Appeal of Staff Determination	\$200.00 + ads & notices
Application to Amend Zoning Code	\$600.00 + ads & notices
Subdivision Plat Review	\$275.00 + ads, notices & additional associated costs

*Note: The cost of newspaper advertisement and all notices to surrounding property owners will be assessed by the city, paid by the city and reimbursed by the applicant. All advertising costs must be paid prior to issuance of a development permit.

The applicant shall reimburse the City the mailing cost for all notices and for any subsequent hearings requiring re-notice as a result of the applicant postponing or re-scheduling of any hearing."

If a Credit Card Authorization Form is used for the payment of fees, the City will maintain the form and automatically charge additional advertising and noticing fees, once determined, to the credit-card account submitted.

By signing below, I acknowledge responsibility for both the initial application fee and any subsequent costs associated with legal advertising and/or noticing and understand that permits associated with my application may not be issued until such fees are paid.

I authorize the Planning and Building Department to maintain my payment information until a final cost for advertising and/or noticing is determined and charged. If a payment method other than Credit Card Authorization Form is used, I understand that I will be sent an invoice for the costs of advertising/noticing which must be paid prior to the issuance of any development permit related to my application. I am aware that I can request a copy of these fees and my receipt from Building Department Staff.

Project Address: O Magnolia Ave.

Applicant's Name: St. Augustine Development Applicant's Signature: [Signature]

Owner's Name: Karin Vandyke Owner's Signature: _____



St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	1919300010
Location Address	MAGNOLIA AVE SAINT AUGUSTINE 32084-0000
Neighborhood	Miramar (600)
Tax Description*	4/54 MIRAMAR PT OF LOTS 1 & 15 & RIPARIAN RIGHTS TO HOSPITAL CREEK (EX R/W IN DB227/354) OR3832/574 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Residential (0000)
Subdivision	Miramar
Sec/Twp/Rng	7-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	1.180
Homestead	N

Owner Information

Owner Name	Van Dyke Kevin, Marcy A 100%
	Van Dyke Marcy A 100%
Mailing Address	133 ONEIDA ST SAINT AUGUSTINE, FL 32084-0000

Map



Valuation Information

	2022
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$256,032
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$256,032
Total Deferred	\$0
Assessed Value	\$256,032
Total Exemptions	\$0
Taxable Value	\$256,032

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$0	\$0	\$256,032	\$0	\$0	\$256,032	\$256,032	\$0	\$256,032
2020	\$0	\$0	\$256,032	\$0	\$0	\$256,032	\$256,032	\$0	\$256,032
2019	\$0	\$0	\$256,032	\$0	\$0	\$256,032	\$256,032	\$0	\$256,032
2018	\$0	\$0	\$254,000	\$0	\$0	\$254,000	\$253,472	\$528	\$253,472
2017	\$0	\$0	\$230,429	\$0	\$0	\$230,429	\$230,429	\$0	\$230,429
2016	\$0	\$0	\$230,429	\$0	\$0	\$230,429	\$230,429	\$0	\$230,429
2015	\$0	\$0	\$230,429	\$0	\$0	\$230,429	\$230,429	\$0	\$230,429
2014	\$0	\$0	\$364,541	\$0	\$0	\$364,541	\$364,541	\$0	\$364,541
2013	\$0	\$0	\$364,366	\$0	\$0	\$364,366	\$364,366	\$0	\$364,366
2012	\$0	\$0	\$364,366	\$0	\$0	\$364,366	\$364,366	\$0	\$364,366
2011	\$0	\$0	\$404,851	\$0	\$0	\$404,851	\$404,851	\$0	\$404,851
2010	\$0	\$0	\$449,834	\$0	\$0	\$449,834	\$449,834	\$0	\$449,834

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	127	370	127	FF	\$256,032

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
1/3/2014	12/20/2013	\$190,000.00	WARRANTY DEED	3832	574	U	V	EASTERN SAVINGS BANK FSB	VAN DYKE KEVIN, MARCY A
12/17/2011	12/14/2010	\$100.00	CERTIFICATE OF TITLE	3388	913	U	V	RANDALL D W ETAL/BY SJC COCC	EASTERN SAVINGS BANK FSB
	9/12/2009	\$0.00	LIS PENDENS	3240	1145	U	V	EASTERN SAVINGS BANK FSB	RANDALL D W
	9/16/1997	\$40,000.00	QUIT CLAIM DEED	1417	327	U	V	STANLEY JACK MACE	RANDALL D W
	8/4/1995	\$110,000.00	WARRANTY DEED	1124	206	Q	V	SCHARRE WALTER H & CAMBRIDGE CONSOL CORP	RANDALL D W ETAL
	12/4/1992	\$10,000.00	QUIT CLAIM DEED	971	1137	U	V	PACETTI ROBERT BRUCE, Q/C REMAINING 1/2INT	SCHARRE WALTER H & CAMBRIDGE CONSOL CORP
	5/11/1992	\$100.00	PERSONAL REP	940	1605	U	V	PACETTI EMERY JAMES ESTATE BY, P/R'S E J JR &	PACETTI ROBERT BRUCE, Q/C REMAINING 1/2INT
	5/11/1992	\$100.00	WARRANTY DEED	940	988	U	V	PACETTI ROBERT BRUCE, DEEDING 1/2INT	PACETTI EMERY JAMES ESTATE BY, P/R'S E J JR &

No data available for the following modules: Exemption Information, Building Information, Sketch Information, Extra Feature Information.

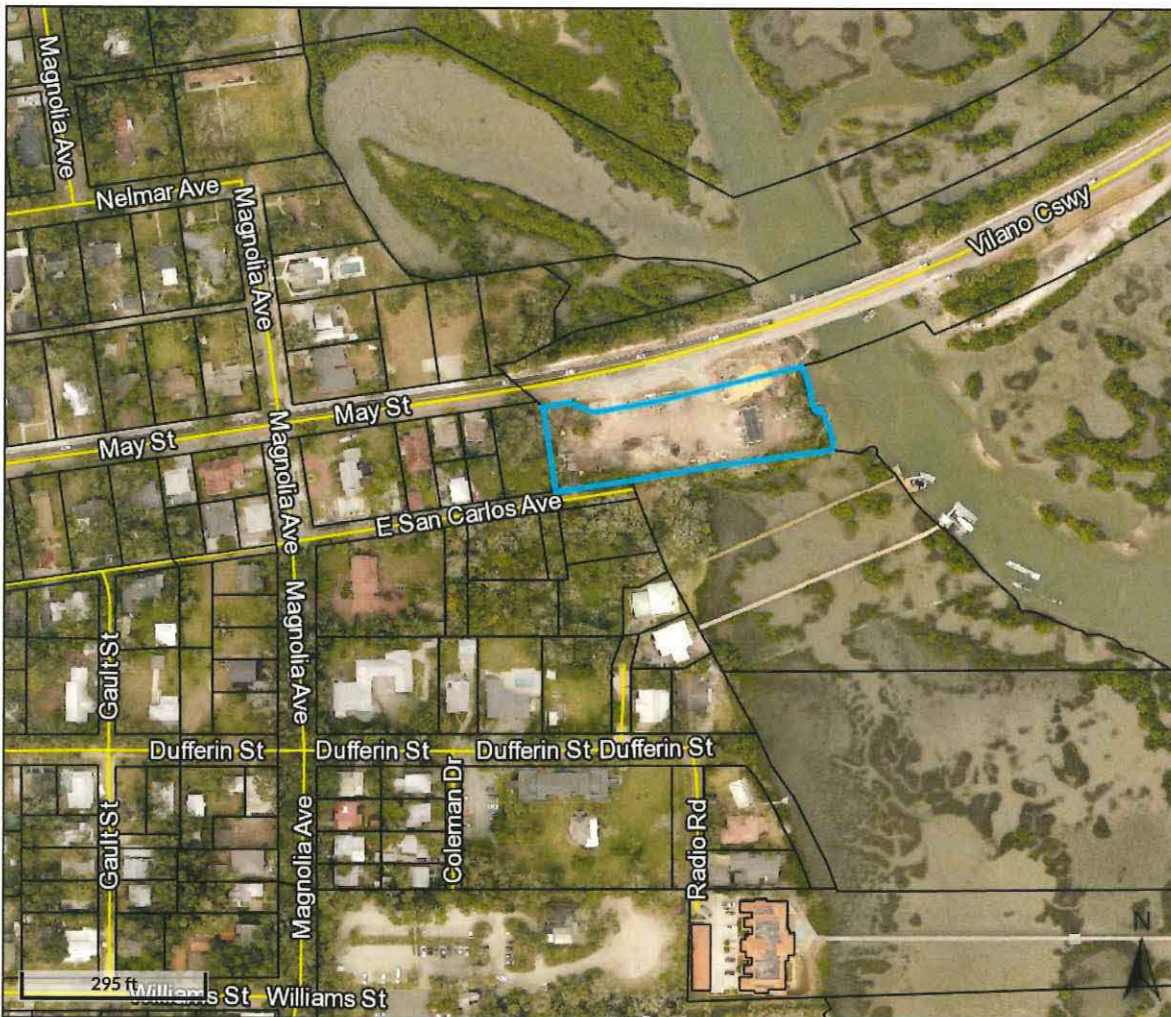
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 Schneider
 GEOSPATIAL

Version 2.3.158



Overview



Legend

□ Parcels

Parcel ID	1919300010	Physical	MAGNOLIA AVE	Building Value	N/A	Last 2 Sales			
Property	0000 - Vacant	Address	SAINT AUGUSTINE	Extra Feature	N/A	Date	Price	Reason	Qual
Class	Residential	Mailing	VAN DYKE MARCY A	Value		12/20/2013	\$190000	12	U
Taxing	City of St Augustine	Address	133 ONEIDA ST	Total Land	\$256,032	9/16/1997	\$40000	11	U
District			SAINT AUGUSTINE FL	Value					
Acres	1.18		32084-0000	Just Value	\$256,032				
				Total Deferred	N/A				
				Assessed Value	\$256,032				
				Total	N/A				
				Exemptions					
				Taxable Value	\$256,032				

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Date created: 11/9/2021

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GEOSPATIAL

MASTER PLAN PROPOSAL FOR SAN CARLOS MARINA

SAN CARLOS AVENUE, ST. AUGUSTINE, FLORIDA

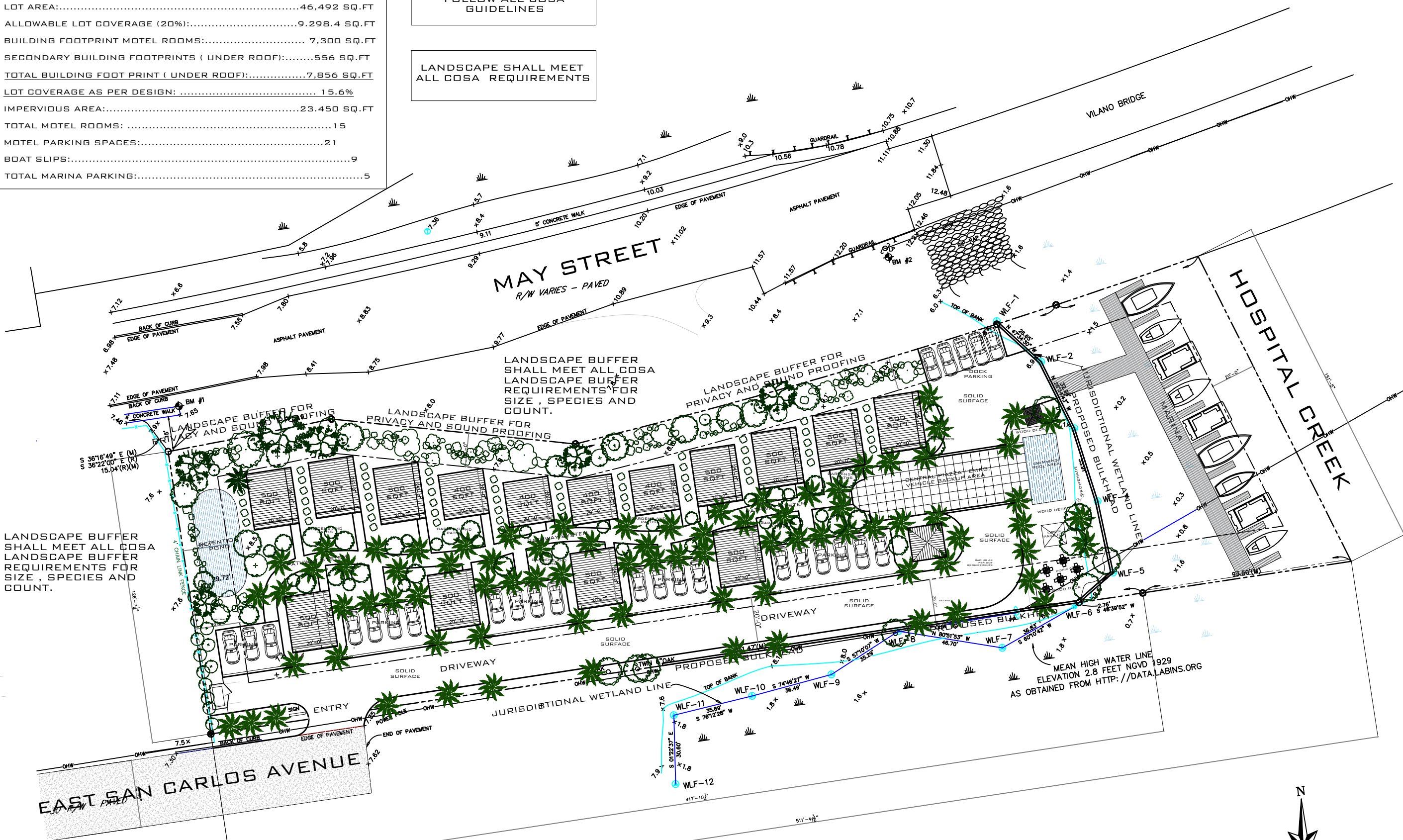


LOT CALCULATIONS

LOT AREA:.....46,492 SQ.FT
ALLOWABLE LOT COVERAGE (20%):.....9,298.4 SQ.FT
BUILDING FOOTPRINT MOTEL ROOMS:..... 7,300 SQ.FT
SECONDARY BUILDING FOOTPRINTS (UNDER ROOF):.....556 SQ.FT
TOTAL BUILDING FOOT PRINT (UNDER ROOF):.....7,856 SQ.FT
LOT COVERAGE AS PER DESIGN: 15.6%
IMPERVIOUS AREA:.....23,450 SQ.FT
TOTAL MOTEL ROOMS: 15
MOTEL PARKING SPACES:.....21
BOAT SLIPS:.....9
TOTAL MARINA PARKING:.....5

TREE MITIGATION TO FOLLOW ALL COSA GUIDELINES

LANDSCAPE SHALL MEET ALL COSA REQUIREMENTS



LANDSCAPE BUFFER SHALL MEET ALL COSA LANDSCAPE BUFFER REQUIREMENTS FOR SIZE , SPECIES AND COUNT.

LANDSCAPE BUFFER SHALL MEET ALL COSA LANDSCAPE BUFFER REQUIREMENTS FOR SIZE , SPECIES AND COUNT.

LANDSCAPE BUFFER FOR PRIVACY AND SOUND PROOFING

MEAN HIGH WATER LINE
ELEVATION 2.8 FEET NGVD 1929
AS OBTAINED FROM HTTP://DATA.LABINS.ORG

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DATE:	NO.:	BY:

MASTER PLAN FOR
BRYAN GREINER

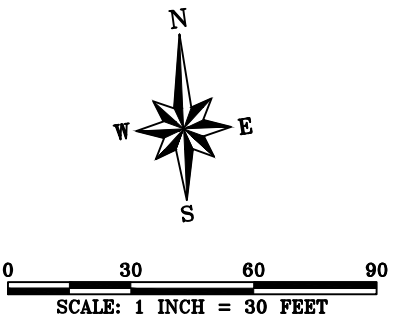
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A
1 MASTER PLAN PROPOSAL

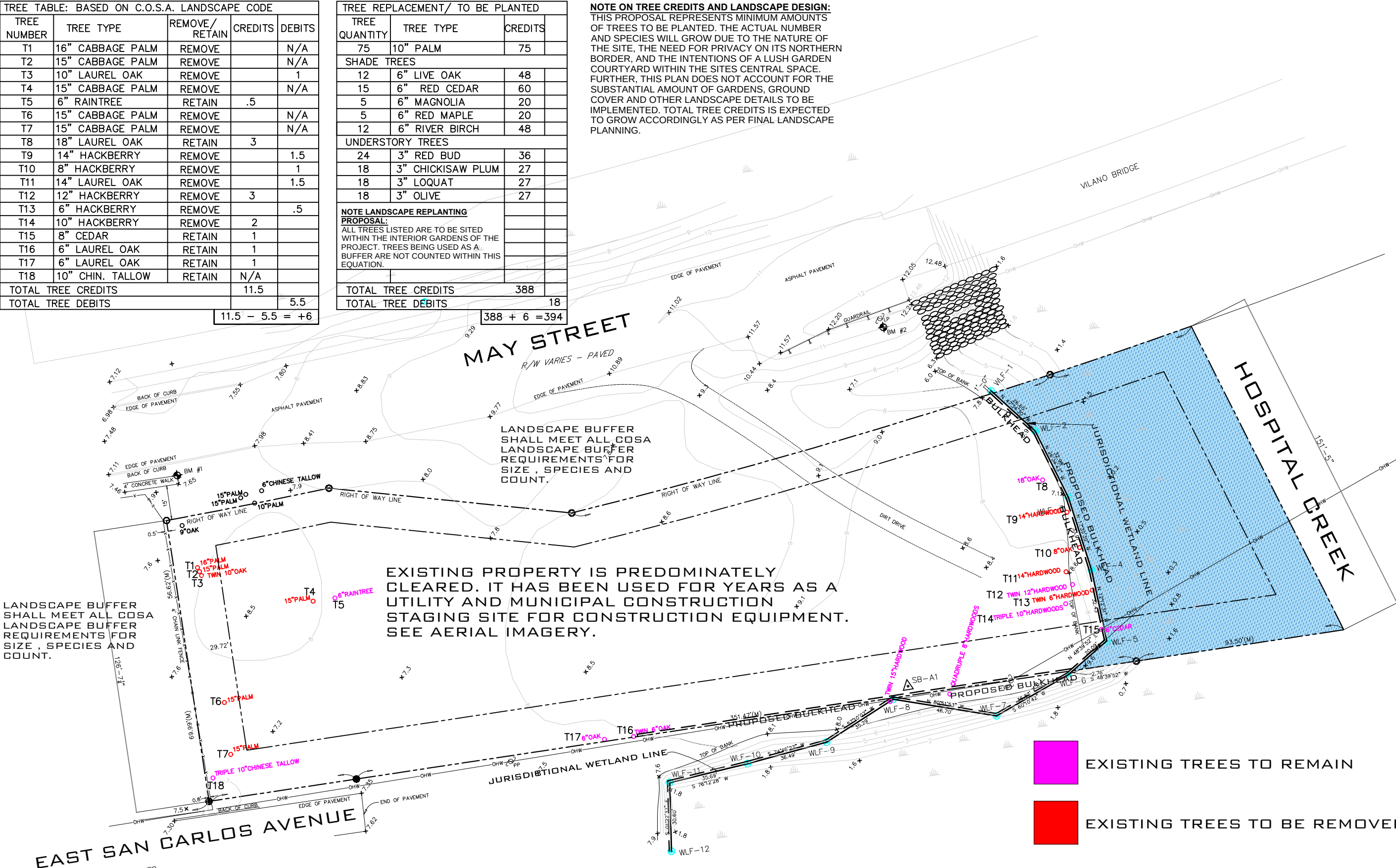


TREE TABLE: BASED ON C.O.S.A. LANDSCAPE CODE				
TREE NUMBER	TREE TYPE	REMOVE/RETAIN	CREDITS	DEBITS
T1	16" CABBAGE PALM	REMOVE		N/A
T2	15" CABBAGE PALM	REMOVE		N/A
T3	10" LAUREL OAK	REMOVE		1
T4	15" CABBAGE PALM	REMOVE		N/A
T5	6" RAINTREE	RETAIN	.5	
T6	15" CABBAGE PALM	REMOVE		N/A
T7	15" CABBAGE PALM	REMOVE		N/A
T8	18" LAUREL OAK	RETAIN	3	
T9	14" HACKBERRY	REMOVE		1.5
T10	8" HACKBERRY	REMOVE		1
T11	14" LAUREL OAK	REMOVE		1.5
T12	12" HACKBERRY	REMOVE	3	
T13	6" HACKBERRY	REMOVE		.5
T14	10" HACKBERRY	REMOVE	2	
T15	8" CEDAR	RETAIN	1	
T16	6" LAUREL OAK	RETAIN	1	
T17	6" LAUREL OAK	RETAIN	1	
T18	10" CHIN. TALLOW	RETAIN	N/A	
TOTAL TREE CREDITS			11.5	
TOTAL TREE DEBITS				5.5
			11.5 - 5.5 = +6	

TREE REPLACEMENT/ TO BE PLANTED			
TREE QUANTITY	TREE TYPE	CREDITS	
75	10" PALM	75	
SHADE TREES			
12	6" LIVE OAK	48	
15	6" RED CEDAR	60	
5	6" MAGNOLIA	20	
5	6" RED MAPLE	20	
12	6" RIVER BIRCH	48	
UNDERSTORY TREES			
24	3" RED BUD	36	
18	3" CHICKISAW PLUM	27	
18	3" LOQUAT	27	
18	3" OLIVE	27	
NOTE LANDSCAPE REPLANTING PROPOSAL:			
ALL TREES LISTED ARE TO BE SITED WITHIN THE INTERIOR GARDENS OF THE PROJECT. TREES BEING USED AS A BUFFER ARE NOT COUNTED WITHIN THIS EQUATION.			
TOTAL TREE CREDITS		388	
TOTAL TREE DEBITS			18
		388 + 6 = 394	

NOTE ON TREE CREDITS AND LANDSCAPE DESIGN:
THIS PROPOSAL REPRESENTS MINIMUM AMOUNTS OF TREES TO BE PLANTED. THE ACTUAL NUMBER AND SPECIES WILL GROW DUE TO THE NATURE OF THE SITE, THE NEED FOR PRIVACY ON ITS NORTHERN BORDER, AND THE INTENTIONS OF A LUSH GARDEN COURTYARD WITHIN THE SITES CENTRAL SPACE. FURTHER, THIS PLAN DOES NOT ACCOUNT FOR THE SUBSTANTIAL AMOUNT OF GARDENS, GROUND COVER AND OTHER LANDSCAPE DETAILS TO BE IMPLEMENTED. TOTAL TREE CREDITS IS EXPECTED TO GROW ACCORDINGLY AS PER FINAL LANDSCAPE PLANNING.

NOTE LANDSCAPE REPLANTING PROPOSAL:
ALL TREES LISTED ARE TO BE SITED WITHIN THE INTERIOR GARDENS OF THE PROJECT. TREES BEING USED AS A BUFFER ARE NOT COUNTED WITHIN THIS EQUATION.



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MASTER PLAN FOR
BRYAN GREINER

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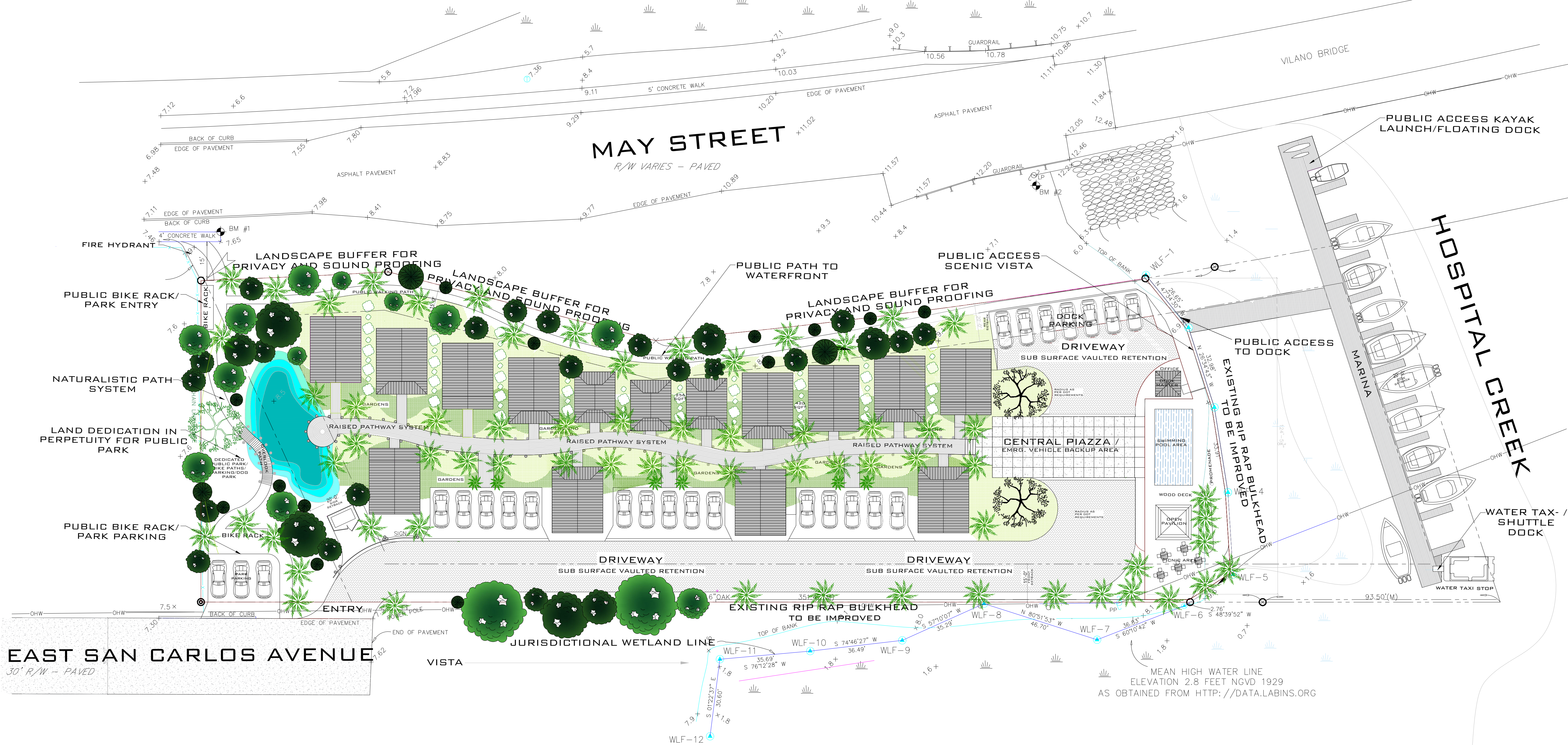
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A
2 EXISTING TREES / MITIGATION

THE PASS: MASTER PLAN



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A 1 THE PASS: MASTER PLAN

0 30 60
SCALE: 1 INCH = 30 FEET

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PURCHASER TO USE THIS SET OF PLANS FOR THE
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ARCHITECTURE OF ANY OTHER SET OF PLANS DOES
NOT IMPLY THE PURCHASER TO CONSTRUCT MORE
THAN ONE BUILDING. THESE PLANS ARE CONSIDERED
AND ARE SUBJECT TO COPYRIGHT PROTECTION AS AN
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The Pass Marina

A Unique Resource for St. Augustine's Maritime Community

Applicant: Axis May Street, LLC



Represented by James G. Whitehouse, Esquire

St. Johns Law Group

(904) 495-0400

Civil Engineer: Gulfstream Design Group

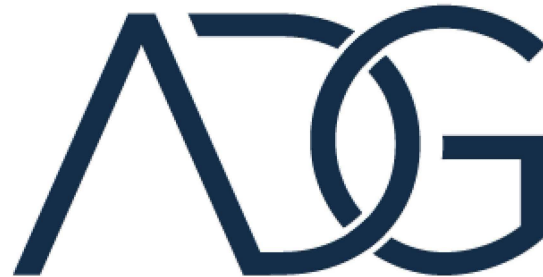
(904) 794-4203

Land Planner: Black Box Design Inc.

(904) 217-9977

Architect: David L Wallace Associates

(727) 736-6000



The Story of “The Pass” Marina

The Pass draws its spirit from the history of St. Augustine as a waterfront maritime fishing community and the vernacular fishing camps of the deep south by offering a marina with a small scale “village” of cabins. *The Pass* is a **Marina** designed to serve boaters who need land based facilities to house their crews as an **accessory use**.



St. Augustine, being a renowned historic waterfront community, has many annual sporting and cultural events which attract boaters locally, nationally and internationally. From the “Kingbuster” fishing tournament, to the many cultural events and festivals.

“The Nations Oldest City” is a destination for boaters of all kinds, *The Pass* provides

a unique resource for boaters wishing to experience St. Augustine’s abundant cultural offerings and rich history, while minimizing the vehicular impact of those bringing strong economic input. Situated on May Street, or “Vilano Causeway”, *The Pass* will be tasteful understated entry corridor piece as drivers approach St. Augustine from the East. The Pass’s 11 slip Marina and small cabins set into a lush garden environment, harken times past and refer to the significant maritime legacy that is part of our city’s history.



For the Fishing Community, *The Pass* will serve the many fishing boats that frequent Historic St. Augustine during tournaments or just out for the weekend offshore. These open fishing boats can dock safely at our marina where our small comfortable suites provide a space for the crews of boats as well as their families can stay. These crews (of sometimes 6) and their families can stay within a short walk from their boat ready for the early mornings run out of St. Augustine's Inlet.

Boaters setting their boats in at the nearby local boat ramp, or renting from a local company, can now make a day trip into a long weekend enjoying St. Augustine with their family. Traveling boaters moored in our bayfront anchorage can dinghy in to our docks for a brief change from their boats environment. Kayakers or paddle boarders have a weekend destination at The Pass.

The modest, low scale cabin suites will attend to the needs of those coming to the marina in their vessels, as individuals or with multiple crew and family on board. Each cabin, much like a boat, will have a main stateroom for the Captain (and partner) and crew berths for crew or kids.

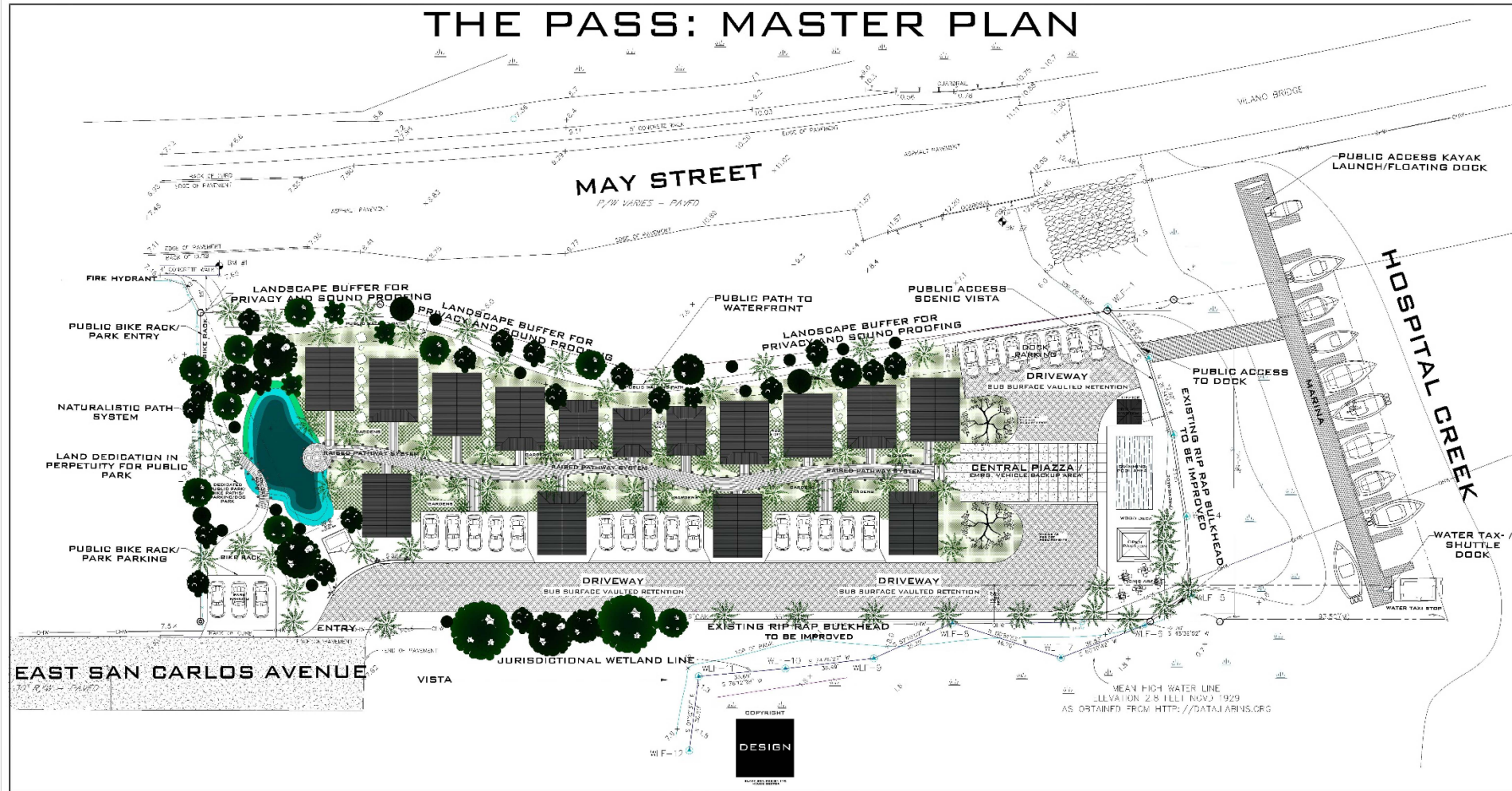
A Water taxi and Shuttle van will be provided for those seeking the offerings of St. Augustine's night life or just needing a trip to the grocery store to provision without the inconvenience of driving and parking downtown. *The Pass* will also provide electric powered bikes to its guests for them to enjoy the experience many nooks of St. Augustine and as a means to help abate traffic issues. A small ships store for ice and basic needs will be on site as well as a pool and pavilion catch.



For any small boater, sailor or powerboater, wishing to pull up to a dock, get off their boat and take a break on the hard, The Pass is designed for them. This project welcomes those wishing to come to St. Augustine on board their boat to enjoy the nations oldest continuously established maritime community.

Site Master Plan

THE PASS: MASTER PLAN



The Pass Marina from above

The Pass draws its inspiration from the history of St. Augustine as a waterfront maritime community and the vernacular fishing camps of the deep south.



The Pass Marina

Overview from the East



The Pass Marina - View from the Dock

Nestled in a lush landscape, boaters coming to The Pass can step off of their vessels after a day at sea, relax & enjoy the views out toward St. Augustine's inlet.



The Pass Cabins



Small cabins for Captains and the crew to step off of their boats are nestled in a lush native Florida landscape.

The Cabins and path system elevate themselves from the ground to provide opportunities for lush gardens, wildlife habitat and proper site drainage.



The Public Greenspace



The Western side of The Pass offers a public access park with trails and parking for the neighborhood residents to enjoy. The path system winds from the western side of the property, to the north toward the eastern vistas of the property.



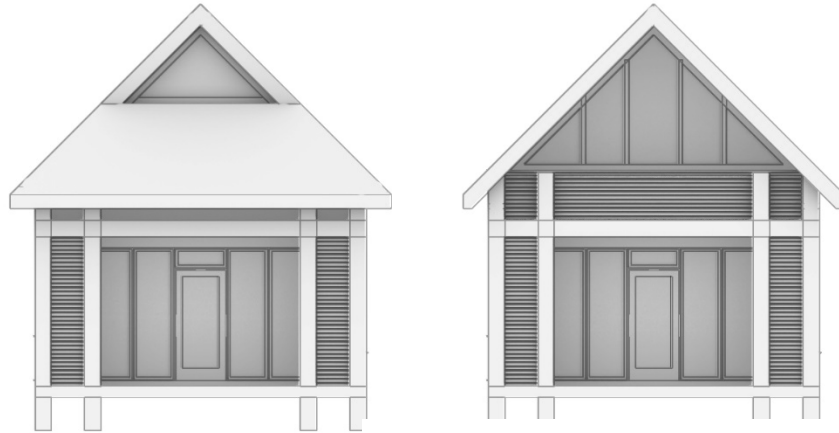
Public Kayak Launch Area



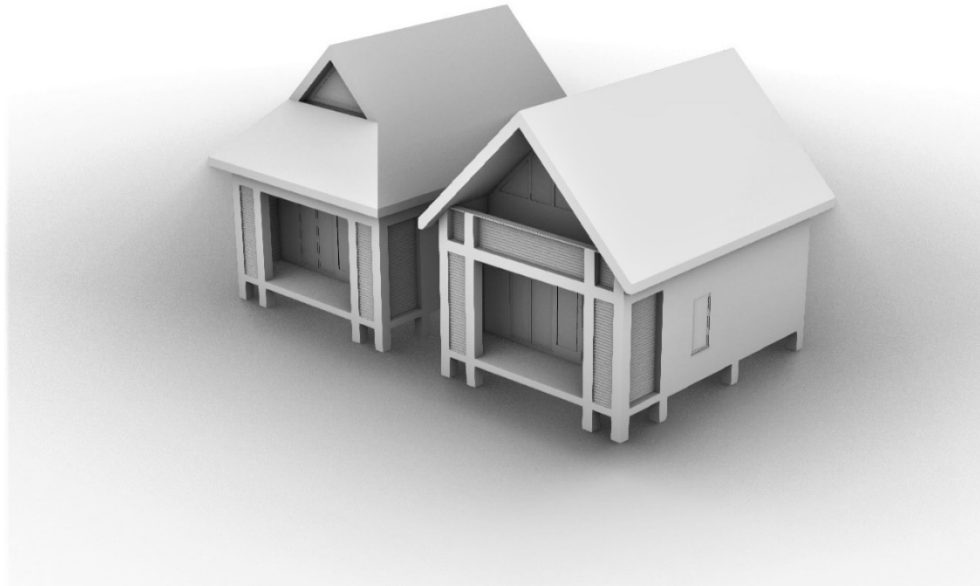
The project will provide public access to The Pass's dock and a kayak launching area for the community.

Building Design and Elevations

“Captains Quarters”



“Captains Quarters”:
13 - 420 Sq. Ft. Suites
with 1 Master stateroom
and bunk beds for
additional family or crew



Building Design and Elevations

“Crew Quarters”

- “Crew Quarters”:
- 3 - 260 Sq. Ft. Bunkhouse style
- Rooms will house up to 4 crew per unit



The Pass Public Access Element

Giving back to the community

- The Developers of the Pass believe that projects going into the tight knit fabric of St. Augustine should give back through providing public elements. The Pass has committed to preserving public access to the Vista this piece property occupies through a walking and bike path system that bounds the project.
- This path accesses a park that will be open to the public on the western end of the project. Nestled in a beautifully landscaped greenspace this can be accessed by the surrounding neighborhood and offers public access to the waterfront scenic vistas that will be preserved.
- Along the northern side of the park project is a lush tree lined path leading to a public access element of the dock. This area of the dock will have a public accessible kayak launching area for those wanting to explore the marsh lands of the Matanzas River basin.

Being Conscious of Impact

All projects unavoidably have an impact on both the community as well as the surrounding neighborhood. This impact ranges from the building of projects in otherwise empty spaces to the addition of traffic on the infrastructure of the city. The Pass has addressed both sides of this impact by providing public access to the Vistas this property offers, a neighborhood pocket park greenspace and kayak launching area.

The Pass has also addressed traffic impact by providing a water shuttle for its visiting boaters to the downtown area, waterside parks and restaurants. A compliment of electric bikes for each of its cabins will be provided as a means to abate traffic. The Pass is designed to allow greater accessibility for all kinds of boaters without adding any significant vehicular impact into our community.

Project Metrics

PROPOSED TO MEET ALL CITY CODE REQUIREMENTS

ZONING: OL

LOT AREA:.....46,492 SQ.FT

ALLOWABLE LOT COVERAGE (20%):.....9,298.4 SQ.FT

BUILDING FOOTPRINT MOTEL ROOMS:.....5,808 SQ. FT.

12 UNITS @ 420 SF

5,040 SF

3 UNITS @ 256 SF

768 SF

SECONDARY BUILDING FOOTPRINTS (UNDER ROOF):.....556 SQ.FT

TOTAL BUILDING FOOT PRINT (UNDER ROOF):.....6,364 SQ.FT

TOTAL LOT COVERAGE PROPOSED: 13.7%

IMPERVIOUS AREA 27%:.....12, 656 SQ. FT

TOTAL MOTEL ROOMS: 15

MOTEL PARKING SPACES:..... 17

BOATEL SLIPS:.....11

TOTAL BOATEL PARKING:.....7

Property Aerial

Current Use: Construction staging area



Over the years, the property has been elevated to approximately 8' with a rip rap bulkhead along the waters edge.

Currently this property is being used as a construction staging area.

Open Land Zoning

Sec. 28-246. - Open lands district: OL.

(1) Permitted uses and structures

- a. Marinas, bait and tackle shops.
- b. Intermediate care facilities.
- c. Outdoor market.
- d. Commercial recreational facilities.

City Municipal Code Further Defines “Marina” under section 28-2
Marina means an establishment with a waterfront location for the refueling of watercraft, providing minor repair services for such craft, and providing storage of watercraft. A marina may include, as accessory uses, a restaurant, a snack bar, lounge, motel, boatel, launching facilities and other customary accessory facilities.

As this property borders marshlands on the east and south, criteria for building within a Conservation zone must be met.

100 Ft Conservation Zone



Addressing COSA Guidelines : Conservation Zone and Docks

#1-2: Site Specific Conditions and sites relationship to adjacent properties, bodies of water and surrounding conservation zones

- This Site has been cleared, filled and bulkheaded with a riprap bulkhead. The existing bulkhead will be improved to facilitate a more defined edge, while still using riprap method of bulkheading as a means to soften wave energies.
- The proposed development within the conservation zone is within a previously bulkheaded area, yet still moves the majority of vertical building over 75' from the eastern edge of the bulkhead and over 25' from the southern edge.
- Numerous single-family docks in vicinity of Hospital Creek.
- The 1 Radio Rd Marina to the south is an adjacent commercial development with marina component.
- Application to the applicable regulatory agencies for submerged land lease, if required, will be made. Our intention, however, due to allowable water use, is to use existing fee simple submerged land and riparian rights for the marina facility.

#3-5: Natural and proposed drainage patterns, discharge as well as proposed soil stabilization and erosion control methods

- Upland site will be protected during construction by silt fence installed in conjunction with NPDES and local regulations.
- Marina site will be protected by turbidity barriers as required per federal and state guidelines during construction.

- Currently the site, due to improvements and fill, sits higher (8' +) than adjacent residential properties which sit at elevations closer to 7'. All surface run-off and site drainage will be retained on site or filtered prior to discharge.
- Over 85% of proposed construction (All Cabins & Walkways) will be elevated on piers to facilitate best site drainage and percolation. Existing Percolation will remain substantively unchanged as all buildings constitute only 13% of lot coverage and will be built off grade (on piers) allowing for water percolation.
- A combination of Pond Retention and Sub-Surface Vaulted Retention systems will be used to capture and retain site run-off. Any discharge of site surface waters will be directed through an approved filtration process – as per civil engineering.
- Site has been previously filled and highly compacted due to its use as a heavy equipment storage and construction staging area. Little to no fill (aside from that needed to re-direct drainage flow away from neighboring properties) is expected.
- Site will comply with City of St. Augustine, Florida Statewide ERP Criteria, and Section 7 of the Endanger ed Species Act via Section 404 of the Qcean Water Act permitting
The rip rap bulkhead that currently exists at the edges of the property will be renourished and supplemented with a cap as a means to provide best practices for bulkheading and define the properties edge.

#6-7: Impact on floodplain / Impact of development on vegetative and animal communities

- Currently the site sits above all other adjacent sites being approximately 1' above adjacent property. The site, due to improvements and fill, sits at an elevation of 8' +. This is higher than adjacent residential properties which sit at elevations closer to 7'. All surface run-off and site drainage will be retained on site or filtered prior to discharge.
- No habitat for animal life currently exists on-site aside from a small tree line on the eastern edge of property and along line adjacent to property. No protected trees will be removed from these areas.
- Proposed lush garden landscape will have numerous varieties of trees and low plantings. This combined with the off-grade construction will provide a habitat for some wildlife and native insects.
- As a riprap bulkhead will continue to be the method of bulkheading used along the waters edge, the habitat for marsh edge plant life, crustaceans and marshside animal life will be protected.
- Site will have minimal impact on floodplain because of tidal discharge and proximity to St. Augustine inlet. Site will be consistent with buildings meeting FEMA established minimum.

#8: Potential for Contaminated Drainage / Storage of Pollutants / Poisonous Materials

- All retention, Subsurface Retention and Filtration systems will be according to best civil engineering practices. Project will utilize below grade Chambered retentions as well as filtered discharge system.

- No Fuel Supply shall be provided within the marina facility.
- Best DEP / COE Practices for dock facilities and waste disposal shall be utilized and mandated.
- A Pump-out Station shall not be provided on site, however, utilization (through lease agreement) of local Pump-out vessels shall be investigated.
- _Site will comply with City of St. Augustine, Florida Statewide ERP Criteria, and Section 7 of the Endanger ed Species Act via Section 404 of the Ocean Water Act permitting.
- Any discharge of site surface waters will be via an stormwater management system permitted by SJRWMD and Cosa public works department.

#9: Effect on Vegetation and shellfish

- Floating Dock and Fixed Pier Elements will be built according to all DEP Guidelines for allowable density, size and construction methods.
- As stated above, the access pier will be constructed per federal guidelines (5' above the mhw and 6' wide maximum) as to not impact any oyster beds and saltmarsh communities which may be present.

#10: Effect of Boat Wake and Boat Traffic on Manatees, vegetation, shellfish, Wildlife AND Erosion

- Due to location of Marina to adjacent May Street Bridge, slow boat speeds will be necessary by default. This will be supplemented by any processes and signage available to create “No Wake Zone” in this area.

#11: Impact of Development on Shoreline by linear feet and % of site

- The Eastern edge of the project site is 124'. The Proposed Vertical building along the eastern edge of the site is 52'. This constitutes a 42% ratio of Building width to Waters edge Frontage – Substantially lower than the Maximum allowable ratio of 75%.

#12: Impact of Development on Vistas and Scenic Opportunities by Linear feet, Mass and Percent of Site

- Site will comply with Land Development Code requirement not to exceed 75% of lot with for vistas.
- Currently this site has little to no Scenic Vista Access from the Northern side of the property, due to an existing tree line that sits on the southern side of the property edge. This is amplified by the nature of May Street to the north, which is a high traffic artery where no stopping or slowing is permitted (In this area) due to road access closures in northern and southern neighborhoods – in an effort to prevent traffic thoroughfare.
- A view Corridor from the Northern side of the property towards the east will be provided through selected landscape planning.
- Building Ht. is not to exceed 24' – with an emphasis on single level low scale development. This includes approximately 2-3' of elevated Finished Floor hts., as a means to protect the project from Storm Event Flooding as well as propose site drainage and percolation. Proposed Landscape shall be substantially of Canopy Species, Palms and Native species, designed to hide the majority of the buildings within a “Gardenlike” Landscape. Therefor the Massing of the buildings from all views of the project will be minimized through scale, proportion and height of tree canopy relative to the low scale buildings.

#13: Existing amount of Native Plants and Proposed Retention and use of Native plants for Landscape and open space purposes

- Due to the historic use of the site as a construction staging area, previous fill and clearing, very few trees remain on the site. There are 2 Cedars located at the Southeast corner of the site which will be preserved. Other Hardwood and Palms located on the Southern edge of the property will be preserved aside from those removed for Scenic Vista creation.
- Trees located on the Western side of the property will be preserved as a part of the Public Access Park Designation.
- Plant pallet for gardens, low plantings and Canopy trees will utilize Florida Native Plant Species.
- Proposed Retention Systems for the project will be a combination of Pond Retention and Sub-Surface Vaulted (Chambered) Retention using Porous Paving systems approved for the chosen system.

#14: Impact of Development on Plant habitat and potential loss in acres and percent of Site

- Due to the previous use of the property and substantive clearing, the proposed project will be introducing an increase in planting on a large scale. This, in combination with the Raised pier floor systems of each of the buildings, the project will provide a “greenbelt” and a more conducive habitat for small wildlife to move through and about the site.

- There will be a net increase in Native Trees and Plants of a factor of 100's considering few trees and little habitat currently exists on the site.
- Proposed project fits within allowable uses for OL Zoning.

#15: Impact of Water Quality

- The use of all Pond Retention and Sub-Surface Retention will be engineered to best practices.
- Project will utilize below grade Chambered retentions as well as filtered discharge system - Treated per SJRWMD requirements.
- Site will comply with City of St. Augustine , Florida Statewide ERP Criteria, and Section 404 of The Ocean Water Act and Section 10 of the Rivers and Harbors Act of 1899.
- The marina as proposed will not require any dredging.
- Water quality will be routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida will certify that the treatment facility is equivalent to the district's criteria.)
- Any discharge of site surface waters will be via an stormwater management system permitted by SJRWMD and Cosa public works department.

#16: Impact of Development on Shellfish, sport fish and Waterfowl

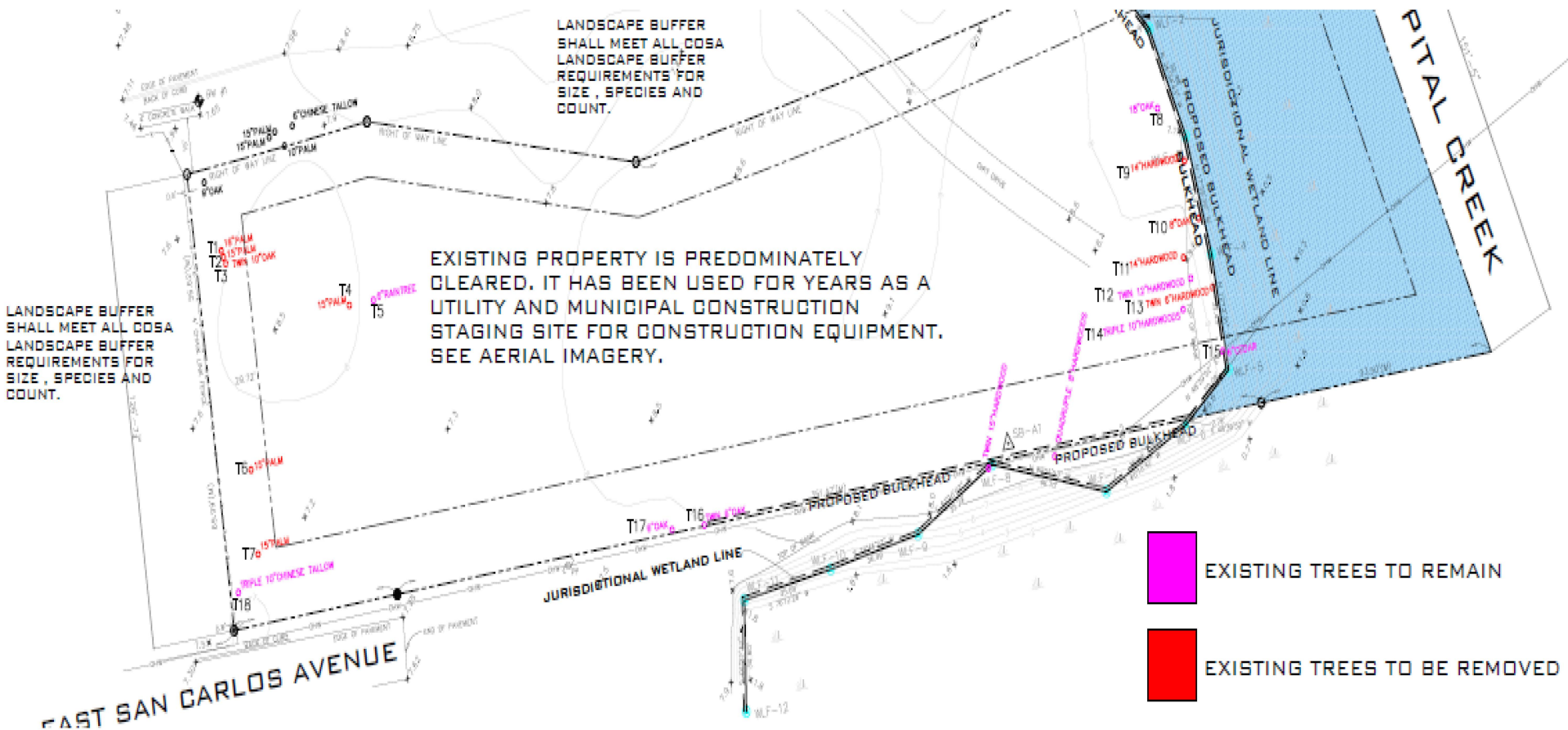
- The marina as proposed will not require any dredging
- The access pier will be constructed per federal guidelines (5' above the mhw and 6' wide maximum) as to not impact any oyster beds which may be present.

#17: Specific conditions applicable to docks

In addition to the considerations listed in subsections (1) through (16) herein, no boathouse shall be constructed within this project. The deck of this private boat dock shall not exceed six (6) feet in height above mean high water. No Boatlifts are proposed within the scope of his project.

Conservation Overlay Zone Three Development

No Protected Trees to Be Removed



Conservation Overlay Zone Three Development

Tree Protection Zones will

Save All Protected Trees

TREE TABLE: BASED ON C.O.S.A. LANDSCAPE CODE				
TREE NUMBER	TREE TYPE	REMOVE/ RETAIN	CREDITS	DEBITS
T1	16" CABBAGE PALM	REMOVE		N/A
T2	15" CABBAGE PALM	REMOVE		N/A
T3	10" LAUREL OAK	REMOVE		1
T4	15" CABBAGE PALM	REMOVE		N/A
T5	6" RAINTREE	RETAIN	.5	
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T7	15" CABBAGE PALM	REMOVE		N/A
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T13	6" HACKBERRY	REMOVE		.5
T14	10" HACKBERRY	REMOVE	2	
T15	8" CEDAR	RETAIN	1	
T16	6" LAUREL OAK	RETAIN	1	
T17	6" LAUREL OAK	RETAIN	1	
T18	10" CHIN. TALLOW	RETAIN	N/A	
TOTAL TREE CREDITS			11.5	
TOTAL TREE DEBITS				5.5
			11.5 - 5.5 = +6	

TREE REPLACEMENT/ TO BE PLANTED			
TREE QUANTITY	TREE TYPE	CREDITS	
75	10" PALM	75	
SHADE TREES			
12	6" LIVE OAK	48	
15	6" RED CEDAR	60	
5	6" MAGNOLIA	20	
5	6" RED MAPLE	20	
12	6" RIVER BIRCH	48	
UNDERSTORY TREES			
24	3" RED BUD	36	
18	3" CHICKISAW PLUM	27	
18	3" LOQUAT	27	
18	3" OLIVE	27	
NOTE LANDSCAPE REPLANTING PROPOSAL: ALL TREES LISTED ARE TO BE SITED WITHIN THE INTERIOR GARDENS OF THE PROJECT. TREES BEING USED AS A BUFFER ARE NOT COUNTED WITHIN THIS EQUATION.			
TOTAL TREE CREDITS		388	
TOTAL TREE DEBITS			18
		388 + 6 = 394	

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 1, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0006**

AGENDA ITEM	6(b)
APPLICANT	Ryan Carter c/o Carter Environmental Services, Inc.
OWNER	Patricia & Roland Anderson
LOCATION	4 Lighthouse Avenue / PID 157080-0040
REQUEST	To approve an amended dock application that expired in April 2021 within Conservation Overlay Zone 1.
LAND USE	Residential Low Density
ZONING	Residential, single-family-two: RS-2

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

Protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources.

CCM Objective 7

Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area.

Conservation overlay zone development means any construction or use which requires a permit from the city, physically located or taking place within a conservation overlay zone.

Conservation Overlay Zone 1 comprises the most environmentally sensitive and valuable natural resources within the city. It includes all beaches, shores and dunes seaward of the state's coastal construction control line (F.S. ch. 161), all wetlands within the state's wetlands jurisdiction line (F.S. ch. 403), brackish water, and some habitat areas for species recognized as endangered, threatened, of special concern, or unique by federal, state and local agencies. This zone includes the estuarine/riverine environments created by the San Sebastian and Matanzas Rivers and their tributaries.

Chapter 11 Land Development Code, Article II. Conservation Overlay Zone Development.

Sec. 11-26. - Purpose and intent.

The purpose of this article is to establish criteria for the review of development proposals and to manage, regulate and direct development within Conservation Overlay Zones 1, 2 and 3 following the goals, objectives and policies contained in the conservation and coastal management element of the comprehensive plan. Further, this article shall serve to preserve and protect environmentally sensitive areas within the city; to promote an understanding of the importance of these areas through passive or scenic recreational opportunities; to protect and conserve endangered, threatened or unique plant and animal life; and to minimize the dangers of natural disasters by discouraging unsuitable development in areas where such growth could impair natural systems or result in loss of life or property.

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.

Sec. 11-29. Standards for review.

- (a) Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for such structures and uses which have received permits under provisions of applicable federal and state regulations and will be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and/or use so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to the animal, fish or shellfish contained therein, to avoid blocking or disrupting vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.
- (b) Permits for structures and uses located within Conservation Overlay Zone 2 shall be issued only for those structures and related uses which are determined as having no significant negative impact on adjacent natural systems by either individual or cumulative effect, and consistent with the purpose of Conservation Overlay Zone 2 to protect the functional integrity of Zone 1 and to protect Zone 3 from extreme high-water conditions. At no time shall the impervious area in Conservation Overlay Zone 2 exceed twenty-five (25) percent without that area receiving treatment equivalent to the St. Johns River Water Management District water quality treatment provisions required when new development is proposed along an unaltered shoreline. The first (landward of the most restrictive jurisdictional line, which may be the mean high-water line or wetlands jurisdictional line) twenty-five (25) feet, measured in width perpendicular to the most restrictive jurisdictional line, in Conservation Overlay Zone 2 shall remain undeveloped except as provided in (1) - (4) of this subsection. If the area is already disturbed, a restoration plan is required. The planning and zoning board is authorized to impose limitations in the following manner so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to any animal, fish or shellfish life contained therein, to avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole. Rear or side lot drainage from grassed or altered areas of new development along an altered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland; however, the area not treated must be compensated

elsewhere in the system. This may be accomplished by providing additional water quality treatment in the system equivalent to that which will be discharged untreated. Water discharged shall be at non-erosive velocities. Rear or side lot drainage from grassed or altered areas of new development along an unaltered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland through the twenty-five (25) feet buffer (water discharged shall be at non-erosive velocities), with the following permitted activities:

- (1) Pruning vegetation to retain or create a reasonable view. Ground cover and shrub vegetation to a height of thirty-six (36) inches should be retained.
 - (2) A maximum of fifty (50) percent of the basal area of trees, and a maximum of fifty (50) percent of the total number of saplings, may be removed for any purpose in a twenty-year period. A healthy, well-distributed stand of trees, saplings, shrubs and ground covers and their living, undamaged root systems shall be left in place. Replacement planting with native, low maintenance vegetation is permitted to maintain the fifty (50) percent level.
 - (3) Dead, diseased, unsafe, or fallen trees may be removed.
 - (4) Bridges, paths, walkways, gazebos, docks and decks, bulkheads, seawalls, and retaining walls, and accessways to such amenities are permitted across the buffer provided such activities have minimal impact to the wetlands and are scaled to preserve the integrity of the buffer (less than ten (10) percent of the total area calculation of the buffer). These structures must demonstrate that they are of a reasonable, compatible scale to similar structures in the neighboring area. Structures in Conservation Overlay Zone 2 that are connected to adjacent structures in Zones 1 or 3 shall be sized relative to that adjacent structure and be designed so as to minimize off-site visual and environmental impacts. The applicant will present any mitigating design and environmental elements as part of the review of the structure in Conservation Overlay Zone 2.
- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria: *Please refer to the staff summary and analysis below.*

STAFF SUMMARY AND ANALYSIS

This request is seeking approval to construct a dock which previous plans had been approved in October of 2019. The previously approved application was for a 2,412 square foot dock, the current application is for a 2,744 square foot dock. The additional square footage is applied to an extra 57 square feet of dock and an extra 275 square feet of no-profile lifts.

Conservation Overlay Zone Development *(Staff analysis in italics)*

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria:

- (1) Site specific conditions:

This property has approximately 125 feet of river frontage. There is salt marsh vegetation and oyster colonies present.

- (2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.

The property is adjacent to other single-family homes along Salt Run.

- (3) Natural and proposed drainage patterns.

Applicant states drainage will not be altered by the proposed works.

- (4) Effect of point and nonpoint discharge in the marine environment.

N/A.

- (5) Proposed soil stabilization and erosion control methods.

Soil and erosion control may be necessary during construction, such as silt fences and turbidity barriers, but impacts will be temporary and no long-term erosional impacts will take place according to the applicant.

- (6) Impact on floodplain.

N/A.

- (7) Impact of development on vegetative and animal communities.

Vegetative impacts: the boardwalk could minimally shade a small portion of salt marsh, but will be built as required by state and federal agencies, five feet or higher above mean high water. Therefore, shading will be minimal.

Lighting of the open water areas at night: the proposed works will be lit with low level, directional lighting that greatly minimizes the amount of light intrusion into the marsh and open water.

Increased noise from day users: minimal noise associated with private residential boating activities.

- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.

There will be no storage of pollutants or the use of poisonous chemicals and materials.

- (9) Effect of shade on vegetation and shellfish.

Minimal if any.

- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.

N/A.

- (11) Impact of development on shoreline by linear feet and percent of site.

N/A

- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.

N/A.

- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.

Vegetative landscaping not mentioned in application.

- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.

N/A

- (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)

N/A

- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.

- a. *The effects of the proposed project on commercial and sport fish are as follows:*
Positive: The proposed new dock will provide shelter for larval, juvenile, and adult fish.
Negative: Extremely small loss of juvenile habitat from the placement of pilings for the dock.
- b. *The effects of the project on shellfish area as follows:*
Positive: The pilings used to construct the dock could be colonized by barnacles, oysters and mussels. This will be an addition of habitat.
Negative: None
- c. *The effects of the project on water fowl area as follows:*
Positive: The new boardwalk could be used as a resting place or perch for many water fowl.
Negative: Extremely small loss of foraging habitat.

- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels.

The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.

No boathouse, roofed structure or wall shall be constructed on any dock.

- *There are no proposed plans for any boathouse, roofed structure or wall within the dock.*

The deck of any private boat dock shall not exceed six (6) feet in height above the mean high water line

- *The deck will be built at 6' above MHW.*

Boatlifts shall have a maximum capacity of 12,000 pounds and shall be low-profile or no-profile.

- *Boat lifts will be low-profile and not exceed 12,000 pounds.*

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** the amended dock application that expired in April of 2021 within Conservation Overlay Zone 1 at 4 Lighthouse Avenue / PID 157080-0040.

By approval of this application, the City does not make representation, approval, or claim to riparian rights to any party.



Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$165 (plus advertising costs) Project Number: 2022-0006
Receipt Number: 2284508 Meeting Date: March 1, 2022

Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: RYAN CARTER Contact Number: 904-540-1786
Business (if applicable): Carter Environmental Services, Inc.
Address: 42 Masters Drive City: St. Augustine State: FL Zip: 32084
E-Mail Address: RYAN@CARTERENV.COM

2. NAME OF PROPERTY OWNER: PATRICIA & ROLAND ANDERSON Contact Number: _____
Business (if applicable): _____
Address: 4 Lighthouse Ave. City: St. Augustine State: FL Zip: 32084
E-Mail Address: RJA@live.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: 4 & 5 Block: 5
Subdivision: Anastasia Parcel Number: 1570800040

4. PROJECT STREET ADDRESS: 4 LIGHTHOUSE AVE

5. SPECIFIC PROPOSED USE: Proposed Dock

6. ACTION REQUESTED:
☒ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☐ Other: 540

7. DESCRIPTION OF ACTION REQUESTED: Request to modify previously approved Conservation Overlay Zone development

8. JUSTIFICATION FOR ACTION REQUESTED: Please see attached Application Supplement 1

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.


Signature of Applicant

1-14-22
Date


Signature of Property Owner

1-17-22
Date



Owner's Authorization For Agent

Carter Environmental Services, Inc. is/are hereby authorized TO ACT ON BEHALF OF Roland & Patricia Anderson, the owner(s) of those lands described within ☒ the attached application, or ☐ described within the previously filed Application number: 2019-0083, and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine's Planning & Zoning Board, located at: 4 Lighthouse Ave, Lot 4, 5 Block 5, Anastasia, 01570800040

BY: Roland J. Anderson
Signature of Owner
Roland J. Anderson
Print Name of Owner
904-540-2982
Telephone Number

State of FL

County of St. Johns

Signed and sworn before me on this 18 day of Jan, 2022

By Roland Anderson

Identification verified:

Oath sworn: X Yes No

Notary Signature:

My Commission expires:

Jesse A. Dobbie
5/7/23



Jesse A. Dobbie
State of Florida
My Commission Expires 05/07/2023
Commission No. GG 320389



CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Ryan Carter

Print name of applicant

[Signature]

Signature of applicant

1-14-22

Date

PZB APPLICATION FEE SCHEDULE

Planning and Zoning Board fees are set by Resolution 2021-38 as follows:

Description of Work	Fee Amount
Rezoning: small scale	\$300.00 + ads & notices
Rezoning: large scale	\$1,000.00 + ads & notices
Land Use Plan Amendment: small scale	\$400.00 + ads & notices
Land Use Plan Amendment: large scale	\$1,400.00 + ads & notices
Planned Unit Development	\$400.00 or \$35.00/acre, whichever is greater, \$1,400 max + ads & notices
Zoning Variance	\$350.00 + ads & notices
Zoning Exception	\$250.00 + ads & notices
Conservation Overlay Zone Development	\$165.00 + ads & notices
Significant Tree Removal or Appeal of Tree Removal Permit Denial	\$165.00 + ads & notices
Appeal of Staff Determination	\$200.00 + ads & notices
Application to Amend Zoning Code	\$600.00 + ads & notices
Subdivision Plat Review	\$275.00 + ads, notices & additional associated costs

"Note: The cost of newspaper advertisement and all notices to surrounding property owners will be assessed by the city, paid by the city and reimbursed by the applicant. All advertising costs must be paid prior to issuance of a development permit.

The applicant shall reimburse the City the mailing cost for all notices and for any subsequent hearings requiring re-notice as a result of the applicant postponing or re-scheduling of any hearing."

If a Credit Card Authorization Form is used for the payment of fees, the City will maintain the form and automatically charge additional advertising and noticing fees, once determined, to the credit-card account submitted.

By signing below, I acknowledge responsibility for both the initial application fee and any subsequent costs associated with legal advertising and/or noticing and understand that permits associated with my application may not be issued until such fees are paid.

I authorize the Planning and Building Department to maintain my payment information until a final cost for advertising and/or noticing is determined and charged. If a payment method other than Credit Card Authorization Form is used, I understand that I will be sent an invoice for the costs of advertising/noticing which must be paid prior to the issuance of any development permit related to my application. I am aware that I can request a copy of these fees and my receipt from Building Department Staff.

Project Address: 4 Lighthouse Ave.

Applicant's Name: Ryan Carter Applicant's Signature: [Signature] 1-14-22

Owner's Name: Roland J. Anderson Owner's Signature: [Signature]

Supplement 1

Overlay Zone Application Narrative

**4 Lighthouse Ave.
Overlay Zone Development Application Modification Supplement
January 2022**

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a proposed dock and boat lifts at 4 Lighthouse Ave. The application was previously approved on October 01, 2019 for (1) year from the date of approval (Att. 1). As a result of the COVID-19 Pandemic and associated workforce disruptions the applicant was not able to feasibly commence construction activities. Two 90-day extensions were granted, but the applicant was still not able to retain contractors to complete the approved construction.

This Overlay Zone Development Application seeks to modify the originally approved design. Only minor changes have been made to the previously approved Platform & No-Profile Lift systems. The design changes can be found in Attachment 2, but changes are from the previously approved two 30 X 12 boat lifts, to one 42' X 17' and another 20' X 14' boat lift. Also, the landward terminal platforms have been eliminated. For reference, the approved Overlay Zone Development Application can be found in Attachment 3

The proposed dock will allow the owners access to Salt Run. Total dock and lift area over open water/salt marsh will be approximately 2,744 sq. ft. The height of the dock will be 6' above Mean High Water. Please see attached plans for detailed dimensions.

The construction proposed in this application would occur on lands located within Conservation Overlay Zones 1 and 2, as defined in Section 11-27 of the City Code. Section 11-29(a) of the Code sets forth certain criteria for structures located within Conservation Overlay Zones. The applicant has complied with each of those criteria, as detailed below:

1. *The proposed work will have a benefit to the public as a whole.*

This is a private dock. Public benefits may be economically-related through construction activities and marine/boating related purchases.

2. *The proposed work will have no significant negative impact on natural systems (including adjacent salt marshes and the vegetative communities contained therein), by either individual or cumulative effect.*

There is a small strip of salt marsh vegetation between the uplands and open water (approx. 40 ft.). The dock will be constructed 6' above mean high water, high enough as to not over shade any vegetation.

3. *The proposed structures will not block or disrupt any vista or scenic opportunities.*

No boat houses are proposed. Dock height will be similar to neighboring docks and comply with Federal and State regulations.

4. *The proposed work will enhance vistas and scenic opportunities for the benefit of the public as a whole.*

A new dock will be added increasing the overall scenic vista.

Applications for development in Conservation Overlay Zones are to be evaluated according to certain criteria set forth in Section 11-29(c) of the City Code. The owner has complied with each of those criteria, as detailed below:

1. *Site specific conditions.*

This property has approximately 125 feet of river frontage. There is salt marsh vegetation and oyster colonies present.

2. *The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.*

The property is adjacent to other single-family homes along Salt Run.

3. *Natural and proposed drainage patterns.*

Drainage will not be altered by the proposed works.

4. *Effect of point and non-point discharge in the marine environment.*

Point and non-point discharge will not be altered.

5. *Proposed soil stabilization and erosion control methods.*

Soil and erosion control may be necessary during construction, such as silt fences and turbidity barriers, but impacts will be temporary and no long-term erosional impacts will take place.

6. *Impact on floodplain.*

There is no impact on floodplains associated with this application.

7. *Impact of development on vegetative and animal communities.*

Vegetative impacts: The boardwalk could minimally shade a small portion of salt marsh, but will be built as required by state and federal agencies, five feet or higher above mean high water. Therefore, shading will be minimal.

Lighting of the open water areas at night: The proposed works will be lit with low level, directional lighting that greatly minimizes the amount of light intrusion into the marsh and open water.

Increased noise from day users: Minimal noise associated with private residential boating activities.

8. *Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.*

There will be no storage of pollutants or the use of poisonous chemicals and materials

9. *Effect of shade on vegetation and shellfish.*

Effects of shading on vegetation and shellfish should be minimal.

10. *Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.*

The area is a no wake zone and the additional use by the owners will not affect any *manatees, vegetation, shellfish and wildlife or shoreline erosion.*

11. *Impact of development on shoreline by linear feet and percent of site.*

Not applicable.

12. *Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.*

Not applicable.

13. *Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.*

Not applicable.

14. *Impact of development on plant and animal habitat and potential loss in acres and percent of site.*

Not applicable.

15. *Impact of development on water quality.*

Not applicable.

16. *Impact of development on shellfish and on commercial and sport fish and waterfowl.*

- a) The effects of the proposed project on commercial and sport fish are as follows:

Positive: The proposed new dock will provide shelter for larval, juvenile, and adult fish.

Negative: Extremely small loss of juvenile habitat from the placement of pilings for the dock.

- b) The effects of the project on shellfish are as follows:

Positive: The pilings used to construct the dock could be colonized by barnacles, oysters and mussels. This will be an addition of habitat.

Negative: None

- c) The effects of the project on water fowl are as follows

Positive: The new boardwalk could be used as a resting place or perch for many water fowl.

Negative: Extremely small loss of foraging habitat.

17. Dock specifications:

- a) No *boathouse, roofed structure or wall shall be constructed on any dock.*

There are no proposed plans for any boathouse, roofed structure or wall within the dock.

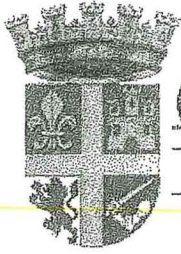
- b) *The deck of any private boat dock shall not exceed six (6) feet in height above the mean high water line.*

The deck will be built at 6' above MHW.

- c) *Boatlifts shall have a maximum capacity of 12,000 pounds and shall be low-profile or no-profile.*

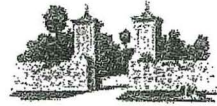
Boat lifts will be low-profile and not exceed 12,000 pounds.

Attachment 1
Overlay Zone 2019
Approval Letter



City of St. Augustine

St. Augustine, Florida



Planning/ Building

October 01, 2019

Roland J. and Patricia M. Anderson
Carter Environmental Services, Inc.
42 Masters Drive
St. Augustine, FL 32084

Re: Conservation Overlay Zone Development – 4 Lighthouse Ave – 2019-0083

Dear Applicant:

On October 1, 2019, the Planning and Zoning Board (PZB) met and discussed your application to approve the construction of a three hundred foot (300) long dock with two (2) associated boat lifts within Conservation Overlay Zone 1, for property located at 4 Lighthouse Avenue.

Specifically, based upon evidence presented, the PZB **approved** your application as described in the attached copy of the executed Order.

Conservation Overlay Zone Development is valid for a period of one (1) year from the date of approval. Failure to exercise the Conservation Overlay Zone Development by commencement of the use or action approved shall render the Conservation Overlay Zone Development invalid.

Please contact the Planning and Building Department at 825-1065 for the proper permits, fees and requirements to proceed with your project in accordance with the Planning and Zoning Board's decision.

Sincerely,

David Birchim, AICP
Director, Planning & Building

cc: John P. Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
BDAC File

BEFORE THE
PLANNING AND ZONING BOARD FOR THE
CITY OF ST. AUGUSTINE, FLORIDA

TYPE OF REQUEST:

- | | |
|---|--|
| ☐ Appeal | ☐ Preliminary Subdivision Plat Approval |
| ☒ Conservation Overlay Zone Development | ☐ PUD Modification/Amendment |
| <u>One/Two/Three</u> | ☐ Rezoning |
| ☐ Use by Exception | ☐ Variance |
| ☐ Final Development Plan | ☐ Other Click here to enter text. |
| ☐ Land Use Plan Amendment | |

IN THE MATTER OF:

Case No.: 2019-0083

Applicant: Ryan Carter c/o Carter Environmental Services, Inc.

Owner: Patricia & Roland Anderson

Address: 4 Lighthouse Avenue

Parcel Number: 1570800040

RE: Conservation Overlay Zone One Development, pursuant to Section 28-29, City of St. Augustine Code, to approve the construction of a three hundred foot (300') long dock with two (2) associated boat lifts within Conservation Overlay Zone 1.

THE PLANNING AND ZONING BOARD HAS HEARD TESTIMONY AND EXAMINED EVIDENCE AT A PUBLIC HEARING HELD ON OCTOBER 1, 2019, AND BASED ON THE TESTIMONY AND EVIDENCE, THE BOARD HAS DETERMINED AS FOLLOWS:

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. Applicant is the legal owner, occupant, and/or representative of the owner/occupant of the subject property and duly submitted an application with the owner's knowledge, and was duly notified of the hearing, in accordance with Chapter 28 of the Code of the City of St. Augustine. The applicant and/or representative ☒ was present at the October 1, 2019 Planning and Zoning Board meeting and testified under oath, or ☐ was not present.
2. A public hearing was held, with notice given as required by law, and ☐ members of the public testified under oath, or ☒ no members of the public spoke on this issue.
3. The subject property has a land use designation of Residential Low Density and a zoning classification of Residential Single Family Two (RS-2).
4. The above-described Conservation Overlay Zone One Development is subject to Section 28-29 of the Code of the City of St. Augustine.

ORDER:

Based upon the evidence presented, the Planning and Zoning Board determined that the requested action MEETS / DOES NOT MEET the requirements of Section 28-29, City of St. Augustine Code, and APPROVES / DENIES / CONTINUES the Applicant's request to approve the construction of a three hundred foot (300') long dock with two (2) associated boat lifts within Conservation Overlay Zone 1.

Subject to the following conditions:

- AS DEPICTED ON THE SUBMITTED PLANS
- _____
- _____
- _____
- _____
- _____
- _____
- _____

DONE AND ORDERED, at a public hearing on the 1 day of OCTOBER, A.D., 2019, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

2019-0083 REQUEST APPROVED / DENIED / CONTINUED

Sign Name

GRANT MISTERLY

Print Name

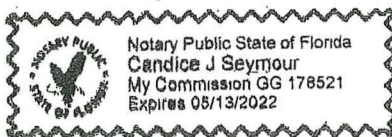
PLANNING AND ZONING BOARD
CITY OF ST. AUGUSTINE, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Grant Misterly who is personally known to me and who is the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same for the purposes therein expressed.

Witness my hand and official seal, this 1st day of October, A.D., 2019.

[Signature]
Notary Public, State of Florida



Attachment 2
Modified 2022 Overlay Zone
Graphics



CARTER ENVIRONMENTAL
SERVICES, INC.



7 Waldo Street
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Dock Alignment- Modified
Anderson Lighthouse

Project: 5.17258

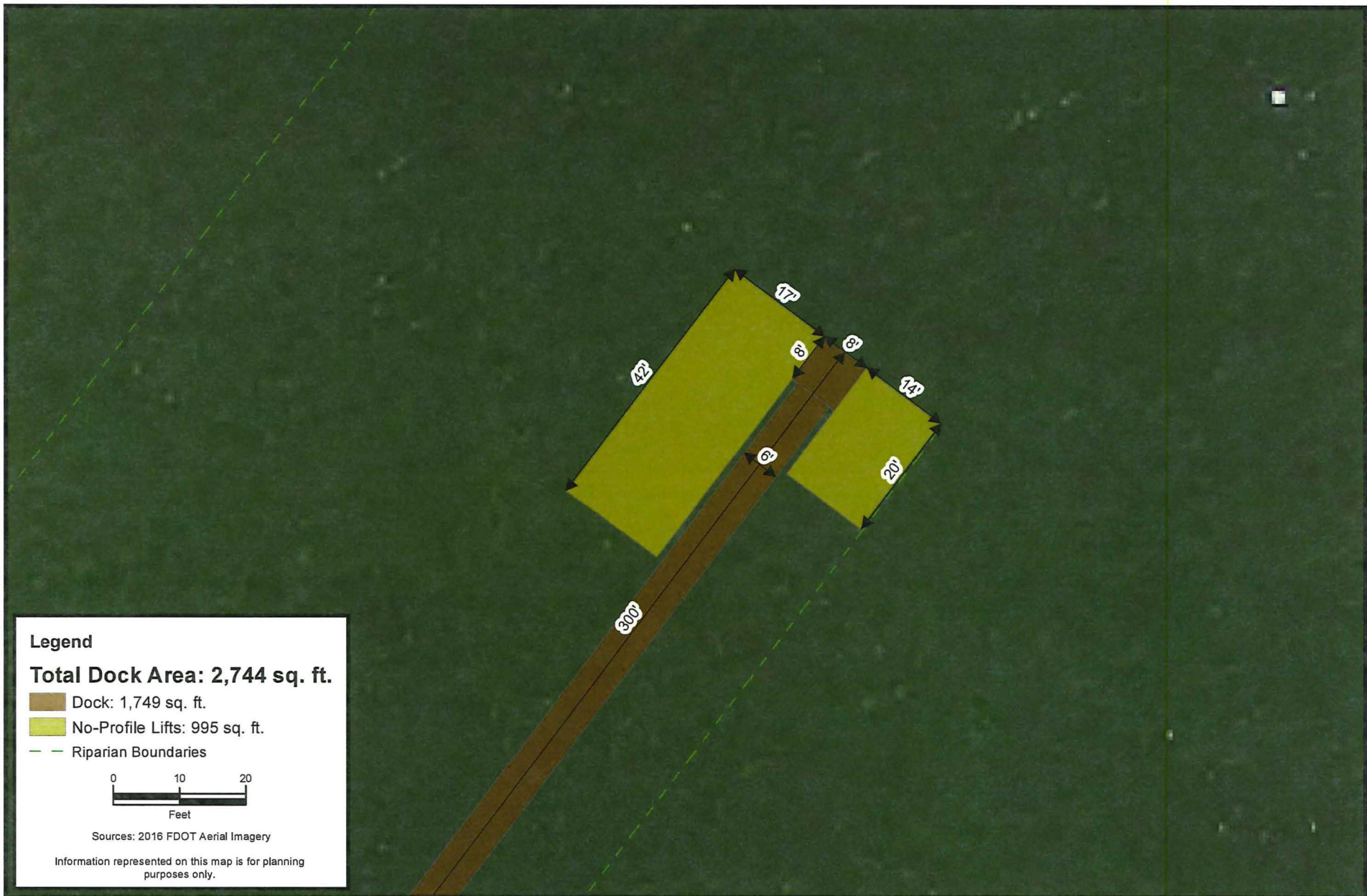
St. Augustine, FL

Date: Jan 13 2022

Figure:

1





CARTER ENVIRONMENTAL
SERVICES, INC.



7 Waldo Street
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Dock Dimensions- Modified
Anderson Lighthouse

Project: 5.17258

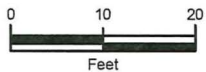
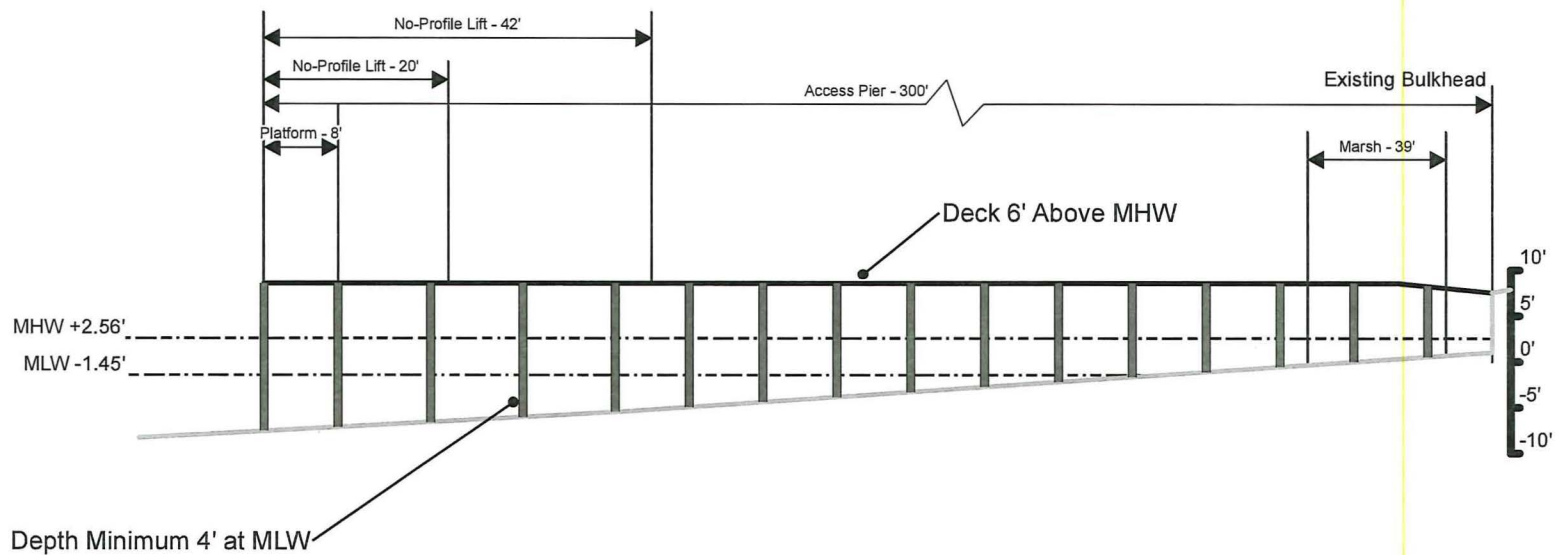
St. Augustine, FL

Date: Jan 13 2022

Figure:

2





Information represented on this map is for planning purposes only.

CARTER ENVIRONMENTAL SERVICES, INC.



7 Waldo Street
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Dock Cross-Section - Modified
Anderson Lighthouse

Project: 5.17258

St. Augustine, FL

Date: Jan 13 2022



Figure:

3

Attachment 3
Approved 2019 Overlay Zone
Application

CITY OF ST. AUGUSTINE
A3 - APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$330

BDAC Project No. _____

Receipt No. _____

Meeting Date: _____

PLEASE PRINT OR TYPE

1. NAME OF APPLICANT: Ryan Carter Daytime Telephone: 904-540-1786

Business (if applicable): Carter Environmental Services, Inc.

Address: 42 Masters Drive City: St. Augustine State: FL Zip: 32084

2. NAME OF PROPERTY OWNER: Patricia and Roland Anderson Daytime Telephone: 904-540-2982

Business (if applicable): _____

Address: 4 Lighthouse Ave. City: St. Augustine State: FL Zip: 32080

3. LEGAL DESCRIPTION OF PROJECT PROPERTY

Lot: 4 & 5

Block: 5

Subdivision: Anastasia

Parcel Number: 1570800040

4. PROJECT STREET ADDRESS: 4 Lighthouse Ave

5. SPECIFIC PROPOSED USE: Proposed dock

6. ACTION REQUESTED

☐ Exception

☐ Appeal of Staff Determination

☐ Rezoning

☐ Variance

☐ Land Use Plan Amendment

☒ Conservation Zone Development

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: _____

Conservation Overlay Zone Approval

8. JUSTIFICATION FOR ACTION REQUESTED: see Overlay Zone Development Supplement

540

2982

17

9. If applying for a variance, please complete the following:

(a) Does the property have a disadvantage which is not common to other properties in the area?

Please explain fully. _____

(b) Can you establish that this disadvantage is not due to the owner's actions? Please explain fully. 22

(c) Can you establish that this disadvantage prevents reasonable use of the property? Please explain fully. _____

(d) If granted, will the variance adversely affect other property in the area? Please explain fully. _____

(e) If granted, can you establish that the variance will be in harmony with the intent and purpose of the code?

Please explain fully. _____

10. PREVIOUS APPLICATIONS

Has any application been submitted to the Planning and Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, give date and final disposition below.

11. AGREEMENT

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

12.

Signature of Applicant

7-29-19

Date

13.

Signature of Property Owner

7/29/19

Date

Attachment 1

Overlay Zone Application Narrative

**4 Lighthouse Ave.
Overlay Zone Development Application Supplement
August 2019**

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a proposed dock and boat lifts at 4 Lighthouse Ave. The proposed dock will allow the owners access to Salt Run. Total dock and lift area over open water/salt marsh will be approximately 2,412 sq. ft. The height of the dock will be 6' above Mean High Water. Please see attached plans for detailed dimensions.

The construction proposed in this application would occur on lands located within Conservation Overlay Zones 1 and 2, as defined in Section 11-27 of the City Code. Section 11-29(a) of the Code sets forth certain criteria for structures located within Conservation Overlay Zones. The applicant has complied with each of those criteria, as detailed below:

1. *The proposed work will have a benefit to the public as a whole.*

This is a private dock. Public benefits may be economically-related through construction activities and marine/boating related purchases.

2. *The proposed work will have no significant negative impact on natural systems (including adjacent salt marshes and the vegetative communities contained therein), by either individual or cumulative effect.*

There is a small strip of salt marsh vegetation between the uplands and open water (approx. 40 ft.). The dock will be constructed 6' above mean high water, high enough as to not over shade any vegetation.

3. *The proposed structures will not block or disrupt any vista or scenic opportunities.*

No boat houses are proposed. Dock height will be similar to neighboring docks and comply with Federal and State regulations.

4. *The proposed work will enhance vistas and scenic opportunities for the benefit of the public as a whole.*

A new dock will be added increasing the overall scenic vista.

Applications for development in Conservation Overlay Zones are to be evaluated according to certain criteria set forth in Section 11-29(c) of the City Code. The owner has complied with each of those criteria, as detailed below:

1. *Site specific conditions.*

This property has approximately 125 feet of river frontage. There is salt marsh vegetation and oyster colonies present.

2. *The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.*

The property is adjacent to other single-family homes along Salt Run.

3. *Natural and proposed drainage patterns.*

Drainage will not be altered by the proposed works.

4. *Effect of point and non-point discharge in the marine environment.*

Point and non-point discharge will not be altered.

5. *Proposed soil stabilization and erosion control methods.*

Soil and erosion control may be necessary during construction, such as silt fences and turbidity barriers, but impacts will be temporary and no long-term erosional impacts will take place.

6. *Impact on floodplain.*

There is no impact on floodplains associated with this application.

7. *Impact of development on vegetative and animal communities.*

Vegetative impacts: The boardwalk could minimally shade a small portion of salt marsh, but will be built as required by state and federal agencies, five feet or higher above mean high water. Therefore, shading will be minimal.

Lighting of the open water areas at night: The proposed works will be lit with low level, directional lighting that greatly minimizes the amount of light intrusion into the marsh and open water.

Increased noise from day users: Minimal noise associated with private residential boating activities.

8. *Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.*

There will be no storage of pollutants or the use of poisonous chemicals and materials

9. *Effect of shade on vegetation and shellfish.*

Effects of shading on vegetation and shellfish should be minimal.

10. *Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.*

The area is a no wake zone and the additional use by the owners will not affect any manatees, vegetation, shellfish and wildlife or shoreline erosion.

11. *Impact of development on shoreline by linear feet and percent of site.*

Not applicable.

12. *Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.*

Not applicable.

13. *Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.*

Not applicable.

14. *Impact of development on plant and animal habitat and potential loss in acres and percent of site.*

Not applicable.

15. *Impact of development on water quality.*

Not applicable.

16. *Impact of development on shellfish and on commercial and sport fish and waterfowl.*

- a) The effects of the proposed project on commercial and sport fish are as follows:

Positive: The proposed new dock will provide shelter for larval, juvenile, and adult fish.

Negative: Extremely small loss of juvenile habitat from the placement of pilings for the dock.

- b) The effects of the project on shellfish are as follows:

Positive: The pilings used to construct the dock could be colonized by barnacles, oysters and mussels. This will be an addition of habitat.

Negative: None

- c) The effects of the project on water fowl are as follows

Positive: The new boardwalk could be used as a resting place or perch for many water fowl.

Negative: Extremely small loss of foraging habitat.

17. Dock specifications:

- a) *No boathouse, roofed structure or wall shall be constructed on any dock.*

There are no proposed plans for any boathouse, roofed structure or wall within the dock.

- b) *The deck of any private boat dock shall not exceed six (6) feet in height above the mean high water line.*

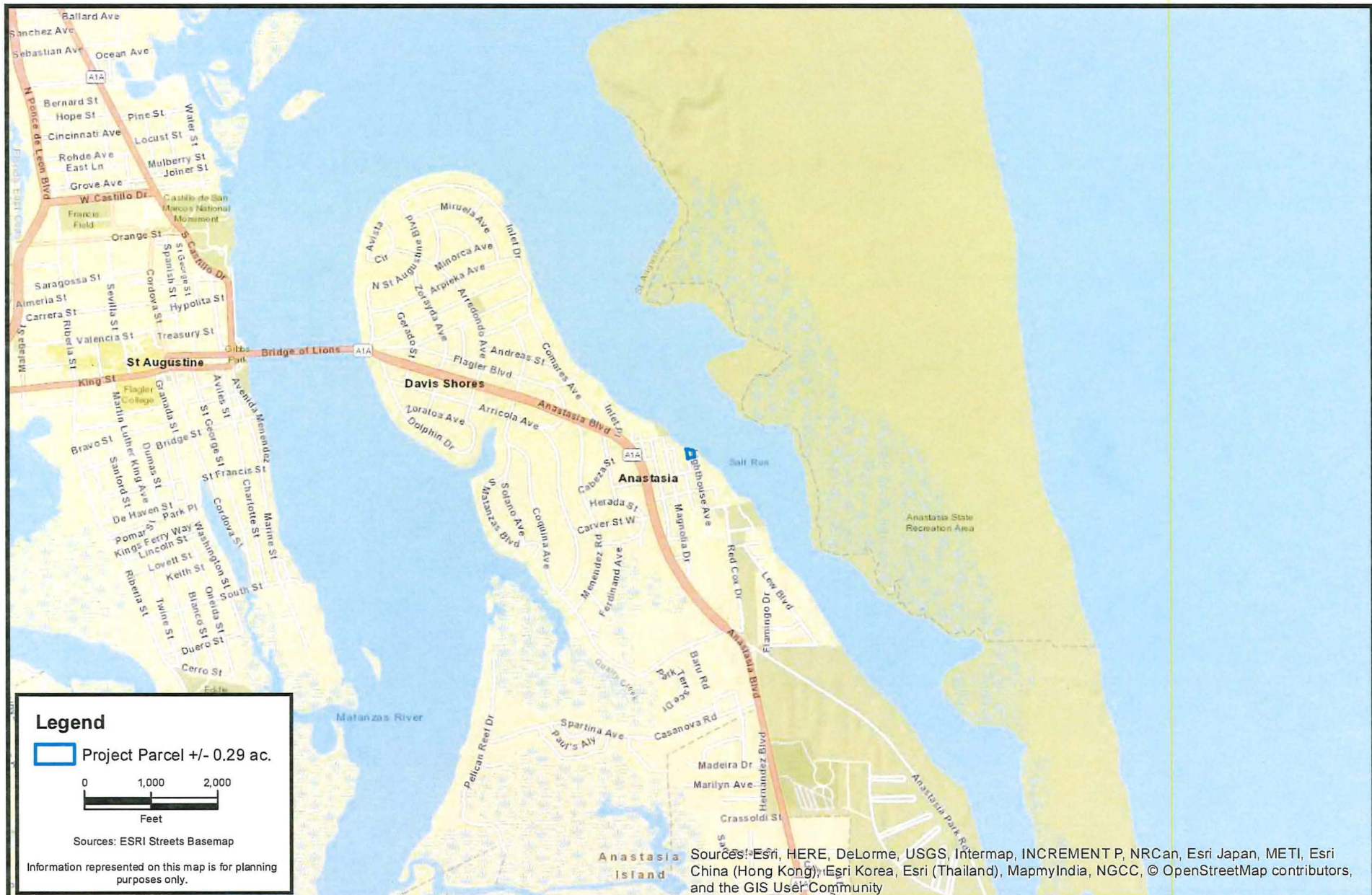
The deck will be built at 6' above MHW.

- c) *Boatlifts shall have a maximum capacity of 12,000 pounds and shall be low-profile or no-profile.*

Boat lifts will be low-profile and not exceed 12,000 pounds.

Attachment 2

Overlay Zone Application Graphics



CARTER ENVIRONMENTAL
SERVICES, INC.



7 Waldo Street
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

Project: 5.17258

St. Augustine, FL

Date: Jul 25 2019

Figure:

1





**CARTER ENVIRONMENTAL
SERVICES, INC.**



7 Waldo Street
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Aerial Map

Anderson Lighthouse

Project: 5.17258

St. Augustine, FL

Date: Jul 25 2019

Figure:

2





CARTER ENVIRONMENTAL
SERVICES, INC.



7 Waldo Street
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

Proposed Dock Alignment
Anderson Lighthouse

Project: 5.17258

St. Augustine, FL

Date: Jul 25 2019

Figure:

3





CARTER ENVIRONMENTAL
SERVICES, INC.



7 Waldo Street
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

Proposed Dock Dimensions
Anderson Lighthouse

Project: 5.17258

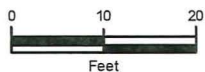
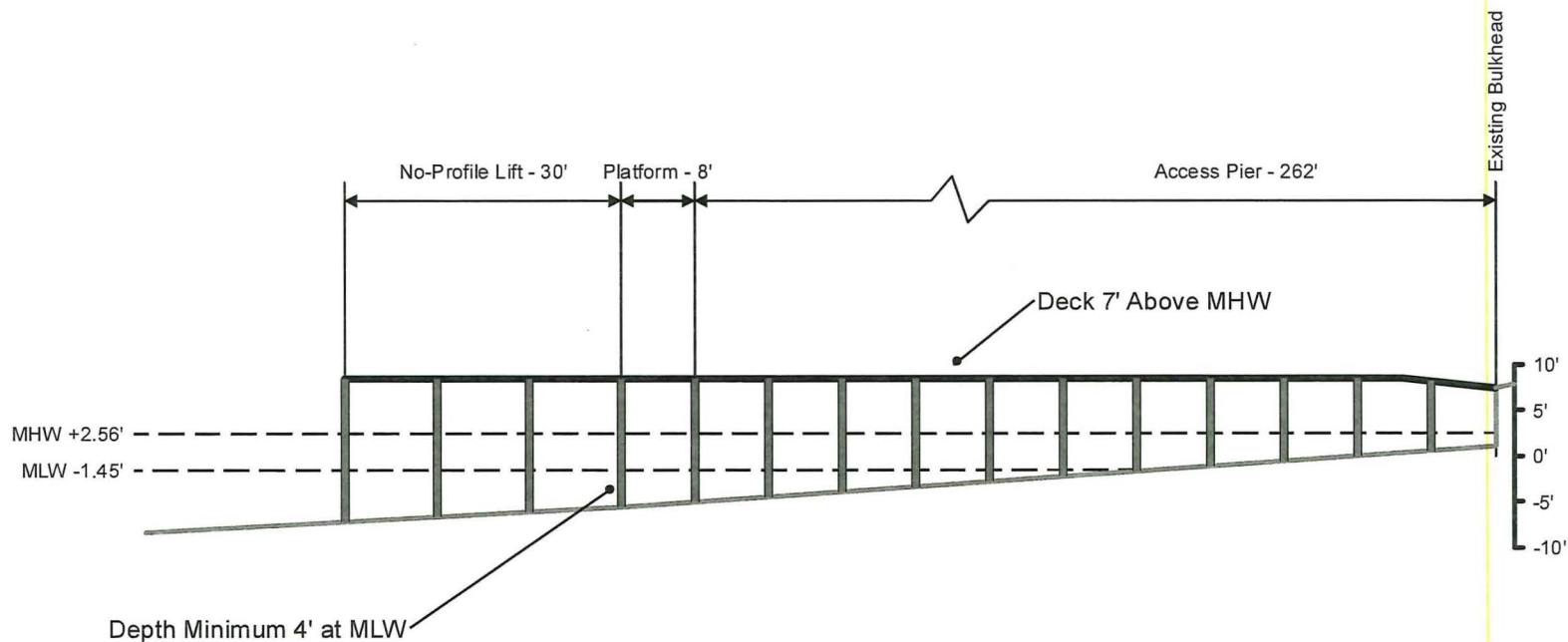
St. Augustine, FL

Date: Jul 25 2019

Figure:

4





Information represented on this map is for planning purposes only.

CARTER ENVIRONMENTAL SERVICES, INC.

CES

www.carterenv.com

7 Waldo Street
St. Augustine, FL 32084
904-540-1786

Proposed Dock Cross-Section
Anderson Lighthouse

Project: 5.17258

St. Augustine, FL

Date: Aug 05 2019

Figure:

5





St. Johns County, FL

Quick Links

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[Tax Estimator](#)

TRIM Notice

[TRIM Notice](#)

Summary

Parcel ID 1570800040
Location 4 LIGHTHOUSE AVE
Address SAINT AUGUSTINE 32080-0000
Neighborhood CARVERS INTERCOASTAL (713.42)
Tax Description* 1-58 CARVERS ANASTASIA N41FT LOT 4 & ALL LOT 5 BLK 5 & E2FT OF VACATED ALLEY LYING W IN OR324/606 & ALSO W PT OF LIGHTHOUSE AVE LYING E OF LOTS 3 4 & 5 BLK 5 & THAT PT OF 4TH ST N OF LOT 5 BLK 5 OR1007/1005
 *The Description above is not to be used on legal documents.
Property Use Single Family (0100)
Code
Subdivision Anastasia, Map Of
Sec/Twp/Rng 58-7-30
District City of St Augustine (District 452)
Millage Rate 20.4933
Acreage 0.290
Homestead Y

View Map

Owner

Owner Name Anderson Patricia M 100%
 Anderson Roland J, Patricia M 100%
Mailing Address 4 LIGHTHOUSE AVE
 SAINT AUGUSTINE, FL 32080-4630

Valuation

	2018
Building Value	\$80,630
Extra Features Value	\$0
Total Land Value	\$507,840
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$588,470
Total Deferred	\$341,273
Assessed Value	\$247,197
Total Exemptions	\$50,000
Taxable Value	\$197,197

Values listed are from our working tax roll and are subject to change.

Historical Assessments

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2017	\$65,999	\$0	\$507,840	\$0	\$0	\$573,839	\$242,113	\$381,726	\$192,113
2016	\$66,970	\$0	\$507,840	\$0	\$0	\$574,810	\$237,133	\$387,677	\$187,133
2015	\$68,911	\$0	\$507,840	\$0	\$0	\$576,751	\$235,485	\$391,266	\$185,485
2014	\$56,373	\$0	\$507,840	\$0	\$0	\$564,213	\$233,616	\$380,597	\$183,616
2013	\$57,938	\$0	\$507,840	\$0	\$0	\$565,778	\$230,164	\$385,614	\$180,164
2012	\$58,722	\$0	\$402,408	\$0	\$0	\$461,130	\$226,317	\$284,813	\$176,317
2011	\$59,504	\$0	\$447,120	\$0	\$0	\$506,624	\$219,725	\$336,899	\$169,725
2010	\$60,287	\$0	\$496,800	\$0	\$0	\$557,087	\$216,478	\$390,609	\$166,478

Exemptions

Exemption Type	Amount
Homestead	\$25,000
Homestead Band	\$25,000

Building Information

Building 1
 Actual Area 2371
 Conditioned Area 1402
 Actual Year Built 1986
 Use Single Family Residence
 Style 01
 Class N
 Exterior Wall Wood

Roof Structure Gable Hip
 Roof Cover Metal
 Interior Flooring Carpet, Ceramic Tile
 Interior Wall Drywall
 Heating Type Air Duct
 Heating Fuel
 Air Conditioning Central
 Baths

Category	Type	Pct
Exterior Wall	Wood	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Metal	100%
Interior Walls	Drywall	100%
Interior Flooring	Carpet	70%
Interior Flooring	Ceramic Tile	30%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	8 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Concrete Slab	100%

Description	Conditioned Area	Actual Area
FINSH DECK	0	564
BASE AREA	1046	1046
F UP STORY	356	356
F OPN PRCH	0	60
F OPN PRCH	0	84
F OPN PRCH	0	21
F GARAGE	0	240
Total SqFt	1402	2371

Land Line

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	115	78	115	FF	\$507,840

Sales

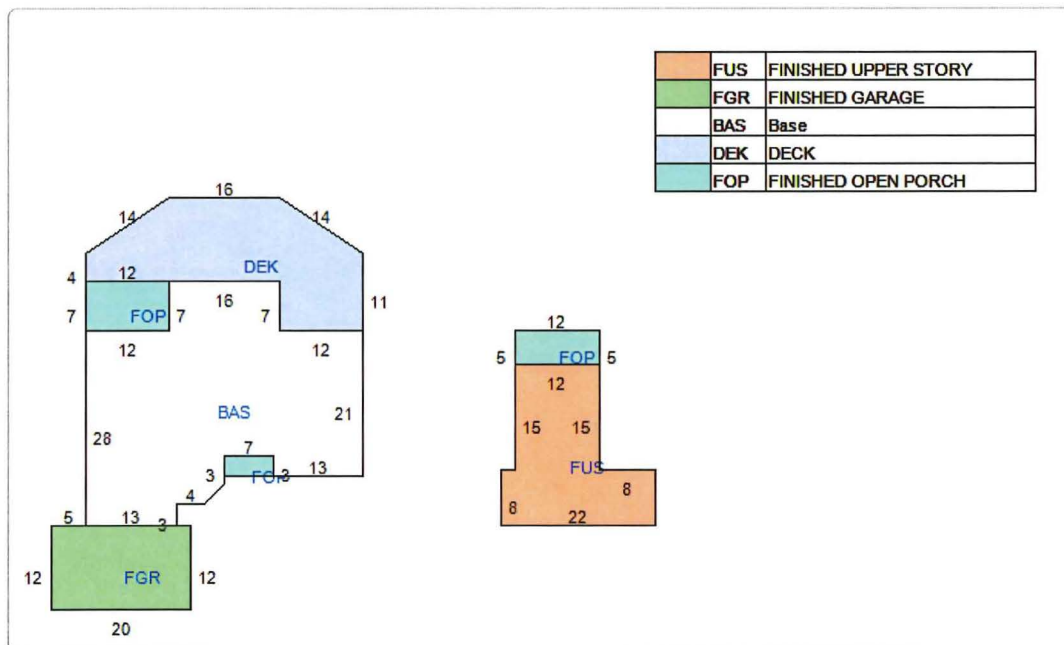
Recording Date	Sale Date	Sale Price	Instrument Number	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	8/20/1993	\$192,500.00	WD	1007	1005	Q	I	WEST JUDSON B JR, ANNELLE	ANDERSON ROLAND J, PATRICIA M

Area Sales Report
[Recent Sales in Area](#)
Clerk of Court
[Clerk of Court](#)
Tax Collector
[My Tax Bill](#)
Tax Estimator
[Tax Estimator](#)

Map



Sketches



No data available for the following modules: Extra Features.

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The Schneider
Corporation

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 1, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0007**

AGENDA ITEM	6(c)
APPLICANT & OWNER	Jared Whetstone
LOCATION	235 Coquina Avenue / PID 223540-0070
REQUEST	To approve a new bulkhead within Conservation Overlay Zone 1.
LAND USE	Residential Low Density
ZONING	Residential Single-Family-One (RS-1)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

Protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources.

CCM Objective 7

Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area.

Conservation overlay zone development means any construction or use which requires a permit from the city, physically located or taking place within a conservation overlay zone.

Conservation Overlay Zone 1 comprises the most environmentally sensitive and valuable natural resources within the city. It includes all beaches, shores and dunes seaward of the state's coastal construction control line (F.S. ch. 161), all wetlands within the state's wetlands jurisdiction line (F.S. ch. 403), brackish water, and some habitat areas for species recognized as endangered, threatened, of special concern, or unique by federal, state and local agencies. This zone includes the estuarine/riverine environments created by the San Sebastian and Matanzas Rivers and their tributaries.

Chapter 11 Land Development Code, Article II. Conservation Overlay Zone Development.

Sec. 11-26. - Purpose and intent.

The purpose of this article is to establish criteria for the review of development proposals and to manage, regulate and direct development within Conservation Overlay Zones 1, 2 and 3 following the goals, objectives and policies contained in the conservation and coastal management element of the comprehensive plan. Further, this article shall serve to preserve and protect environmentally sensitive areas within the city; to promote an understanding of the importance of these areas through passive or scenic recreational opportunities; to protect and conserve endangered, threatened or unique plant and animal life; and to minimize the dangers of natural disasters by discouraging unsuitable development in areas where such growth could impair natural systems or result in loss of life or property.

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.

Sec. 11-29. Standards for review.

- (a) Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for such structures and uses which have received permits under provisions of applicable federal and state regulations and will be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and/or use so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to the animal, fish or shellfish contained therein, to avoid blocking or disrupting vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.
- (b) Permits for structures and uses located within Conservation Overlay Zone 2 shall be issued only for those structures and related uses which are determined as having no significant negative impact on adjacent natural systems by either individual or cumulative effect., and consistent with the purpose of Conservation Overlay Zone 2 to protect the functional integrity of Zone 1 and to protect Zone 3 from extreme high-water conditions. At no time shall the impervious area in Conservation Overlay Zone 2 exceed twenty-five (25) percent without that area receiving treatment equivalent to the St. Johns River Water Management District water quality treatment provisions required when new development is proposed along an unaltered shoreline. The first (landward of the most restrictive jurisdictional line, which may be the mean high-water line or wetlands jurisdictional line) twenty-five (25) feet, measured in width perpendicular to the most restrictive jurisdictional line, in Conservation Overlay Zone 2 shall remain undeveloped except as provided in (1) - (4) of this subsection. If the area is already disturbed, a restoration plan is required. The planning and zoning board is authorized to impose limitations in the following manner so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to any animal, fish or shellfish life contained therein, to avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole. Rear or side lot drainage from grassed or altered areas of new development along an altered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland; however, the area not treated must be compensated

elsewhere in the system. This may be accomplished by providing additional water quality treatment in the system equivalent to that which will be discharged untreated. Water discharged shall be at non-erosive velocities. Rear or side lot drainage from grassed or altered areas of new development along an unaltered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland through the twenty-five (25) feet buffer (water discharged shall be at non-erosive velocities), with the following permitted activities:

- (1) Pruning vegetation to retain or create a reasonable view. Ground cover and shrub vegetation to a height of thirty-six (36) inches should be retained.
- (2) A maximum of fifty (50) percent of the basal area of trees, and a maximum of fifty (50) percent of the total number of saplings, may be removed for any purpose in a twenty-year period. A healthy, well-distributed stand of trees, saplings, shrubs and ground covers and their living, undamaged root systems shall be left in place. Replacement planting with native, low maintenance vegetation is permitted to maintain the fifty (50) percent level.
- (3) Dead, diseased, unsafe, or fallen trees may be removed.
- (4) Bridges, paths, walkways, gazebos, docks and decks, bulkheads, seawalls, and retaining walls, and accessways to such amenities are permitted across the buffer provided such activities have minimal impact to the wetlands and are scaled to preserve the integrity of the buffer (less than ten (10) percent of the total area calculation of the buffer). These structures must demonstrate that they are of a reasonable, compatible scale to similar structures in the neighboring area. Structures in Conservation Overlay Zone 2 that are connected to adjacent structures in Zones 1 or 3 shall be sized relative to that adjacent structure and be designed so as to minimize off-site visual and environmental impacts. The applicant will present any mitigating design and environmental elements as part of the review of the structure in Conservation Overlay Zone 2.

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria: *Please refer to the staff summary and analysis below.*

STAFF SUMMARY AND ANALYSIS

This request is to construct a new bulkhead along the edge of the applicant's property adjacent to the marshlands of Quarry Creek.

Conservation Overlay Zone Development *(Staff analysis in italics)*

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria:

- (1) Site specific conditions:

The proposed bulkhead will be located on the interface between the applicant's backyard and the salt march associated with the adjacent tidal creek.

- (2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.

The proposed bulkhead will not extend to the water and will be placed upland of any mangroves or marsh grass. The proposed bulkhead will connect to an adjacent bulkhead to the north.

- (3) Natural and proposed drainage patterns.

The applicant states that the proposed bulkhead will have no impact on existing drainage patterns.

- (4) Effect of point and nonpoint discharge in the marine environment.

Applicant claims that the bulkhead will decrease point and nonpoint discharge by eliminating deposition into the adjacent marsh.

- (5) Proposed soil stabilization and erosion control methods.

All necessary silt screens and/or turbidity barriers will be employed during construction.

- (6) Impact on floodplain.

N/A.

- (7) Impact of development on vegetative and animal communities.

N/A.

- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.

The proposed bulkhead will reduce any drainage into the adjacent marsh. No storage of pollutants or use of poisonous chemicals and materials will occur with the proposed project.

- (9) Effect of shade on vegetation and shellfish.

N/A.

- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.

N/A.

- (11) Impact of development on shoreline by linear feet and percent of site.

The proposed bulkhead (+/-88 Linear Feet) will be located on the interface between the applicant's backyard and the salt marsh associated with the adjacent tidal creek and will be placed upland of any mangroves or marsh grass.

- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.

N/A.

- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.

Vegetative landscaping not mentioned in application.

- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.

Applicant states that there will be no loss of plant or animal habitat with the proposed bulkhead.

- (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)

There will be no impact on water quality with the proposed bulkhead. The proposed bulkhead will eliminate any deposition into the adjacent marsh.

- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.

N/A.

- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels.

The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.

No dock modification is part of the application.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** the construction of a new bulkhead within Conservation Overlay Zone 1 at 235 Coquina Avenue / PID 223540-0070.

By approval of this application, the City does not make representation, approval, or claim to riparian rights to any party.



Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$165 (plus advertising costs) Project Number: 2022-0007
Receipt Number: 2306785 Meeting Date: March 1, 2022

Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Jared Whetstone Contact Number: 904-814-7683

Business (if applicable): _____

Address: 235 Coquina Ave. City: St. Augustine State: FL

Zip: 32082 E-Mail Address: jared@atlanticcandy.com

2. NAME OF PROPERTY OWNER: Same as Applicant Contact Number: _____

Business (if applicable): _____

Address: _____ City: _____ State: _____ Zip: _____

E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 7 & 30' of 6 Block: 63

Subdivision: Davis Shores Parcel Number: 2235400070

4. PROJECT STREET ADDRESS: 235 Coquina Ave

5. SPECIFIC PROPOSED USE: Construct a Bulkhead

6. ACTION REQUESTED:

☒ Conservation Zone Development ☐ Appeal of Staff Determination

☐ Exception ☐ Land Use Plan Amendment

☐ Variance ☐ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Conservation Overlay Zone Approval to construct a bulkhead

8. JUSTIFICATION FOR ACTION REQUESTED: See attached 17 Point Analysis

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

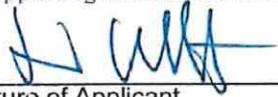
11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

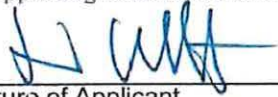
Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.

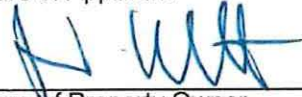


Signature of Applicant

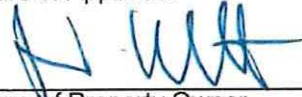


Date

12/3/21



Signature of Property Owner



Date

12/3/21



CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Jared Whetstone

Print name of applicant

Signature of applicant

12/3/21

Date



Owner's Authorization For Agent

Brian Spahr is/are hereby authorized TO ACT ON BEHALF
OF Jared Whetstone, the owner(s) of those lands described within
☒ the attached application, or ☐ described within the previously filed
Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City of
St. Augustine's Planning & Zoning Board, located at:

BY: _____

Signature of Owner

Jared Whetstone

Print Name of Owner

904 814 7683

Telephone Number

State of FL

County of St. Johns

Signed and sworn before me on this 17th day of December, 2021.

By Jared Whetstone

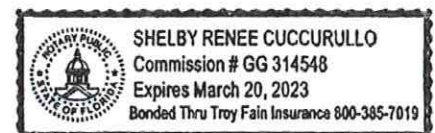
Identification verified:

Oath sworn: ☒ Yes ☐ No

Notary Signature: _____

My Commission expires:

March, 20, 2023



PZB APPLICATION FEE SCHEDULE

Planning and Zoning Board fees are set by Resolution 2017-42 as follows:

Description of Work	Fee Amount
Rezoning: small scale	\$300.00 + ads & notices
Rezoning: large scale	\$1,000.00 + ads & notices
Land Use Plan Amendment: small scale	\$400.00 + ads & notices
Land Use Plan Amendment: large scale	\$1,400.00 + ads & notices
Planned Unit Development	\$400.00 or \$35.00/acre, whichever is greater. \$1,400 max + ads & notices
Zoning Variance	\$350.00 + ads & notices
Zoning Exception	\$250.00 + ads & notices
Conservation Overlay Zone Development	\$165.00 + ads & notices
Conservation Overlay Zone Development: Docks	\$330.00 + ads & notices
Appeal of Staff Determination	\$200.00 + ads & notices
Application to Amend Zoning Code	\$600.00 + ads & notices
Preliminary Plat Approval	\$275.00 + ads & notices

"Note: The cost of newspaper advertisement and all notices to surrounding property owners will be assessed by the city, paid by the city and reimbursed by the applicant. All advertising costs must be paid prior to issuance of a development permit.

The applicant shall reimburse the City the mailing cost for all notices and for any subsequent hearings requiring re-notice as a result of the applicant postponing or re-scheduling of any hearing."

If a Credit Card Authorization Form is used for the payment of fees, the City will maintain the form and automatically charge additional advertising and noticing fees, once determined, to the credit-card account submitted.

By signing below, I acknowledge responsibility for both the initial application fee and any subsequent costs associated with legal advertising and/or noticing and understand that permits associated with my application may not be issued until such fees are paid.

I authorize the Planning and Building Department to maintain my payment information until a final cost for advertising and/or noticing is determined and charged. If a payment method other than Credit Card Authorization Form is used, I understand that I will be sent an invoice for the costs of advertising/noticing which must be paid prior to the issuance of any development permit related to my application. I am aware that I can request a copy of these fees and my receipt from Building Department Staff.

Project Address: 235 Coquina Ave.

Applicant's Name: Jared Whetstone Applicant's Signature: [Signature]

Owner's Name: Jared Whetstone Owner's Signature: [Signature]

Brian L Spahr
424 Peregrine Ct., Jacksonville, Florida 32225
(904) 626-1377

Whetstone Bulkhead
235 Coquina Ave.
Parcel No. 2235400070
17 Point Criteria Summary

(1) Site specific conditions.

The proposed bulkhead will be located on the interface between the applicant's back yard and the salt marsh associated with the adjacent tidal creek.



Brian L Spahr
424 Peregrine Ct., Jacksonville, Florida 32225
(904) 626-1377



(2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.

The proposed bulkhead will not extend to the water and will be placed upland of any mangroves or marsh grass. The proposed bulkhead will connect to an adjacent bulkhead to the north.

(3) Natural and proposed drainage patterns.

The proposed bulkhead will have no impact on existing drainage patterns.

Brian L Spahr
424 Peregrine Ct., Jacksonville, Florida 32225
(904) 626-1377

(4) Effect of point and nonpoint discharge in the marine environment.

Point and nonpoint discharge from the proposed bulkhead will be negligible. The proposed bulkhead will actually decrease point and nonpoint discharge by eliminating deposition into the adjacent marsh.

(5) Proposed soil stabilization and erosion control methods.

All necessary silt screens and/or turbidity barriers will be employed during construction.

(6) Impact on floodplain.

No impact to the floodplain will occur with the proposed bulkhead.

(7) Impact of development on vegetative and animal communities.

No impact to vegetative or animal communities will occur with the proposed bulkhead.

(8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.

The proposed bulkhead will reduce any drainage into the adjacent marsh. No storage of pollutants or use of poisonous chemicals and materials will occur with the proposed project.

(9) Effect of shade on vegetation and shellfish.

N/A

(10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.

N/A

(11) Impact of development on shoreline by linear feet and percent of site.

The proposed bulkhead (+/-88 Linear Feet) will located on the interface between the applicant's back yard and the salt marsh associated with the adjacent tidal creek and will be placed upland of any mangroves or marsh grass.

(12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.

The proposed bulkhead will have no impact on vistas or scenic opportunities.

(13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.

Brian L Spahr
424 Peregrine Ct., Jacksonville, Florida 32225
(904) 626-1377

N/A

(14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.

There will be no loss of plant and animal habitat with the proposed bulkhead.

(15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)

There will be no impact on water quality with the proposed bulkhead. The proposed bulkhead will eliminate any deposition into the adjacent marsh.

(16) Impact of development on shellfish and on commercial and sport fish and waterfowl.

There will be no impact to shellfish or commercial/sport fish and waterfowl with construction of the proposed bulkhead.

(17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.

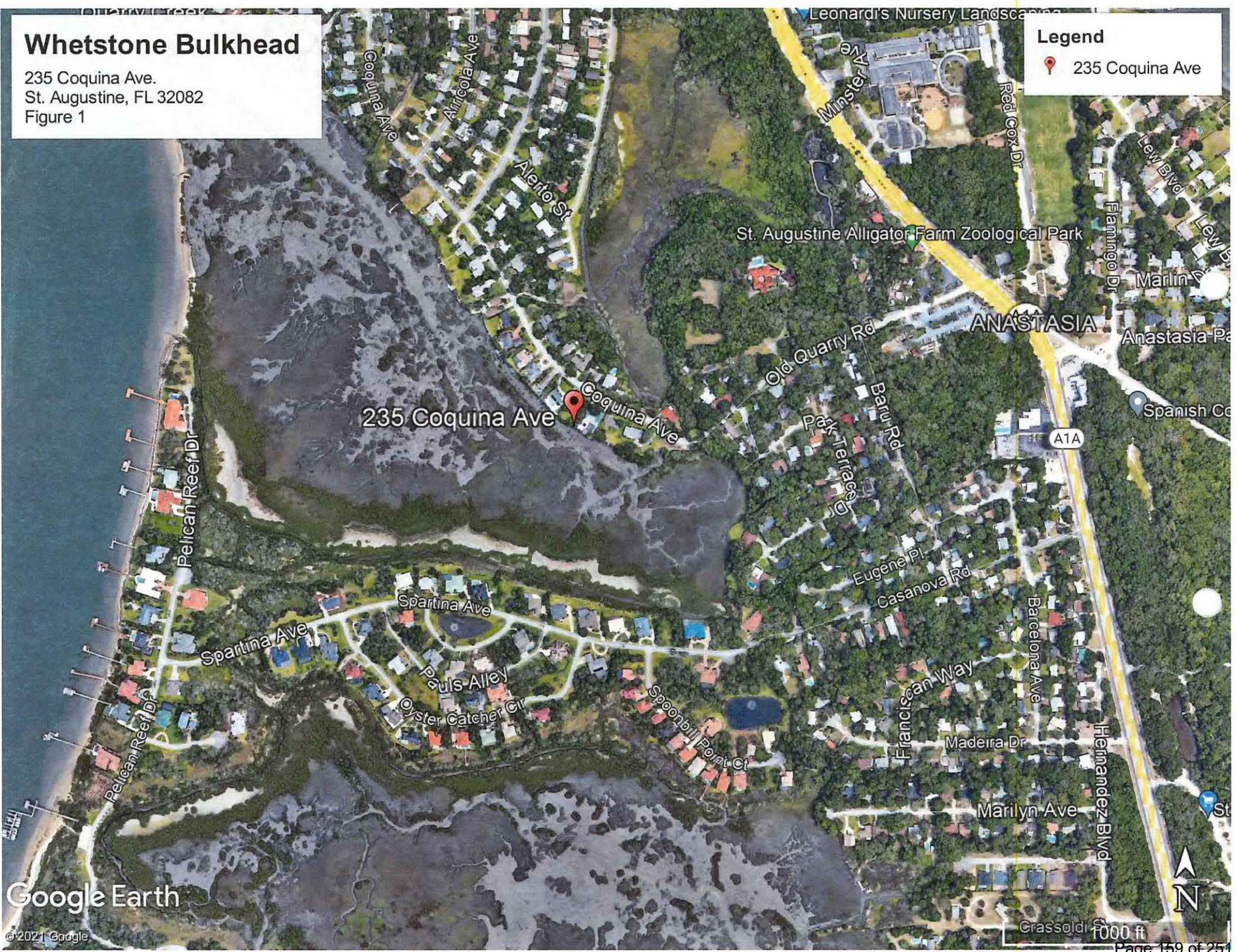
N/A

Whetstone Bulkhead

235 Coquina Ave.
St. Augustine, FL 32082
Figure 1

Legend

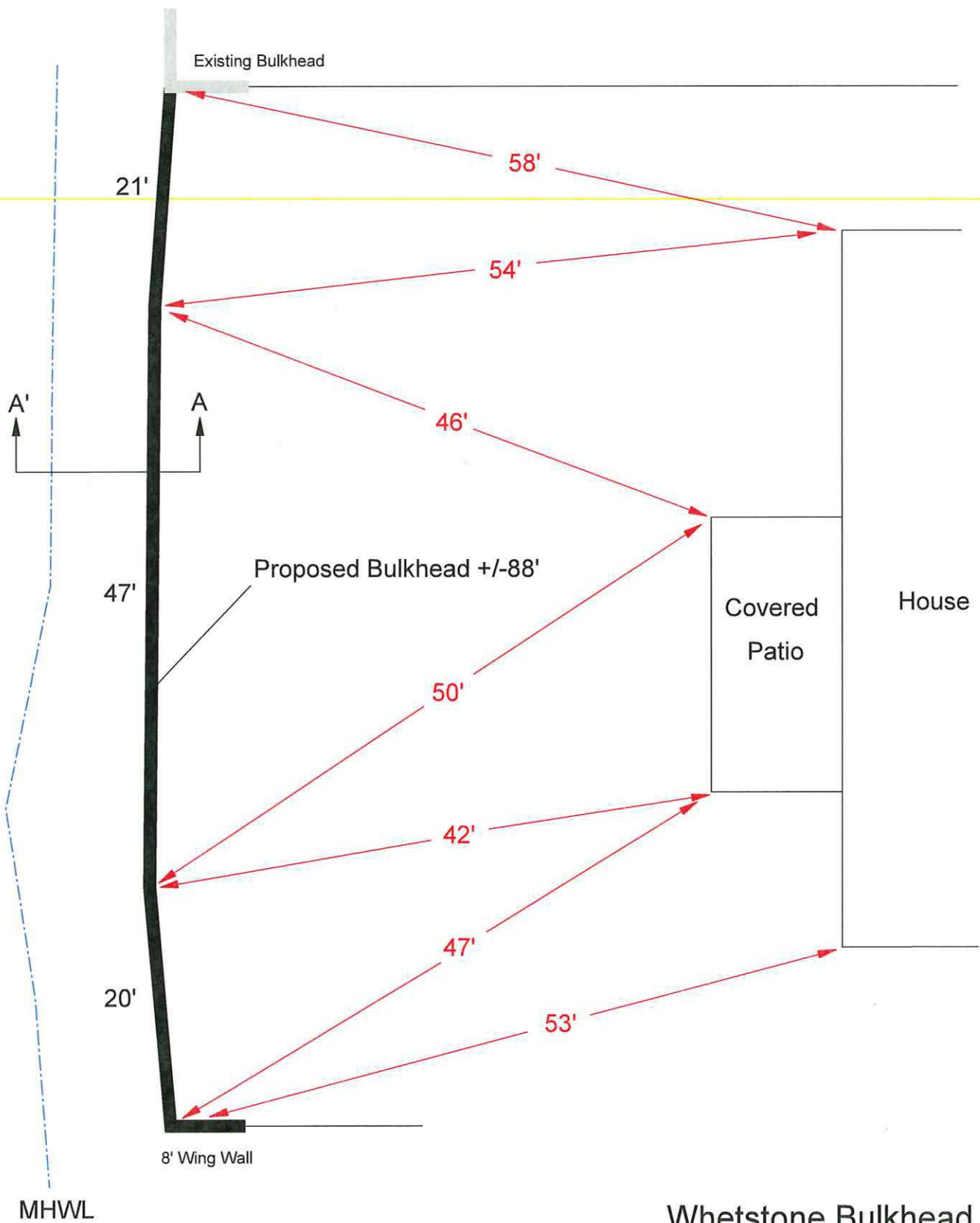
 235 Coquina Ave



Google Earth

©2021 Google

1000 ft



Whetstone Bulkhead

235 Coquina Ave.

St. Augustine, FL 32080

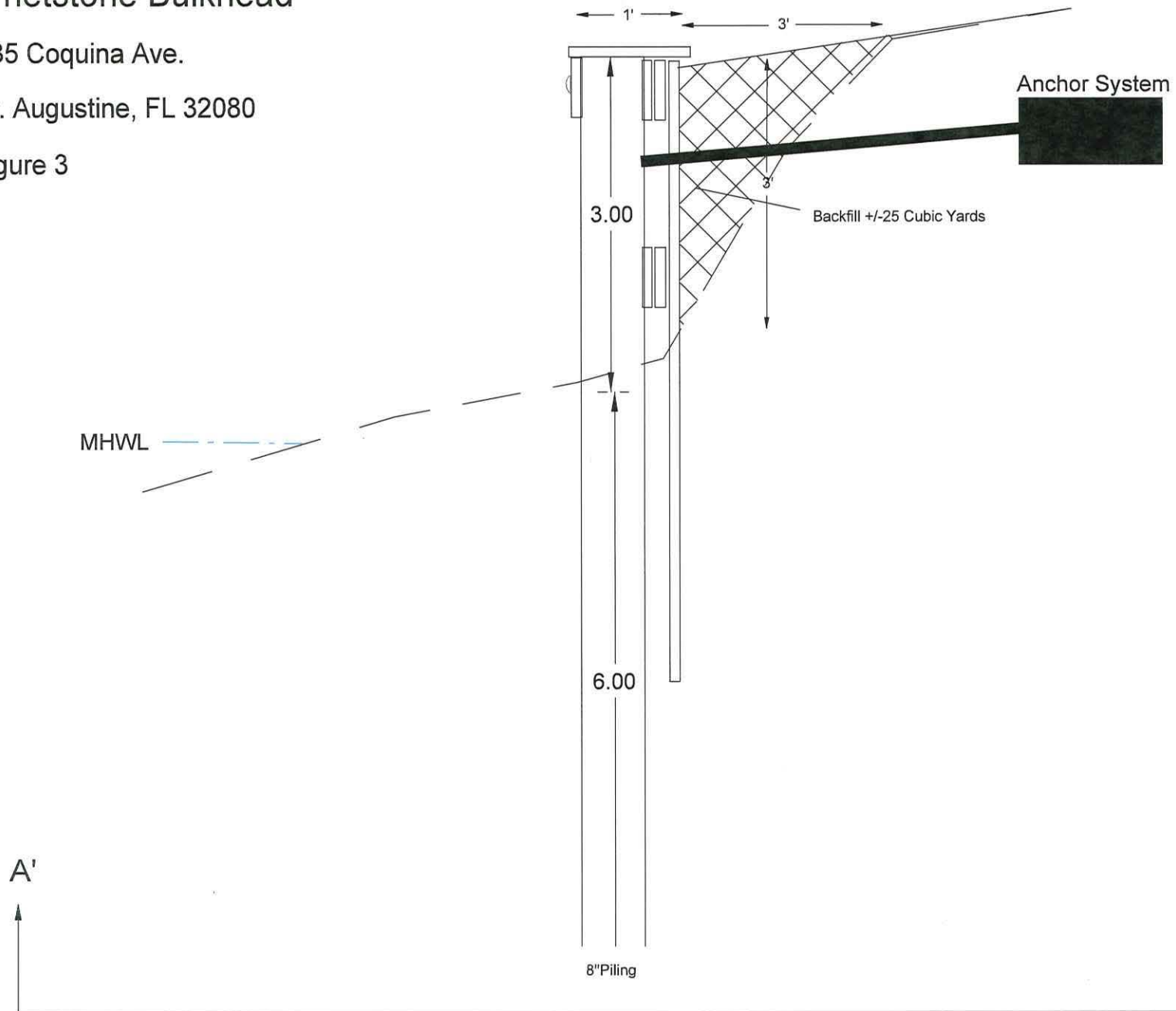
Figure 2

Whetstone Bulkhead

235 Coquina Ave.

St. Augustine, FL 32080

Figure 3





FLORIDA DEPARTMENT OF Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Permittee:

Jared Whetstone
235 Coquina Avenue
Saint Augustine Florida 32082
jared@atlanticcandy.com

Whetstone Bulkhead

Environmental Resource Permit

State-owned Submerged Lands Authorization – Not Applicable

U.S. Army Corps of Engineers Authorization – Separate Corps Authorization Required

St. Johns County
Permit No.: 55-0410357-001-EI

Permit Issuance Date: November 23, 2021
Permit Construction Phase Expiration Date: November 23, 2026

Environmental Resource Permit

Permittee: Jared Whetstone
Permit No: 55-0410357-001-EI

PROJECT LOCATION

The activities authorized by this permit are located at 235 Coquina Avenue (Parcel ID: 2235400070), Saint Augustine, Florida, 32082, in Section 21, Township 7 South, Range 30 East in St. Johns County, at Latitude 29° 52' 47.7106" N / Longitude -81° 17' 35.4545" W.

PROJECT DESCRIPTION

The permittee is authorized to construct an 88 linear foot bulkhead connecting to the neighboring bulkhead at the North end with an 8-foot wingwall at the South end. Located at the toe of the slope landward of the mean high-water line within Quarry Creek, a Class III, Florida Waterbody. Authorized activities are depicted on the attached exhibits.

AUTHORIZATIONS

Whetstone Bulkhead

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Sovereignty Submerged Lands Authorization

As staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), the Department has determined the activity is not on submerged lands owned by the State of Florida. Therefore, your project is not subject to the requirements of Chapter 253, F.S., or Rule 18-21, F.A.C.

Federal Authorization

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the Corps. You must apply separately to the Corps using the Application for Department of the Army Permit (ENG 4345) or alternative as allowed by Corps regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Sourcebook:

(<https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>).

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Coastal Zone Management

Issuance of this authorization also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit, as described.

SPECIFIC CONDITIONS - PRIOR TO ANY CONSTRUCTION

1. Prior to commencement of work authorized by this permit, the permittee shall provide written notification of the date of the commencement and proposed schedule of construction to the Department of Environmental Protection, Northeast District, 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida 32256.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

2. This permit does not authorize the removal of any vegetation within the jurisdictional area. No dredging, filling, or other construction activity, including the removal of tree stumps and/or vegetative root masses, shall be conducted within the wetlands other than that performed within the specifically authorized work corridor.

3. Outside the specific limits of construction authorized by this permit, any disturbance of or damage to wetlands shall be corrected by restoring pre-construction elevations as to maintain natural hydrology, drainage patterns, and planting vegetation of the same species, size, and density that exist in adjacent undisturbed wetland areas.

4. The project shall comply with applicable State Water Quality Standards, namely:

a. Surface Waters, Minimum Criteria, General Criteria – Rule 62-302.500, F.A.C.

5. There shall be no storage or stockpiling of tools, equipment, materials (e.g., lumber, pilings, riprap, and debris) within wetlands, along the shoreline within the littoral zone, or elsewhere within waters of the state unless specifically approved in this permit. Any and all construction debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized by this permit.

6. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

SPECIFIC CONDITIONS – SHORELINE STABILIZATION

7. The bulkhead shall be constructed with an interior silt screen in place prior to the placement of any backfill material.

8. The location of the bulkhead, together with any and all future bulkhead repairs or replacement alignments, shall not cumulatively extend more than 3 feet waterward of the mean high-water line of the water body.

9. The work shall be done during periods of average or low water.

SPECIFIC CONDITIONS - MANATEE

10. The [Standard Manatee Construction Conditions for In-water Work](#) (2011) must be followed for all in-water activity.

SPECIFIC CONDITIONS - OTHER LISTED SPECIES

11. This permit does not authorize the permittee to cause any adverse impact to or “take” of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of “take”

and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a "take" permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under this chapter, except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.

5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – “Construction Completion and Inspection Certification for Activities Associated with a Private Single-Family Dwelling Unit” [Form 62-330.310(3)]; or
 - b. For all other activities – “As-Built Certification and Request for Conversion to Operation Phase” [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as-built certification, the permittee shall submit “Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity” [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

12. The permittee shall notify the Agency in writing:

- a. Immediately if any previously submitted information is discovered to be inaccurate; and
- b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

19. In addition to those general conditions in subsection (1), above, the Agency shall impose any additional project-specific special conditions necessary to assure the permitted activities will not be harmful to the water resources, as set forth in rules 62-330.301 and 62-330.302, F.A.C., Volumes I and II, as applicable, and the rules incorporated by reference in this chapter.

NOTICE OF RIGHTS

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

Petition for Administrative Hearing

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

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

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

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

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

Mediation

Mediation is not available in this proceeding.

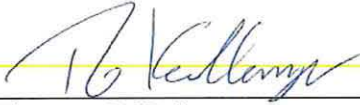
FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

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

Executed in Jacksonville, Florida.
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Thomas G. Kallemeyn
Permitting Program Administrator

TK:ksm:th

Attachments:

Standard Manatee Construction Conditions 2011
Construction Commencement Notice/Form 62-330.350(1)
Construction Completion and Inspection Certification for Activities Associated With a Private
Single-Family Dwelling Unit/Form 62-330.310(3)
Request to Transfer Permit/Form 62-330.340(1)
Project Drawings and Design Specs, 3 Pages

Copies furnished to:

Tom Kallemeyn, FDEP NED
Katie Miller, FDEP NED
Taylor Hohmann, FDEP NED

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this permit, including all copies, were mailed before the close
of business on November 23, 2021, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, under 120.52(7) of the
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.



Clerk

November 23, 2021

Date

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:

Wildlife Alert:



1-888-404-FWCC(3922)

cell *FWC or #FWC

CONSTRUCTION COMMENCEMENT NOTICE

Instructions: In accordance with Chapter 62-330.350(1)(d), F.A.C., complete and submit this form at least 48 hours prior to commencement of activity authorized by permit.

Permit No. _____ Application No. _____
Project _____
Name _____ Phase _____

Construction of the system authorized by the above referenced Environmental Resource

Permit and Application, is expected to commence on _____, 20____
and will have an estimated completion date of _____, 20____

PLEASE NOTE: If the actual construction commencement date is not known within 30 days of issuance of the permit, District staff should be so notified in writing. As soon as a construction commencement date is known, the permittee shall submit a completed construction commencement notice form.

Permittee's or Authorized Agent's Signature _____ Company _____

Print Name _____ Title _____ Date _____

E-mail _____ Phone Number _____



Construction Completion and Inspection Certification for Activities Associated with a Private Single-Family Dwelling Unit

Instructions: This form is intended to be used solely by or for the permittee of a private single-family dwelling unit, duplex, triplex, or quadruplex that is not part of a larger plan of development proposed by the applicant/permittee. **Complete the information on this form, sign at the bottom of Page 2, and submit this form within 30 days of the inspection.**

Permit No.:

Application No.:

Name of Permittee:

Location of Project:

I Hereby Certify That (please check only one box):

- ☐ The undersigned hereby certifies that all components of the project **authorized by the above permit have been conducted and/or built substantially in accordance with the terms and conditions of the permit**, that the project is functioning as permitted, and that the project is ready for inspection. Any minor deviations (noted below) from the permit will not prevent the project from functioning and operating as designed, subject to routine custodial maintenance. This certification is based upon on-site inspection of the project conducted by me or my designee under my direct supervision and my review of the permit. If the undersigned is not the permittee, I further certify that I am acting for, and on behalf of, the permittee.

Upon receipt of this form, and verification by the Permitting Agency that any modifications are noted, the construction phase of this permit shall automatically convert to an operation and maintenance phase.

- ☐ The undersigned hereby certifies that I or my designee under my direct supervision has inspected the project located at the above location and have determined that the project **does NOT appear to have been built or conducted substantially in accordance with the permit** or is not functioning in accordance with the requirements of the permit. One of the following applies:
- ☐ The project was constructed or conducted with substantial design changes that are not in conformance with the permit (attach description and permit drawings showing all changes), and either:
- ☐ I, the permittee, am aware that additional work is required to bring the project into compliance with the terms and conditions of the permit; or
- ☐ I, the agent inspecting the project on behalf of and for the permittee, have informed the permittee of the following:
- (a) That the project does not appear to be functioning properly; and
- (b) That additional construction or work is required to bring the project into compliance.



The following components of the project do not appear to be functioning properly (attach additional pages if needed):

Any components of the project that are not in conformance with the permit must either be brought into compliance with the permit within 30 days of the inspection, or the permittee must request a modification of the permit in accordance with Rule 62-330.315, F.A.C., within 30 days of the inspection. If the modification request is not approved, the components of the project that are not in conformance with the permit are subject to enforcement action under Sections 373.119, .129, .136, and .430, F.S. If modifications are approved and implemented by the permittee, the permittee shall resubmit this form within 30 days of completion of the remedial work on the permitted project.

Name of Inspector: _____ who is: ☐ the permittee; ☐ the agent for the permittee

Company Name (if applicable): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Fax: _____ Email: _____

Signature of Inspector Date: _____

If at any time the Permitting Agency determines that the above project was not built or conducted in conformance with the terms and conditions of the permit, the permittee shall be subject to enforcement by the Permitting Agency for all measures required to bring the project into compliance with the permit. The permittee shall remain liable for ensuring that the project remains in full and complete compliance with the terms of the permit for the life of the system, unless such permit is transferred in accordance with Rule 62-330.340, F.A.C.

Enclosures:

- ☐ Copy of title, easement, or other demonstration of ownership or control in the land, as recorded in the Public Records
 - ☐ Copy of current plat(s) (if any), as recorded in the Public Records
 - ☐ Copy of current recorded restrictive covenants and articles of incorporation (if any)
 - ☐ Other
-

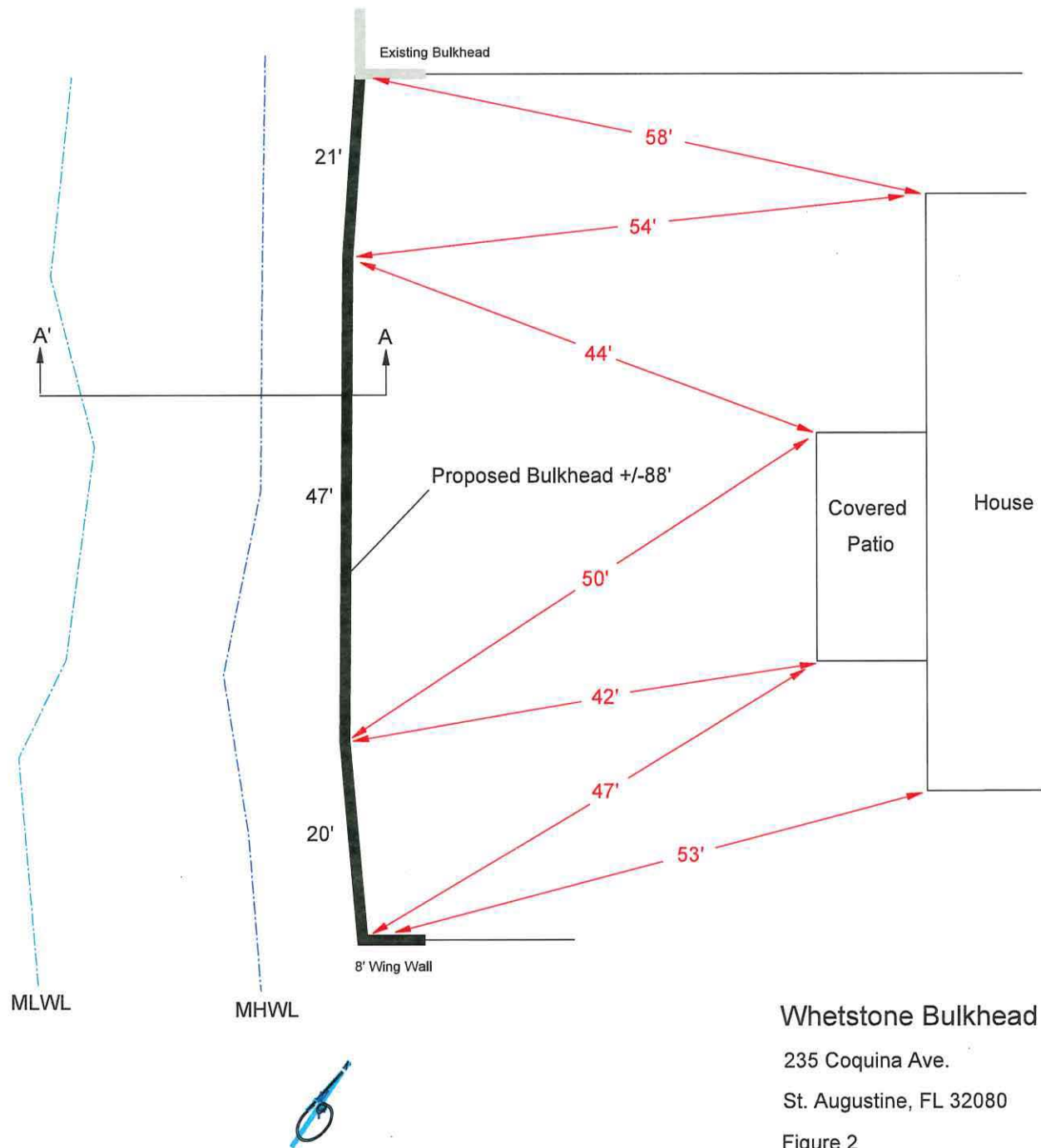
Whetstone Bulkhead

235 Coquina Ave.
St. Augustine, FL 32082
Figure 1

Legend

 235 Coquina Ave



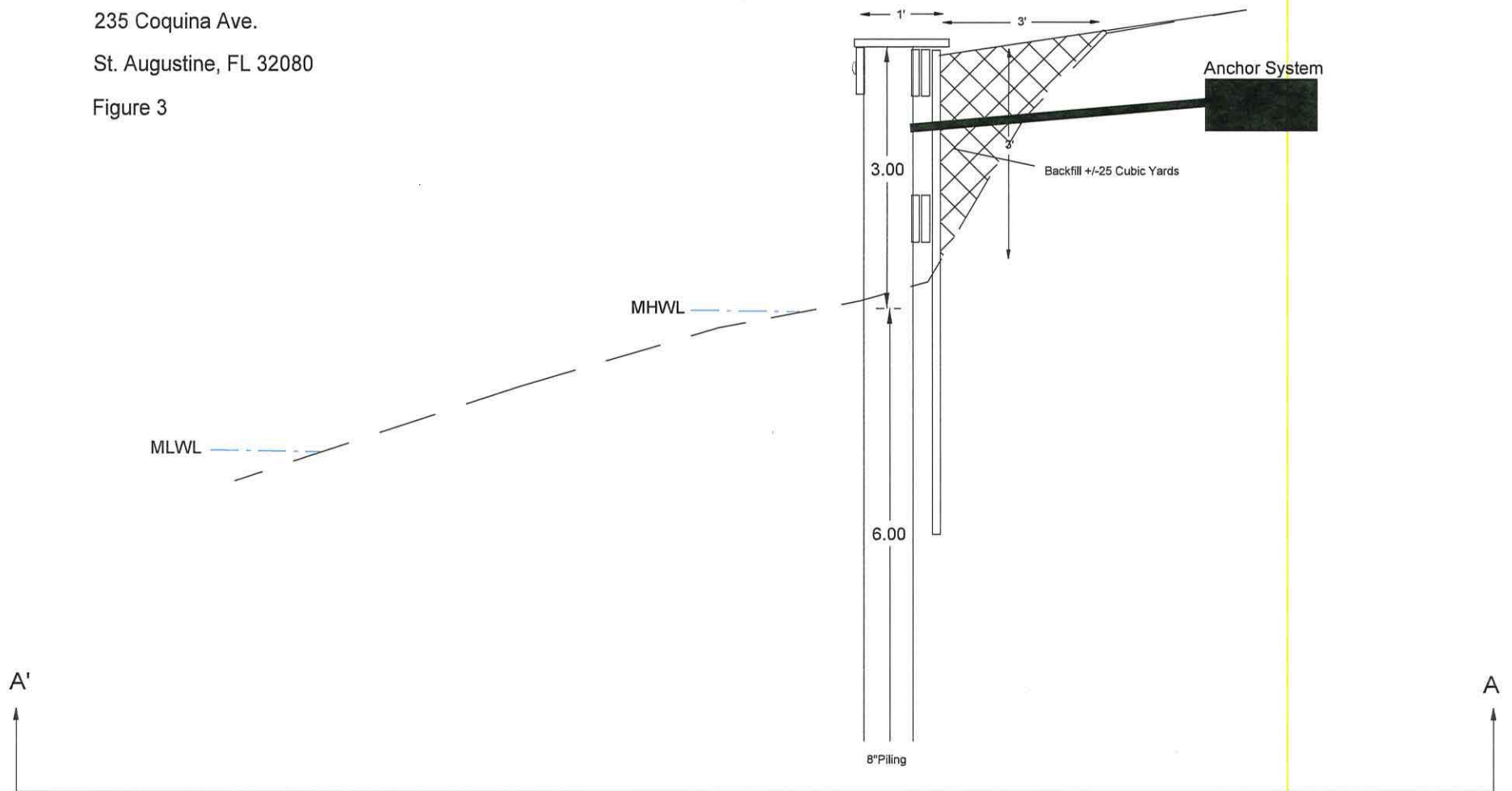


Whetstone Bulkhead

235 Coquina Ave.

St. Augustine, FL 32080

Figure 3





DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207-8175

November 24, 2021

Regulatory Division
North Permits Branch
Jacksonville Permits Section
SAJ-2021-03295(NPR-RPR)

Mr. Jared Whetstone
235 Coquina Avenue
St. Augustine, Florida 32082

Dear Mr. Whetstone:

Reference is made to your application for a Department of the Army permit to install a 67-linear-foot bulkhead with 8-foot wingwall landward of the mean high waterline and place 25 cubic yards of backfill landward of that bulkhead to facilitate erosion control. The project site is located at 235 Coquina Avenue, in Section 21, Township 7 South, Range 30 East, St. Johns, St. Johns County, Florida. The approximate central coordinates are Latitude 29.87987°, Longitude -81.293128°. The U.S. Army Corps of Engineers (Corps) has assigned the application the file number SAJ-2021-03295.

Section 10 of the Rivers and Harbors Act of 1899

The project as proposed will not require a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899 as it is not located within the navigable waters of the United States.

Section 404 of the Clean Water Act

Furthermore, the project, as proposed, will not require a Department of the Army permit in accordance with Section 404 of the Clean Water Act, as it would not involve the discharge of dredged or fill material into waters of the United States. Provided the work is done in accordance with the enclosed drawings, a Department of the Army permit will not be required.

This NPR does not address nor include any consideration for geographic jurisdiction on aquatic resources and shall not be interpreted as such. Your project site may contain species protected by the Endangered Species Act of 1972, as amended. You should contact your local U.S. Fish and Wildlife Service (FWS) office to determine if federally listed species or their habitats are present on your project site. If it is determined that federally listed species may be affected by the proposed project, authorization for "incidental take" may be required. The Jacksonville FWS office can be contacted at 904-232-2580.

This letter does not obviate the requirement to obtain any other Federal, State, or local permits that may be necessary for your project. Should you have any questions, please contact Renee Riker at the letterhead address, by telephone at 904-232-1497, or by electronic mail at renee.p.riker@usace.army.mil.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit <http://per2.nwp.usace.army.mil/survey.html> and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise. Please be aware this web address is case sensitive and should be entered as it appears above.

Sincerely,



Renee Riker
Project Manager

Enclosures:
Plans

cc:
Brian Spahr, briansphr@yahoo.com

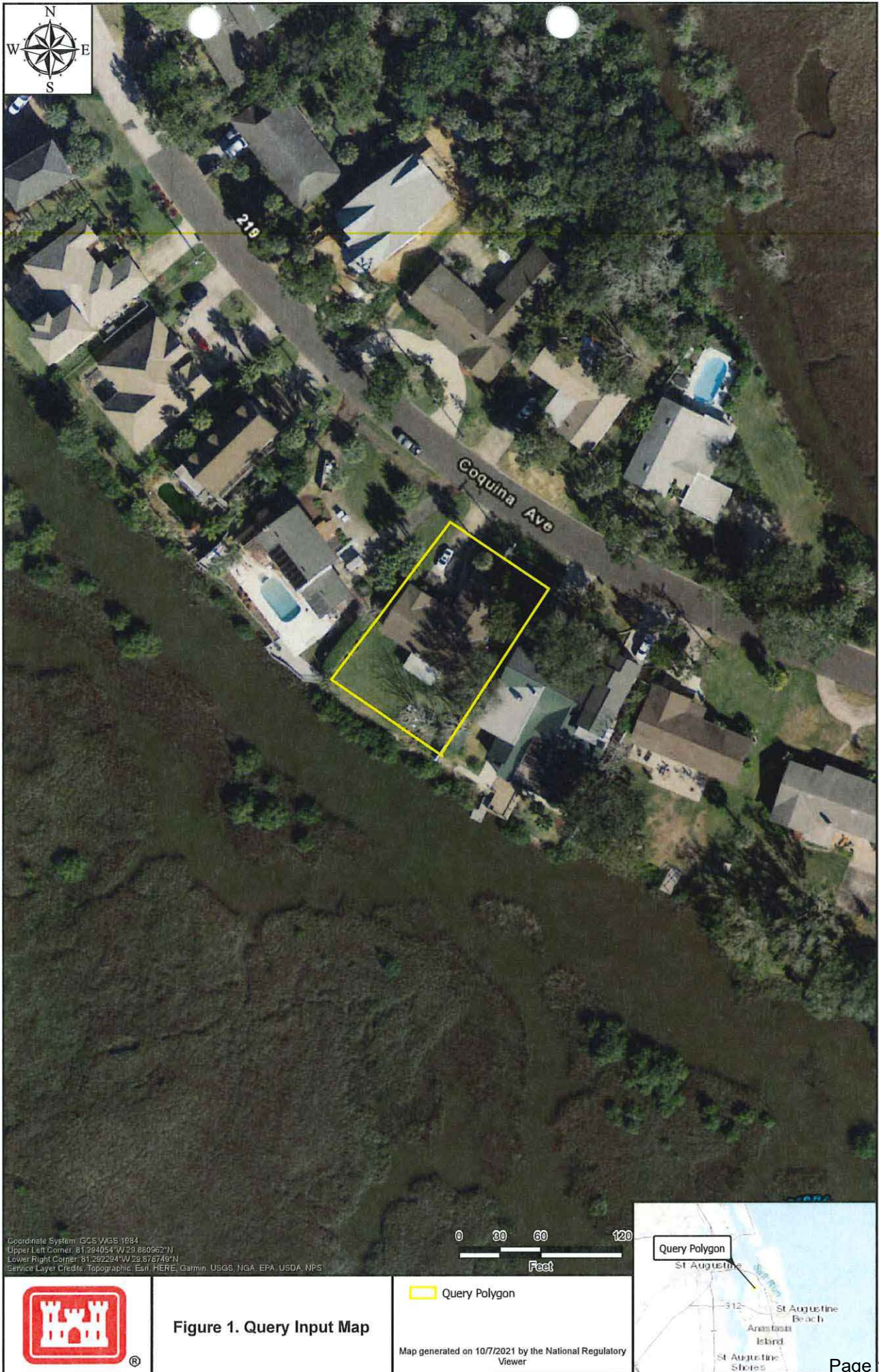


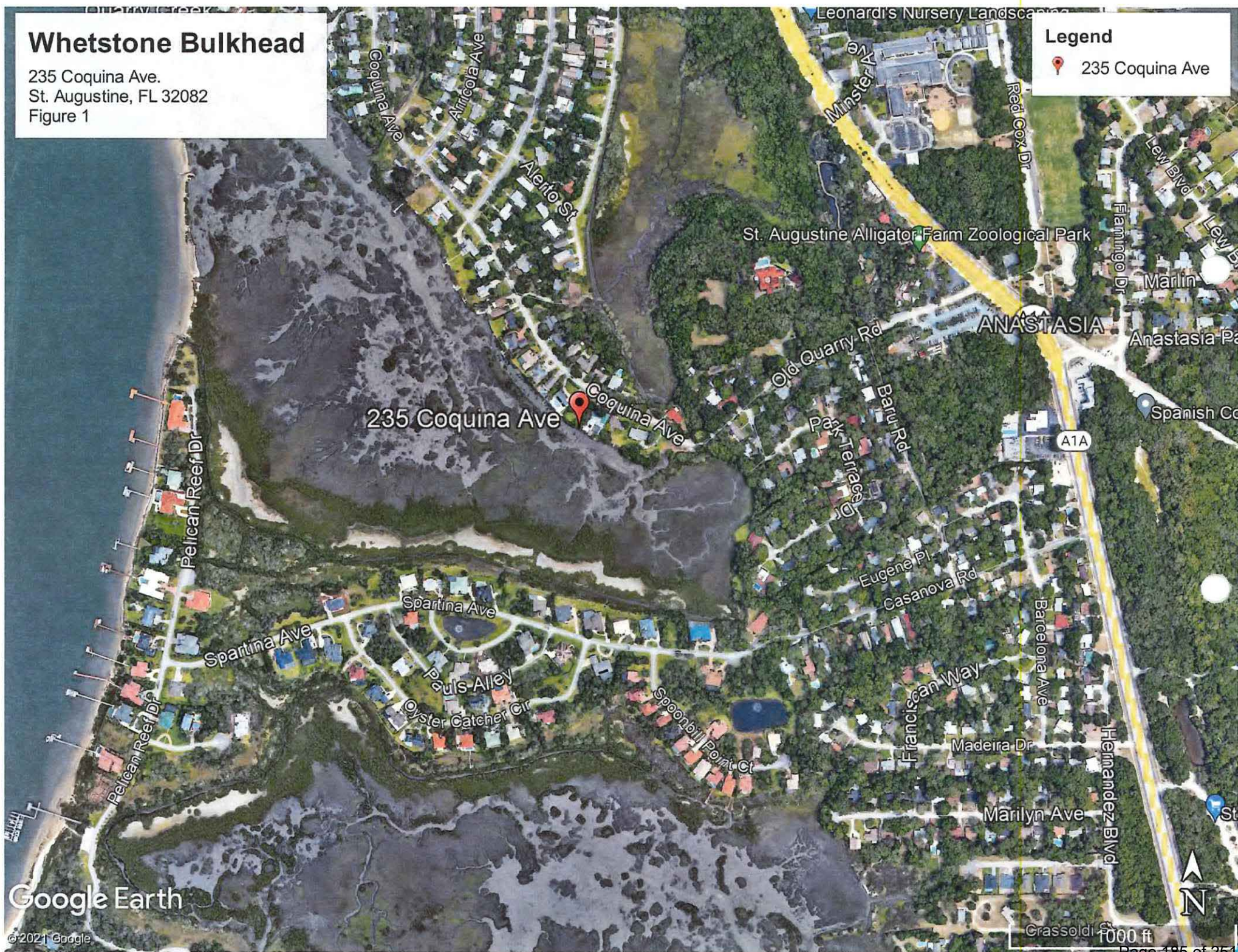
Figure 1. Query Input Map

Whetstone Bulkhead

235 Coquina Ave.
St. Augustine, FL 32082
Figure 1

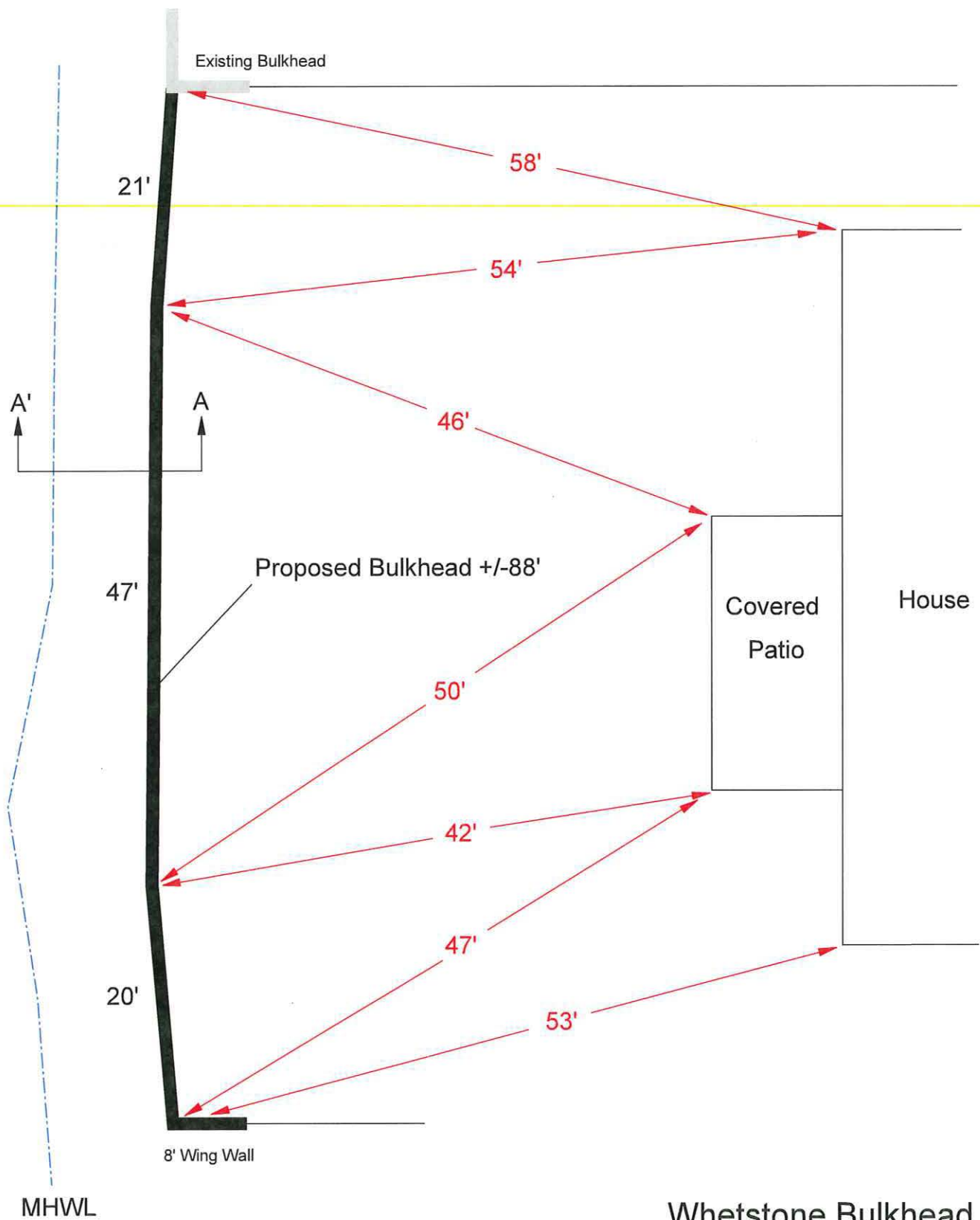
Legend

 235 Coquina Ave



Google Earth

©2021 Google



Whetstone Bulkhead

235 Coquina Ave.

St. Augustine, FL 32080

Figure 2

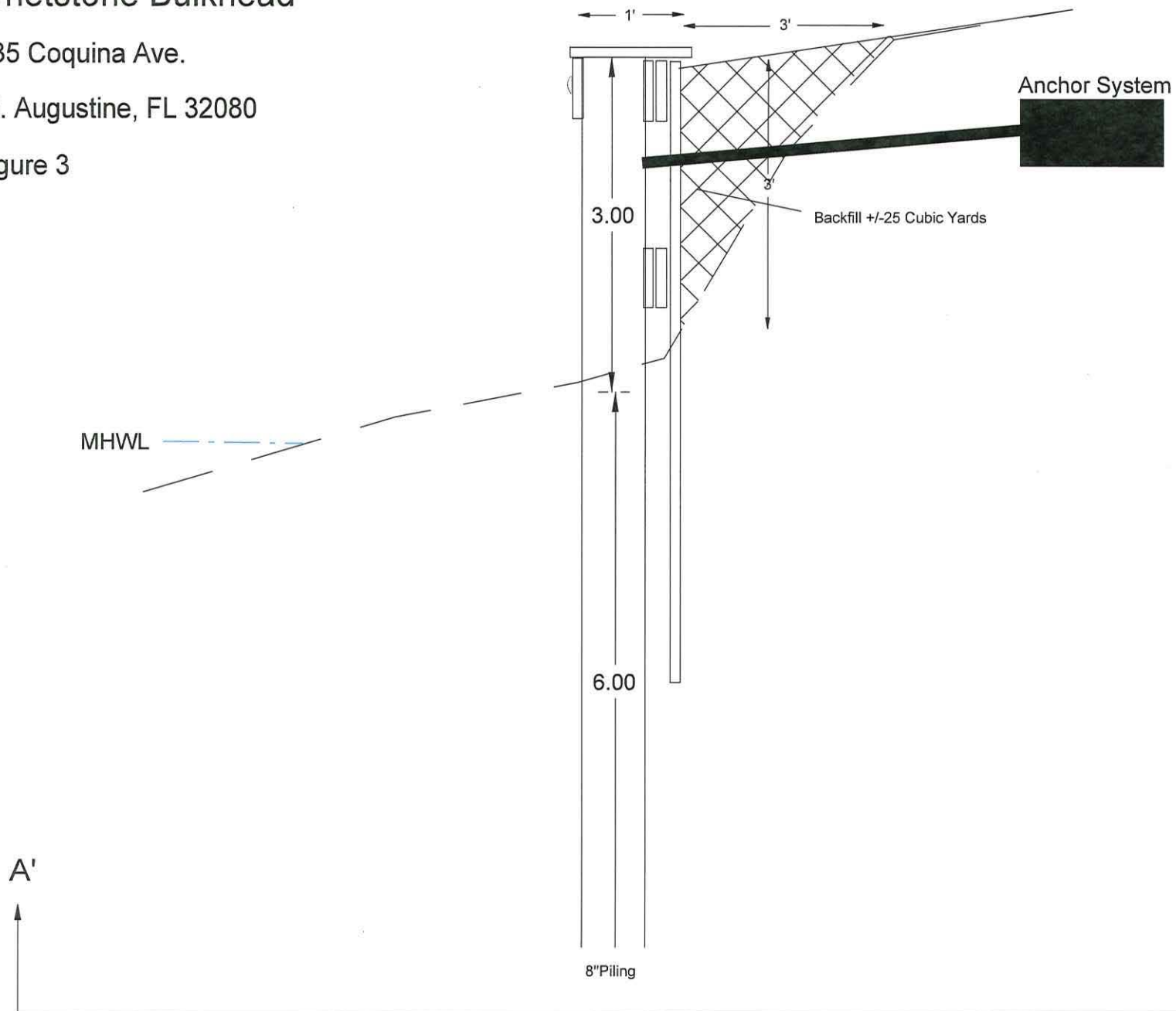


Whetstone Bulkhead

235 Coquina Ave.

St. Augustine, FL 32080

Figure 3





St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID 2235400070
Location Address 235 COQUINA AVE
 SAINT AUGUSTINE 32080-0000
Neighborhood Davis Shores (ICWFR) (590.05)
Tax Description* 3-102 DAVIS SHORES LOT 7 & W30 FT LOT 6 BLK 63 OR4629/952
**The Description above is not to be used on legal documents.*
Property Use Code Single Family (0100)
Subdivision Davis Shores Ocean View Section
Sec/Twp/Rng 21-7-30
District City of St Augustine (District 452)
Millage Rate 19.3368
Acreage 0.250
Homestead Y

Owner Information

Owner Name Whetstone Jared H 100%
Mailing Address 235 COQUINA AVE
 SAINT AUGUSTINE, FL 32080-5321

Exemption Information

Exemption Type	Status	Amount
Homestead		\$50,000

Map



Valuation Information

	2022
Building Value	\$174,252
Extra Features Value	\$0
Total Land Value	\$193,600
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$367,852
Total Deferred	\$13,320
Assessed Value	\$354,532
Total Exemptions	\$50,000
Taxable Value	\$304,532

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$150,606	\$0	\$193,600	\$0	\$0	\$344,206	\$344,206	\$50,000	\$294,206
2020	\$152,726	\$0	\$181,500	\$0	\$0	\$334,226	\$303,880	\$30,346	\$303,880
2019	\$94,755	\$0	\$181,500	\$0	\$0	\$276,255	\$276,255	\$0	\$276,255
2018	\$72,516	\$0	\$179,080	\$0	\$0	\$251,596	\$98,205	\$203,891	\$47,705
2017	\$73,483	\$0	\$179,080	\$0	\$0	\$252,563	\$96,185	\$206,878	\$45,685
2016	\$131,496	\$38	\$179,080	\$0	\$0	\$310,614	\$119,503	\$241,611	\$69,003
2015	\$107,386	\$38	\$179,080	\$0	\$0	\$286,504	\$118,672	\$218,332	\$68,172
2014	\$103,998	\$38	\$179,080	\$0	\$0	\$283,116	\$117,730	\$215,886	\$67,230
2013	\$105,463	\$38	\$180,838	\$0	\$0	\$286,339	\$115,990	\$220,849	\$65,490
2012	\$98,542	\$38	\$180,838	\$0	\$0	\$279,418	\$114,051	\$215,867	\$63,551
2011	\$97,786	\$38	\$211,140	\$0	\$0	\$308,964	\$110,729	\$248,735	\$60,229
2010	\$99,090	\$38	\$234,600	\$0	\$0	\$333,728	\$109,093	\$275,135	\$58,593

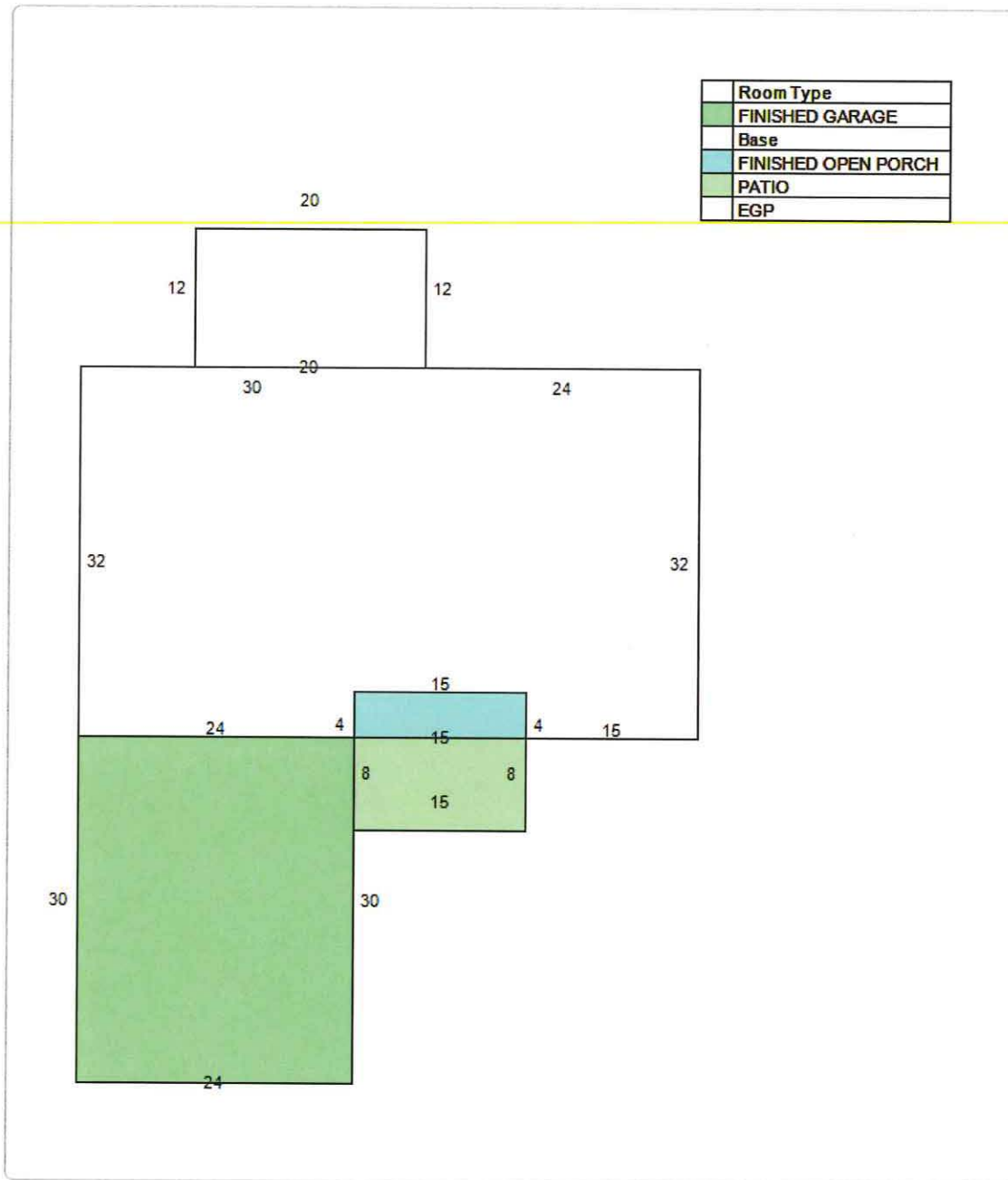
Building Information

Building	1
Year Built	1972
Actual Area	2808
Conditioned Area	1668
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Concrete Stucco

Roof Cover	Composite Shingle
Roof Structure	Gable Hip
Interior Flooring	Carpet, Ceramic Tile
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	3
Baths	2

Description	Square Footage
BASE AREA	1668
ENCLOSED GLASS PORCH	240
FINISHED OPEN PORCH	60
PATIO	120
FINISHED GARAGE	720
Total SqFt	2808

Sketch Information



Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	88	130	88	FF	\$193,600

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
10/22/2018	10/19/2018	\$330,000.00	WARRANTY DEED	4629	952	Q	I	TAYLOR FAMILY TRUST D:06-03-1999	WHETSTONE JARED H
10/22/2018	8/14/2018	\$0.00	DEATH CERTIFICATE	4629	944	U	I	TAYLOR DOROTHY P	TAYLOR DOROTHY P (DECD)
10/22/2018	11/1/1999	\$0.00	DEATH CERTIFICATE	4629	943	U	I	TAYLOR RICHARD L (DECD)	TAYLOR DOROTHY P
	6/3/1999	\$100.00	LIFE ESTATE	1416	215	U	I	TAYLOR RICHARD L & DOROTHY P	TAYLOR RICHARD L & DOROTHY P ***
4/28/1972	4/27/1972	\$0.00	WARRANTY DEED	211	216	U	I	MEADE E B & SONS INC	TAYLOR RICHARD L, DOROTHY P

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 1, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0010**

AGENDA ITEM	6(d)
APPLICANT	Alan Stevenson c/o STA Beach Investments LLC
OWNER	STA Beach Investments LLC
LOCATION	34 N St. Augustine Boulevard / PID 213510-0000
REQUEST	To approve the modification of an existing bulkhead with a new 24" cap within Conservation Overlay Zone 1.
LAND USE	Residential Low Density
ZONING	Residential Single-Family-One (RS-1)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

Protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources.

CCM Objective 7

Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area.

Conservation overlay zone development means any construction or use which requires a permit from the city, physically located or taking place within a conservation overlay zone.

Conservation Overlay Zone 1 comprises the most environmentally sensitive and valuable natural resources within the city. It includes all beaches, shores and dunes seaward of the state's coastal construction control line (F.S. ch. 161), all wetlands within the state's wetlands jurisdiction line (F.S. ch. 403), brackish water, and some habitat areas for species recognized as endangered, threatened, of special concern, or unique by federal, state and local agencies. This zone includes the estuarine/riverine environments created by the San Sebastian and Matanzas Rivers and their tributaries.

Chapter 11 Land Development Code, Article II. Conservation Overlay Zone Development.

Sec. 11-26. - Purpose and intent.

The purpose of this article is to establish criteria for the review of development proposals and to manage, regulate and direct development within Conservation Overlay Zones 1, 2 and 3 following the goals, objectives and policies contained in the conservation and coastal management element of the comprehensive plan. Further, this article shall serve to preserve and protect environmentally sensitive areas within the city; to promote an understanding of the importance of these areas through passive or scenic recreational opportunities; to protect and conserve endangered, threatened or unique plant and animal life; and to minimize the dangers of natural disasters by discouraging unsuitable development in areas where such growth could impair natural systems or result in loss of life or property.

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.

Sec. 11-29. Standards for review.

- (a) Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for such structures and uses which have received permits under provisions of applicable federal and state regulations and will be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and/or use so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to the animal, fish or shellfish contained therein, to avoid blocking or disrupting vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.
- (b) Permits for structures and uses located within Conservation Overlay Zone 2 shall be issued only for those structures and related uses which are determined as having no significant negative impact on adjacent natural systems by either individual or cumulative effect., and consistent with the purpose of Conservation Overlay Zone 2 to protect the functional integrity of Zone 1 and to protect Zone 3 from extreme high-water conditions. At no time shall the impervious area in Conservation Overlay Zone 2 exceed twenty-five (25) percent without that area receiving treatment equivalent to the St. Johns River Water Management District water quality treatment provisions required when new development is proposed along an unaltered shoreline. The first (landward of the most restrictive jurisdictional line, which may be the mean high-water line or wetlands jurisdictional line) twenty-five (25) feet, measured in width perpendicular to the most restrictive jurisdictional line, in Conservation Overlay Zone 2 shall remain undeveloped except as provided in (1) - (4) of this subsection. If the area is already disturbed, a restoration plan is required. The planning and zoning board is authorized to impose limitations in the following manner so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to any animal, fish or shellfish life contained therein, to avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole. Rear or side lot drainage from grassed or altered areas of new development along an altered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland; however, the area not treated must be compensated

elsewhere in the system. This may be accomplished by providing additional water quality treatment in the system equivalent to that which will be discharged untreated. Water discharged shall be at non-erosive velocities. Rear or side lot drainage from grassed or altered areas of new development along an unaltered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland through the twenty-five (25) feet buffer (water discharged shall be at non-erosive velocities), with the following permitted activities:

- (1) Pruning vegetation to retain or create a reasonable view. Ground cover and shrub vegetation to a height of thirty-six (36) inches should be retained.
 - (2) A maximum of fifty (50) percent of the basal area of trees, and a maximum of fifty (50) percent of the total number of saplings, may be removed for any purpose in a twenty-year period. A healthy, well-distributed stand of trees, saplings, shrubs and ground covers and their living, undamaged root systems shall be left in place. Replacement planting with native, low maintenance vegetation is permitted to maintain the fifty (50) percent level.
 - (3) Dead, diseased, unsafe, or fallen trees may be removed.
 - (4) Bridges, paths, walkways, gazebos, docks and decks, bulkheads, seawalls, and retaining walls, and accessways to such amenities are permitted across the buffer provided such activities have minimal impact to the wetlands and are scaled to preserve the integrity of the buffer (less than ten (10) percent of the total area calculation of the buffer). These structures must demonstrate that they are of a reasonable, compatible scale to similar structures in the neighboring area. Structures in Conservation Overlay Zone 2 that are connected to adjacent structures in Zones 1 or 3 shall be sized relative to that adjacent structure and be designed so as to minimize off-site visual and environmental impacts. The applicant will present any mitigating design and environmental elements as part of the review of the structure in Conservation Overlay Zone 2.
- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria: *Please refer to the staff summary and analysis below.*

STAFF SUMMARY AND ANALYSIS

This request is to add a new 24-inch cap to the top of an existing bulkhead to increase the overall height. Plans also include a proposal to backfill the lot.

Conservation Overlay Zone Development (*Staff analysis in italics*)

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria:
- (1) Site specific conditions:
The site is currently vacant with plans to build a single-family home.
 - (2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.
This property borders the Matanzas River on its western property line and is located in a residential, single-family neighborhood.
 - (3) Natural and proposed drainage patterns.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

Grading plans have not been submitted.

- (4) Effect of point and nonpoint discharge in the marine environment.

N/A.

- (5) Proposed soil stabilization and erosion control methods.

Plans to fill the lot once the bulkhead's height is increased are the plans for soil stabilization.

- (6) Impact on floodplain.

Minimal.

- (7) Impact of development on vegetative and animal communities.

N/A.

- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.

N/A.

- (9) Effect of shade on vegetation and shellfish.

Minimal if any.

- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.

N/A.

- (11) Impact of development on shoreline by linear feet and percent of site.

The bulkhead will extend along the entire property along the Matanzas River.

- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.

N/A.

- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.

Vegetative landscaping not mentioned in application.

- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.

Minimal, if any.

- (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)

N/A

- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.

N/A.

- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels.

The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.

No dock modification is part of the application.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** the bulkhead modification within Conservation Overlay Zone 1 at 34 N St. Augustine Boulevard / PID 213510-0000.

By approval of this application, the City does not make representation, approval, or claim to riparian rights to any party.

A handwritten signature in black ink, appearing to read "J. Fredriksson". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$165 (plus advertising costs) Project Number: 2022-0010
Receipt Number: 2308877 Meeting Date: March 1, 2022
Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Alan Stevenson Contact Number: 904-826-7242
Business (if applicable): STA Beach Investments LLC
Address: 580 A1A Beach Blvd City: St. Augustine State: FL Zip: 32080
E-Mail Address: arstevensonjr@yahoo.com

2. NAME OF PROPERTY OWNER: STA Beach Investments LLC Contact Number: 904-826-7242
Business (if applicable): _____
Address: 580 A1A Beach Blvd City: St. Augustine State: FL Zip: 32080
E-Mail Address: arstevensonjr@yahoo.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: 15 Block: 1
Subdivision: Davis Shores Parcel Number: 2135100000

4. PROJECT STREET ADDRESS: 34 N St. Augustine Blvd, St. Augustine, FL 32080

5. SPECIFIC PROPOSED USE: _____

6. ACTION REQUESTED:

- ☐ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☒ Other: Bulkhead Extension Construction

7. DESCRIPTION OF ACTION REQUESTED: Wall Extension - Adding 24" Concrete Cap Wall Extension to existing Bulkhead.

8. JUSTIFICATION FOR ACTION REQUESTED: n/a

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.

Signature of Applicant

Date

Signature of Property Owner

Date



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Alan Stevenson

Print name of applicant



Signature of applicant

2-1-22

Date

PZB APPLICATION FEE SCHEDULE

Planning and Zoning Board fees are set by Resolution 2021-38 as follows:

Description of Work	Fee Amount
Rezoning: small scale	\$300.00 + ads & notices
Rezoning: large scale	\$1,000.00 + ads & notices
Land Use Plan Amendment: small scale	\$400.00 + ads & notices
Land Use Plan Amendment: large scale	\$1,400.00 + ads & notices
Planned Unit Development	\$400.00 or \$35.00/acre, whichever is greater, \$1,400 max + ads & notices
Zoning Variance	\$350.00 + ads & notices
Zoning Exception	\$250.00 + ads & notices
Conservation Overlay Zone Development	\$165.00 + ads & notices
Significant Tree Removal or Appeal of Tree Removal Permit Denial	\$165.00 + ads & notices
Appeal of Staff Determination	\$200.00 + ads & notices
Application to Amend Zoning Code	\$600.00 + ads & notices
Subdivision Plat Review	\$275.00 + ads, notices & additional associated costs

"Note: The cost of newspaper advertisement and all notices to surrounding property owners will be assessed by the city, paid by the city and reimbursed by the applicant. All advertising costs must be paid prior to issuance of a development permit.

The applicant shall reimburse the City the mailing cost for all notices and for any subsequent hearings requiring re-notice as a result of the applicant postponing or re-scheduling of any hearing."

If a Credit Card Authorization Form is used for the payment of fees, the City will maintain the form and automatically charge additional advertising and noticing fees, once determined, to the credit-card account submitted.

By signing below, I acknowledge responsibility for both the initial application fee and any subsequent costs associated with legal advertising and/or noticing and understand that permits associated with my application may not be issued until such fees are paid.

I authorize the Planning and Building Department to maintain my payment information until a final cost for advertising and/or noticing is determined and charged. If a payment method other than Credit Card Authorization Form is used, I understand that I will be sent an invoice for the costs of advertising/noticing which must be paid prior to the issuance of any development permit related to my application. I am aware that I can request a copy of these fees and my receipt from Building Department Staff.

34 N St. Augustine Blvd

Project Address: _____

Alan Stevenson

Applicant's Name: _____ Applicant's Signature: 

STA Beach Investments

Owner's Name: _____ Owner's Signature: 

DESIGN SPECIFICATIONS:

DESIGN CODES: THE 2020 FLORIDA BUILDING CODE (FBC), ACI & NDS,
APA AND ASCE-7-05, ALL LATEST EDITIONS
OCCUPANCY: N/A
CONSTRUCTION: N/A
BASIC WIND SPEED: 140 MPH
WIND IMPOTENCE FACTOR: .77
WIND EXPOSURE: B
INTERNAL PRESSURE COEFFICIENT: .18

MATERIAL SPECIFICATIONS:

ANCHOR BOLTS AND THREADED RODS: SHALL BE IN ACCORDANCE WITH ASTM A 307 OR ASTM F GRADE 36 (HOT DIPPED GALVANIZED).

WASHERS: SHALL BE IN ACCORDANCE WITH ASTM F 436 GRADE 36 (HOT DIPPED GALVANIZED).

METAL CONNECTORS: ALL EXTERIOR EXPOSED METAL CONNECTORS SHALL BE GALVANIZED.

STEEL: STEEL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FBC. ALL STEEL SHALL BE GALVANIZED.

WOOD: WOOD FRAMING SHALL BE IN ACCORDANCE WITH THE FBC, EXCEPT AS NOTED ON THESE PLANS.

ALL WOOD SHALL BE SYP #2 OR BETTER AND SHALL BE TREATED IN ACCORDANCE WITH AWPA STANDARDS. PILES SHALL BE GRADE ACCORDING TO ASTM D25.

FOR SALTWATER SUBMERGIBLE CONDITIONS WOOD TREATED SHOULD BE CCA 2.5.

FOR FRESH WATER SUBMERGIBLE CONDITIONS, WOOD PILE TREATMENT SHOULD BE CCA .80

FOR ALL OTHER WOOD MEMBERS, TREATMENT SHALL BE CCA/ACQ.

CONSTRUCTION SPECIFICATIONS:

WALL

CONSTRUCTIONS SHALL BE IN ACCORDANCE WITH FBC

SOIL

BACK FILL SOIL SHALL BE INORGANIC, NON-PLASTIC GRANULAR SOIL, HAVING A FINE CONTENT OF 10 TO 12% OR LESS (RELATIVELY CLEAN SAND AND SLIGHTLY SILTY SAND). SOIL SHALL BE PLACED IN 12" LIFT/STAND COMPACTED TO DENSITIES OF AT LEAST 95% OF THE MODIFIED PROCTOR MAXIMUM DRY DENSITY.

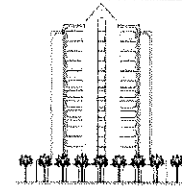
GENERAL NOTES:

1. ALL DESIGN, CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION OVER THE WORK.
2. FOR SPECIFIC DIMENSIONAL INFORMATION OF WALL LENGTH, PLEASE REFER TO CIVIL DRAWINGS PROPERTY SURVEY.
3. CONTRACTOR SHALL VERIFY DIMENSIONS AND CONDITIONS AT THE JOB SITE PRIOR TO COMMENCING CONSTRUCTION.
4. A SOIL INVESTIGATION REPORT SHOULD BE PERFORMED TO VERIFY SUITABLE SUBSURFACE CONDITIONS.
5. DETAILS FOUND WITHIN THESE DRAWINGS SHALL BE ASSUMED TO BE TYPICAL. DETAILS FOR THIS JOB ONLY. DETAILS SHALL GOVERN CONSTRUCTION FOR THIS JOB UNLESS OTHERWISE NOTED ON THE PLANS.
6. THE E.O.R. SHALL BE NOTIFIED OF EXISTING SITE CONDITIONS DEVIATED FROM ORIGINAL INFORMATION PROVIDED TO DB CIVIL WORKS OR IF CHANGES ARE MADE FROM ORIGINAL DESIGN OR LAYOUT.
7. IF DRAINAGE PIPE WILL PENETRATE WALL, CONTRACTORS SHALL PLACE WALER ABOVE AND BELOW PIPE. DO NOT CUT WALERS. CONTRACTOR SHALL ENSURE PROPER COMPACT ION AND BACK FILL AND ENSURE THAT THE FILTER FABRIC IS PLACED CAREFULLY AROUND PIPE BRAKE THROUGH AREA AND SEALED SO AS NOT TO ALLOW BACK FILL MATERIAL TO ESCAPE.
8. ALL CONSTRUCTION DEBRIS SHALL BE REMOVED FROM SITE AND DISPOSED OF BY THE CONTRACTOR.
9. CONTRACTOR IS RESPONSIBLE FOR ALL UTILITY LOCATIONS AND NOTIFICATIONS.
10. E.O.R. SHALL NOT BE RESPONSIBLE FOR THE MEANS, METHODS AND PROCEDURES, TECHNIQUES OR SEQUENCES OF CONSTRUCTION, NOR FOR SAFETY ON THE JOB SITE, NOR SHALL THE E.O.R. BE RESPONSIBLE FOR THE CONTRACTORS FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH CONTRACT DOCUMENTS.
11. HINGED COMPONENTS AND FASTENINGS TO BE HOT DIPPED GALVANIZED.

A SOIL BORING LOG WAS PROVIDED; HOWEVER, A REPORT OF GEOTECHNICAL SOIL INVESTIGATION HAS NOT BEEN PROVIDED PRIOR TO PREPARATION OF THESE DESIGN PLANS. THESE DESIGNS HAVE BEEN PREPARED WITH THE FOLLOWING ASSUMPTIONS OF EXISTING SOIL CONDITIONS, BASED ON PREVIOUS EXPERIENCE WITH SOIL TYPICAL TO THOSE DESCRIBED ON THE BORING LOG. SOILS CONSIST OF SILTY SAND WITH AN APPROX. UNIT WEIGHTS OF 110 PCF AND A PHI ANGLE OF 30 DEG. IT IS THE OWNER OR OWNERS REPRESENTATIVE'S RESPONSIBILITY TO VERIFY THE ASSUMED SOIL STRENGTH PERIMETERS ARE REPRESENTATIVE OF THE SOILS AVAILABLE OF WALL CONSTRUCTION. IF THE SOIL STRENGTH PERIMETERS ARE NOT FOUND TO BE INCONSISTENT WITH THOSE ASSUMED BY THE ENGINEER OF RECORD (E.O.R.), THE DESIGN IS NO LONGER VALID. IT IS THE RESPONSIBILITY OF THE OWNER OR THE OWNERS REPRESENTATIVE TO NOTIFY THE E.O.R. SO THE WALL SYSTEM CAN BE REDESIGNED. FAILURE TO NOTIFY THE E.O.R. MAY RESULT IN THE FAILURE OF THE RETAINING WALL.

THIS WALL IS NOT DESIGNED TO CARRY ANY LOAD OTHER THAN THAT OF THE SOIL IT IS SUPPORTING. ANY SURCHARGE IN EXCESS OF THE DESIGN LOAD IS NOT PERMITTED.

THE E.O.R. SHOULD BE CONTACTED IF THE INTENT OF THIS WALL IS NOT DESCRIBED.



Stanley P. Hoelle, Architect
Florida Reg. No. AR9033
1114 Mistletoe Drive,
Daytona Bch, FL 32117
(386) 295-9750

Plans Conform to:
2020 Florida Building Code 2017 National
Electric Code
2015 WFCM Design Criteria 2015 ASCE 24
Design Criteria
Structurally Adequate for
Alteration Level: N/A
Risk Category: N/A
Wind Velocity (MPH) 140 Exposure
Category: B Internal Pressure: 18

GENERAL NOTES

All lumber to be appropriately
treated for use in a marine
environment, 2.5 CCA pilings and .5
ACQ/MCQ above the waterline. All
fastenings to be stainless steel, 305
or better.



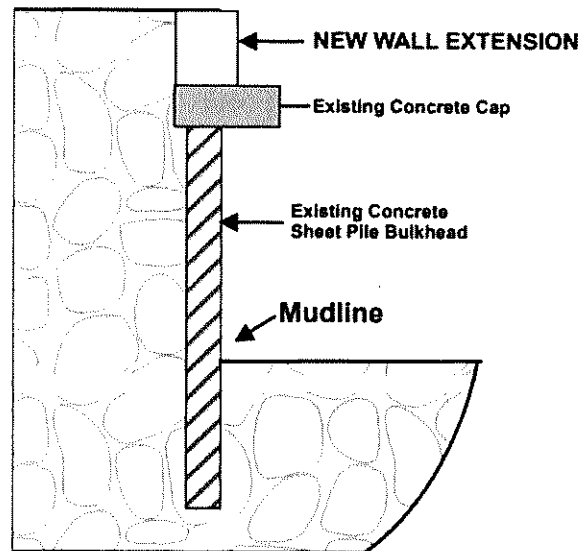
P&G
CONSTRUCTION

1401 State Road 207
Saint Augustine FL 32086
O: (904) 342-5746
C: (904) 514-4805
www.pgconstructioninc.com

Project: Wall Extension
Owner: Stevenson Residence
Address: 34 N. St. Augustine Blvd
Saint Augustine, FL 32080
Plan Date: February 2, 2022

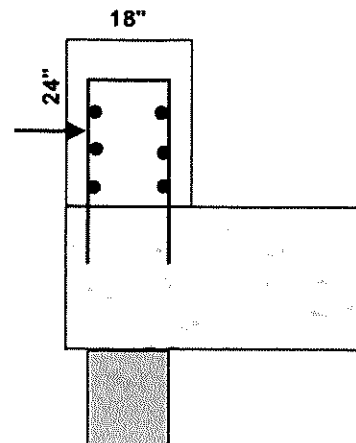
Stevenson: Wall Extension

WALL EXTENSION

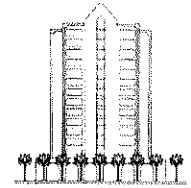


PROFILE SECTION: SCALE 1/8" = 1'-0"

STIRRUPS @ 2' O.C.
(TYP) "KEYED"
#5 REBAR
WITHIN CAP



WALL EXTENSION DETAIL: SCALE 1/2" = 1'-0"



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Design Criteria,
Structurally Adequate for
Alteration Level: N/A
Risk Category: N/A
Wind Velocity: (MPH) 140 Exposure Category
B Internal Pressure 18

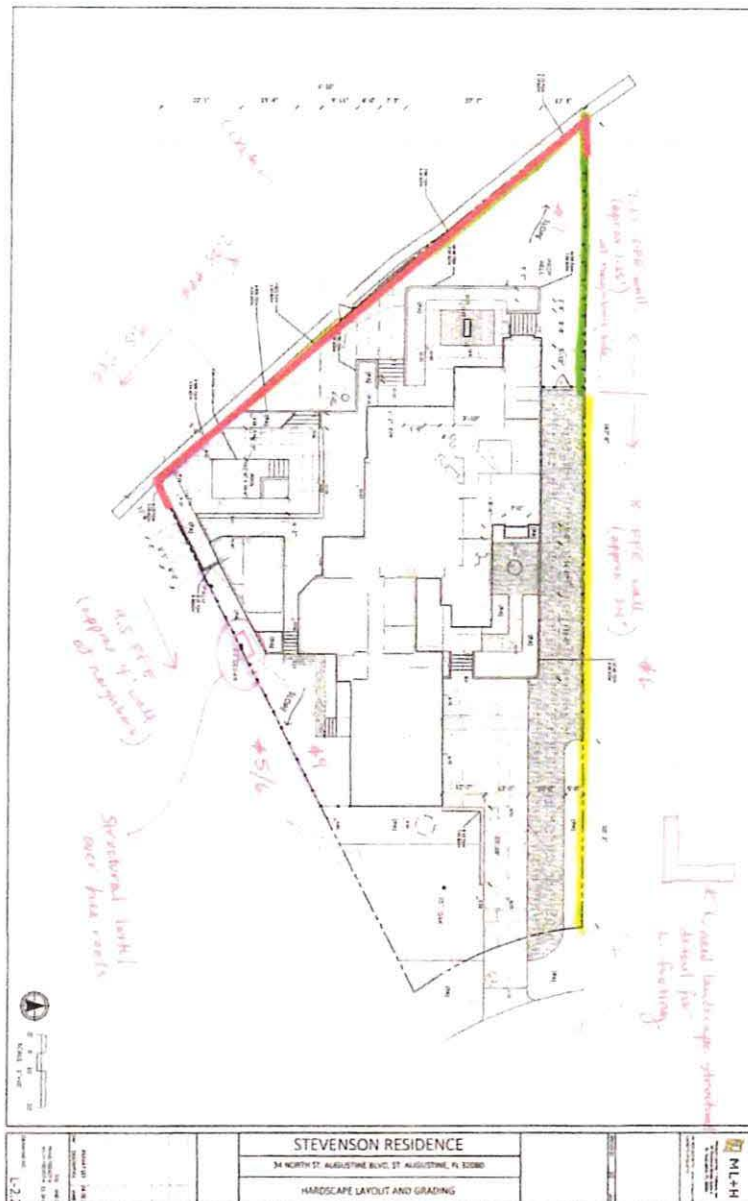
GENERAL NOTES

All lumber to be appropriately
treated for use in a marine
environment, 2.5 CCA pilings and .5
ACQ/MCQ above the waterline. All
fastenings to be stainless steel, 305
or better.

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Saint Augustine, FL 32080
Plan Date: February 2, 2022



Seawall Extension

- Backfill to be clean pervious "sand" fill.
- Please see cross section signed & sealed.
- Performance-based erosion and sediment control BMPs shall be installed immediately prior to and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands.
- Wall extension will elevate the seawall 24" from existing elevation.

**P&G
CONSTRUCTION**

1401 State Road 207
Saint Augustine, FL 32086
904-342-5746

Alan Stevenson
34 North St. Augustine Blvd, St. Augustine, FL 32080



St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)

12/1/2020

© CycloMedia (<https://cyclomedia.com/>)

Parcel ID	2135100000
Location Address	34 N ST AUGUSTINE BLVD SAINT AUGUSTINE 32080-0000
Neighborhood	Davis Shores (ICWFR) (590.05)
Tax Description*	3-97 DAVIS SHORES LOT 15 BLK 1 & LOT 13 BLK 6 AVISTA SUB OF DAVIS SHORES MB7/7 OR4832/556 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Residential (0000)
Subdivision	Davis Shores Ocean View Section
Sec/Twp/Rng	17-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.420
Homestead	N

Owner Information

Owner Name	Sta Beach Investments LLC 100%
Mailing Address	580 A1A BEACH BLVD SAINT AUGUSTINE, FL 32080-0000

Map



Valuation Information

	2022
Building Value	\$0
Extra Features Value	\$31,935
Total Land Value	\$967,356
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$999,291
Total Deferred	\$0
Assessed Value	\$999,291
Total Exemptions	\$0
Taxable Value	\$999,291

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$0	\$31,935	\$967,356	\$0	\$0	\$999,291	\$999,291	\$0	\$999,291
2020	\$0	\$31,935	\$967,356	\$0	\$0	\$999,291	\$999,291	\$0	\$999,291
2019	\$0	\$15,922	\$781,200	\$0	\$0	\$797,122	\$797,122	\$0	\$797,122
2018	\$0	\$15,977	\$781,200	\$0	\$0	\$797,177	\$797,177	\$0	\$797,177
2017	\$146,546	\$16,032	\$781,200	\$0	\$0	\$943,778	\$761,480	\$232,298	\$711,480
2016	\$278,287	\$14,776	\$781,200	\$0	\$0	\$1,074,263	\$856,793	\$267,470	\$806,793
2015	\$226,976	\$14,776	\$781,200	\$0	\$0	\$1,022,952	\$850,837	\$222,115	\$800,837
2014	\$216,434	\$14,776	\$781,200	\$0	\$0	\$1,012,410	\$844,084	\$218,326	\$794,084
2013	\$222,056	\$14,776	\$781,200	\$0	\$0	\$1,018,032	\$831,610	\$236,422	\$781,610
2012	\$204,433	\$14,776	\$598,500	\$0	\$0	\$817,709	\$817,709	\$50,000	\$767,709
2011	\$206,988	\$14,776	\$584,010	\$0	\$0	\$805,774	\$805,774	\$50,000	\$755,774
2010	\$172,850	\$14,776	\$648,900	\$0	\$0	\$836,526	\$836,526	\$50,000	\$786,526

Extra Feature Information

Code Description	Status	Value
Bulkhead (Average)		31935

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	156	175	156	FF	\$967,356

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
11/15/2019	11/15/2019	\$1,200,000.00	WARRANTY DEED	4832	556	Q	V	WHITMIRE LELAN F & MC CORKLE DENISE M(WIFE)	STA BEACH INVESTMENTS LLC
	2/27/2004	\$1,350,000.00	WARRANTY DEED	2148	1895	Q	I	SCHNEIDER ELIZABETH M	WHITMIRE LELAN F & MC CORKLE DENISE M(WIFE)
	10/1/1990	\$0.00		873	223	U	I		SCHNEIDER FREDERICK E JR
	10/1/1990	\$435,000.00		873	223	Q	I		
	8/1/1988	\$0.00		792	679	U	I		
	8/1/1988	\$250,000.00		791	246	Q	I		

No data available for the following modules: Exemption Information, Building Information, Sketch Information.

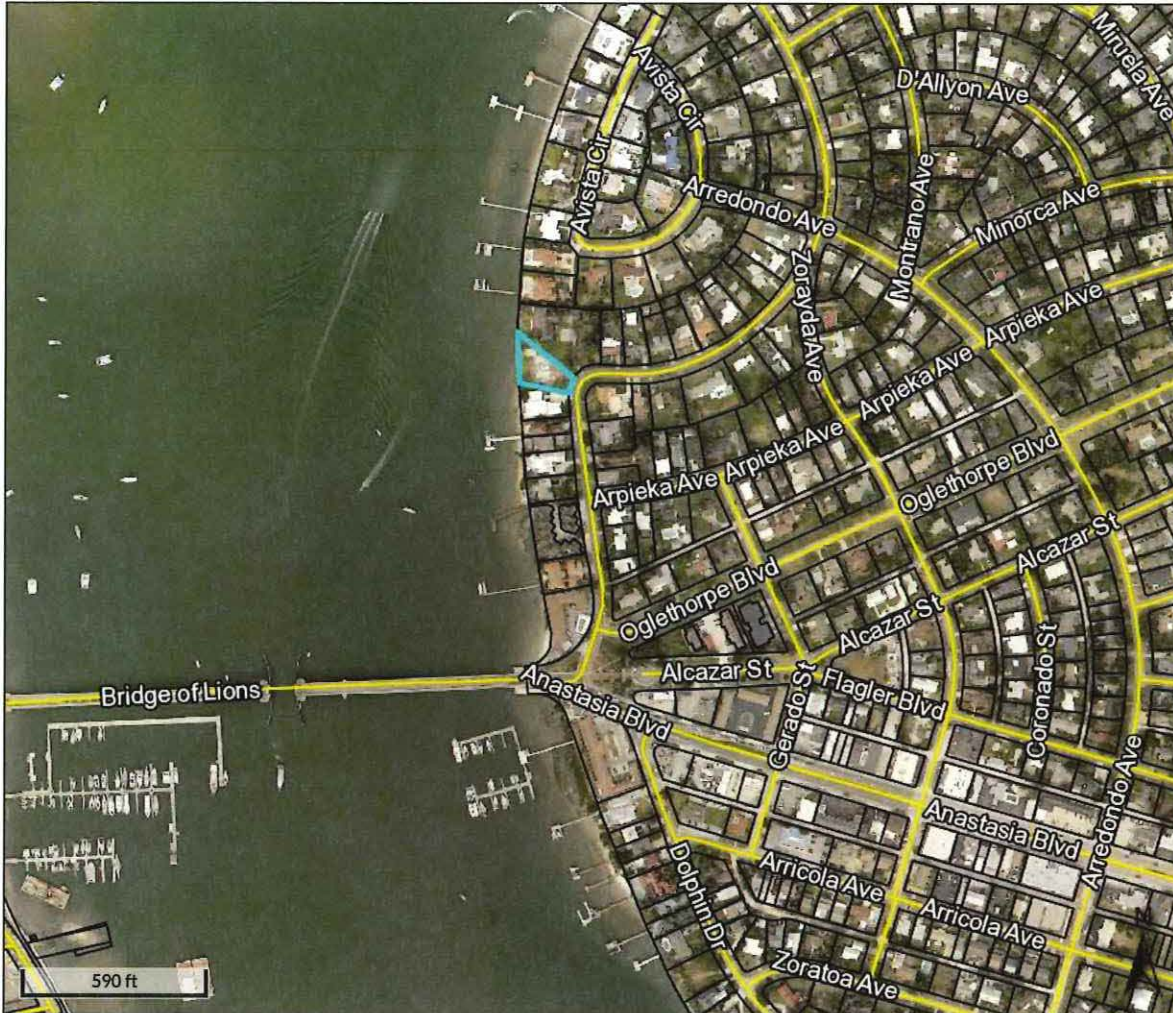
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Version 2.3.176



Overview



Legend

□ Parcels

Parcel ID	2135100000	Physical	34 N ST AUGUSTINE BLVD	Building Value	N/A	Last 2 Sales			
Property	0000 - Vacant	Address	SAINT AUGUSTINE	Extra Feature	\$31,935	Date	Price	Reason	Qual
Class	Residential	Mailing	STA BEACH INVESTMENTS	Value		11/15/2019	\$1200000	01	Q
Taxing	City of St Augustine	Address	LLC	Total Land	\$967,356	2/27/2004	\$1350000	01	Q
District			580 A1A BEACH BLVD	Value					
Acres	0.42		SAINT AUGUSTINE FL	Just Value	\$999,291				
			32080-0000	Total Deferred	N/A				
				Assessed Value	\$999,291				
				Total	N/A				
				Exemptions					
				Taxable Value	\$999,291				

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Date created: 2/8/2022

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CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 1, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0011**

AGENDA ITEM 6(e)

APPLICANT Ryan Carter c/o Carter Environmental Services

OWNER Patricia Dobosz

LOCATION 105 Marine Street / PID 200920-0000

REQUEST To approve a proposed dock addition to an existing dock over rip rap within Conservation Overlay Zone 1.

LAND USE Historic Preservation

ZONING Historic Preservation One (HP-1)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

Protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources.

CCM Objective 7

Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area.

Conservation overlay zone development means any construction or use which requires a permit from the city, physically located or taking place within a conservation overlay zone.

Conservation Overlay Zone 1 comprises the most environmentally sensitive and valuable natural resources within the city. It includes all beaches, shores and dunes seaward of the state's coastal construction control line (F.S. ch. 161), all wetlands within the state's wetlands jurisdiction line (F.S. ch. 403), brackish water, and some habitat areas for species recognized as endangered, threatened, of special concern, or unique by federal, state and local agencies. This zone includes the estuarine/riverine environments created by the San Sebastian and Matanzas Rivers and their tributaries.

Chapter 11 Land Development Code, Article II. Conservation Overlay Zone Development.

Sec. 11-26. - Purpose and intent.

The purpose of this article is to establish criteria for the review of development proposals and to manage, regulate and direct development within Conservation Overlay Zones 1, 2 and 3 following the goals, objectives and policies contained in the conservation and coastal management element of the comprehensive plan. Further, this article shall serve to preserve and protect environmentally sensitive areas within the city; to promote an understanding of the importance of these areas through passive or scenic recreational opportunities; to protect and conserve endangered, threatened or unique plant and animal life; and to minimize the dangers of natural disasters by discouraging unsuitable development in areas where such growth could impair natural systems or result in loss of life or property.

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.

Sec. 11-29. Standards for review.

- (a) Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for such structures and uses which have received permits under provisions of applicable federal and state regulations and will be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and/or use so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to the animal, fish or shellfish contained therein, to avoid blocking or disrupting vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.
- (b) Permits for structures and uses located within Conservation Overlay Zone 2 shall be issued only for those structures and related uses which are determined as having no significant negative impact on adjacent natural systems by either individual or cumulative effect.,, and consistent with the purpose of Conservation Overlay Zone 2 to protect the functional integrity of Zone 1 and to protect Zone 3 from extreme high-water conditions. At no time shall the impervious area in Conservation Overlay Zone 2 exceed twenty-five (25) percent without that area receiving treatment equivalent to the St. Johns River Water Management District water quality treatment provisions required when new development is proposed along an unaltered shoreline. The first (landward of the most restrictive jurisdictional line, which may be the mean high-water line or wetlands jurisdictional line) twenty-five (25) feet, measured in width perpendicular to the most restrictive jurisdictional line, in Conservation Overlay Zone 2 shall remain undeveloped except as provided in (1) - (4) of this subsection. If the area is already disturbed, a restoration plan is required. The planning and zoning board is authorized to impose limitations in the following manner so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to any animal, fish or shellfish life contained therein, to avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole. Rear or side lot drainage from grassed or altered areas of new development along an altered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland; however, the area not treated must be compensated

elsewhere in the system. This may be accomplished by providing additional water quality treatment in the system equivalent to that which will be discharged untreated. Water discharged shall be at non-erosive velocities. Rear or side lot drainage from grassed or altered areas of new development along an unaltered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland through the twenty-five (25) feet buffer (water discharged shall be at non-erosive velocities), with the following permitted activities:

- (1) ~~Pruning vegetation to retain or create a reasonable view. Ground cover and shrub vegetation to a height of thirty-six (36) inches should be retained.~~
 - (2) A maximum of fifty (50) percent of the basal area of trees, and a maximum of fifty (50) percent of the total number of saplings, may be removed for any purpose in a twenty-year period. A healthy, well-distributed stand of trees, saplings, shrubs and ground covers and their living, undamaged root systems shall be left in place. Replacement planting with native, low maintenance vegetation is permitted to maintain the fifty (50) percent level.
 - (3) Dead, diseased, unsafe, or fallen trees may be removed.
 - (4) Bridges, paths, walkways, gazebos, docks and decks, bulkheads, seawalls, and retaining walls, and accessways to such amenities are permitted across the buffer provided such activities have minimal impact to the wetlands and are scaled to preserve the integrity of the buffer (less than ten (10) percent of the total area calculation of the buffer). These structures must demonstrate that they are of a reasonable, compatible scale to similar structures in the neighboring area. Structures in Conservation Overlay Zone 2 that are connected to adjacent structures in Zones 1 or 3 shall be sized relative to that adjacent structure and be designed so as to minimize off-site visual and environmental impacts. The applicant will present any mitigating design and environmental elements as part of the review of the structure in Conservation Overlay Zone 2.
- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria: *Please refer to the staff summary and analysis below.*

STAFF SUMMARY AND ANALYSIS

This request is for a proposed dock modification that adds a deck platform on the landward side at 105 Marine Street. The property is currently a multi-family rental property. The new platform will account for 414 sq. ft. over land, existing rip rap shoreline, and open water.

Conservation Overlay Zone Development *(Staff analysis in italics)*

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria:

- (1) Site specific conditions:

The site has approximately 80 +/- feet of frontage along the Matanzas River and existing rip rap along the shoreline.

- (2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.

The adjacent docks in the vicinity are similar in size.

- (3) Natural and proposed drainage patterns.

Drainage will not be altered. The shoreline is armored with riprap and vegetation is not present.

- (4) Effect of point and nonpoint discharge in the marine environment.

There is always the possibility of oil and gas accidentally discharging from boats moored at docks.

- (5) Proposed soil stabilization and erosion control methods.

The extension of the dock with a deck platform may impact soil stabilization and erosion control during construction, but impacts will be temporary.

The proposed deck platform does not appear to have any long-term effects on soil stabilization or erosion control.

- (6) Impact on floodplain.

The proposed construction will not impact the floodplain.

- (7) Impact of development on vegetative and animal communities.

The impact of the proposed deck platform to an existing dock on vegetative and animal communities is not known.

- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.

There is no proposed use of poisonous chemicals and materials.

- (9) Effect of shade on vegetation and shellfish.

The proposed deck platform may impact vegetation and shellfish and that effect appears to be minimal.

- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.

The effect of boat wake and traffic on manatees, vegetation, shellfish and wildlife as well as shoreline erosion is not known.

- (11) Impact of development on shoreline by linear feet and percent of site.

The site currently has riprap that will remain.

- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.

The site has approximately 80 +/- feet of frontage on the Matanzas River. The impact of this proposed deck platform on scenic vistas will match the existing dock height. The proposed design does not include any boat houses, or tall structures that would disrupt a scenic vista.

- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.

Not applicable.

- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.

The impact of the dock on plant and animal habitat is not known.

- (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)

Not applicable.

- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.

Minimal, if any.

- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels.

The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

This proposed deck platform to an existing private boat dock will not exceed six (6) feet in height above mean high water. A boatlift is not proposed with this application.

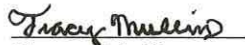
STAFF COMMENTS

Additional material has been submitted by the applicant that includes a Conservation Overlay Zone analysis by Carter Environmental Services. The aerial photograph submitted by the applicant shows the adjacent docks in the vicinity. The proposed deck platform will not exceed (6) feet above the mean high water. The proposed height for the newly constructed dock is (5.5) feet to match the existing dock profile similar in height with docks in the area.

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** a proposed dock addition to an existing dock over rip rap within Conservation Overlay Zone 1 at 105 Marine Street / PID 200920-0000.

By approval of this application, the City does not make representation, approval, or claim to riparian rights to any party.



Tracey Mullins

Planner

Planning and Building Department



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$330⁴165 (plus advertising costs) Project Number: 2022-0011

Receipt Number: 2308872 Meeting Date: _____

Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Ryan Carter Contact Number: 904-540-1786
Business (if applicable): Carter Environmental Services
Address: 42 Masters Drive City: St. Augustine State: FL Zip: 32084
E-Mail Address: Ryan@carterenv.com

2. NAME OF PROPERTY OWNER: Patricia Dobosz Contact Number: 954-294-7551
Business (if applicable): My Tato LLC
Address: 243 Charlotte St City: St. Augustine State: FL Zip: 32084
E-Mail Address: pattidobosz@gmail.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: 4 Block: 41
Subdivision: _____ Parcel Number: 2009200000

4. PROJECT STREET ADDRESS: 105 Marine St

5. SPECIFIC PROPOSED USE: Modification/addition to existing multi-family dock

6. ACTION REQUESTED:
☒ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Conservation Overlay Zone Approval for modification of an existing approximately 1,880' square-foot, double-boat slip/lift dock by adding a deck on the landward end to create an overall 2,384 square-foot dock. See attached narrative and figures.

8. JUSTIFICATION FOR ACTION REQUESTED: To offer a space for social gathering and wildlife viewing, in lieu of a terminal platform, that is more accessible (i.e., to the handicapped and those of limited mobility) than a standard dock terminal platform.

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.

Signature of Applicant

12/16/21

Date

Signature of Property Owner

2/2/22
Date

04/18/2019



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Ryan Carter

Print name of applicant

A handwritten signature in black ink, appearing to read "R. A. Carter".

Signature of applicant

12/16/21

Date



AUGUSTINE

Owner's Authorization For Agent

Carter Environmental Services is/are hereby authorized TO ACT ON BEHALF
OF My Tato LLC, the owner(s) of those lands described within
☒ the attached application, or ☐ described within the previously filed
Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:
105 Marine St

BY: _____

Signature of Owner

Patricia Dobosz, My Tato LLC

Print Name of Owner

954-294-7551

Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 2nd day of Feb, 2022

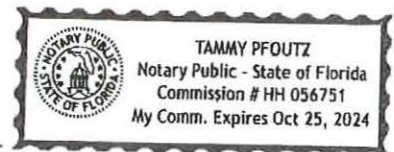
By Patricia Dobosz

Identification verified: FL DL

Oath sworn: _____ Yes ☒ No

Notary Signature: _____

My Commission expires: 10/25/2024





St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	2009200000
Location Address	105 MARINE ST SAINT AUGUSTINE 32084-0000
Neighborhood	Small Apartment COSA (COM) (206.05)
Tax Description*	CITY OF ST AUG LOT 4 BLK 41 OR1915/1381 VILLAS ON THE BAY APTS - 10 OR5354/1310 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Multi Family Rental (0830)
Subdivision	City of St Augustine
Sec/Twp/Rng	20-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.260
Homestead	N

Owner Information

Owner Name	My Tato LLC 100%
Mailing Address	243 CHARLOTTE ST SAINT AUGUSTINE, FL 32084-0000

Map



Valuation Information

	2022
Building Value	\$749,278
Extra Features Value	\$19,306
Total Land Value	\$481,342
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$1,249,926
Total Deferred	\$0
Assessed Value	\$1,249,926
Total Exemptions	\$0
Taxable Value	\$1,249,926

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$763,196	\$19,306	\$481,342	\$0	\$0	\$1,263,844	\$1,263,844	\$0	\$1,263,844
2020	\$787,589	\$19,306	\$481,342	\$0	\$0	\$1,288,237	\$1,224,245	\$63,992	\$1,224,245
2019	\$657,342	\$15,969	\$582,088	\$0	\$0	\$1,255,399	\$1,112,950	\$142,449	\$1,112,950
2018	\$652,510	\$15,969	\$582,088	\$0	\$0	\$1,250,567	\$1,011,773	\$238,794	\$1,011,773
2017	\$536,608	\$0	\$470,148	\$0	\$0	\$1,006,756	\$919,794	\$86,962	\$919,794
2016	\$430,861	\$7,269	\$470,148	\$0	\$0	\$908,278	\$842,922	\$65,356	\$842,922
2015	\$339,249	\$7,269	\$419,775	\$0	\$0	\$766,293	\$766,293	\$0	\$766,293
2014	\$329,430	\$7,269	\$419,775	\$0	\$0	\$756,474	\$756,474	\$0	\$756,474
2013	\$339,566	\$7,269	\$419,775	\$0	\$0	\$766,610	\$766,610	\$0	\$766,610
2012	\$394,158	\$5,653	\$419,775	\$0	\$0	\$819,586	\$819,586	\$0	\$819,586
2011	\$406,672	\$6,360	\$467,350	\$0	\$0	\$880,382	\$880,382	\$0	\$880,382
2010	\$561,945	\$5,972	\$520,521	\$0	\$0	\$1,088,438	\$1,088,438	\$0	\$1,088,438

Building Information

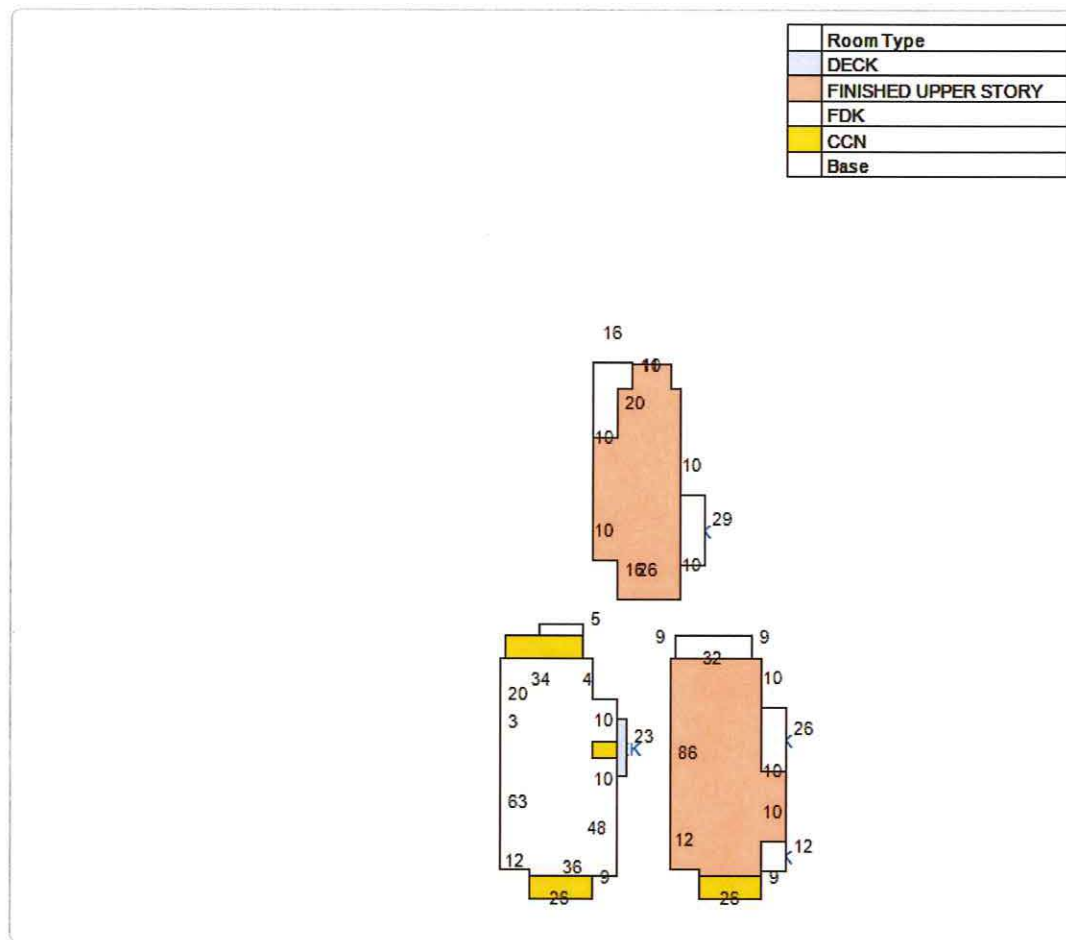
Building	1
Year Built	1900
Actual Area	12044
Conditioned Area	10528
Use	Multi-Family less than 10 units
Style	03
Class	N
Exterior Wall	Stucco

Roof Cover	Cement Fiber Shingle
Roof Structure	Wood Truss
Interior Flooring	Carpet, Pine Wood
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	
Baths	

Description	Square Footage
BASE AREA	3996
CANOPY (COMMERCIAL)	288
FRAME DECK	90
FINISHED UPPER STORY	3636
FRAME DECK	260
FINISHED UPPER STORY	2896

CANOPY (COMMERCIAL)	234
CANOPY (COMMERCIAL)	70
FRAME DECK	120
CANOPY (COMMERCIAL)	234
FRAME DECK	290
FRAME DECK	376
FINISHED DECK	92
FRAME DECK	288
Total SqFt	12870

Sketch Information



Extra Feature Information

Code Description	Status	Value
Boat Dock (Average)		15946
Boat Lift		3360

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Multi Family Rental	80	140	11194	SF	\$481,342

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
8/27/2021	8/27/2021	\$1,910,000.00	WARRANTY DEED	5354	1310	Q	I	ANASTASIA'S ON THE BAY LLC	MY TATO LLC
1/2/2013	1/2/2013	\$827,000.00	CERTIFICATE OF TITLE	3665	1679	U	I	HOGAN THOMAS J III,KAREN LEE ETAL/BY SJC COCC	ANASTASIA'S ON THE BAY LLC
12/5/2011	12/2/2011	\$0.00	LIS PENDENS	3501	707	U	I	TD BANK NATL ASSN VS:	HOGAN THOMAS J III,KAREN LEE
	3/14/2003	\$1,737,750.00	WARRANTY DEED	1915	1381	Q	I	VILLAS ON THE BAY INC	HOGAN THOMAS J III & KAREN LEE
	1/1/1998	\$100.00	QUIT CLAIM DEED	1363	347	U	I	BUSHELL ANTHONY & BRENDA	VILLAS ON THE BAY INC
	11/12/1993	\$340,000.00	WARRANTY DEED	1021	841	Q	I	HUGAS MARIO VERGES MADELINE GASTER	BUSHELL ANTHONY,BRENDA

No data available for the following modules: Exemption Information.

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Version 2.3.157

Attachment 1
Overlay Zone Application Narrative

**105 Marine Street
Overlay Zone Development Application Supplement
December 2021**

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a proposed dock modification that adds a deck/platform on the landward side (but includes no new access pier or boat lifts) at 105 Marine St, a multi-family rental property. The proposed dock will offer a space for social gathering and wildlife viewing, in lieu of a terminal platform, that is more accessible (i.e., to the handicapped and those of limited mobility) than a standard dock terminal platform.

The new platform will account for 414 sq. ft. over land, rip rap shoreline armoring and open water. Total dock, platform and lift area over open water after this modification to the existing dock will be approximately 2,384 sq. ft. The height of the proposed platform will be 5.5' above Mean High Water to match the existing dock height. Please see attached plans for detailed dimensions.

The construction proposed in this application would occur on lands located within Conservation Overlay Zones 1 and 2, as defined in Section 11-27 of the City Code. Section 11-29(a) of the Code sets forth certain criteria for structures located within Conservation Overlay Zones. The applicant has complied with each of those criteria, as detailed below:

1. *The proposed work will have a benefit to the public as a whole.*

This is a private dock. Public benefits may be economically related through use by renters of the property, construction activities and marine/boating related purchases.

2. *The proposed work will have no significant negative impact on natural systems (including adjacent salt marshes and the vegetative communities contained therein), by either individual or cumulative effect.*

There is no salt marsh or mangrove vegetation between the uplands and open water on the site. The shoreline is armored with riprap and vegetation is not present.

3. *The proposed structures will not block or disrupt any vista or scenic opportunities.*

Platform height will match the existing dock and comply with Federal and State regulations. The platform will be located partially on uplands and extend only a short distance over the water, greatly limiting any possible vista disruptions to nearby properties.

4. *The proposed work will enhance vistas and scenic opportunities for the benefit of the public as a whole.*

Renters of the property will experience an improvement in experiencing the overall scenic vista.

Applications for development in Conservation Overlay Zones are to be evaluated according to certain criteria set forth in Section 11-29(c) of the City Code. The owner has complied with each of those criteria, as detailed below:

1. *Site specific conditions.*

This property has approximately 80 feet of Matanzas River frontage. The property and adjacent properties utilize riprap/seawalls and are elevated from the coastline. Mangroves and marine vegetation are not present within the footprint of the proposed platform.

2. *The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.*

The property sits on the Matanzas River and is adjacent to single-family homes to the north and south.

3. *Natural and proposed drainage patterns.*

Drainage will not be altered by the proposed works.

4. *Effect of point and non-point discharge in the marine environment.*

Point and non-point discharge will not be altered.

5. *Proposed soil stabilization and erosion control methods.*

Soil and erosion control may be necessary during construction, such as silt fences and turbidity barriers, but impacts will be temporary and no long-term erosional impacts will take place.

6. *Impact on floodplain.*

There is no impact on floodplains associated with this application.

7. *Impact of development on vegetative and animal communities.*

Vegetative impacts: There are no anticipated vegetative impacts as salt marsh, mangroves, and sea grass are not present. Also, the new platform will minimally shade a small area of open water, but will be built as required by state and federal agencies, five feet or higher above mean high water.

Lighting of the open water areas at night: The proposed works will be lit with low-level, directional lighting that greatly minimizes the amount of light intrusion into the open water.

Increased noise from day users: Minimal noise associated with use of the platform by renters.

8. *Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.*

There will be no storage of pollutants or the use of poisonous chemicals and materials

9. *Effect of shade on vegetation and shellfish.*

Effects of shading on vegetation are not anticipated. Negative effects to shellfish, if any, should be minimal, with potentially positive impacts in the form of additional substrate for shellfish to colonize.

10. *Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.*

Use of the new dock platform will not have any effect on boat wake or traffic that could affect *manatees, vegetation, shellfish and wildlife or shoreline erosion.*

11. *Impact of development on shoreline by linear feet and percent of site.*

Approximately 25' of shoreline will be beneath the new platform, but the shoreline is already altered by rip rap.

12. *Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.*

Approximately 46' of only waist-high railing, 18' of which is perpendicular to the shoreline, would surround the platform, but would offer no significantly different vista from any angle than the existing dock railing.

13. *Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.*

Not applicable.

14. *Impact of development on plant and animal habitat and potential loss in acres and percent of site.*

Not applicable.

15. *Impact of development on water quality.*

Not applicable.

16. *Impact of development on shellfish and on commercial and sport fish and waterfowl.*

- a) The effects of the proposed project on commercial and sport fish are as follows:

Positive: The proposed new platform supports will provide shelter for larval, juvenile, and adult fish at higher tides.

Negative: Extremely small loss of juvenile habitat from the placement of four new pilings for the dock expansion.

- b) The effects of the project on shellfish are as follows:

Positive: The pilings used to construct the platform could be colonized by barnacles, oysters, and mussels. This will be an addition of habitat.

Negative: None.

- c) The effects of the project on waterfowl are as follows

Positive: The additional dock area could be used as a resting place or perch for waterfowl.

Negative: Extremely small loss of foraging habitat.

17. Dock specifications:

- a) *No boathouse, roofed structure or wall shall be constructed on any dock.*

There are currently no proposed plans for any boathouse, roofed structure or wall within the dock.

- b) *The deck of any private boat dock shall not exceed six (6) feet in height above the mean high water line.*

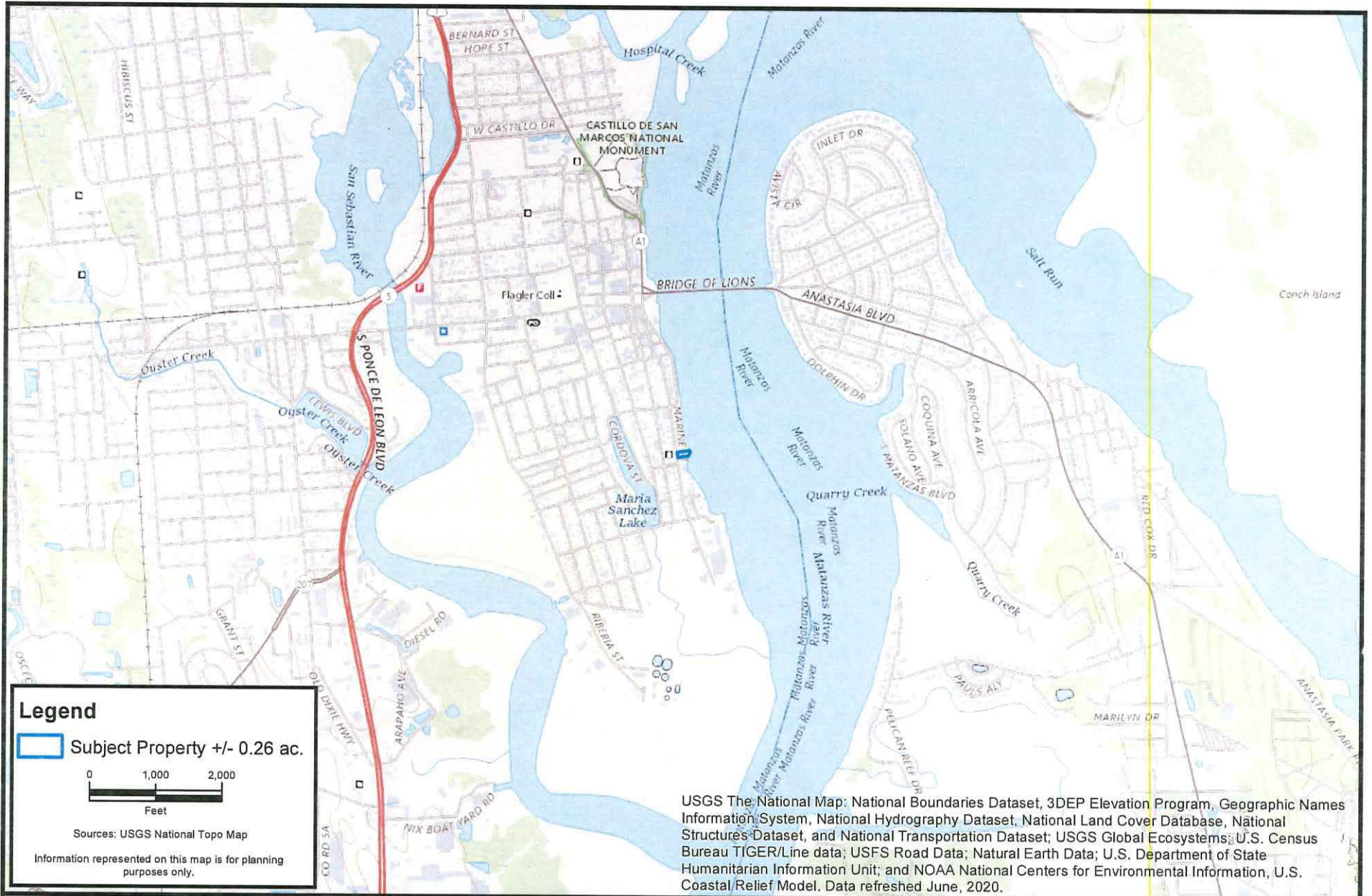
The deck will not exceed 6' above MHW, with a proposed height for the newly constructed dock being 5.5' to match the existing dock profile.

- c) *Boatlifts shall have a maximum capacity of 12,000 pounds and shall be low-profile or no-profile.*

No new boat lifts are proposed.

Attachment 2

Overlay Zone Application Graphics



CARTER ENVIRONMENTAL
SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Location Map

105 Marine Street

Project: 5.21507

St. Augustine, St. Johns County, FL

Date: Nov 02 2021

Figure:

1





**CARTER ENVIRONMENTAL
SERVICES, INC.**



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Current Color Aerial Map

105 Marine Street

Project: 5.21507

St. Augustine, St. Johns County, FL

Date: Nov 02 2021

Figure:

2





CARTER ENVIRONMENTAL SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Deck Addition
105 Marine Street

Project: 5.21507

St. Augustine, St. Johns County, FL

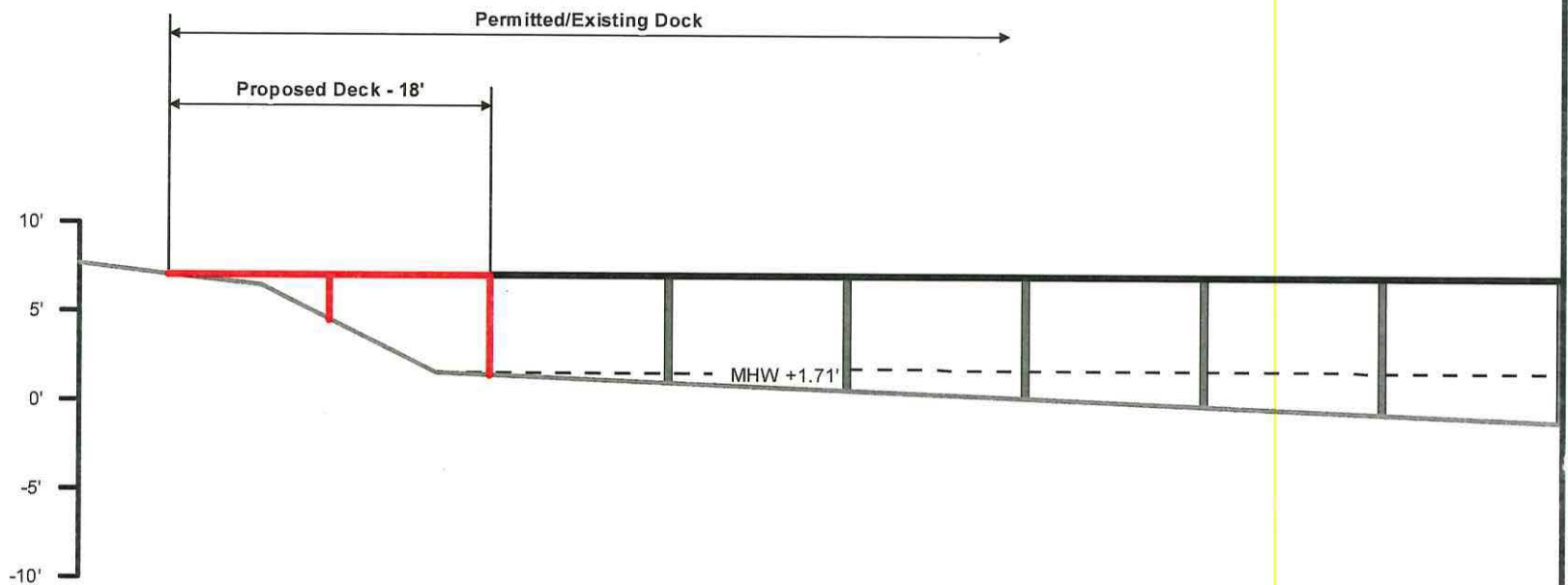
Date: Dec 13 2021

Figure:

3



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Information represented on this map is for planning purposes only.

CARTER ENVIRONMENTAL SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Deck Addition Profile View

105 Marine Street

Project: 5.21507

St. Augustine, St. Johns County, FL

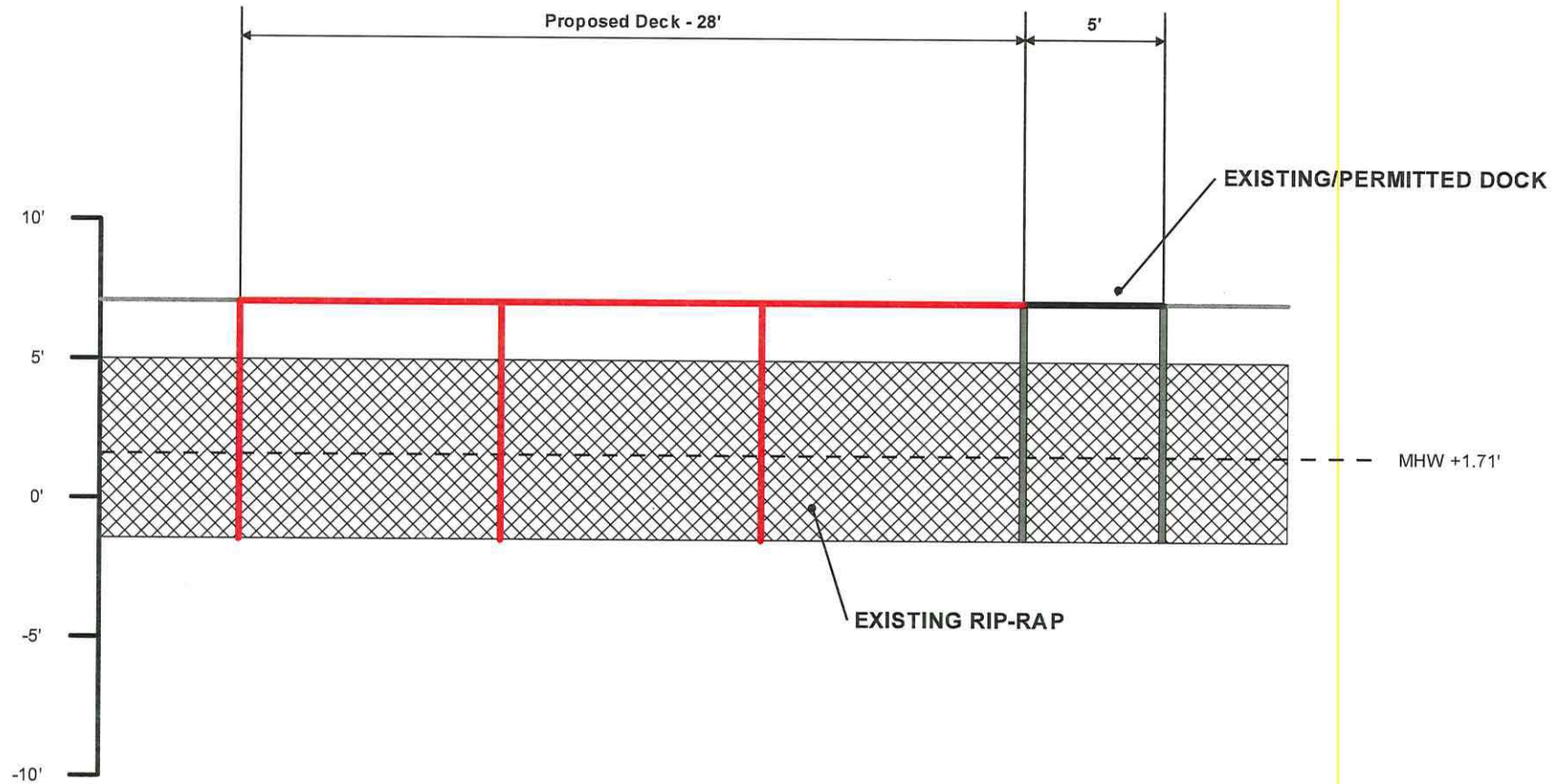
Date: Dec 13 2021

Figure:

4



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Information represented on this map is for planning purposes only.

CARTER ENVIRONMENTAL SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

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Proposed Deck Addition Cross-Section

105 Marine Street

Project: 5.21507

St. Augustine, St. Johns County, FL

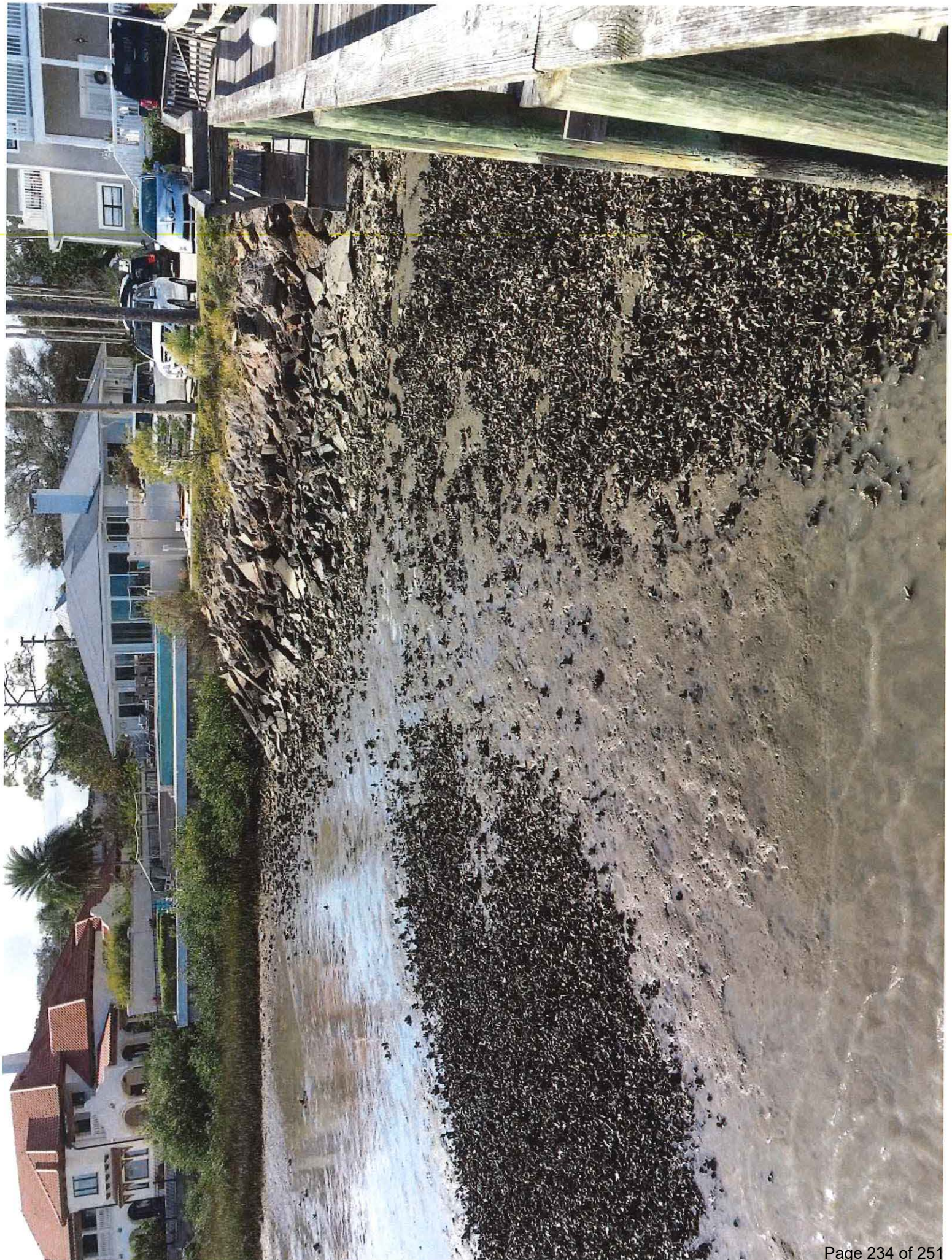
Date: Dec 13 2021

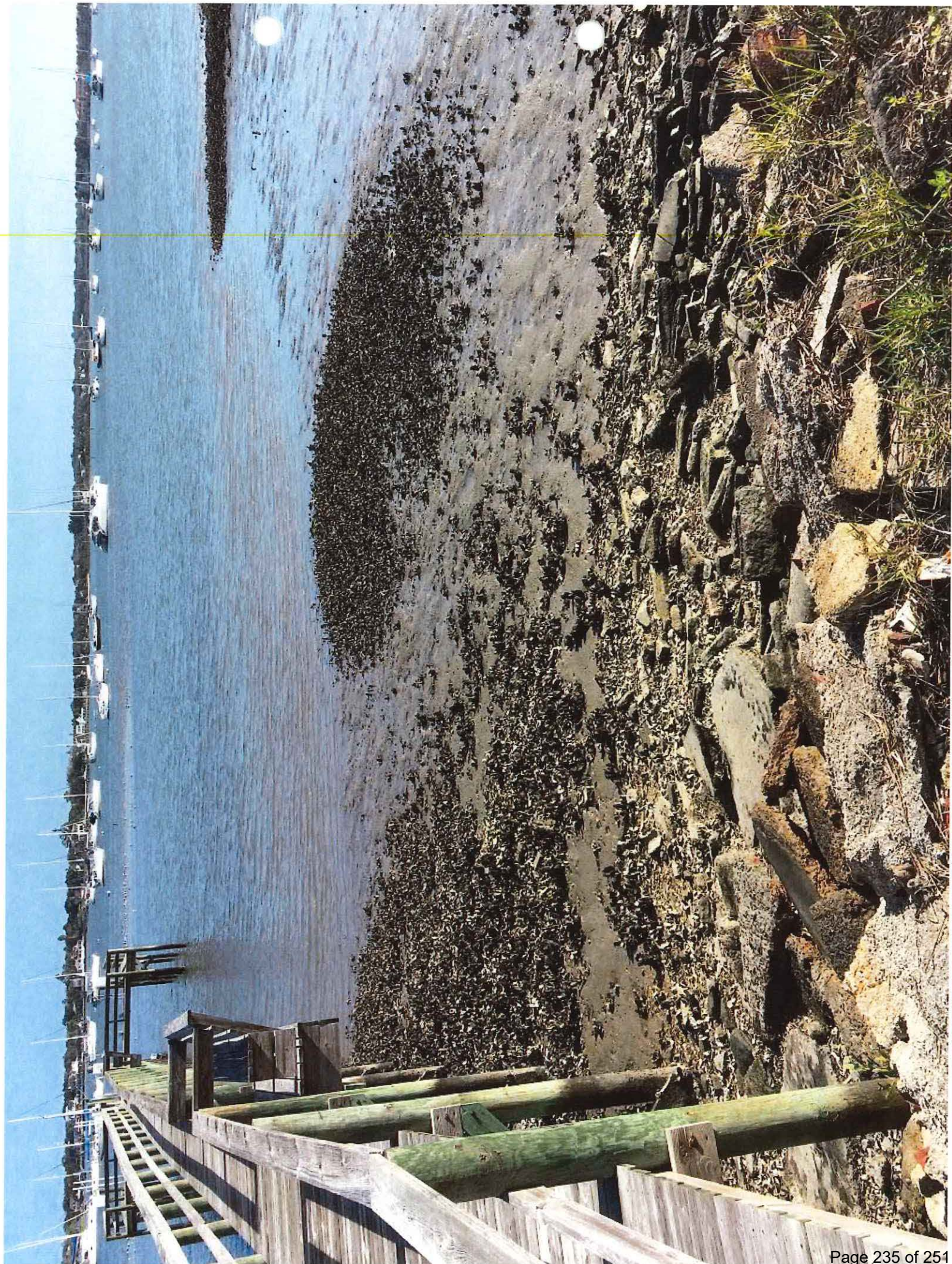


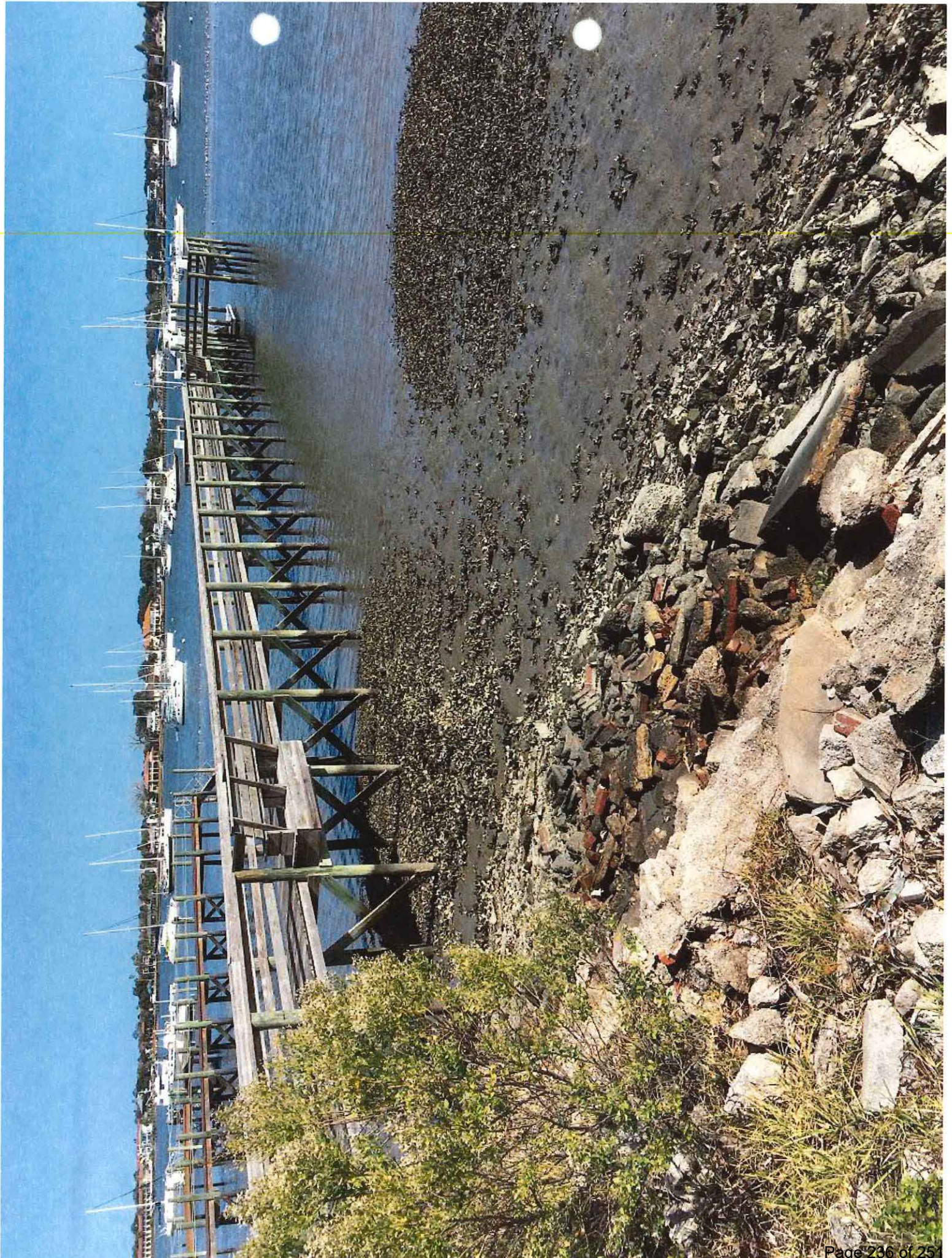
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5

Attachment 3
Photo documentation sheet







ORDINANCE NO. 2022-XX

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 28, SECTION 28-2 TO PROVIDE A DEFINITION FOR HOME-BASED BUSINESS; AMENDING CODE SECTIONS 28-161, 28-162, 28-163, 28-164, 28-165, 28-166, 28-167, 28-183, 28-184, 28-185, 28-187, 28-206, 28-207, 28-208, 28-209, 28-226, 28-246 TO ALLOW FOR HOME-BASED BUSINESS AS A PERMITTED USE; AMENDING SECTION 28-347 TO MODIFY SUPPLEMENTAL REGULATIONS; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

WHEREAS, the Florida legislature has expanded the types of permitting opportunities for Florida home-based businesses; and

WHEREAS, the City of St. Augustine in order to clarify the intent of the regulations, the City wishes to adopt an amendment of terms to clearly define the zoning regulations in accordance with Florida Statute 559.955; and

WHEREAS, in order to clarify the intent of the regulations, the City wishes to adopt an amendment of terms to clearly define the applicable law as it relates to zoning districts for home-based businesses; and

WHEREAS, on March 1, 2022 the Planning and Zoning Board acting as the designated land planning agency for the City of St. Augustine recommended the included additions and revisions to Chapter 28, the Zoning Code to the City Commission; and

WHEREAS, the City Commission for the City of St. Augustine finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted consistent with the requirements of Section 166.021(4), Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Amending the Code of the City of St. Augustine. Sections 28-2, 28-161, 28-162, 28-163, 28-164, 28-165, 28-166, 28-167, 28-183, 28-184, 28-185 28-187, 28-206,

28-207, 28-208, 28-209, 28-226, 28-246, and 28-347 of the Zoning Code of the City of St. Augustine are hereby amended, as follows:

“Sec. 28-2. - Definitions.

For the purpose of this chapter, certain words and terms used herein shall be interpreted to have meanings as defined below. Where words or terms are not defined, they shall have their ordinarily accepted meanings or such as the context may imply. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word ‘shall’ is mandatory; the word ‘may’ is permissive. The word ‘used’ or ‘occupied’ includes the words ‘intended, designed or arranged to be used or occupied.’ The word ‘lot’ includes the word ‘plot’ or ‘parcel.’ The word ‘structure’ includes the word ‘building’ as well as other things constructed or erected on the ground, attached to something having location on the ground, or requiring construction or erection on the ground. The word ‘land’ includes the word ‘marsh,’ ‘water’ or ‘swamp.’ The word ‘map’ shall mean the ‘Zoning Maps of the City of St. Augustine, Florida’ and the ‘city’ shall mean the City of St. Augustine, Florida, a corporation of the State of Florida.

...

Home-based business means a business that operates, in whole or in part, from a residential property and meeting all the criteria as established in Florida Statute 559.955, as may be amended.

Home for the aged means a facility for the care of the aged with routine nursing or medical care provided.

Home occupation means a home-based business as that term is defined in Chapter 559.955, Florida Statutes. ~~business, profession, occupation or trade conducted for gain or support and located entirely within a residential building, or a structure accessory thereto, which use is accessory, incidental and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building.~~

Home office, private, means a home-based business as that term is defined in Chapter 559.955, Florida Statutes. ~~home occupation consisting of the office of a practitioner of a recognized profession or business which does not involve office contact with clients or the public.~~

...”

“Sec. 28-161. – Residential, single-family-one: RS-1.

Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and uses compatible with low density single-family uses, so as to create and maintain a stable low intensity residential character.

- (1) *Permitted uses and structures.* Single-family dwelling; ~~home-office, private,~~ Home-based business.

...”

“Sec. 28-162. - Residential, single-family-two: RS-2.

Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and single-family type uses, as well as those uses compatible with low density single-family uses, so as to create and maintain a low intensity residential character.

- (1) *Permitted uses and structures.* Single-family dwellings; ~~home-office,~~
~~private,~~ Home-based business.

...”

“Sec. 28-163. Residential, general-one: RG-1.

Intent. This district is intended to apply to those neighborhoods designated for multiple-family dwellings and uses, as well as those nonresidential uses compatible and complementary with medium density residential uses, so as to create and maintain a medium intensity residential character.

- (1) *Permitted uses and structures:*
- a. Single-family dwellings.
 - b. Multiple-family dwellings.
 - c. Housing for the elderly.
 - d. Roominghouses and boardinghouses.
 - ~~e. Home-office, private.~~
 - ~~fe.~~ Tourist homes and bed and breakfast inns.
 - ~~gf.~~ Neighborhood recreational facility.
 - ~~hg.~~ Accessory apartments.
 - h. Home-based business.

...”

“Sec. 28-164. Residential, general-two: RG-2.

Intent. This district is intended to apply to those neighborhoods designated for multiple-family dwellings and uses, as well as those nonresidential uses compatible and complementary with medium density residential uses, so as to create and maintain a diverse medium intensity residential character.

- (1) *Permitted uses and structures:*
- a. Multifamily dwellings.
 - b. Accessory apartments.
 - c. Single-family dwellings.
 - d. Tourist homes and bed and breakfast inns.
 - e. Rooming and boarding houses.
 - f. Hotel or motel, thirty (30) units maximum.

- g. Housing for the elderly.
- ~~h. Home office, private.~~
- ~~ih.~~ Neighborhood recreation facility.
- i. Home-based business.

...”

“Sec. 28-165. Residential and general office: RGO.

Intent. This district is intended to apply to those neighborhoods designated for mixed residential and commercial uses so as to create a medium intensity residential and low intensity commercial mix of uses.

(1) Permitted uses and structures:

- a. Multiple-family dwellings.
- b. Professional and business offices.
- c. Restaurants, but not drive-in.
- d. Retail sales such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods, sundries and notions, business office supplies, musical instruments, records and tapes, retail sale of alcohol and similar products, with no exterior display or storage of merchandise permitted.
- e. Marina.
- f. Museums.
- g. Parking facilities and garages.
- h. Bar/tavern.
- ~~i. Home office, private.~~
- ~~ji.~~ Hotels, motels, conference centers, convention centers and spas.
- ~~kj.~~ Craft alcohol industry.
- k. Home-based business.

...”

“Sec. 28-166. Residential, low-one: RL-1.

Intent. This district is intended to apply to those neighborhoods designated for single and multiple-family dwellings and uses, as well as those nonresidential uses compatible with and complementary to low density residential uses, so as to create and maintain a mixed low density residential character.

(1) Permitted uses and structures:

- a. Single-family dwellings.
- b. Accessory apartments.
- c. Multiple-family dwellings.

~~d. Home office, private.~~

d. Home-based business.

...”

“Sec. 28-167. Residential and general office-A: RGO-A.

(a) *Intent.* This district is intended to apply to those neighborhoods designated for mixed residential and commercial uses so as to create a medium intensity residential and low intensity commercial mix of uses.

(1) *Permitted uses and structures.*

- a. Multiple-family dwellings.
- b. Professional and business offices.
- c. Restaurants, but not drive-in.
- d. Retail sales such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods, sundries and notions, business office supplies, musical instruments, records and tapes, retail sale of alcohol and similar products, with no exterior display or storage of merchandise permitted.
- e. Marina.
- f. Museums.
- g. Parking facilities and garages.
- h. Bar/tavern.
- ~~i. Home office, private.~~
- ~~j.i.~~ Hotels, motels, conference centers, convention centers and spas.
- ~~k.j.~~ Craft alcohol industry.
- l.k. Home-based business.

...”

“Sec. 28-183. - Historic preservation district: HP-1.

Intent. This district is intended to provide primarily residential uses that will encourage the preservation and restoration of historic structures in the district.

...

(2) *Permitted uses and structures:*

- a. Single-family. Owner occupied or rental dwelling unit. If a rental dwelling unit, rentals on a monthly or greater period of time.
- b. Accessory apartments, apartments and duplexes, rental dwellings being rented on a monthly or greater period of time.
- c. Home-based business.

...”

“Sec. 28-184. Historic preservation district: HP-2.

Intent. This district is intended to provide a mix of commercial and residential uses that will encourage the restoration and reproduction of historic structures and maintain the historic and pedestrian scale of the neighborhood.

...

(2) Permitted uses and structures:

- a. Single-family.
- b. Multifamily.
- c. Tourist homes and bed and breakfast inns.
- d. Professional and business offices.
- e. Rooming and boarding houses.
- f. Banks and other financial institutions.
- g. Retail sales (excluding rental of motorized vehicles):
 - 1. New.
 - 2. Antique.
 - 3. Souvenir.
 - 4. Gift.
 - 5. Craft, such as specialty food stores (including beer and wine but not supermarkets), clothing, toy and hobby shops, bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, cameras, florist or gift shop, sundries and notions, business office supplies, records and tapes, furniture, art supplies and similar uses.
- h. Service:
 - 1. Barbershop or beauty shop.
 - 2. Shoe repair.
 - 3. Restaurant (but not drive-in).
 - 4. Interior decorator.
 - 5. Photographic, art, craft, dance or music studios, indoor theatres, tailoring, catering and clothing rental.
- i. Museums.
- j. Housing for the elderly.
- ~~k. Home office, private.~~
- k. Home-based business.

...”

“Sec. 28-185. Historic preservation district: HP-3.

Intent. This district is intended to provide a mix of commercial and residential uses that will encourage the restoration and reproduction of historic structures and maintain the historic and pedestrian scale of the neighborhood.

...

(2) *Permitted uses and structures:*

- a. Single-family.
- b. Multifamily.
- c. Tourist homes and bed and breakfast inns.
- d. Retail sales (excluding rental of motorized vehicles):
 - 1. New.
 - 2. Antique.
 - 3. Souvenir.
 - 4. Gift.
 - 5. Craft such as specialty food stores (including beer and wine but not supermarkets), clothing and toy and hobby shops, bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, cameras, florist or gift shop, sundries and notions, business office supplies, records and tapes, furniture, art supplies and similar uses.
- e. Service. Restaurants with lounges; interior decorator; hair salon; photographic, art, craft, dance or music studios; tailoring; catering and clothing rental.
- f. Museums.
- g. Professional and business offices.
- h. Rooming and boarding houses.
- i. Housing for the elderly.
- ~~j. Home office, private.~~
- j. Home-based business.

...”

“Sec. 28-187. - Historic preservation district: HP-5.

Intent. This district is intended to provide a mix of residential and nonresidential uses compatible with the existing historic structures and the district's relationship with surrounding neighborhoods and traffic circulation.

...

(2) *Permitted uses and structures:*

- a. Single-family.
- b. Professional and business offices.
- c. Banks and other financial institutions.
- d. Museums that relate to the history of St. Augustine.
- e. Housing for the elderly.
- ~~f. Home office, private.~~
- gf. Hair salons, beauty shops and barber shops.
- hg. Tattoo parlor or studio.

h. Home-based business.

...”

“Sec. 28-206. - Commercial low-one: CL-1.

Intent. This district is intended to apply to areas where small groups of low intensity commercial uses may be appropriately located to serve within convenient traveling distance from one (1) or several neighborhoods. The CL-1 district is not intended for use by medium intensity commercial uses such as service stations, vehicle repair and sales, etc. However, professional and business offices and similar uses are encouraged.

(1) Permitted uses and structures:

- a. Retail outlets such as specialty food stores and drugs (but not supermarkets); clothing, hardware, toy and hobby shops; pet shops (but not kennel or veterinarian); bookstore and newsstand; stationery and card shops; leather goods and luggage; jewelry (including repair but not pawn shops); art and photographic supplies; TV and stereo equipment (including incidental repairs); florist or gift shop; bake shop (but not wholesale bakery); sporting goods; sundries and notions; business office supplies; musical instruments, records and tapes; and similar products.
- b. Service establishments such as hair salons, shoe repair shop, restaurant (up to one hundred (100) seats, but not drive-in or fast food), interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal senses from off the premises and similar activities.
- c. Tourist homes and bed and breakfast inns.
- d. All types of professional and business offices.
- e. Churches (except temporary revival establishments).
- f. Libraries and museums.
- g. Single-family dwellings as for RG-1 (section 28-163).
- h. Multiple-family housing.
- i. Rooming and boarding houses.
- j. Housing for the elderly.
- ~~k. Home office, private.~~
- ~~lk.~~ Antique shops.
- ~~m.~~ Stables, provided, however, that property shall have been utilized as of the date of the adoption of this subsection [December 23, 1991,] as a stable for more than two (2) years preceding such adoption, and no other.
- ~~nm.~~ Tattoo parlor or studio.
- ~~on.~~ The above uses are subject to the following limitations:

1. Sale, display, preparation and storage to be conducted within a completely enclosed building, and no more than twenty (20) percent of floor space to be devoted to storage.
2. Products to be sold only at retail.
3. No sale, display or storage of secondhand merchandise except as incidental to sale of new merchandise.

[o. Home-based business.](#)

...”

“Sec. 28-207. - Commercial low-two: CL-2.

Intent. This district is intended to apply to areas where low intensity commercial uses may be located to serve one (1) or more neighborhoods. The CL-2 district is not intended for use by medium intensity commercial uses but low traffic generating commercial uses are encouraged.

(1) Permitted uses and structures:

- a. Retail outlets such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods, sundries and notions, business office supplies, musical instruments, records and tapes, home furnishings and appliances (including incidental repairs), office equipment and furniture, hardware, used merchandise (in a completely enclosed building), duplicating and similar products.
- b. Service establishments such as hair salons, shoe repair shop, restaurant (but not drive-in or fast food), interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal senses from off the premises, radio and TV broadcasting office and studio, funeral home, marina, blueprinting, job printing and newspaper, electronic equipment repair shop, travel agencies, employment offices and similar activities.
- c. Banks, loan companies, mortgage brokers, stockbrokers and similar financial institutions.
- d. All types of professional and business offices, union hall and similar uses.
- e. Art gallery; museum; community center; vocational, trade or business school; colleges and universities; and similar uses.
- f. An establishment or facility for the retail sale or service of all alcoholic beverages either for on-premises or off-premises consumption, or both (but not drive-in).

- g. Wholesaling from sample stocks only, provided no manufacturing or storage for distribution is permitted on premises.
- h. Commercial parking lots, automobile parking garages.
- i. Hotels and motels without kitchenettes (maximum of fifty (50) units).
- j. Single-family dwellings as for RG-1 (section 28-163).
- k. Shopping plaza.
- ~~l. Home office, private.~~
- ~~m.~~ Churches.
- ~~n.~~ Multiple-family dwellings as for RG-1.
- ~~o.~~ Tattoo parlor or studio.
- ~~p.~~ Micropigmentation clinic.
- ~~q.~~ Craft alcohol industry. Wholesaling from sample stocks only, provided no manufacturing or storage for distribution is permitted on the premises.
- q. Home-based business.

...”

“Sec. 28-208. - Commercial medium-one: CM-1.

Intent. This district is intended to apply to areas where adequate lot depth is available to provide meaningful development for service-oriented automotive uses, tourist accommodations, attractions and supporting facilities. It is not intended that this district become or be used for strip commercial purposes.

(1) Permitted principal uses and structures:

- a. Service station.
- b. Hotels and motels with or without kitchenettes.
- c. Shopping plaza and shopping center.
- d. Reception and information center.
- e. Museums.
- f. Outdoor recreational facilities.
- g. Service establishments such as hair salons, shoe repair shop, restaurant (including drive-in or fast food), service stations, interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal senses from off the premises, radio and TV broadcasting office and studio, funeral home, marina, blueprinting, job printing and newspaper, electronic equipment repair shop, travel agencies, employment offices, furniture reupholstering, video rental and similar activities.
- h. Banks and financial institutions.
- ~~i. Home office, private.~~
- ~~ji.~~ Multiple-family dwellings.

kj. Retail outlets such as specialty food stores, pharmacy, supermarkets, clothing and toy and hobby shops, pet shops (but not kennel), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, sporting goods, TV and stereo equipment (including repairs), florist or gift shop, bake shop, sundries and notions, business office supplies, musical instruments, records and tapes, art gallery and antique shop, home furnishings and appliances (including repairs), office equipment and furniture, hardware, used merchandise (in a completely enclosed building), duplicating, plant nursery and garden center, alcohol sales and service (without drive-in) and similar products.

lk. Business and professional offices.

ml. Intermediate care facility.

nm. Special event venue as per section 28-347(8).

on. Tattoo parlor or studio.

po. Micropigmentation clinic.

p. Home-based business.

...”

“Sec. 28-209. - Commercial medium-two: CM-2.

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

(1) *Permitted uses and structures.* As for CM-1 (section 28-208), and in addition:

- a. Retail outlets for the sale of general merchandise excluding new or used automobiles, trucks, boats and tractors (but not automobile wrecking or storage yards, junkyards, or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nursery, lumber and building supplies, supermarkets and convenience stores and similar products.
- b. Service establishments of all kinds including automobile service station or truck stop (see section 28-338) excluding businesses where automotive vehicles are offered for rent or sale, repair and service garage, motor vehicle body shop, auto laundry, drive-in restaurant, laundry or dry cleaning establishments, veterinarian or animal boarding kennels in soundproof building, pest control, carpenter or cabinet shop, home equipment rental, ice delivery station, job printing or newspaper, marina, radio or television broadcasting transmitter, antenna, office and studio facilities, banks and financial institutions, video rentals, funeral homes, travel agencies, electronic equipment/TV repair shop, employment offices, upholstering, furniture refinishing and similar establishments.

- c. Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.
- d. Any type of wholesale, jobber or distributorship business where the total operation does not require more than four thousand (4,000) square feet of floor space; no vehicle is used in excess of one-and-one-half-ton capacity; all merchandise is stored within an enclosed building; and no heavy machinery or manufacturing is located on the premises.
- e. Hotels and motels with or without kitchenettes.
- f. Building trades contractor not requiring outside storage; nor the use of any vehicle in excess of one-ton capacity; nor any machinery, ditching machines, tractors, bulldozers or other heavy construction equipment.
- g. Multifamily dwellings as for RG-1.
- h. Colleges.
- i. Shopping plaza or shopping center.
- j. Intermediate care facilities.
- ~~k. Home office, private.~~
- lk. Agricultural market, outdoor or indoor.
- ml. Special event venue as per section 28-347(8).
- am. Craft alcohol industry. See also Sec. 28-209 (1) d. for limitations on any type of wholesale, jobber or distributorship business.
- n. Home-based business.

...”

“Sec. 28-226. - Industrial and warehousing: IW.

Intent. This district is intended to allow light manufacturing and related service, storage and commercial uses.

(1) *Permitted uses and structures:*

...

n. Home-based business.

...”

“Sec. 28-246. - Open lands district: OL.

Intent. This district is intended to apply to areas which are sparsely developed and including uses as normally found in environmentally sensitive areas away from urban activity. It is intended that substantial residential, commercial or industrial development shall not be permitted in the OL district; but lands in such district may be rezoned to the proper district to accommodate such uses when conditions warrant rezoning.

(1) *Permitted uses and structures:*

- a. Marinas, bait and tackle shops.
- b. Intermediate care facilities.
- c. Outdoor market.

- d. Commercial recreational facilities.
- e. Game preserves, wildlife management areas, fish hatcheries and refuges, watershed, water reservoirs and wells.
- f. Churches, monasteries, convents, temporary revival establishments, cemeteries, columbariums, crematories, mausoleums and memorial structures and monuments.
- g. Schools, colleges and universities with conventional academic curriculums.
- h. Housing for the elderly.
- i. Single-family dwellings on individual lots provided that no subdivision plat shall be recorded for such use in this district.

~~j. Home office, private.~~

~~kj.~~ Day nurseries and kindergartens (see section 28-347(2)).

~~lk.~~ Governmental uses.

~~ml.~~ Professional and business offices.

~~nm.~~ Museums.

~~on.~~ The sale of wine, vinous spirits or vinous liquors for religious or sacramental purposes; however, the sale of said wine, vinous spirits or vinous liquors shall be in compliance with F.S. § 564.03 and any rules or regulations of the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business Regulation or its successor.

o. Home-based business.

...”

“Sec. 28-347. - Supplementary regulations for certain uses.

In addition to the permissible uses by exception listed in the schedule of district regulations, (article III), the following uses shall be permissible by exception in the districts indicated; and, unless specific provision is made otherwise in the grant of exception, such uses, whether permitted or permissible by exception, shall conform to all supplementary regulations listed under such use:

~~(1) Home occupations and Home office, private. Home occupations and Home office, private shall have the same meaning and comply with the same criteria as home-based businesses pursuant to Chapter 559.955, Florida Statutes, as may be amended from time to time. The intent of a home occupation is to allow those uses that may be conducted within a residential premises that will not affect the residential character of the structure or the neighborhood. Home occupations are a permissible use by exception in any district subject to all the following conditions:~~

- ~~a. No person other than members of the family residing on the premises shall be engaged in such occupation. No home occupation shall be conducted in any accessory building or structure or any open porch or carport which is attached to and a part of the principal structure.~~

- ~~b. The use of the premises shall be clearly incidental and subordinate to its use for residential purposes and shall under no circumstances change the residential character thereof.~~
- ~~c. There shall be no change in outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, except that one (1) sign may be permitted, not exceeding one (1) square foot in area, nonilluminated, mounted flat against the wall of the principal building at a position not more than two (2) feet from the main entrance to the residence.~~
- ~~d. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements of this Code in other than the required front yard.~~
- ~~e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.~~
- ~~f. The giving of art, music or other instructions or lessons shall be limited to not more than four (4) persons at the same time.~~
- ~~g. Fabrication of articles such as are commonly classified under the terms of arts and handicraft may be deemed a home occupation, subject to other terms and conditions of this definition, and providing no retail sales are made at the dwelling unit.~~
- ~~h. The member of the family residing on the premises engaged in such occupation shall not employ more than one (1) person for the sole purpose of providing clerical and receptionist services.~~
- ~~i. No home occupation shall occupy more than twenty-five (25) percent of the floor area of the dwelling unit, exclusive of the area of any open porch or attached garage or similar space not suited or intended for living quarters.~~
- ~~j. Any professional or business office or studio that does not involve in office contact with clients or the public and where all business is conducted by mail, phone or at other premises shall be determined to be a home office, private, and shall be a permitted use in any district subject to conditions stated above.~~

...”

Section 2. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that repealed language shall be removed and that the sections of this ordinance may be re-numbered or re-lettered and that the word ordinance may be

changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase, word, or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. Effective Date. This ordinance shall become effective upon passage, pursuant to § 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2022.

ATTEST:

Tracy Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)