



AGENDA

Planning and Zoning Board City of St. Augustine, Florida

Alcazar Room

Tuesday, April 5, 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 January 27, 2022.
 - b. Regular Meeting Minutes from February 1, 2022.
 - c. Regular Meeting Minutes from March 1, 2022.
- 4. Variance**
 - a. 2022-0013 Kim Hartwick – Applicant & Owner
228 Riberia Street
To approve an increase in lot coverage to allow for a residential addition within the Open Land zoning district.
- 5. Use by Exception**
 - a. 2022-0015 Michael Skjerning – Applicant & Owner
86 St. Francis Street, Apartment 4
To approve two (2) parking spaces in the City parking garage for a short-term rental.
 - b. 2022-0016 Kevin Glover – Applicant
Kelsey Glover – Owner
76 Abbott Street
To approve two (2) parking spaces in the City parking garage for a short-term rental.
 - c. 2022-0019 Rebecca Geiger – Applicant
c/o Bath Junkie
Len Weeks – Owner

c/o Len Weeks Construction
58 Hypolita Street
To approve a use by exception for the sale of beer and wine.

- d. 2022-0020 Jean – Pierre Klifa – Applicant
c/o Fashion and Passion, INC. d/b/a St. Augustine Vine Room
Leonard R. Tucker Jr. – Owner
c/o St. George Street Properties, LLC
21 Spanish Street
To approve a use by exception for a cocktail lounge.

6. Conservation Overlay Zone Development

- a. 2022-0005 Jessica Shafer – Applicant & Owner
Continued February 1, 2022 40 Hildreth Way
To approve a retaining wall/landscape feature adjacent to rip rap within Conservation Overlay Zone 1.
- b. 2022-0007 Jared Whetstone – Applicant & Owner
Continued from March 1, 2022 235 Coquina Avenue
To approve a new bulkhead in Conservation Overlay Zone 1.
- c. 2022-0014 Nell Johnson – Applicant & Owner
0 McWilliams Street / PID 108920-0002
To approve the removal of a 24” dbh Red Cedar Tree in Conservation Overlay Zone 3.
- d. 2022-0017 Ryan Carter – Applicant
c/o Carter Environmental Services
Flagler College Inc. – Owner
1 Malaga Street
To approve of a pile-support dock and floating platform including a gangway and floating kayak launch within Conservation Overlay Zone 1.
- e. 2022-0018 Ryan Carter – Applicant
c/o Carter Environmental Services
Robert Ziadie – Owner
150 Pelican Reef Drive
To approve of a modification of an existing single-slip dock by adding a 450 square foot aluminum floating dock with a gangway and additional decking for access.

f. 2022-0021

Jeremy Marquis – Applicant
c/o Marquis Latimer + Halback, Inc.
Robert Finvard
c/o Windward Shipyard Land Holdings, LLC and Winward Shipyard, LLC
117 Dockside Drive / PID 127910-0000, 128090-0010, 134230-0011, 134230-0030, 134390-0000, 134390-0010, 134340-0000, 134600-0000, 134230-0000, 134230-0020, 134410-0000, 134630-0000, 134650-0000, 134770-0000.
To approve tree mitigation on this approximately 38.63-acre site by retaining and relocating forty-four (44) red cedar, oak and palms trees and also planting fifty-six (56) new oak trees within Conservation Overlay Zone 3.

7. Other Business

- a. To set a date for a Special Meeting of the Planning and Zoning Board to discuss and recommend an ordinance to establish regulations for mobile food vendors/food trucks and associated code revisions.
- b. To set a date for a Special Meeting of the Planning and Zoning Board to discuss and recommend potential code amendments to establish an Affordable Housing/Workforce Housing program for the City of St. Augustine.

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 January 27, 2022

The Planning and Zoning Board met in special session Tuesday, January 27, 2022, 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
Jon DePreter
Sarah Ryan
Carl Blow
Charles Pappas
Christina Griggs

Absent: Mike Davis, Vice- Chairperson

City Staff:

Amy Skinner, Director, Planning & Building
Isabelle Lopez, City Attorney
Reuben Franklin, Director, Public Works
Laura Morse, Recording Secretary
Elyse Wiemann, Recording Secretary

2. General Public hearings for Items Not on the Agenda

- B.J. Kalaidi

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

Amy Skinner, Director, Planning and Building, thanked everyone for their participation, and introduced the topic.

Jonathan Paul, Nue Urban Concepts, introduced the Mobility Plan as outlined in his presentation. He reviewed the steps, focus, projected growth of the County. He noted the Mobility Plan consisted of four separate plans. He noted the changes based on the Board's recommendations, which included updates and clarifications for the City of St. Augustine, additions and deletions required to fully revise Chapter 21 of the Land Development Code, the recommended

single mobility zone for the entire City, an updated and streamlined mobility fee schedule, clarification related to administration and implementation of the fee, and an appeals process. He reviewed the assessment fees which included items such as home size, vacation rentals, civic use, recreation, retail (local, multiple, and standalone). He noted the entire schedule had been updated and there were around twenty uses total.

Mr. Paul said this was comparable to what St. Johns County had; however, the County could assess for county wide travel whereas the City could only assess for travel within the City limits. He reviewed the comparison of the City to the County with respect to impact fees and trip generation and cautioned the methodology was different when comparing them. He pointed out most of the County fees were higher than the City fees.

Mr. Misterly thanked Mr. Paul and City staff and noted the presentation was tailored to the previous discussions and questions.

Mr. Blow asked about food trucks being absent from the fee schedule and felt there should be an impact fee for food trucks since it was unfair to the restaurants who were compliant in all required aspects.

Ms. Lopez said they were preempted by State Law and could not be charged an impact fee until they pulled a building permit, and it could only be generated at that time. She noted that perhaps some food trucks could require connection at some point.

Ms. Skinner said there was a definition of food truck listed under quick service restaurant drive through in the draft ordinance, which would be discussed during the next meeting.

Mr. Paul discussed special events and suggested that perhaps they establish a special use permit or special exception process where they could establish a fee since they did cause an impact.

Ms. Ryan asked for clarification about how square footage was defined.

Mr. Paul said it was inhabitable conditioned living space, which was consistent with Florida Building Code. He said for commercial, it was the areas of the business that carried out the functions.

Ms. Ryan asked about overnight accommodations for short-term rentals (STR), and did this apply to the existing STR.

Mr. Paul said to the extent the City could and it applied to the Statute, the fees were not retroactive. He said they tried to set this up for statute changes.

Ms. Lopez said this circled back to building permits, and there were pre-statutory, pre-existing regulations of some short-term rentals and the City could enforce what was

not preempted; however, if a building permit was not pulled, no fee could be applied.

Ms. Ryan asked about the private education.

Mr. Paul said universities and colleges were considered office.

Mr. Misterly used Madeira and Antigua where the neighborhoods were platted but not developed. He said if a house were to be built within the platted development would they pay the mobility fee.

Mr. Paul said if they needed a building permit they would because the fee was tied to the building permit application and not the development of the land.

Mr. DePreter thanked City staff for their efforts. He agreed with the single fee, he was glad for the streamlined fee schedule. He asked about the inflation factor and noted this was where preemption surfaced a lot.

Mr. Paul said St. Johns County had existing fee and statutory provisions. He said they proposed to include an inflation index factor. He said the Department of Transportation (DOT) provided an annual report and rates were adjusted. He noted the inflation rate and said the structure of the Ordinance was on September 30, 2022, the City would account for inflation and adjust accordingly and in January 2023 the fee would increase.

Mr. DePreter discussed the City being built out significantly and most likely it would apply to the adapted use of building. He used the example if a restaurant wanting to add tables, would part of that be grandfathered in?

Mr. Paul said the charge would be for the increased difference. He said the inflation rate would be the dollar amount. He said the existing use was not the fee today and then in the future a different rate, but they would both track in tandem.

Mr. Franklin said a building permit would need to be issued, and theoretically they could do changes without a fee.

Mr. Pappas looked at the unintentional consequences. He wanted to promote the workforce housing and he assumed the calculations of the trip fees would be less since they would essentially work in town. He asked if there was a possibility to separate retail from workforce housing.

Mr. Pappas asked about motor vehicles in reference the combined fee for charging stations and fueling stations, right now trip charges were not an issue, but could be in the future.

Mr. Pappas noted the food canteen trucks should be looked at, and there may be a creative way to figure out how to make these restaurants

Ms. Lopez said it was in the ordinance; however, it had to be tied to a building permit.

Mr. Blow said Mr. Pappas point was excellent and used a County project where there was a food truck depot. He said perhaps they could look at RV parks fee per parking space and thought it could treat this the same way.

Ms. Lopez asked Mr. Paul how from a scientific math problem, would they assess a mobility fee.

Mr. Paul said based on how many food trucks could be accommodated, measure the square footage of area, look at common structural space, which would trigger a building permit, and take the footprint of the food truck and charge the restaurant rate to each food truck accordingly. He said through development review, it could limit the amount of food trucks allowed to quantify it, and if modifications were made to add another food truck, the fee could be captured for the increase.

Mr. Paul continued the recommendation for the square footage rate was in strong

correlation of the unit, number of vehicles going to it, and overall trips. He said workforce housing would be smaller homes for affordability. He said this was the best way to capture the workforce housing and obtainable housing by calculating the square footage instead of per dwelling. He said many cities were changing their Land Development Codes to accommodate smaller housing.

Ms. Lopez said around three years prior the statute had been changed to not charge for affordable housing impact fees. She said before that Local Governments would have to pay on behalf of the affordable development with no option to waive the fee; however, the City Commission directed City staff to look into this issue regarding the workforce affordable housing regulations. She said they could charge by square footage but could have a separate policy for affordable housing to assist with those fees.

Mr. Paul said that the City would create a separate program as a part of the affordability housing program, and it would be per statute to be exempt from the fees.

Mr. Pappas liked the square foot and asked about separating the fuel and charging stations.

Mr. Paul said the ordinance was written for commercial charging. He said there may be some trip differential but as technology improves it would be the super chargers, and overall trying to predict what the future would bring in the next few years.

Ms. Griggs said many of her questions were answered. She said it was good to have a local retail use as that would encourage more local businesses. She asked in regard to existing residential, if someone were to add onto the home, the only time the fee would be triggered would be if they were expanding or adding an addition.

Mr. Paul provided example of what triggered an impact, it could be challenged, and the

City needed to decide if certain situations would trigger an impact. He said if adding a bedroom or another room that would impact that, could cause a fee.

Mr. Misterly asked if the City was exempt from this. He looked at exemptions from fee and City was not listed, and it made sense that the City be listed.

Mr. Paul said the State exempted themselves, generally public facilities do not pay the fee; however, some do. He said the taxpayers paid for the services; government use was ancillary.

Ms. Lopez said there was a definition for institutional uses which stated: *those public or quasi-public uses that serve one or more community's social, educational, health, cultural, and religious needs*, and said that could be where it could be inserted.

a. Discussion Related to the Draft Ordinance and associated documentation for the Mobility Plan and Mobility Fee for Recommendation to the City Commission

Mr. Paul noted much of this had been covered. He reviewed the Ordinance updates and highlighted what was changed as follows:

- Purpose- Amend Concurrency added and appeals process
- Whereas Clauses- "new development activity"
- Intent and purpose- "new development activity"
- Definitions- updated mobility fee schedule
- Technical Report Date- update with new schedule, if concur
- Imposition- new development activity, building permit application trigger, payment, refund, and shell permits
- Mobility Fee Schedule
- Mobility Fee Determination (moved from schedule), mixed-use (fee per use),

outdoor storage (useable area), additive fee (building and high impact feature), and City initiated

- Refunds- added section for prepayment or shell permits
- Review and updates- January 1st increase based on FDOT inflation
- Appeals process
- Penalty

Mr. Paul said the definitions in the ordinance were reflected in the updated schedule. He said if this were adopted, it would not be effective until the 90-day implementation period was completed.

Mr. Paul reviewed the Administrative Procedures and noted there would always be special issues that surfaced that had not been addressed. He said the two things that should be asked were: 1) does it create an impact, 2) does it require a building permit, and if unsure about these things, best thing to do was not assess a fee. He said the burden of proof shifted from applicant to government in 2009. He said some local governments had elected to have one, but others have not, and it was ultimately the City's decision.

Mr. Paul reviewed the next steps. He said they could revise any other requested changes, then it would be advertised, and the City Commission would have the first reading of the Ordinance. He stated the City Commission could make amendments, then a second reading with the Commissions amendments and then adopted. He questioned when they wanted to start the 90-day notice, and this needed to be discussed legally. He said some have started it at first reading others at date of adoption, but Florida Statue was written when notice had been provided, and legislation had not clarified when that time was.

b. Planning and Zoning Board discussion and recommendation

Ms. Ryan asked him to run through the example when projects phased out over five to ten years, and then a light was needed, what was the bigger picture.

Mr. Paul said for mobility it would be tied to the building permit, if a development made an improvement, the City could provide a credit if the developer to build a sidewalk, or light, for example. He said this would take place between an agreement with the City and the developer. He reviewed examples of provisions that could be placed in the rules that allowed for credits.

Ms. Lopez said the City had provisions like those for PUDs.

Ms. Ryan asked about the accountability and enforcement on a large project.

Ms. Lopez said 'traffic access' was listed in a PUD ordinance.

Ms. Skinner noted the site assessment, and facilities assessment requirement which was what would be used. In her opinion, a smart developer would propose a mixed-use project, she suggested an overall calculation of the impact uses. She said they could provide an overall impact analysis and a breakdown of the types of uses as proposed to get an idea of the types of improvements they wanted as they set up the work. She said once they adopted the ordinance, the due diligence would be on the developer to plan all the roads, etc. mobility would be another component. She said they would encourage the developer to look at the overall picture no matter if it were a PUD or not.

Ms. Ryan said with County pressure, what was their responsibility with this.

Mr. Paul said it could be captured through parking; however, it could not be captured through the mobility fee. He said this was a

big discussion in the legislature currently regarding City versus County and in Florida some required the City to collect the County fee and give the fee to the County.

Ms. Ryan asked on page 25 under letter "K" it stated, *"the fee shall be based on the underlying land use for the building"*. She said there were several categories in land use, and would it be the least fee.

Mr. Paul said if land use were for office, you would not pay a shell permit. He said a shell building had multiple tenants which would be under the multi-tenant category, and there you could have a shell building that was office or commercial.

Ms. Ryan asked who would be responsible for the fee.

Mr. Paul stated it would be the owner of the building unless disclosed at the time of lease that it would be the tenant's responsibility, and if not, it would revert to the owner.

Mr. Misterly asked to add the definition of a shell building. He noted they were changing the level of service for sewer.

Ms. Skinner said this amended the Chapter Twenty-One, which was the overall Concurrency Ordinance, and she took opportunity to change anything adopted in the Comprehensive Plan and bring everything up to date in the ordinance.

Mr. Misterly said as long as it was consistent. Mr. DePreter wanted to clarify some of credit used for onsite development that would be establish through the process with City staff.

Mr. Paul said most local governments considered onsite improvements to be a requirement; however, there were some instances where a developer could 'up size', for example a utility or if a six foot sidewalk was required and instead a twelve foot sidewalk was built, some credit could be established if it were in the mobility plan as an improvement.

Mr. DePreter said he was pleased with the affordable housing component and the language for incentives for affordable housing fees being dismissed. He noted the charging stations would take care of themselves between the market and the American consumer. He thanked Mr. Paul for his work.

Mr. Pappas said the building department was short staffed, and asked what staff was needed.

Ms. Skinner said that needed to be sorted out through staff and City Commission. She said they were currently at a minimum and technology was being upgraded, they requested patience, and noted there would be builder's access to the system in the future. She said they do permit calculations currently and this would just be another calculation added onto the process. She was unsure if additional staff would be needed.

Mr. Paul said statute allowed for the City to levy a service charge or a fee for applications, and if someone wanted to request a credit, the City could add a two percent administrative charge to off-set the work by staff.

Ms. Griggs asked about the refunds and if the monies were not spent within the seven years what would happen.

Mr. Paul said he was unaware of any local government not being able to use the monies but typically refunds took place if the project did not happen or they did not build what was expected. He said that provision was added because it was legally required.

Mr. Blow asked for focus on Section 21-65, he pointed out that his question had no reflection on any staff or Commission, but he said when the mobility fee determination was looked at, the Mobility Fee Administrator had a lot of power, and with a City of 14,000 people, this was a transparent government. He said Mr. Paul did a fantastic job and was an expert, but he wanted to see more transparency in the process. He said if the

fees were questioned, or someone wanted to propose an in kind contribution, a negotiation ensued, and a staff person would have ability to determine or negotiate a deal that would not be exposed to a public hearing. He wanted to see a process so if there was a dispute on the mobility fee amount, it should go to a board, public hearing would take place and would allow the process to be more transparent.

Ms. Lopez asked if Section 21-78 would address his concerns.

Mr. Blow felt the City had credibility with the citizens; however, the process should be looked at with more of a public hearing process.

Ms. Lopez said the process would be as proposed with the Mobility Fee Administrator to do the initial fee assessment and asked if the suggestion was instead of the Mobility Fee Administrator decision being appealed to the City Manager and then a public hearing with the City Commission or should an appeal be heard by the PZB and then the City Commission to with a public hearing.

Mr. Blow asked for input from his fellow Board members. He said part of it was the dollar amount and if the applicant felt a fee was excessive, the Mobility Manager had the option to assess. The section where up to \$1 million could be determined by staff and if over that amount then it would be determined by the Commission but thought \$1 million was a lot of money in St. Augustine. He said he wanted transparency.

Mr. DePreter suggested it should go to the City Manager, then Planning Board, then City Commission for transparency purposes; however, if it did not come before the Planning Board, there was still an appeal process.

Ms. Lopez noted the transparent part was the ultimate hearing with the City Commission.

Mr. Blow said this went down to the dollar amount. He said the only public hearing that would take place was if there was a dispute or over \$1 million. He said this was about the public's perception.

Mr. Paul said in a day-to-day operation decisions were made and this process provided the Mobility Administrator flexibility. He said if a credit were to be given it could be reviewed by someone in order for it not to be determined by one person. He said thresholds were able to be established.

Ms. Lopez said if it was bundled in a statutory agreement, it had to go to City Commission. She asked how much of the process should be administrative for the public and the applicant and how much needed to be a public hearing.

Mr. DePreter asked about how the appeal process was prompted.

Ms. Lopez said a development agreement would be public.

Mr. Blow said the dollar amount should be reviewed.

Mr. Pappas asked how much of a burden was it to be reviewed by the administrator and then reviewed by the Board. He said it seemed to be similar to demolitions as those were heard and normally did not take an extensive amount of time but if there were questions, those could be answered.

Mr. Misterly said the Mobility Fee Administration was for situations not clearly identified. He agreed with Mr. Blow, that this placed a lot of responsibility on one person that was outside of public view, perhaps the lower threshold could be lowered to \$10–\$15,000 and have it come before the Board.

Mr. Paul said he most credit agreements seen a threshold upwards to 250,000 or 500,000 but agreed that \$1million was high. He suggested if more than a 25% reduction

it would go before the Board, and a provision could be placed.

Ms. Lopez suggested this could be discussed during the Development Review Committee, as it was a public meeting, on Fridays instead of the PZB.

Mr. Misterly said he did not feel there would be many applications for the PZB to review.

Mr. Blow said when an applicant felt the fees were not accurate, or a negotiation was to take place, the process needed public review. He said if someone did not object, the Board would never see it, but would if a situation occurred where it was questioned.

4. Public Comment and Discussion Related to the Mobility Plan and potential Mobility Fee in the City of St. Augustine

Public comment was opened:

Len Weeks stated he was concerned as a developer and questioned how much money the fees would generate and what would it be used for. He expressed concern with parking, and said the Ordinance dealt with collecting the money, and there was not a plan on how the monies would be used, which should be developed before charging the public. He questioned the difference in local and free-standing retail.

Ms. Skinner said local retail was defined in as not a chain and unable to have no more than five locations.

Mr. Misterly stated if he had a meeting with Mr. Franklin then he would be able to have his questions answered.

Mr. Weeks said he knew the Board was asking when to put the Ordinance in to affect. He asked when the 90-day period began.

Ms. Skinner said the 90 days was from the first reading of the ordinance for the public to know. She said once the application was submitted, a fee would be calculated, and the

permit would not be issued until the fees were paid.

B.J. Kalaidi said rarely did anyone showed up at the Friday Development Reviews unless they were the developers and their attorneys. She said as residents, this should be implemented as soon as possible, and the 90-day period should start after the first reading. She said as a citizen, she knew there was a parking issue and hopefully this would improve the congestion downtown. She was opposed to the \$1 million and thought that needed to be lowered.

Public comment was closed.

Mr. Misterly asked for guidance from City staff, and said there were some topics discussed; however, were unable to come up with a resolution.

Ms. Skinner said there was a plan and a list of projects which had been approved by other transportation agencies in the region. She said they would like a recommendation to the City Commission in order to move forward. She stated they understood the \$1 million threshold was high.

Mr. Misterly asked the Board if they wanted to see the Ordinance once more or could it move to the City Commission if the following were addressed:

- Addressing Flagler dormitories being treated as commercial or residential
- City Exemption
- Treating Food trucks as RV location
- Definition of shell building
- Concern regarding the transparency of the process

Mr. Blow suggested adding an amount but since the Board wanted to move this forward to the City Commission, the Board could stipulate 15,000.

Mr. DePreter suggested a percentage, as he felt that was more appropriate.

Mr. Misterly said it could be passed on with either a dollar amount or a percentage.

Ms. Skinner said 15,000 was a good threshold and then a companion to add 25%.

Mr. Misterly said that did not need to be answered other than it needed to be a public review process. He said he thought the public that express concerned needed to have their questions answered.

Mr. Blow said Mr. Weeks made an excellent point by asking what the fees would be paying for and suggested providing an attachment to show the list of projects.

Mr. Franklin said they planned to meet with the business community to review.

Mr. Misterly asked when this would be presented to the City Commission.

Ms. Skinner said they would review the advertising requirements but planned to submit it to the Commission for first reading on February 14th.

MOTION

Mr. Misterly MOVED to move the Ordinance to the City Commission for review with the following updated in the plan as it continued to move through the process as follows: how to address any college buildings such as dorms, Food trucks to be treated like RV spots, was the City exempt, adding a definition of a shell building, increase the transparency of the Mobility fee administrator such that a percentage or a threshold of \$15,000 would trigger an open review to the public through a Board, answer questions from the public , and linking the project list of the mobility fee would fund to the document. The MOTION was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Misterly, DePreter, Ryan, Griggs,
Blow, Pappas

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. Adjournment

Having no further business, Mr. Misterly
adjourned the meeting at 11:18 A.M.¹

Grant Misterly, Chairperson

¹ Transcribed by Elyse Wiemann

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting February 1, 2022

The Planning and Zoning Board met in formal session Tuesday, February 1, 2022, at 2:00 p.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- Chairperson
Jon DePreter
Sarah Ryan left at 6:25pm
Carl Blow
Charles Pappas
Christina Griggs

City Staff:

Amy Skinner, Director, Planning & Building Department
Jacob Fredriksson, Senior Planner, Planning and Building
Isabelle Lopez, City Attorney
Barry Fox, Short- Term Rental Manager
Elyse Wiemann, Recording Secretary

2. General Public Comments for Items Not on the Agenda

- Ed Slavin
- James Whitehouse

Modifications to the Agenda

During public comment Mr. Whitehouse informed the Board that item 6(b) was not ready to present at the meeting and asked for a continuance.

Mr. Misterly asked the Board if there were any objections to moving Item 6(b) forward in the agenda and hearing public comment.

Mr. Pappas suggested keeping general public comment open to hear the public feedback and then moving Blackbox forward to the first item.

Ms. Lopez advised against that since Item 6(b) was a quasi-judicial hearing but suggested, since Mr. Whitehouse was present the Board could hear the public comment within that hearing time.

Mr. Blows asked if someone from the public spoke today about the item and not present at next month's meeting what would happen to their testimony.

Ms. Lopez said their testimony would be on the record, but the challenge would be some of the facts could be different when it would be heard.

Mr. Pappas suggested proceeding with the agenda as presented.

Mr. Misterly felt the item was late on the agenda and should be moved in order for the public

Ms. Lopez advised reorganization of the agenda in order to have public comment for those who were present.

Mr. Misterly reiterate the applicant had requested a continuance to the March 1, 2022 meeting. He said from reviewing the packet the applicant had not updated their information from the past meeting.

MOTION

Mr. Blow MOVED to APPROVE the modification to the agenda by moving Item 6. (b) to be the first item to be heard. The motion was SECONDED by Mr. Pappas and the MOTION CARRIED UNANIMOUSLY.

3. Approval of Minutes – Regular Meeting January 4, 2022

MOTION

Ms. Ryan MOVED to APPROVE the January 4, 2022 minutes as presented. The motion was SECONDED by Mr. Davis and the MOTION CARRIED UNANIMOUSLY.

4. Preliminary Plat Approval

4. (a) 2022-0001 Scott Borowski – Applicant c/o Clary Associates Douglas G. Maier – Owner c/o Ponce Associates LLC 4000 US Highway 1 N

To approve a preliminary subdivision plat at 4000 US Highway 1 N, Maderia subdivision, east of Pinteroisco and Pescado Drives and west of the Tolomato River to create ninety-eight (98) conforming lots and sixteen (16) tracts.

This is an existing Planned Unit Development, Madeira, that includes up to 749 residential units. The proposed subdivision plat is for the next phase of single-family development lots.

Mr. Fredriksson read the staff report and said based on a review of the applicable city codes, and without the support of evidence to the contrary, staff finds that the Board can APPROVE the preliminary subdivision plat (replat) at 4000 US Highway 1 N /PID 073430-0031, 073430-0032, 073430-0033 & 073430-0000.

Ms. Skinner stated she provided additional items for the Board to review about the preliminary plat. She stated the highlighted area on the map labeled “*under construction*” was the area under consideration. She said there were twenty-one acres that were approved as commercial but was vacant. She said platting was a State function but was in the Code for the PZB to review to confirm lots were the minimum lot size, which staff confirmed, and the plat was approved. She said moving forward, it had to meet the State requirements in order to file the plat. She said once the City Commission approved the plat then it could be recorded according to State statutes.

Ellen Avery-Smith, Dough Maier, Scott Borowski reviewed the application.

The Board provided their ex parte communication.

123 certified notices were sent, 4 were returned in favor, 13 returned opposed and 11 had comments.

Public hearing was opened.

Sophie Tredor said she had been informed there would be a buffer or wall between her property and theirs and wanted to know if that was still the intent. She was concerned about the removal of the trees. She said the trees had affected her property leaving a hole in her shed roof and was concerned if they would maintain them.

Mr. Misterly said the plat they were reviewing was surrounded by properties in Maderia. He asked if she lived there.

Ms. Tredor said her property was right next to the Maderia property on Ocean Boulevard and her property and Maderia were separated by a swale.

Ms. Skinner stated her property was on the north side of Maderia and was outside the City limits within St. Johns County, but not near the plat area.

Brenda Hine spoke in favor of the application and was not opposed to the plat or growth but was concerned with the effects on the wildlife. She said she hoped the City was inspecting what was taking place as there had been many trees removed. She said the concern regarding the bridge was it had low lighting and she wanted to ensure people's properties were being considered and not negatively impacted.

Jose Rivera spoke concerning the removal of the trees and asked why the developer removed more vegetation than expected. He said there was one entrance into Maderia and the construction traffic was causing damage to the roads and suggested a construction entrance.¹

Paul Hamill stated he came across a wildlife area along the intercoastal and the area along the marsh that would be developed and wanted to understand why. He said he was concerned that about the area behind the pond since there was a lot of wildlife and trees and asked if there was a way to conserve this location.²

William McClure said he was concerned with the water and the upland buffer and wanted to know if as a resident, could he be notified if there were any changes or should he be more observant.

Mary Senese spoke in favor of the application but was concerned with protecting the wildlife, because the buffer the developer was intending to put in was small and felt the wildlife would not be able to survive.³

Rachel Brumsey said she understood when moving to the area there would be additional construction; however, they were removing more vegetation than expected. She stated she was told there was supposed to be a construction entrance but as of now there was not and was concerned with the safety

and congestion. She asked if the City had considered adding a light at the entrance with all the traffic.

Ed Slavin spoke in opposition of the application and said developers had ruined the town. He felt the original developer had provided false and misleading statements to St. Augustine City Commission and felt there should be an investigation. He thought the application should be postponed for the next six months to have leverage over the developer.

William Payne asked if there were any plans to leave the oak trees in place.

BJ Kalaidi said even though the Board was there to decide on the plat, it was obvious that the trees and other questions from the community needed to be answered. She felt the lawyer and developer should have answered these questions prior to the meeting since it was not in the Boards purview.

Steve Peterson stated his concern about the proposed entrances into the subdivision would displace oak trees and the wildlife. He felt there should be a way to have an agreement with the developers to protect the marsh.

Claudia Connelly was concerned with the wildlife and felt the area needed to be protected and should stay natural. Public hearing was closed.

Ms. Avery- Smith addressed the public comment stating the comments heard were unrelated to the area plat under Chapter 177 Florida Statutes; however, the map had been approved twenty years ago and showed where the preserved wetland would be, where the access points were located, how the development would occur from the north to the south, the pond areas, and the commercial property locations were

¹ Attached to packet

² Attached to packet

³ Attached to packet

protected by the property owners association. She said all these documents were public record. She said the tree removal was due to arsenic and other remediation of contamination that was from the old golf course; others were removed with permission from St. Johns River Water Management districts due to being a nuisance; however, others were removed for construction of homes and amenities. She said with the removal of the tree's, others were planted on lots. She said a traffic signal would be coming but would be done when warranted by the Department of Transportation (DOT).

Mr. Misterly asked if this was the same plat that had been in place the entire time without changes.

Ms. Avery-Smith said it was part of the Planned Unit Development (PUD) site plan and was part of the zoning and matched the PUD site plan.

Mr. Maier said it had not been decided if single family or multi-family homes were to be built in the location but had been approved for multi-family homes. He said they were unsure of what the market would be in like in future and it was left open.

Mr. Misterly asked if after a decision had been made, would they need to modify the PUD to match.

Mr. Maier said modification of the PUD was not needed for any future development as they were under their cap with any future development with 749 lots approved, and they would be below that even if they did multi-family.

Mr. Misterly asked if there was an approved site plan to show what would be done in the PUD.

Ms. Avery-Smith stated the PUD did not require that, but she did not have the PUD text in front of her and would have to confirm.

Mr. Misterly asked if they could provide more information to the public on who to contact regarding questions and concerns within the property.

Mr. Maier advised all the information for the property manager and Community Development District manager was located on the website at maderiastaugustine.com.

Mr. Misterly stated tree removal was normally decided by the PZB and questioned how they were being removed without PZB approval.

Ms. Skinner said there were some as part of the PUD, other that had to be remediated due to the arsenic which was permitted through the Department of Environmental Protection (DEP) process.

Mr. Maier said the entire golf course and the maintenance area was remediated but they were required to mix the existing soil and cap with two feet of clean material per the DEP. He said most of that had been done except the final institutional controls which were the roadways, and concrete that provide additional capping in those locations.

Mr. Misterly asked because of the DEP permit was there a blanket permit for the removal of the trees.

Ms. Skinner replied that was correct She said they had approval to remediate and clean up the site. She said there had been inquiries about the upland buffers tree removal, the building official and the construction inspectors for the Public Works Department have been to the site and the Public Works inspector determined they were working within their permit for utilities.

Ms. Avery-Smith explained they were removing Chinese Tallow and Brazilian Pepper trees approved by the Water Management District. She said the upland buffers were under the conservation easement and could only be touched with

permission from the Water Management District.

The Board discussed:

- If there was a bulkhead or setback in the Conservation Overlay Zone area would it be heard by the Board
- Anything that deviated or was added to the plan would return as an individual application
- Robinson Creek would have a bulkhead as seen in the engineer drawings and it was approved by the City
- There were 256 house permits to date
- Encouraged developer to have neighborhood meeting to address the concerns
- Developer had preserved 300 acers to the east
- Was there a tree survey and were they trying to preserve the trees
- PUD text allowed for deviation in order to preserve trees
- Older map shown seemed to differ from what had been shown today, but was an internal concept map
- Previous elevation was at seven and roads now were between nine to twelve
- Same number of lots and was consistent with the PUD text
- Encouraged the developer to have a construction entrance
- Piece of land in the northeast corner near the airport would not be developed
- Bridge would be completely rebuilt, and parcel would be preserved per the PUD
- Should have a buffer between lots 40 and 40b
- Buffer south of lot 149 was very thin but was natural
- Final approval of plat came from City Commission
- Buffer language in PUD needed to be confirmed
- Environment was different from when PUD was approved and timeframes for developments should be added

- Different regulations applied when conservation easement was added to the property
- Remediation had been done overtime
- After phase one was completed transfer to the City for the park would take place
- Builder's sales provided easement information and it was on the website

MOTION

Mr. Blow MOVED to APPROVE the Preliminary Subdivision Plat 2022-0001. The motion was SECONDED by Mr. DePreter.

Mr. Mysterly asked Mr. Blow to add that the buffers would be reviewed by the City before passed on the City Commission.

Mr. Blow AMENDED the MOTION to include the buffers would be reviewed before passed on to the City Commission. Mr. DePreter SECONDED the AMENDED MOTION.

VOTE ON MOTION:

AYES: Blow, DePreter, Pappas, Griggs, Ryan, Davis, Mysterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY⁴

5. Use by Exception

5. (a) 2022-0002 Garrett Tatoul – Applicant
Dawn Cardamone – Owner
33 Bernard Street

To approve two (2) parking spaces in the City parking garage for a short-term rental. To approve off-site parking within the overall property as a permissible use by exception.

Ms. Skinner reviewed the parking code for Short-term rentals and said if parking could not be provided on-site as required then the applicant was able to provide parking within

⁴ Break from 4:02p.m.-4:13p.m.

400-feet or an alternative could be the parking garage or the neighborhood residency permit parking program. She stated she spoke to the Building Official and Fire Marshal and rooms could be locked when renting but had to meet the life safety and building code requirements; however the Board was unable to limit the amount of rooms rented based on the parking. She said staff encouraged applicants to find alternative parking elsewhere instead of the garage.

Mr. Fredriksson read the staff report and said 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 two (2) short term rental offsite parking space in the municipal parking garage for 33 Bernard Street / PID 192590-0000.

Garrett Tatoul reviewed the application. He stated he had looked for alternative parking and was still trying to reach out to others.

Ex Parte Communication:
(None)

23 certified notices were sent, 0 were returned in favor, 0 returned opposed and 0 had comments.

Public hearing was opened.

BJ Kalaidi thanked the staff for keeping the public informed on how many spaces were in used in the garage and said if this continued, the tourist would not be able to park.

Melinda Rakoncy encouraged the Board to try and find other ways to solve the parking issues. She felt the garage would not be utilized as Bernard Street was too far away. She said guest should be notified of the parking situation. She said the City parking garage was not a good solution.

Public hearing was closed.

Mr. Misterly asked if the City was able to have a short-term rental parking rate for the garage.

Ms. Lopez replied the City was statutorily and case law required to add fees for only administrative cost because the City could not profit off it or use as a punitive measure.

The Board discussed:

- On-site parking was not available
- House was from lot line to lot line
- Thought house should not be an Airbnb
- Applicant pursued other options for parking
- Commercial Medium-Two (CM-2) zoning was too intense for property
- Property was advertised with street parking
- Advertising should be consistent with the Code; however, unable to regulate parking on public street
- Perhaps use neighbors' home for parking if allowed
- Deemed a commercial business and parking elsewhere should be a commercial lot not a neighbors' home

Ms. Ryan asked if the short-term committee was able to revise the rules as there seemed to be more and more issues.

Ms. Lopez informed her that the committee had disbanded after their report and would have to be recreated by the City Commission or they could direct staff to review other issues. She said currently, the legislature had a pending bill that eliminated the City from requiring parking and the City Commission was waiting for further information.

MOTION

Mr. DePreter MOVED to APPROVE Use by Exception 2022-0002 as the use by exception meets the Code as written. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

**AYES: DePreter, Blow, Pappas, Griggs,
Davis, Misterly**

NAYES: Ryan

MOTION CARRIED 6/1

**5.(b) 2022-0003 Garrett Tatoul – Applicant
Kelsey Glover – Owner
76 Abbott Street**

**To approve three (3) parking spaces in the
City parking garage for a short-term
rental.**

Mr. Fredriksson read the staff report and said 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 three (3) short term rental offsite parking space in the municipal parking garage for 76 Abbott Street / PID 195010-0000.

Garrett Tatoul reviewed the application. He informed the Board that he contacted the commercial lot nearest him for additional parking and was unsuccessful.

Ex Parte Communication:

(None)

24 certified notices were sent, 0 were returned in favor, 3 returned opposed and 1 had comments.

Public hearing was opened.

Melinda Rakoncy spoke in opposition to the application and said the rental listing provided false information about how many bedrooms were available and parking when advertised. She said people needed to know before renting the property there was no parking on-site and they would not be able to use the street. ⁵

Public hearing was closed.

Mr. Tatoul said he would speak with the owner about updating the information on parking in the advertisement if approved.

Ms. Lopez advised the Board that per Florida Building Code, it was per bedroom and was not related to an actual bed. She said per the Building Code there had to be a secondary emergency egress either through a window or door. She said the listings were monitored by City Code Enforcement staff and the City Fire Marshal carried out the inspections.

The Board discussed:

- Tried to obtain parking within 400-feet
- No residential parking program on the street
- Could only have one rental per week since zoned Residential Single Family-Two (RS-2)
- Property had to register as vacation rental
- Per applicant knowledge, property had fire inspection
- Floor plan and site plans were required for short-term rentals
- Unsure if Board should approve without knowledge of how many bedrooms within property
- Could add condition “pending results from Fire Marshal” before approval on two or three parking spaces
- Concerned with property advertisement

Mr. Tatoul stated the property was registered as a vacation rental and was operational.

Mr. Davis asked if the Board was able to require the applicants to provide the building and fire inspection before presenting to the Board.

Ms. Lopez replied there had been a bit of a back log but did not see a reason why the inspections could not be presented.

⁵ Attached to packet

Mr. Pappas stated he wanted more documentation: short-term rental application, floor plan, and the inspections.

Ms. Lopez said from a legal standpoint these requirements could be added.

Barry Fox, Short-Term Rental Manager, informed the Board that the property had been denied for failure to have the inspections completed. He said the application had been submitted in May 2021 and in October 2021 the inspections were still incomplete and was denied.

MOTION

Mr. Davis MOVED to DENY the Use by Exception 2021-0003 because it has not passed any of its inspections for fire safety and did not know the number of bedrooms that are in the building. The motion was SECONDED by Pappas.

VOTE ON MOTION:

AYES: Davis, Pappas, Blow, Griggs, Ryan, DePreter, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. (c) 2021-0172 Ellen Avery-Smith Esq. – Applicant

Continued January 4, 2022

Windward Shipyard Land Holdings, LLC and Windward Shipyard, LLC – Owner (Portions of Diesel Road, Dockside Drive, Shipyard Way and S. Ponce de Leon Blvd. aka “the Shipyards”)

PID 127910-0000, 128090-0010, 134230-0011, 134230-0030, 134390-0000, 134390-0010, 134340-0000, 134600-0000, 134230-0000, 134230-0020, 134410-0000, 134630-0000, 134650-0000, 134760-0000, 134770-0000

To approve off-site parking within the overall property as a permissible use by exception.

Mr. Fredriksson read the staff report and said based on a review of Sec. 28-371 and 28-372, and without the support of evidence to the contrary, staff finds that the Board can APPROVE a use by exception for off-site parking at the St. Augustine Shipyards as per the amended Development Agreement.

Ellen Avery Smith, Carl Masters, and Stefan Johansson reviewed the application.

The Board provided their ex parte communication.

55 certified notices were sent, 0 were returned in favor, 1 returned opposed and 1 had comments.

Public hearing was opened.

BJ Kalaidi said she knew the application would be approved but hoped the applicant would keep everyone inside the development. She said in the City Mobility Plan there would be a walkway from King Street to State Road 312. She said this would be an attraction and hoped the parking would be contained.

Public hearing was closed.

The Board discussed:

- Restaurant would have access from Shipyard Way, a paved road built by applicant
- Restaurant received parking permit independently from applicant association
- Development was based around building a parking garage
- Financial burden to other commercial business to use parking should be addressed for future developments
- Map had been clearly updated to identify parcels in development
- Property zoned Residential General Office (RGO) and had a commercial property owners association
- Restaurant had recorded access over the road

Mr. Blow asked if the amount of parking for the restaurant met the City code.

Ms. Skinner said after further review, the restaurant added additional seats and they were short seventeen parking spaces. She said originally they were approved for a certain amount of parking spaces and between November 2019 and May 2020 an application was submitted requesting sixty-eight additional seats which was approved without reviewing the parking issues; however, this took place when City Hall was closed due to COVID. She said at that time the entire property was owned by one owner and she was unsure of private parking conversations.

Discussion continued:

- Windward was willing to lease parking if able to reach an agreement
- Questioned the parking count accuracy
- Development agreement for the Windward properties required parking and tracking tables for every use
- Could build vertically if more parking were needed
- Property Owner Association document required each user to provide code compliant parking
- City Commission approved agreement required a parking tally and how it was allocated towards the uses for the City to know the accurate count
- Restaurant was an existing non-conforming situation
- Questioned how the City would keep track of the leases within the parcel
- Everything inside the development would meet code requirements
- If developer over builds parking or a parking garage, leases should be submitted in order to not double count
- Did not want to have parking garage to mitigate other businesses parking issues
- Would be a walkable community

MOTION

Mr. DePreter MOVED to APPROVE Use by Exception 2021-0172 with the condition, as agreed by applicant, that if any other parking is leased out, that would be include in the tally that the City has as it meets our Code. The motion was SECONDED by Mr. Misterly.

Mr. Blow wanted to confirm the applicant was comfortable with the condition and was not obligated to provide parking to anyone.

Mr. DePreter said that was why it was "if" they do there would be a tally but were not obligated.

VOTE ON MOTION:

AYES: DePreter, Misterly, Pappas, Blow, Griggs, Ryan, Davis

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. Conservation Overlay Zone Development

6. (a) 2022-0005 Jessica Shafer – Applicant/Owner 40 Hildreth Way

To approve a retaining wall/landscape feature adjacent to rip rap within Conservation Overlay Zone 1.

Mr. Fredriksson read the staff report and said 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 landscape feature per the applicant within Conservation Overlay Zone 1 at 40 Hildreth Way / PID 151151-0010.

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

Jessica Shafer reviewed the application.

The Board provided their ex parte communication.

31 certified notices were sent, 2 were returned in favor, 12 returned opposed and 12 had comments.

Public hearing was opened.

Clare Norris spoke in opposition to the application and said the barrier wall was existing and large. She said construction was still taking place, and water was unable to be disbursed.

Ted Mooney spoke in opposition to the application and stated it was a marsh bulkhead and did not want the bulkhead to have any adverse to his property or his neighbors. He said there was a continuous wall on both the applicant's property. The applicant had one property listed for sale which listed as a "marsh bulkhead" in place. He asked what would be the hydrologically effects of the bulkhead. He said another concern would be when the neighboring properties wanted to protect their homes by building a bulkhead.

Patrick Cod spoke in opposition to the application and said there had been many trees removed from the property and then construction of the wall started. He called the City regarding a permit and the City sent an inspector and he was told construction had stopped but the applicants were to obtain a permit. He said he felt the wall was not decorative.

Madelyn Keeble spoke in opposition to the application and she said if the wall was approved she would want to replace her fence with the same material; however, she knew she would displace the water from her yard onto her neighbors. She said if it was allowed, everyone would want to have the same type of wall and felt it would create a hydrogeology issue.

Jayne Marchesan spoke in opposition to the applicant and stated there was a lot of

concern in the neighborhood with flooding. She said she was not concerned with the wall causing flooding on her property because she felt the wall would not hinder water from finding a way in and she approved of the wall but stood with the community about the flooding .

Mary Ann Rosenthal spoke in opposition to the application said she had lived on the street for around twenty years and had seen the street change over time due to global warming and bulkheads being added. She was upset that the wall was not permitted prior to being built and it was not decorative. She felt flooding was an issue for the City and encouraged the City to address the bulkhead issues and asked the Board to deny the application.

Robin Mooney spoke in opposition to the application and said the property for sale by the applicant advertised having a bulkhead on the property. She said the neighborhood was concerned with flooding and how it would affect their property. She asked where the other application for the second lot was as that had a bulkhead. She was concerned with neighbors wanting to add similar bulkheads.

Tawny Kern spoke in opposition to the application and said her concern was with protecting the Conservation Overlay Zone and said the flooding in the area was terrible. She was concerned with the length of the bulkhead on the two properties. She said she was concern with the precedence this was setting and the natural shoreline and mangroves were a great protection.

Jim Springfield spoke in opposition to the application and said there was the same type of request a few weeks back on Seminole Drive and it was denied. He said if this would have been a normal application and not an after-the-fact, he felt it would have been denied. He encouraged the Board to deny the application.

Public hearing was closed.

The Board, Ms. Shafer, and Staff discussed:

- Wall was for landscaping purposes only and not structural
- Wall material Tremron blocks backfilled with coquina
- Riprap wall was there previously
- Wall did not prevent water from entering property
- Wall was in the twenty-five-foot buffer
- Department of Environmental Protection (DEP) approved the riprap, but not the wall
- Applicant requested meeting with DEP to show no damage to neighboring properties
- Les Thomas, Architect, did a site visit and confirmed no footing, no mortar, water was able to flow freely
- Applicant was unaware of the need for a permit
- Met with DEP about the riprap not the wall
- If not approved would become a code enforcement issue by fees or a lien on the property
- Should focus on the seventeen criteria in City Code
- Unable to require State permitting before coming before the Board per State Statute
- consider Tremron blocks as a semi-pervious material that needed maintenance
- Unsure if the riprap had been approved by the City in an after-the-fact application
- Wanted the history of the riprap and the outcome
- Understood concerns with the flooding
- In pursuit of Back Bay study but was updating the Stormwater Master Plan
- City Commission directed staff to review conservation zones and the impacts of retaining walls/bulkheads versus natural shoreline; City was actively working on the issue
- Riprap was installed in 2016 and DEP and Curtis Boles, Code Enforcement Officer, both approved of it

- Was told it would protect the wetlands and her property
- Wall was similar to riprap and was unaware of permit need
- Other applications with Tremron blocks were considered to be retaining walls

Ms. Ryan asked what the threshold was in Conservation Overlay Zone One.

Ms. Skinner stated any development along the water to the most jurisdictional line was supposed to be Conservation Overlay Zone One, and how the riprap would change that but she would review the code for a more specific definition but this was also affecting the wetlands and the adjacent waterbodies.

Discussion Continued:

- Seemed to be a massive bulkhead
- Wall was in front of the riprap and was not encroaching
- Not enough evidence provided to determine if it was a bulkhead
- Wall went around plant beds to hold in mulch and dirt
- Coquina was added to the wetland side of wall
- Lose coquina was recommended by DEP
- If wall was approved was back fill allowed

Ms. Skinner stated the Flood Plain Manager and Building Official would need to review it because you could not create a situation where there was water trespass and if the flood plain changed they would need a flood plain permit from the City.

Discussed Continued:

- With hurricane Matthew flooding was up to US1 but was less with Irma
- Wall height was three feet to the top
- Felt applicant created a berm and unsure of the impacts on the neighbors
- Original purpose of the riprap was to protect property and wetlands

Ms. Shafer said she thought no permit was needed for the riprap and that was why she did not request a permit for the wall as it was the same product.

Ms. Lopez said in Section 11-28 of the City Code it stated the *"Planning and Zoning Board should review all applications for development in Conservation Overlay Zone One"*, which was any development activity. The Discussion Continued:

- Riprap and wall both should have been reviewed by Board and permitted
- Unsure if they would have been approved if reviewed by Board
- Water would impact neighbors if water needed to flow out quickly
- Seemed to be a large construction project rather than decorative
- Unsure if application met the criteria
- Requested a topographical survey indicating how the water would flow
- Asked to provide a flood plain and grading plan
- Should have penalties for after-the-fact projects
- Applicant needed to prove case and how it was beneficial

Mr. Misterly reviewed a list of what the Board requested: history of riprap, specs on blocks identifying their precocity, outcome from DEP meeting on February 9th, survey on water flow, and something signed and sealed by an engineer to prove no impact on neighbors, and should meet the 17 criteria per Code.

Mr. Misterly said there were two options how the Board could vote, or it could be continued, and he recommended it be continued perhaps two meetings out in order to gather all information requested by the Board.

Ms. Shafer said she wanted to continue the application.

MOTION

Mr. DePreter MOVED to CONTINUE Conservation Overlay Zone One 2022-0005 with the criteria as follows: specifications on the blocks, the installation and saturation from behind the wall, and outcome of meeting with DEP, survey with the water flow, and something signed and sealed by an engineer with expertise in the area addressing the seventeen criteria that were in the Code.

Mr. Misterly said the Board used the seventeen criteria to judge the application and City staff could provide the seventeen criteria if she did not have it. He said an engineer would be able to review the entire project and see how it all worked to tell how it could or could not impact things.

Mr. Davis said the survey would look at the adjacent properties to indicate how the water was flowing.

Mr. Blow felt the riprap should be located on the survey and how it was in relation to the twenty-five-foot buffer and the jurisdictional wetland line.

The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:

AYES: DePreter, Davis, Pappas, Blow, Griggs, Misterly⁶

NAYES: NONE

MOTION CARRIED UNANIMOUSLY⁷

⁶ Ms. Ryan left before vote

⁷ Break from 6:52p.m.-7:03p.m.

6. (b) 2021-0156 Blackbox Design – Applicant

Continued January 4, 2022

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.

Item heard before 4(a)

Mr. Fredriksson read the staff report and said 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.

James Whitehouse requested to have a continuance to the March 1, 2022 PZB meeting since they were unable to update the information for the Board.

The Board provided their ex parte communication.

23 certified notices were sent, 1 were returned in favor, 3 returned opposed and 2 had comments and additional email attached.

Public hearing was opened.

BJ Kalaidi encouraged the public to come back to the March 1, 2022 as it was very important for them to be heard.

Christopher Park spoke in opposition to the application and was disappointed that they had not updated their information as the public was under the impression, they would be able to. He said the applicant

misrepresented One Radio Road, as it was a condominium with a private dock and not a commercial marina. He thought what they had presented did not qualify as a marina and asked the Board to deny the application.

Sandy Lenney spoke in opposition to the application and said there had been nothing but noise and congestion over the past five years, and this was not the right place for this development. She said there was a variety of reasons this should not be in this location.

Melinda Rakoncy spoke in opposition to the application and said that at the previous meeting the applicant requested a continuance and she felt they were being disrespectful to the Board and the public by waiting until today to ask for another continuance. She said the property was zoned for open land and this was not allowed.

Ed Slavin spoke in opposition to the application and thought the Board had many reasons to deny. He said the applicant was unprepared and it was disrespectful to the Board. He felt if the project were approved it would be a public nuisance and he felt St. Augustine needed to be preserved and protected.

Doug Morse spoke in opposition to the application and said the application had many concerns and the land was zoned open land. He said the proposal had not been updated and they needed to address the community concerns and if not, it should be denied.

Public hearing was closed.

Mr. Whitehouse said they were trying to address the community concerns and they were currently waiting on the revised plans, which was the reason they were asking for a continuance to the March meeting.

The Board discussed:

- Questioned if the Board should continue the item when City staff recommended denial
- Should provide continuance to the following meeting since applicant was unable to present
- Public came to speak on application
- Applicant was not at the meeting

MOTION

Mr. Blow MOVED to CONTINUE to the March 1,2022 PZB meeting. The motion was SECONDED by Mr. DePreter.

Mr. Misterly advised Mr. Whitehouse the application needed to be updated at the next meeting because he felt the Board nor the public would be willing to entertain it if it was not.

VOTE ON MOTION:

AYES: Blow, DePreter, Griggs, Ryan, Davis, Misterly
NAYES: Pappas
MOTION CARRIED 6/1

7. Comprehensive Plan Land Use Map Amendment, Rezoning and Variance

7. (a) 2022-0004 Billy Zeits – Applicant
c/o Flagler Multifamily LLC
Flagler Multifamily LLC – Owner
0 San Sebastian View PID 084560-0020 & 084560-0010

To approve a request to change the Comprehensive Plan land use designation on the property from Residential Low Density Mixed Use (RLD-MU) to Residential Medium Density (RMD) and a compatible rezoning from Residential Low-one (RL-1) to Residential General-one (RG-1). This application includes a variance request to allow stacked parking spaces as required parking spaces for the multifamily development.

Staff does not make recommendations concerning amending the land use of property. The Planning and Zoning Board makes formal recommendations to the City Commission regarding changing the land use.

Staff does not make recommendations concerning the rezoning of land. The Planning and Zoning Board makes formal recommendations to the City Commission regarding the rezoning of land.

The Planning and Zoning Board should make a motion regarding a recommendation to designate the land use of the property at 0 San Sebastian View / PID 084660-0020 & 084560-0010. The applicant requests Residential Medium Density.

The Planning and Zoning Board should make a motion regarding a recommendation to rezone the property at 0 San Sebastian View / PID 084660-0020 & 084560-0010. The applicant requests rezoning from Residential low-one: RL-1 to Residential general-one: RG-1 which is compatible with Residential Medium Density.

Mr. Fredriksson read the staff report and said 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 allow for stacked parking spaces to count towards the minimum parking requirements for 0 San Sebastian View / PID 084660-0020 & 084560-0010.

Billy Zeits and Fremont Latimer reviewed the application.

Mr. DePreter asked how the density had changed.

Mr. Zeits said the density approved was 336 units and they were changing the land zoning of the developable footprint and everything else would be the same. He said the new density if approved would be 510 units. He said in December there was discussion

regarding a traffic signal and wanted to provide an update. He said it was under review and should be completed in summer/fall and installed in 2023.

Ms. Skinner said the traffic study was prompted by US 1 since it was a DOT road.

Mr. Latimer said they had building permits for the first six units and the site permit as that would not change regardless of the configuration.

Mr. Misterly said any future building permits would fall under the Mobility Ordinance and would be paid upon pulling permits.

The Board provided their ex parte communication.

24 certified notices were sent, 0 were returned in favor, 2 returned opposed and 2 had comments.

Public hearing was opened; however, there was no response.

The Board discussed:

- Project was isolated
- Beyond the project did not see any negative impact or harm
- Increasing the number of rental units available
- No downside to the public or City
- Growing rapidly with apartments in area
- Housing Prices would be between \$1,600- \$2,200 and premium units available
- Unsure of the density increase
- Would provide more housing inventory
- Downside would be the increase in population within the county
- Parking would be contained within the development
- Site had not been changed or the impact to the preservation zones
- Questioned the need and justification for the change

Mr. Latimer said the development footprint was compact. He said the entire site was sixty plus acres, but around twenty acres were undeveloped due to conservation, especially on the south side. He said there was a third of the site that was untouched, and the remediation of the soil on the east side.

Mr. Pappas said his concern was the density with the congestion, although they were not changing the footprint. He asked the reasoning behind changing the density.

Mr. Zeits said the firm started around four years ago and they build single family homes and apartments and tried to provide obtainable housing. He said they were able to review the need in the community and the intent was to serve the community and more density in this footprint with major transportation corridors, managed by multi-municipalities with a traffic signal coming would be the best place to provide density in Northeast Florida.

Mr. Blow asked if the impacted soil was where the old maintenance yards were, and the solution was some removal and then capping the rest.

Mr. Zeits said the action plan allowed for capping and the large berm was part of the railroad, landscaping, and noise buffer, with remediation as approved by DEP. He said if capped with asphalt, building pad or two feet of clean fill, the DEP would approve it and it would need no further action.

MOTION

Mr. DePreter MOVED to RECOMMEND APPROVAL to the City Commission, Comprehensive Plan Land Use Amendment 2022-004 for a request to change the Comprehensive Plan use designation of property from Residential Low Density to Residential Medium Density. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:

AYES: DePreter, Davis, Pappas, Blow, Griggs, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

MOTION

Mr. DePreter MOVED to RECOMMEND APPROVAL for Rezoning on 2022-0004 from rezoning from Residential Low One to Residential General One. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:

AYES: DePreter, Davis, Pappas, Blow, Griggs, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

MOTION

Mr. DePreter MOVED to APPROVE the Variance request to allow stacked parking spaces as required parking spaces for the multi-family development, conditioned on the approval on both the future land use map and the rezoning request to the City Commission. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:

AYES: DePreter, Davis, Pappas, Blow, Griggs, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

8. Other Business

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

There was Board consensus to move discussion to the next meeting.

8. (b) Planning and Zoning Board discussion and recommendation regarding an ordinance to establish regulations for mobile food vendors/food trucks and associated code revisions.

Ms. Skinner said this was an ongoing project and the revisions was due to statutory changes. She said the Florida Legislator changes prompted the City to react and they had to be more specific about food trucks and where they were allowed, and additionally the City wanted to codify the process in which a food truck was approved within the City limits. She said there was a process but not in the City code. She said with the legislative updates, it provided the City with an opportunity to update the City Code.

Mr. Davis said it would be very helpful to the Board since noone owned a food truck for the public to provide as much information as possible.

Public hearing was opened:

Dawn Watkins, founder of the St. Augustine Food Truck Co-Op, said there were twenty-two trucks in the Co-Op, and they had monthly meetings to help the new and existing Food Truck owners to understand the rules and regulations. She thanked the Board for allowing Food Trucks to be in the City, and said they wanted to keep the revenue within St. Johns County.

Mr. Misterly said there would likely be a draft Ordinance and encouraged Ms. Watkins to distribute it amongst the Co-Op members.

Ms. Watkins said they have not had a moment to collect the comments from everyone.

Ms. Lopez asked for comments be sent to the Planning Staff before the next PZB meeting on March 1, 2022.

Maria Maresca said there were around 35 to 40 food trucks within the City, and they

appreciate everything the City did and felt it was beneficial to have regulations and the more refined the better.

Salvatore Iuliano had been Food Truck owner for the past two years and thought it needed to be under control.

Margaret Espinal said the Food Truck industry had changed her life and felt that there was enough for everyone and hoped it would stay within the City.

Jason Watkins said they wanted to keep St. Augustine a global destination for culinary tourism and felt there were other food business that were regulated but not reflected in the regulations from the City. He thanked the Board for listening and hoped for a great relationship moving forward.

Ms. Lopez said the current draft was available on the main website, but they had planned on reviewing the Ordinance and making some substantial updates.

BJ Kalaidi asked how the legislative changes would make the City change what was being done. She felt there had been some problems and wanted the City to follow through with the enforcement.

Public hearing was closed.

Mr. Blow asked the Co-Op to provide their bylaws for staff and the Board as he felt they would be beneficial. He voiced his concern with maintain a level the playing field between those who rented spaces for restaurants and food truck operators.

Mr. Misterly said this would come before the Board with an update and feedback from the community.

Mr. Pappas asked several questions about marinas and if the usage need to match the upland zoning, or could they automatically have one of the listed uses if it did not match the zoning.

Ms. Skinner said if it were included in the definition of marina then it would be allowed as part of the marina; however, the question would be if it was an accessory to the marina or not. She noted the definition of marina included various accessory uses.

Mr. Pappas asked with regard to marinas, was there any type of proof to indicate an auxiliary use.

Mr. Blow said in the definition, there were factors that determined if it were a "real marina" by having certain items, like, fueling station, sanitary pump out system, or offer repairs.

9. Adjournment

Having no further business, Mr. Misterly adjourned the meeting at 8:07 P.M.⁸

Grant Misterly, Chairperson

⁸ Transcribed by Elyse Wiemann

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting March 1, 2022

The Planning and Zoning Board met in formal session Tuesday, March 1, 2022, at 2:00 p.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
Jon DePreter
Sarah Ryan
Carl Blow
Charles Pappas
Christina Griggs

Absent: Mike Davis, Vice- Chairperson, excused

City Staff: Amy Skinner, Director, Planning & Building Department
Jacob Fredriksson, Planner, Planning & Building Department
Isabelle Lopez, City Attorney
Elyse Wiemann, Recording Secretary

2. General Public hearings for Items Not on the Agenda

Brent De Gennaro encouraged the Board to visit the area, which now had a seven-foot fence and armed guards. He said the situation escalating and felt the Windward was acting contrary to the interest of the community.

Rob De Gennaro, owner of Otters on the Water, said he had envisioned a beautiful area on the water where people could come and enjoy the board walk; however, the security guard was not allowing people to use the promenade. He expressed concern with the situation.

Ms. Lopez stated this was not an item before the PZB or an issue the PZB could act on as they were in a private dispute.

Ms. Skinner said Code Enforcement was working on other issues at the development. She said if the fencing was related to construction then a permit was not needed;

however, if it was a permeant fence a fencing permit was needed.

Ms. Lopez said if there was a safety issue then Law Enforcement should be contacted.

3. Approval of Minutes

MOTION

Mr. DePreter MOVED to APPROVED the October 28, 2021, Special meeting minutes as presented. The motion was SECONDED by Mr. Blow and the MOTION CARRIED UNANIMOUSLY.

Mr. Misterly asked if there were any modifications to the agenda.

Ms. Skinner said there had been discussion with the applicant from 235 Coquina, but they were proceeding with the application.

4. Variance

4. (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.

Mr. Fredriksson read the staff report and said 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.

Sean Siebert reviewed the application.

Ex Parte Communication:

(None)

7 certified notices were sent, 0 were returned in favor, 0 returned opposed and 0 had comments.

Public hearing was opened.

Brent De Gennaro inquired about the parking garage and asked if it would be associated with the residents only.

Public hearing was closed.

Mr. Siebert said the parking garage would be private for residents and their guest as well as staff. He said they were looking to gain standard spaces and reduce the number of compact spaces.

The Board discussed:

- Understood the reason behind the request but unable make it fit the variance definition
- Should have more land to accommodate the parking
- Variances were normally for existing structures
- Concerned with smaller spaces as most drove larger vehicles
- Felt this was setting a precedence for the rest of the area
- Unsure if the parking spaces were an appropriate size

Ms. Skinner said the next step would be to review the parking code which would review the parking size. She said the parking requirements needed to be updated and now there were a percentage of compact spaces which were 8x18 and regular spaces were 9.5x19. She understood the applicant wanted to shift the lines of the spaces to reduce the number of compact spaces and have slightly regular sized spaces.

Mr. Siebert stated in previous projects he had worked on the standard spaces were 9x18. He said he understood the concern about delivering a proper sized space; however, this was the industry parking standard. He said this was not a public garage and these sizes were industry standard for private garages.

The discussion continued:

- Did not feel it was contrary to public interest but was not a variance
- Felt this was not a hardship
- Not an existing situation and would cause more parking issues
- Uncomfortable with having smaller sized spaces
- Would meet the minimum parking spaces to meet code but would have more compact spaces
- Tried to increase the standard amount of spaces instead of having more compact spaces

MOTION

Mr. Blow MOVED to DENY Variance 2022-0012 because it does not meet the requirements of the code. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

AYES: Blow, Pappas, Griggs, Ryan, DePreter, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. Use by Exception

5. (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.

Mr. Fredriksson read the staff report and said 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.

Val Kleyman reviewed the application.

The Board provided their ex parte communication.

38 certified notices were sent, 5 were returned in favor, 0 returned opposed and 1 had comments.

Public hearing was opened.

Melinda Rakoncy said the residents at this location had their own parking lot and asked why they were unable to use their own parking spaces or obtain a residential parking pass as the program was available in the area.

Public hearing was closed.

Mr. Kleyman said he understood that it was one parking space per bedroom and the condo had two bedrooms, and the parking spaces assigned only provided one space per unit. He said he was unsure of the parking on the street as that could not be a permanent solution.

Mr. Pappas clarified with the applicant the rules of the homeowner's association.

There was Board consensus that they were in support of the application and that the applicant had sought other parking options.

MOTION

Ms. Ryan MOVED to APPROVE 2022-0008 at 172 Cordova Street, Unit 9 to approve a use by exception for one short term rental parking space off-site in the City garage. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Ryan, DePreter, Pappas, Blow, Griggs, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. (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.

Mr. Fredriksson read the staff report and said 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.

Kimberly Nguyen reviewed the application.

Ms. Skinner informed the Board the applicant was not registered as short-term rental.

Mr. Misterly said the Board in the past had denied the use of residential parking pass for short term rentals as they should be for those living at the property and required short-term rentals to obtain a parking garage pass.

Ms. Nguyen said she preferred to use the parking garage and had not reached out to other locations for parking. She said she thought parking had to be secured before applying for the short-term rental.

Mr. Misterly asked since the previous applicant in the same building provided evidence about not having the ability to find other parking should this applicant need to provide additional evidence or could the Board use previous testimony.

Ms. Lopez said the evidence could be reused but should be stated again to be part of this hearing.

Mr. Misterly reiterated the previous applicant's evidence as it was the unit next to the current applicant's unit and there was no parking nearby.

Ex Parte Communication:

(None)

38 certified notices were sent, 5 were returned in favor, 0 returned opposed and 0 had comments.

Public hearing was opened.

Mattie Harms stated she was concerned with how many spaces would be provided for people who had short-term rentals. She said if a short-term rental needed two spaces and could not provide them the City was encouraging short-term rentals by allowing the use of the parking garage.

Public hearing was closed.
The Board discussed:

- No issue with using the parking garage but should give up the residential parking pass
- Board preferred to reduce the number of short-term rentals but was unable to and met many roadblocks
- Trying to reduce the number of non-conforming short-term rentals
- Tried to pursue other options for parking
- Unsure if the parking issues could stop short term rentals but perhaps the intensity of the use
- Major issue was the number of people in the home
- Applicant closed on the property last week thought it would be best for the applicant to file for the short-term rental before coming before the Board
- Applicant had an on-street pass allowing for three spaces in total

Ms. Lopez clarified the applicant had to abide by the decision of the Board. She said using the residential parking pass would be in violation of the Code as it had not been approved by the Board.

Ms. Skinner added a Use by Exception application was only for the applicant and conditions could be stipulated.

Discussion continued:

- Felt there was no code enforcement for short-term rental parking
- Was in support but should surrender the residential parking pass
- Condominium was grandfathered in for its existing parking situation
- Could add a stipulation to turn in the residential parking pass within a certain amount of days after approved for a short-term rental
- Was in agreeance to surrender the pass and would be happier with garage parking

MOTION

Ms. Ryan MOVED to APPROVE 2022-0009 at 172 Cordova Street Unit 8 to approve a use by exception for one short-term rental parking space off-site in the City parking garage with the condition that the applicant surrender the street parking upon approval of the short-term rental within five days. The motion was SECONDED by Mr. Pappas.

Mr. Pappas said he was not in favor of accepting previous testimony from other applications as it appeared the Board was testifying.

Mr. Blow agreed as the previous applicant had submitted information about contacting five different people for parking and the record should reflect these units were next door to each other.

VOTE ON MOTION:

AYES: Ryan, Pappas, Blow, Griggs, DePreter, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. Conservation Zone Development

6. (a) 2021-0156 – Blackbox Design– Applicant

Kevin Vandyke– Owner

Continued January 4, 2022

Continued February 1, 2022

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.

Mr. Fredriksson read the staff report and said 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.

James Whitehouse reviewed the application.

The Board provided their ex parte communication.

6 emails were received in opposition to the application.

Public hearing was opened.

Christina Parrish-Stone spoke in opposition to the application and felt the proposed buildings would be unacceptable in open land zoning. She provided the accessory use definition from the City Code and pointed out a twelve-slip marina in this area would not be financially profitable. She said the buildings were the primary use of the property.

Paul Leonard spoke in opposition to the application and asked the Board to deny the proposal. He felt the application was a hotel first and a marina second based on the projected revenue from the hotel would be substantially more than the marina. He said this area was shallow and around twelve to eighteen inches during low tide and it did not seem variable. He said the mangroves trees around the site needed to be saved.

Mr. Misterly asked if the deepest part of Hospital Creek was the center or was the channel closer to one bank or the other.

Mr. Leonard replied center was the deepest part of the creek; however, the concern was further south at low tide where the boats entered would become almost impassable.

Mattie Harms spoke in opposition to the application and said it was evident that this was for a boatel and this was a prime residential area.

Loretta Lombard spoke in opposition to the application and said the definition of a marina had not been met and this was not a marina. She said the proposed dock would be on dry land and would cause the removal of a tree in the water. She said unless there was dredging larger boats would not be able to enter the area. She said the drawings were not clear on sizing of the dock.¹

Melinda Rakoncy spoke in opposition to the application and said many of the requests by the Board had made had not been fulfilled by the applicant. She said motels were not allowed in open land zoning, the dock was an accessory to the motel, and the application was not a PUD. She asked the Board to deny the application as it had not been changed.²

Doug Morse spoke in opposition to the application and said the road had been changed from East San Carlos Avenue to May Street, and the change would be reflected in A1A traffic patterns. He felt the wetlands and wildlife should be protected. He said the revised parking plans were inadequate and he strongly opposed the project and asked the Board to deny.

Public hearing was closed.

Mr. Whitehouse address the comments from the public and reiterated the definition for open land zoning. He asked staff if they reviewed the new submitted site plans and if they met the requirements of the Code. He asked if the Conservation Zone Development recommendations from the prior submitted plans was still applicable and if not, what was the new recommendation.

Mr. Fredriksson replied the issue was with the level of details provided about the fueling and the first page of the staff report indicated no new information had been provided by February 22, 2022, and staff went off the previous site plan.

¹ Photo attached to packet

Mr. Whitehouse said the new information provided the lengths and dimension which met the requirements. He said the reason for the application was due to the Conservation Zones One, Two and Three. He said any decision should be done based on facts and not emotion.

The Board, Staff, and Mr. Whitehouse discussed:

- Threshold for accessory use not met
- Principle use of property was the buildings
- Motel component did not meet code

Mr. DePreter asked if the motel was supposed to be considered for the application.

Ms. Skinner replied the motel was an accessory use for the marina.

Mr. Whitehouse said the purpose of the application was the marina and not the motel units as those were outside the 100-foot Conservation Zone development area. He said they were on the site plan but had nothing to do with the application presented.

Mr. DePreter asked if the application were approved did that include the ten units.

Ms. Lopez asked if she was correct that the argument presented to the Board was the marina definition included the motel as an accessory use.

Mr. Whitehouse stated he reviewed the definition in the code and what was presented for consideration today was anything in Conservation Overlay Zone One, Two and Three and staff indicated there was nothing wrong in those locations. He said anything beyond the 100-foot conservation zone line would have to meet code.

Mr. Lopez informed the Board it was the responsibility of the applicant to meet the

² Photo attached to packet

burden of proof. She said the definition of a marina included the accessory use and she was unsure how the application was trying to separate the accessory use shown on the documents from the marina.

Mr. Whitehouse said in this case, they were asking for the uses allowed in Conservation Zone One and Two as the accessory use could change and would have to be approved later or it could be a use that was allowed and not need approval.

Ms. Skinner said that was accurate and in this case it was Open Land Zoning and the ask was for permission to build a marina within the Conservation Zone development and the impacts in the environmentally sensitive areas and a motel could be an accessory use. She said if this came back for approval on the motels those would not be allowed in Open Land Zoning.

Mr. Whitehouse stated staff was able to approve anything above the 100-foot land line.

Ms. Skinner replied if the use were allowed in the zoning district then it could be approved by staff.

Mr. Whitehouse pointed out he could remove the motels on the site plan and the application could be reviewed for the Conservation Zones.

Discussion Continued:

- As submitted, felt application did not met the initial threshold based on the code
- Units on property did not seem like an ancillary use
- Questioned if amended proposal was submitted before the deadline
- New material was not in the delivered packet for the Board
- Intent of the marina was unclear
- Marina detail regarding fuel tank was not presented

- Unsure how development of the bungalows was an accessory use monetarily
- Only provided one of the three uses listed in the definition for a marina, should provide more than one
- Was stretching the definition by adding a motel into the Open Land Zoning
- Concerned with the traffic and noise addition to the area
- Low bridge would be hazardous to boating
- No documentation demonstrating the relationship to the surrounding docks

Mr. Misterly pointed out the document demonstrating the relationship to surrounding docks was had been requested by the Board previously and the new submitted information had left out the information which was in relation to number two of the criteria that marinas were judged upon.

Board Discussion continued:

- Struggled with the words 'clearly subordinate' with having the same number of boat slips as motel spaces
- Hard to separate the two as one could not be there without the other
- Easement from Department of Transportation (DOT) had not been explained over the bridge
- Application had improved and improved the entry access point
- For commercial buildings Open Land Zoning was allowed twenty-percent lot coverage
- Concerned with the depths of the water in Hospital Creek

Mr. Blow provided an aerial photo to staff to be used as a demonstrative device to have various questions answered by the applicant.³ He said he emailed it to staff for a reference.

³ Photo attached to packet

Ms. Skinner advised the photo was received by staff and copies were made for the Board.

Mr. Blow asked Mr. Whitehouse if the photo could be used.

Ms. Lopez requested the record to show Mr. Whitehouse had agreed to the demonstrative device.

Mr. Whitehouse agreed and stated he may have comments regarding the photo.

Discussion continued:

- Not enough water to accommodate the marina depicted
- Should have a hydrographical survey done
- Concerned with the downstream viability of the channel
- Would there be parking for the public kayak area within the 100-feet
- Intent was to allow public to continue using kayak launch; no parking provided
- Concerned about the public park but it was not in the 100- feet
- Might need to have a submerged land lease
- Should not approve a marina if would be a negative impact on the public
- Should have more information on the viability of a marina in the area

Mr. Whitehouse understood that information was normally provided but this location was not near other docks. He said if necessary, they would obtain a submerged land lease. He said as far as the accessory uses, anything over 100-feet was not in the purview but he wanted to be transparent. He said accessory was subjective analysis.

Discussion continued:

- Board clearly stated the needed documentation; however, not provided
- Not compatible with the surrounding area and docks

- In favor of a denial due to the lack of information
- Appreciated the efforts and had been scaled back from prior meetings
- Concerned about boat trailer parking at the location
- Motels did not appear to be an accessory use; wanted to have motel and boatel defined

Mr. Misterly said the major reasons for not being able to support the application were based on the following:

- Criteria two: sights relationship to adjacent properties, bodies of water, and surrounding conservation zones
- Information had been requested but was not enough adequate information was provided
- No bathymetric survey provided of the creek to show the use of the creek or channel
- Unsure if the deepest part of the creek was the channel
- Information requested about the DOT drainage pipe that was through property
- Criteria number three: projects impact on natural and proposed drainage patterns
- Questioned ownership of the bottomlands
- Staff also recommended denial due to lack of detail

Mr. Misterly asked Ms. Lopez due to the lack of information requested could that be grounds for a denial.

Ms. Lopez advised the Board the basis of the denial had to be based on the evidence and testimony presented and needed to focus on the seventeen criteria in the code.

MOTION

Mr. Misterly MOVED to DENY Conservation Overlay Zone One development 2021-0156 on the basis that there was not sufficient evidence for the Boards review related to criteria number

two: sites relationship to adjacent properties, bodies of water and surrounding conservation zones, and criteria number three: natural and proposed drainage patterns. The motion was SECONDED by Mr. DePreter.

Mr. Blow clarified this was private property and although it was open land zoning, the property would be developed. He said everyone should keep in mind private property rights were important and this was owned by a citizen.

Mr. Misterly added his vote to deny did not mean nothing should be developed in the location; however, felt this application did not meet the criteria for a marina.

Mr. Pappas said criteria ten: effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion should be added as he felt there was not enough information.

Mr. Misterly AMENDED the MOTION to include criteria ten: effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion. The AMENDED MOTION was SECONDED Mr. DePreter.

VOTE ON MOTION:

AYES: Misterly, DePreter, Pappas, Blow, Griggs, Ryan

NAYES: NONE

MOTION CARRIED UNANIMOUSLY⁴

**6. (b) 2022-0006 – Ryan Carter– Applicant
Patricia & Roland Anderson– Owner
4 Lighthouse Avenue**

Ms. Griggs recused herself from the application.⁵

To approve an amended dock application that expired in April 2021 within Conservation Overlay Zone 1.

Mr. Fredriksson read the staff report and said 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.

Ryan Carter reviewed the application.

Mr. Misterly asked if the new dock was closer to the riparian line as it was twelve feet off the center platform but was now fourteen feet.

Mr. Carter replied that was accurate. He said the Little's owned an interestingly shaped property and their riparian footprint was based off of the Ratkovic footprint which went to court. He said any work done in the area was based on the judge approved survey to layout the lines.

The Board provided their ex parte communication.

11 certified notices were sent, 2 were returned in favor, 0 returned opposed and 2 had comments.

Public hearing was opened; however, there was no response.

The Board discussed:

- No issue with the application as adjacent properties had docks with a lot of frontage and not close to the channel
- Dock position, orientation, and alignment was based on depth
- Questioned life size as it should not be over thirty-two feet, but new lift was forty-two feet

⁴ Break from 4:25p.m.-4:40p.m.

⁵ Recusal form attached to original minutes

- Platform lift provided room to walk around or chairs as a safety measure

Mr. Misterly stated in the criteria it stated no more than 12,000lbs and was questioned what that referred to.

Mr. Blow understood that to be the capacity of the lift. He said the manufacturer rated them for a maximum weight for the lift.

Mr. Carter confirmed there were many within the City. He said the code was from 1999 and a thirty-two-foot center console was an average size today as boats have increased in size just like today vehicles.

Discussion continued:

- Would comply with the 12,000lbs constraints and low-profile boat lift
- Perhaps review the City code to accommodate the newer sizes
- Code was updated and low-profile boat lifts were to protect the scenic vista
- Concerned with the size of boats since the code was written
- Cornered about building directly to the riparian line, perhaps move back a foot
- Additional square footage would not be an issue

MOTION

Mr. DePreter MOVED to APPROVE the Conservation Overlay Zone One development 2022-0006 as it meets the applicable seventeen criteria of a dock. The motion was SECONDED by Ms. Ryan.

Mr. Blow asked if Department of Environmental Protection (DEP) required four feet of water under a boat slip.

Mr. Carter replied that four feet was the maximum.

Mr. Misterly added the application included aerials of other docks and this was not out of character with others nearby.

VOTE ON MOTION:

AYES: DePreter, Ryan, Pappas, Blow, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. (c) 2022-0007 – Jared Whetstone – Applicant & Owner **235 Coquina Avenue**

To approve a new bulkhead in Conservation Overlay Zone 1.

Mr. Fredriksson read the staff report and said 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.

Mr. Fredriksson informed the Board staff received an email from an authorized agent on the application who asked for a continuance. He called and spoke Jared Whetstone, owner who was unaware of the situation who said he would let the staff know how to proceed; however, he had not heard back by the time the meeting started.

Ms. Lopez advised the Board the application could be continued, denied or approved since the application had been noticed.

Mr. Blow stated the applicant had their FDEP permit and it had been reviewed by the Army Corp of Engineers. He said he felt the Board should continue the application.

Mr. Misterly agreed and said the application should be continued in order to not set a precedence.

MOTION

Mr. DePreter MOVED to CONTINUE the Conservation Overlay Zone One development 2022-0007 to the April 5, 2022 meeting. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: DePreter, Blow, Pappas, Griggs, Ryan, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6.(d) 2022-0010– Alan Stevenson– Applicant
c/o STA Beach Investments LLC
STA Beach Investments LLC– Owner
34 N. St. Augustine Boulevard

Ms. Ryan recused herself from the application.⁶

To approve an existing bulkhead modification by adding a 24” cap within Conservation Overlay Zone 1.

Mr. Fredriksson read the staff report and said 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.

Abby Burgos, P&G Construction reviewed the application.

The Board provided their ex parte communication.

11 certified notices were sent, 0 were returned in favor, 0 returned opposed and 0 had comments.

Public hearing was opened; however, there was no response.

The Board discussed:

- Questioned with the proposed drainage patterns, would there be increased amount of fill added to the site
- Lot elevation would be address with the new construction on the home
- Would be raised to the approved lot elevation
- Residential Single-Family-One zoning setbacks felt the lot lines were too close

Ms. Skinner said depending if the lot was conforming or non-conforming, the side setback could be smaller if it were a non-conforming lot. She advised the application had been reviewed for variances by the Board. She said the plan met what had been approved by the Board and this request was to increase the height of the seawall.

Discussion continued:

- Property would have sidewalks to match the elevation of the new bulkhead for minimum impact
- Existing bulkhead had adequate drainage
- Prior to building permit, City would review drainage design and verify it was not affecting the neighbor's properties
- Suggested the use of epoxy rebar like the Department of Transportation (DOT) as oxidation could affect the concrete
- Extending the height of the bulkhead in Davis Shores would have a positive impact on the public
- In favor of application as the square footage of the land would remain the same
- Encouraged applicant to have an engineer review as they were increasing the load on the existing bulkhead
- More comfortable approving knowing there was a statue in place

⁶ Recusal form attached to original minutes

- No trees would be removed for this portion of the project
- Felt it met the criteria
- Adjacent properties had bulkhead, but would be higher than those

MOTION

Mr. Pappas MOVED to APPROVE Conservation Overlay Zone One development 2022-0010. The motion was SECONDED by Mr. Blow.

Mr. Blow stated the bulkheads were from 1920-1925 and encouraged the applicant to have the bulkhead examined before building on it.

Ms. Burgos informed the Board the bulkhead had been assessed.

VOTE ON MOTION:

AYES: Pappas, Blow, Griggs DePreter, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. (e) 2022-0011 – Ryan Carter– Applicant Patricia Dobosz– Owner 105 Marine Street

Ms. Griggs recused herself on the application.⁷

To approve of a proposed dock addition to an existing dock over rip rap within Conservation Overlay Zone 1.

Mr. Fredriksson read the staff report and said 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.

Ryan Cater reviewed the application.

Ex Parte Communication:

(None)

8 certified notices were sent, 1 was returned in favor, 0 returned opposed and 1 had comments.

Public hearing was opened; however, there was no response.

Board Discussion:

- Thought application met the criteria and would not negatively impact the jurisdictional wetlands
- In favor as the bulk of it was over the riprap
- Back of the property was a waterfront parking lot
- Concerned with the lighting on the dock
- Lighting would be shielded and directional and low lit around the outside for safety
- Felt there was a dock already that provided access to the water and the views
- Thought application did not meet criteria nine or sixteen as both related to shellfish
- Proposed deck would be six feet above the mean high-water line
- Would not encroach a lot over the oyster beds
- Felt it would not affect the wildlife in the area
- Unsure if it was the ideal location for the dock, but was in support
- Suggested it could follow the shoreline to be more aesthetically pleasing for others with a view
- Riprap armored property for many years
- Suggested to modify the design and be closer to the land
- Tried to minimize the impact but was a tight area

⁷ Recusal form attached to original minutes

MOTION

Mr. DePreter MOVED to APPROVE the Conservation Overlay Zone One development 2022-0011 as it meets the seventeen criteria for approval. The motion was SECONDED by Mr. Blow.

Mr. Misterly stated he would not be in support of the application as he thought it did not meet the following criteria:

- Seven: Impact of development on vegetative and animal communities
- Nine: Effect of shade on vegetation and shellfish
- Sixteen: Impact of development on shellfish and on commercial and sport fish and waterfowl

VOTE ON MOTION:

AYES: DePreter, Blow, Ryan

NAYES: Pappas, Misterly

MOTION CARRIED 3/2

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.

Ms. Skinner reviewed the item and provided a brief overview on the topic.

Mr. DePreter asked if home-based businesses could not be regulated more than a residential use.

Ms. Skinner replied that was correct. She said legislature stated they were unable to require any parking that would exceed any residential parking requirement, they could have employees, and this would bring the City in line with the Florida State Legislation.

Public Comment was open; however, there was no response.

The Board discussed:

- Not exactly clear who lobbied for it but there was nothing that could be done
- Understood the need
- Parking related to the business had to comply with similar businesses
- Noise ordinance would be in effect
- Struggled with home-based business being able to have two employees whereas before it was limited to the person who lived in the home
- Activities of the home-based business would be secondary to the properties uses or residential dwelling
- Felt there was no way to enforce the ordinance
- Could affect the neighborhood and property value
- Signage had to have permits and could regulate commercial signs within residential areas
- Would be required to have a business tax receipt

MOTION

Mr. DePreter MOVED to RECOMMEND APPROVEAL of discussion and recommendation regarding the ordinance related to home-based businesses and associated code revisions to the City Commission. The MOTION was SECONDED by Mr. Misterly and the MOTION CARRIED UNANIMOUSLY.

Mr. Misterly informed the audience the Food Truck Ordinance was not before the Board; however, they were welcome to speak regarding the topic.

Public Comment was open.

Dawn Watkins, founder of the St. Augustine Food Co-Op, said it was worth remembering many people had to work within the home. She said on February 20, 2022, she sent an email outlining the concerns and notes related to the food truck regulations. She said there were many things they dealt with

daily that was not in the legislation and would be willing to help if there were questions related to food trucks.

Ms. Skinner updated the Board and said the City Commission had adopted the Mobility Ordinance and it would be in effect as of May 17, 2022, after the 90-day waiting period, which had taken precedence. She said Ms. Lopez had sent over revisions of the Food Truck Ordinance; however, she had not had a chance to review them.

Ms. Lopez said the City Commission thanked the Board for their diligence with the Mobility Ordinance.

Mr. Blow asked about the amount of money that would trigger a hearing and asked if it was modified.

Ms. Skinner replied staff took the Board's recommendation of \$15,000 and the others and incorporated them into the ordinance presented to the City Commission. She said it was under \$15,000 it was reviewed by the City Manager and anything over \$15,000 went before the City Commission.

William Venanzio was in support of the St. Augustine Food Truck Co-Op and felt it had the best intent for the community. He thanked the Board for their efforts in trying to help the food truck industry. He said the current guidelines were hard to comply with as not all food trucks were the same. He said this was a fast-moving industry and bookings happened quickly and to apply for a permit to the extent the City wanted was hard.

Ms. Ryan asked Mr. Venanzio to provide examples that prohibited him from operating within the City.

Mr. Venanzio said his food truck was ten foot by eight foot and his current sink system was twenty inches long by thirty-five inches wide. He said when the plan was submitted to the Department of Business and Professional Regulation (DBPR) it was approved and passed. He said if the DBPR allowed him to

operate why was it that he was unable to operate within the City. He said it was difficult to submit a site plan for each location he was invited to.

Jason Watkins said they had a Co-Op meeting that discussed the application and said most of the items in the application were the same as the DBPR and they had been approved by them. He said site plans were difficult to provide site plans because it was hard to predetermine where they would be able to fit. He said most food was handheld, and seating was not available.

Ms. Lopez advised any comments could be sent directly to them through the email chain she had started. She asked Ms. Watkins to resend the email she sent on February 20th that way Richard Thibault, City Assistant Attorney and Ms. Skinner could review it.

Mr. Blow said he did not want to limit people who owned food trucks from making a living but thought everyone should be on the same playing field and should meet the regulations. He mentioned restaurants had issues with grease traps just like food trucks and wanted to set realistic expectations.

Ms. Watkins said food trucks were independent; however, she had a grease trap disposal and it was a bit different than restaurants. She invited the Board to visit a food truck in order to have a full understanding of the processes.

Public Comment was closed.

8. Adjournment

Having no further business, Mr. Misterly adjourned the meeting at 6:10 P.M.⁸

Grant Misterly, Chairperson

⁸ Transcribed by Elyse Wiemann

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: April 5, 2022

RE: **VARIANCE 2022-0013**

AGENDA ITEM 4(a)

APPLICANT & OWNER Kim Hartwick

LOCATION 228 Riberia Street / PID 213280-0000

REQUEST To increase the lot coverage limit to allow for a residential addition within the Open Land zoning district from 10% to 17%.

LAND USE Open Land

ZONING Open Land: OL

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:

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

- 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

Lot coverage means that portion of the lot, excluding open water bodies determined using the mean high water line, that is covered by buildings and structures, measured from the face of the vertical wall of the building or structure, not including roof overhang, but including awnings, carports, or other unenclosed structures.

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:
 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

The applicant is requesting a variance to the maximum lot coverage in Open Land zoning for single-family residential uses to increase from 10% to 17%.

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;

Aerial photographs show a possibility of there being less buildable area on this property compared to other single-family residences in the immediate vicinity.

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

The applicant wishes to add a first floor bedroom and full bath which exceeds the lot coverage limit of 10% and would account for a total of 17% of the lot under roof.

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

This lot was created before the current owner purchased it and the zoning, not intended for single-family housing, has also been in place since 1975.

- 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.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

Granting a variance would not adversely affect neighboring properties in due to the nature of the request and the overall minimal change to the site. The spirit, intent, and purpose of the request for a variance to lot coverage for a single-family home of 17%, which is limited to around 30% in other residential districts, is not violated.

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 the lot coverage limit at 228 Riberia Street from 10% to 17% to allow for an addition to a single-family residence.



Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

pzb@citystaug.com

Application Fee: \$350 (plus advertising costs)

Project Number: 2022-0013

Receipt Number: 2319493

Meeting Date: Apr 15, 2022

Advertising Costs: \$ _____

Paid On: _____

Receipt Number: _____

1. NAME OF APPLICANT: Kim Hartwick Contact Number: 904 669-2002

Business (if applicable): _____

Address: 228 Riberia St. City: St Aug State: FL Zip: 32084

E-Mail Address: Kim.hartwick@gmail.com

2. NAME OF PROPERTY OWNER: Kim Hartwick Contact Number: _____

Business (if applicable): _____

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

E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: Marsh Lot 6 W of Riberia

Block: _____

Subdivision: Marsh Lots West

Parcel Number: 213-280-0000

4. PROJECT STREET ADDRESS: 228 Riberia

5. SPECIFIC PROPOSED USE: Residential Use

6. ACTION REQUESTED:

☐ Conservation Zone Development

☐ Appeal of Staff Determination

☐ Exception

☐ Land Use Plan Amendment

☒ Variance

☐ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Variance to increase my home footprint to add on a 1st floor bedroom and bathroom

Increase allowance from OL: 10% to RS2 of 30%

Current house: 1495 sq feet addition will be 630 sq feet
a total square footage will be 17%

8. JUSTIFICATION FOR ACTION REQUESTED:

other homes on Riberia are more than 10% lot coverage

my lot is 90 x 145 to the wetland line

new construction at 244 Riberia is RS2 according to zoning map
but other lots around it are open land

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:

Other homes have much larger footprints than 10%, I need a 1st floor bedroom and full bath

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

I have a huge yard that is useless and labor some

(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:

The home is built to be aesthetically appealing to Lincolnville, it not an eyesore but will be a improvement to the street and neighbors.

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.

Conservation Overlay Zone development approved on 9-7-21
case # 2021-0111

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.

Kimberly Hartwick

Signature of Applicant

Feb. 15, 2022

Date

Kimberly Hartwick

Signature of Property Owner

Feb 15, 2022

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.

Kimberly Hartwick
Print name of applicant

Kimberly Hartwick
Signature of applicant

Feb 15, 2022
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: 228 Riburia St St. Augustine FL 32084

Applicant's Name: _____ Applicant's Signature: Kim Hartwick

Owner's Name: _____ Owner's Signature: Kim Hartwick

Apply for Exemptions

Sales Questionnaire Form

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

2021 TRIM Notice

Summary

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



Parcel ID 2132800000
Location Address 228 RIBERIA ST
SAINT AUGUSTINE 32084-0000
Neighborhood Marsh Lots West of Riberia & Marsh Front Replat (625)
Tax Description* MARSH LOTS W OF RIBERIA ST (1) LOT 6 & MARSH LAND LYING W TO ST SEBASTIAN RIVER OR3832/504
*The Description above is not to be used on legal documents.
Property Use Code Single Family (0100)
Subdivision Marsh Lots West of Riberia
Sec/Twp/Rng 19-7-30
District City of St Augustine (District 452)
Millage Rate 19.3368
Acreage 4.550
Homestead Y

Owner Information

Owner Name Hartwick Kimberly J 100%
Mailing Address 228 RIBERIA ST
SAINT AUGUSTINE, FL 32084-0000

Exemption Information

Exemption Type	Status	Amount
Homestead		\$50,000

Map



Valuation Information

Building Value	2022
Extra Features Value	\$282,627
Total Land Value	\$3,480
Agricultural (Assessed) Value	\$315,730
Agricultural (Market) Value	\$0
Just (Market) Value	\$0
Total Deferred	\$601,837
Assessed Value	\$282,355
Total Exemptions	\$319,482
Taxable Value	\$50,000
	\$269,482

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

Historical Assessment Information

Year	Just (Market) Value
2021	\$574,358
2020	\$418,171
2019	\$402,121
2018	\$404,033
2017	\$355,965
2016	\$331,940
2015	\$135,730
2014	\$83,530
2013	\$83,530
2012	\$31,780
2011	\$34,368
2010	\$39,542

Building Information

Building	1
Year Built	2015
Actual Area	2638
Conditioned Area	1876
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Concrete Siding

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	2.5

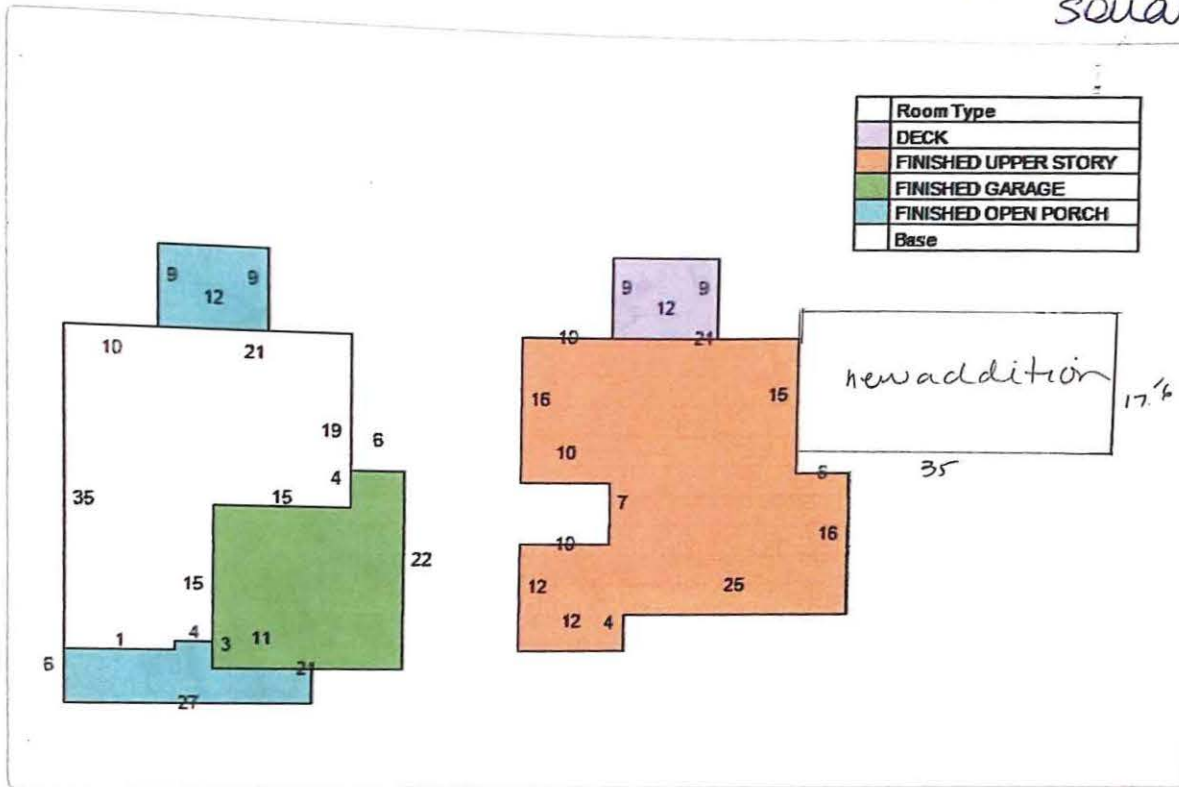
Description	Square Footage
BASE AREA	841
FINISHED OPEN PORCH	108

FINISHED GARAGE
FINISHED OPEN PORCH
FINISHED UPPER STORY
FINISHED DECK
Total SqFt

841
103
402
144
1035
108
2638

14 95 current
square footage

Sketch Information



Extra Feature Information

Code Description	Status	Value
Brick Pavers (0-500)		2400
Pergola		1080

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	90	115	90	EF	\$315,000
Marshes & Tidal Lands	0	0	2.92	AC	\$730

Sale Information

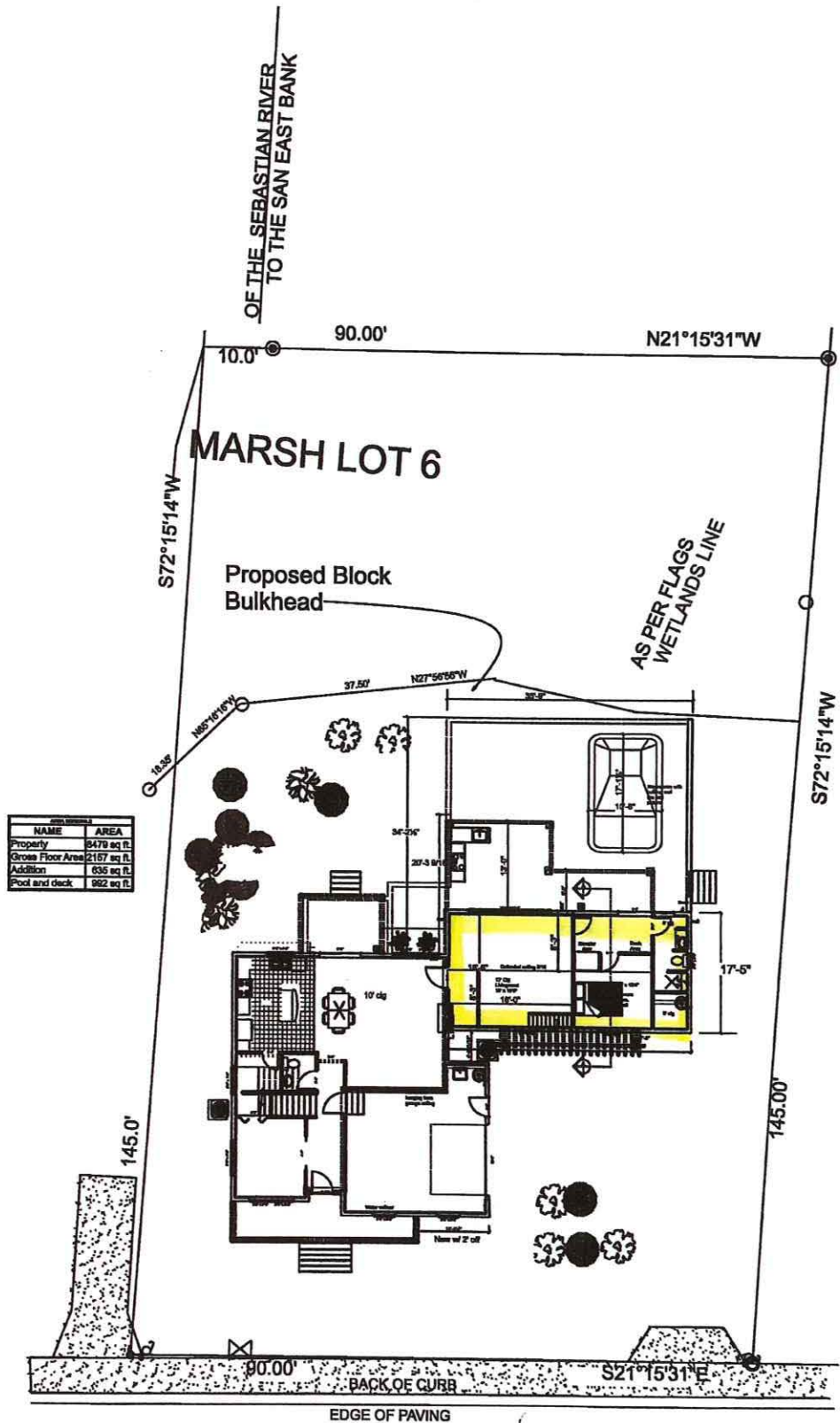
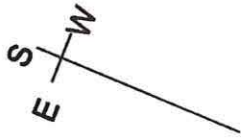
Recording Date	Sale Date	Sale Price
1/3/2014	1/2/2014	\$115,000.00
	8/31/2000	\$42,500.00
	6/20/2000	\$35,000.00
	6/1/1991	\$0.00
	6/1/1991	\$0.00

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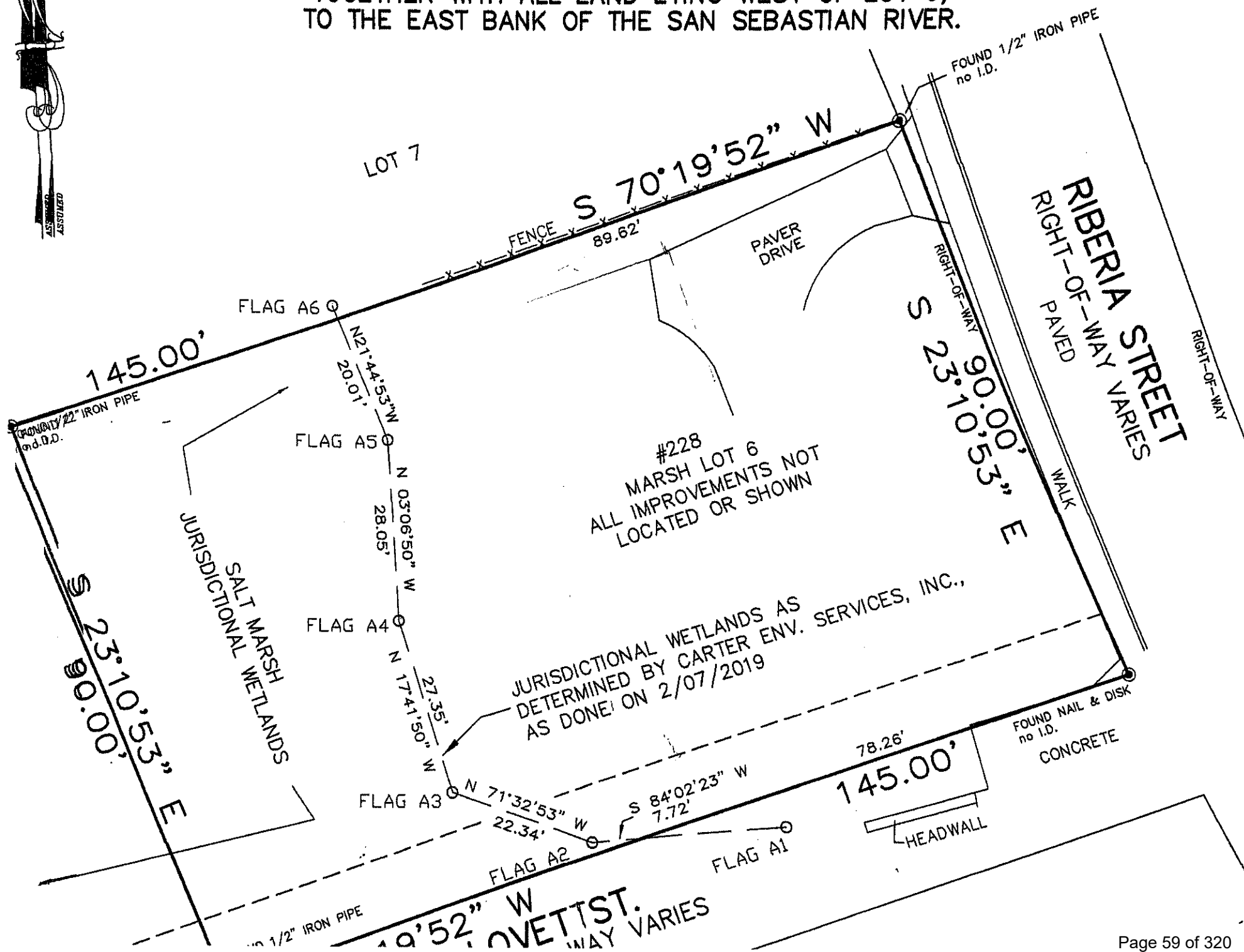
NAME	AREA
Property	9479 sq ft
Gross Floor Area	2157 sq ft
Addition	635 sq ft
Pool and deck	992 sq ft



addition
RIBERIA STREET
A VARIABLE WIDTH RIGHT-OF-WAY

POLE ELEV. = 6.24'
BENCH MARK: NAIL IN

TOGETHER WITH ALL LAND LYING WEST OF LOT 6,
TO THE EAST BANK OF THE SAN SEBASTIAN RIVER.



CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: April 5, 2022

RE: **USE BY EXCEPTION 2022-0015**

AGENDA ITEM	5(a)
APPLICANT & OWNER	Michael Skjerning
LOCATION	86 St. Francis Street Apartment 4 / PID 207800-0000
REQUEST	To approve a use by exception for two (2) short-term rental parking space off-site in the City parking garage.
LAND USE	Residential Low Density
ZONING	Residential single-family-two: RS-2

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

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 86 St. Francis Street Apartment 4. The property has a condominium which was built in 1935.
- 2 parking spaces are required for a short-term rental with 2 bedrooms being offered for rent.
- There are no additional parking spaces on the property, leaving them two parking spaces short of the requirement.

Parking Requirements Summary

- 1) Use by exception for off-site parking (within 400 feet per Sec. 28-371).
 - a. *This property is located in a residentially zoned area of the city with no additional commercial parking facilities being able to supply parking spaces. This is confirmed by efforts made by the applicant to find commercial parking alternatives within 400 feet.*
- 2) Parking permits to the municipal parking garage.
 - a. *The applicant is requesting two (2) parking spaces within the municipal parking garage.*
- 3) On-street parking permits within established Residential Permit Program Areas.
 - a. *There is no established residential parking permit program on St. Francis Street for the use of short-term rentals.*

Information Only: As of the date of this report, the Planning & Zoning Board has approved 27 offsite parking spaces within the municipal parking garage and approval of this application would result in a total of 28.

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 two (2) short term rental offsite parking spaces in the municipal parking garage for 86 St. Francis Street Apartment 4 / PID 207800-0000.



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: 2022-0015
 Receipt Number: 2328597 Meeting Date: April 5, 2022
 Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Michael Skjerner Contact Number: (864)752-8950
 Business (if applicable): _____
 Address: 165 Cordova Street Apt C City: St Augustine State: FL Zip: 32084
 E-Mail Address: michaelskjerner@gmail.com
2. NAME OF PROPERTY OWNER: Michael Skjerner Contact Number: (864)752-8950
 Business (if applicable): _____
 Address: 165 Cordova Street Apt C City: St Augustine State: FL Zip: 32084
 E-Mail Address: michaelskjerner@gmail.com
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
 Lot: E35FT OF LOT 12 & ALL LOT 13 & 14 Block: I OR4128/253
 Subdivision: Dumas Tract Parcel Number: 2078000000
4. PROJECT STREET ADDRESS: 86 St Francis St apartment 4
5. SPECIFIC PROPOSED USE: _____
6. ACTION REQUESTED:
☐ Conservation Zone Development ☐ Appeal of Staff Determination
☒ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☐ Other: 752-8950
7. DESCRIPTION OF ACTION REQUESTED: _____
To approve two (2) parking space in the city parking garage for a short-term rental with two bedrooms.

8. JUSTIFICATION FOR ACTION REQUESTED: _____
The City of St Augustine requires short-term vacation rentals to provide one (1) parking spot per bedroom. Our two (2) bed room vacation rental consequently requires (2) parking spots. Options listed in the city's Sec. 28-151- parking have been investigated (please see attachment) but no viable options other than the city's parking garage have been identified. We are therefore asking for "use by exception" for two parking spots in the city 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.

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

2-24-2022

Signature of Property Owner

Date

2-24-2022

04/18/2019



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

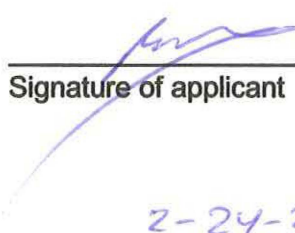
The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

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.

Michael Skjerner

Print name of applicant



Signature of applicant

2-24-2022

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.

86 St Francis St Apt 4

Project Address: _____

Michael Skjernerig

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

Michael Skjernerig

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	2078000000
Location Address	86 ST FRANCIS ST SAINT AUGUSTINE 32084-0000
Neighborhood	Dumas Tract with part City St Aug (622)
Tax Description*	DUMAS TR CITY E35FT OF LOT 12 & ALL LOT 13 & 14 BLK I OR4128/253 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Multi-Family (Less than 10 Units) (0800)
Subdivision	Dumas Tract
Sec/Twp/Rng	19-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.210
Homestead	N

Owner Information

Owner Name	Skjerner Michael, Kirsten L 100% Skjerner Kirsten L 100%
Mailing Address	165 CORDOVA ST APT C SAINT AUGUSTINE, FL 32084-5013

Map



Valuation Information

	2022
Building Value	\$442,599
Extra Features Value	\$42,031
Total Land Value	\$230,132
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$714,762
Total Deferred	\$40,574
Assessed Value	\$674,188
Total Exemptions	\$0
Taxable Value	\$674,188

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	\$381,823	\$41,663	\$141,232	\$0	\$0	\$564,718	\$564,178	\$540	\$564,178
2020	\$327,904	\$43,753	\$141,232	\$0	\$0	\$512,889	\$512,889	\$0	\$512,889
2019	\$323,110	\$42,964	\$141,232	\$0	\$0	\$507,306	\$507,306	\$0	\$507,306
2018	\$320,447	\$44,923	\$130,368	\$0	\$0	\$495,738	\$495,738	\$0	\$495,738
2017	\$324,238	\$44,866	\$117,331	\$0	\$0	\$486,435	\$486,435	\$0	\$486,435
2016	\$327,231	\$1,468	\$101,850	\$0	\$0	\$430,549	\$430,549	\$0	\$430,549
2015	\$280,299	\$0	\$77,115	\$0	\$0	\$357,414	\$325,677	\$31,737	\$325,677
2014	\$234,378	\$0	\$61,692	\$0	\$0	\$296,070	\$296,070	\$0	\$296,070
2013	\$163,486	\$0	\$47,811	\$0	\$0	\$211,297	\$211,297	\$0	\$211,297
2012	\$163,486	\$0	\$41,642	\$0	\$0	\$205,128	\$205,128	\$0	\$205,128
2011	\$169,597	\$0	\$46,269	\$0	\$0	\$215,866	\$215,866	\$0	\$215,866
2010	\$175,709	\$0	\$51,410	\$0	\$0	\$227,119	\$227,119	\$0	\$227,119

Building Information

Building	1
Year Built	1935
Actual Area	4773
Conditioned Area	4440
Use	Multi-Family less than 10 units
Style	01
Class	N
Exterior Wall	Concrete Siding

Roof Cover	Composite Shingle
Roof Structure	Gable Hip
Interior Flooring	Carpet, Ceramic Tile
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	10
Baths	4

Description	Square Footage
FINISHED UPPER STORY	2280
BASE AREA	2160
FINISHED OPEN PORCH	84
FINISHED OPEN PORCH	36
FINISHED OPEN PORCH	125
FINISHED OPEN PORCH	24

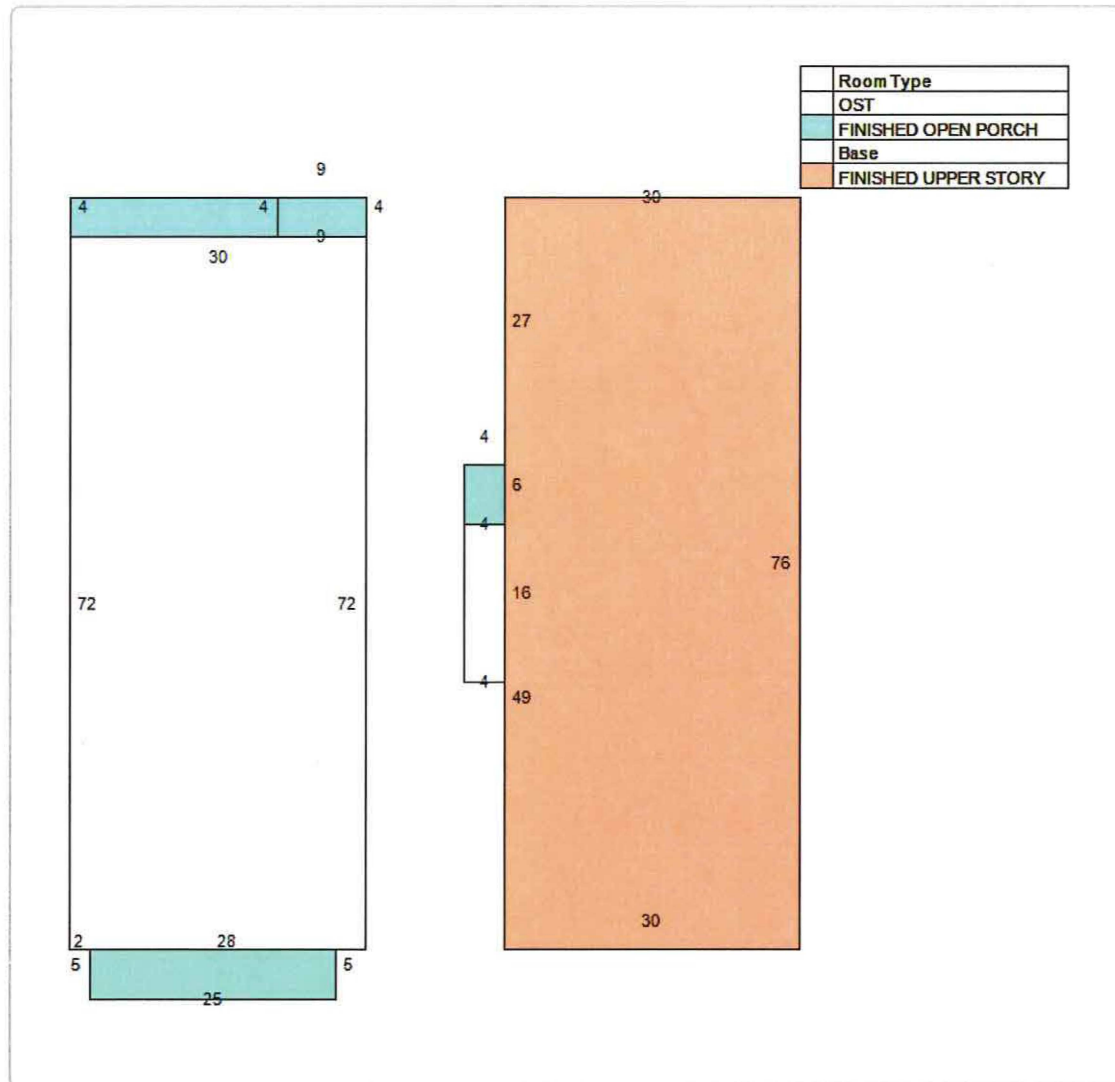
OUTSIDE STAIRS

64

Total SqFt

4773

Sketch Information



Extra Feature Information

Code Description	Status	Value
Concrete Paving		1085
Pool (Concrete)		25799
Kool Deck		10929
Pergola		4218

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Multi-Family (Less than 10 Units)	56	111	56	EF	\$176,540
Multi-Family (Less than 10 Units)	17	111	17	EF	\$53,592

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
12/23/2015	12/16/2015	\$570,000.00	WARRANTY DEED	4128	253	Q	I	BIG JOE REALTY LLC	SKJERNING MICHAEL, KIRSTEN L
2/20/2013	2/15/2013	\$100.00	QUIT CLAIM DEED	3688	1813	U	I	MORUCCI MICHAEL	BIG JOE REALTY LLC
2/20/2013	2/15/2013	\$200,000.00	WARRANTY DEED	3688	1811	U	I	PARSONS DALE H & PARSONS BRANDON	MORUCCI MICHAEL

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
10/24/2011	10/20/2011	\$0.00	LIS PENDENS	3486	407	U	I	TD BANK NA VS:	PARSONS DALE H & PARSONS BRANDON
	6/28/2006	\$375,000.00	WARRANTY DEED	2734	1305	Q	I	JANUSZEWSKI DEREK J, TABITHA L	PARSONS DALE H & BRANDON PARSONS (JTRS)
	10/31/2001	\$150,000.00	WARRANTY DEED	1674	321	Q	I	GROMLICH LAWRENCE & KAREN	JANUSZEWSKI DEREK J & TABITHA L
	2/24/1999	\$85,000.00	WARRANTY DEED	1389	1958	U	I	GRAUBARD ROBERT & STACKLUM MARGARET, DIRECTORS	GROMLICH LAWRENCE & KAREN
	9/29/1995	\$33,000.00	WARRANTY DEED	1133	881	U	I	T A HELMS HOLDING COMPANY INC	HISTORIC BAYFRONT REALTY
	4/5/1993	\$100.00	QUIT CLAIM DEED	987	591	U	I	HELMS THOMAS A	T A HELMS HOLDING COMPANY INC
	11/6/1992	\$10,100.00	WARRANTY DEED	981	136	U	I	BARNETT BANK OF THE ST JOHNS	HELMS THOMAS A
	9/29/1992	\$1,000.00	CERTIFICATE OF TITLE	959	313	U	I	BRANDHOFF THOMAS A, SUSAN J	BARNETT BANK OF THE ST JOHNS
	4/1/1985	\$33,000.00		673	1042	Q	I		BRANDHOFF THOMAS A, SUSAN J
	1/1/1983	\$24,400.00		570	801	Q	I		

No data available for the following modules: Exemption Information.

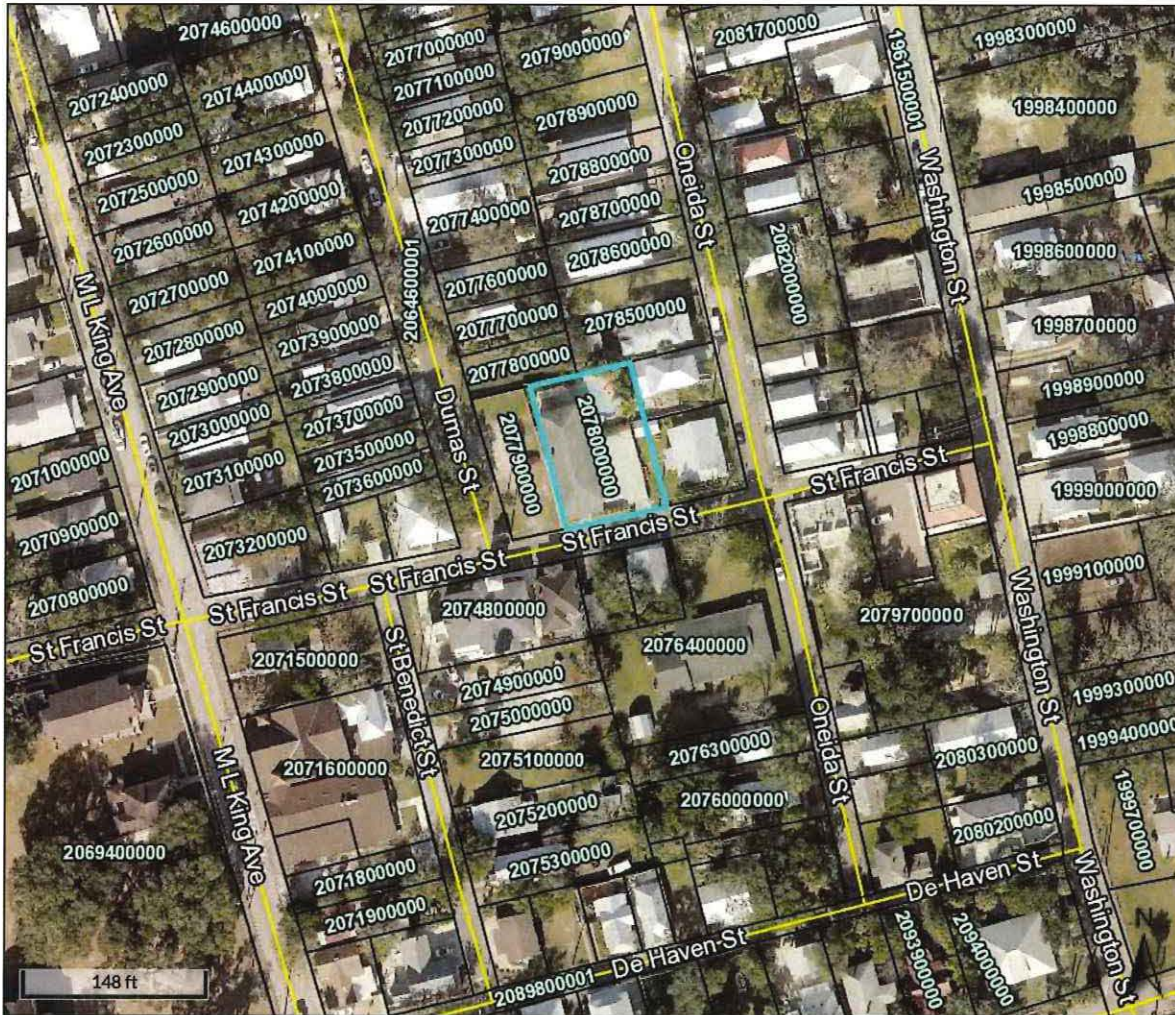
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Developed by
 Schneider
 GEOSPATIAL

Version 2.3.177



Overview



Legend

□ Parcels

Parcel ID	2078000000	Physical	86 ST FRANCIS ST	Building	\$442,599	Last 2 Sales			
Property Class	0800 - Multi-Family (Less than 10 Units)	Address	SAINT AUGUSTINE	Value		Date	Price	Reason	Qual
Taxing District	City of St Augustine	Mailing Address	SKJERNING	Extra Feature Value	\$42,031	12/16/2015	\$570000	01	Q
Acres	0.21	Address	MICHAEL,KIRSTEN L	Total Land Value	\$230,132	2/15/2013	\$200000	38	U
			165 CORDOVA ST APT C	Just Value	\$714,762				
			SAINT AUGUSTINE FL	Total	\$40,574				
			32084-5013	Deferred Assessed Value	\$674,188				
				Total Exemptions	N/A				
				Taxable Value	\$674,188				

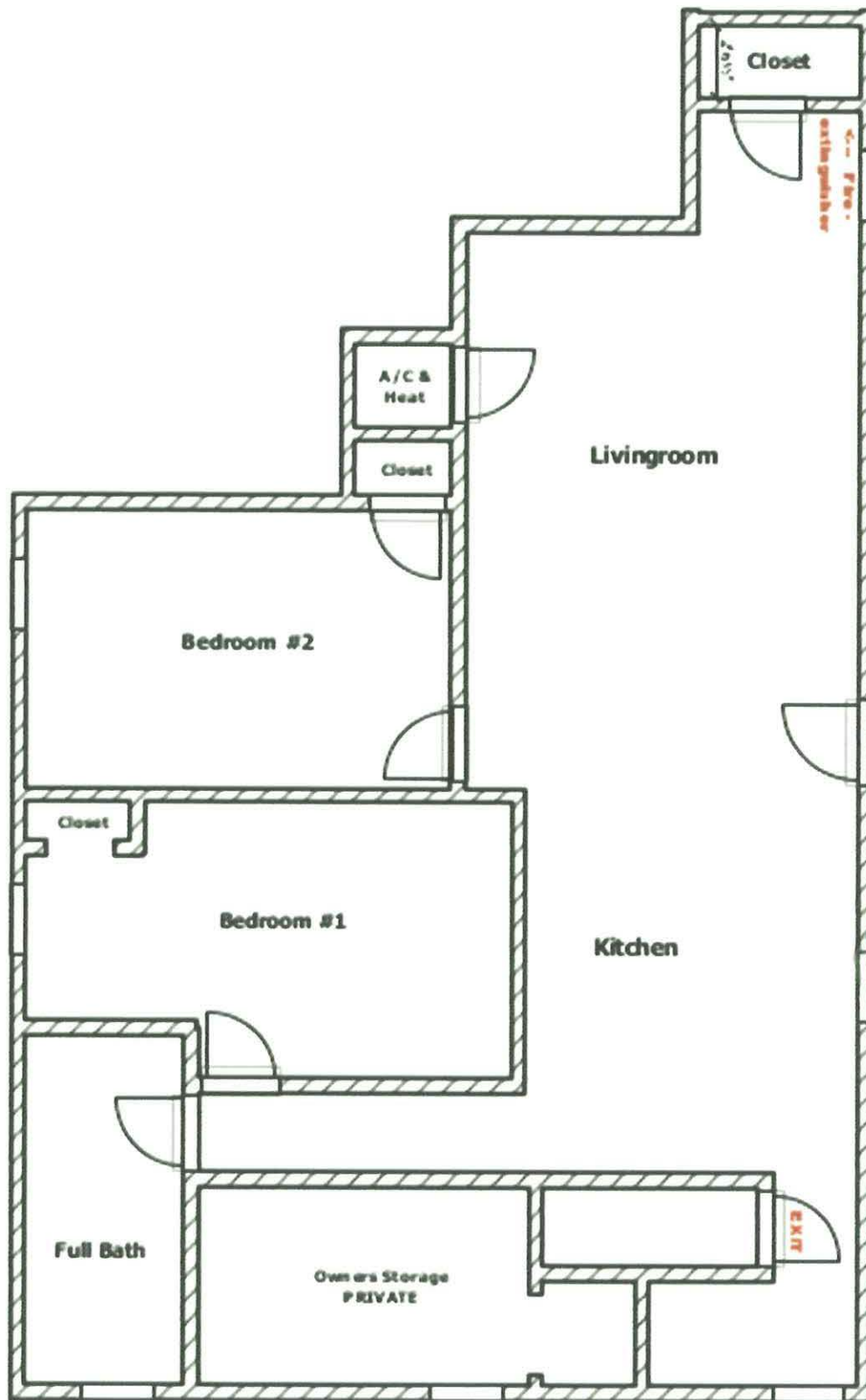
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GEOSPATIAL

86 St. Francis St. Apt. 4
Floor Plan



Floorplan – 86 St. Francis Street Apt 4

Summary

Use by Exception. Approval of 2 parking spaces in the city parking garage

- We would like to register a 2 bedroom apartment on 86 St. Francis street for Short-term rental, of course following the guidelines from the City of St. Augustine.
- There is no on-site parking available since these are used by other apartments in the building.
- With guidance from COSA staff, Tracey Mullins and Venice Jones, we believe the correct approach is this one. First ask PZB for support in solving the parking requirements and afterwards then register the rental. On that note said apartment is ready for Fire safety inspection and registration at any time.
- The following pages illustrate our thoughts on the 4 available alternatives to the city parking garage; following Sec 28-151.-Parking. In our evaluation none of them are viable options and consequently we are asking PZB for approval of two (2) parking spots in the city garage.

Referencing: Sec. 28-151.-Parking

Option 1: "Parking on site with stabilized surface". Finding: Not an identified option



The property has 5 parking spots but they are utilized by Apt 1,2&3.

Consequently and referencing option 1 there is no available parking on-site for apartment 4

Referencing: Sec. 28-151.-Parking

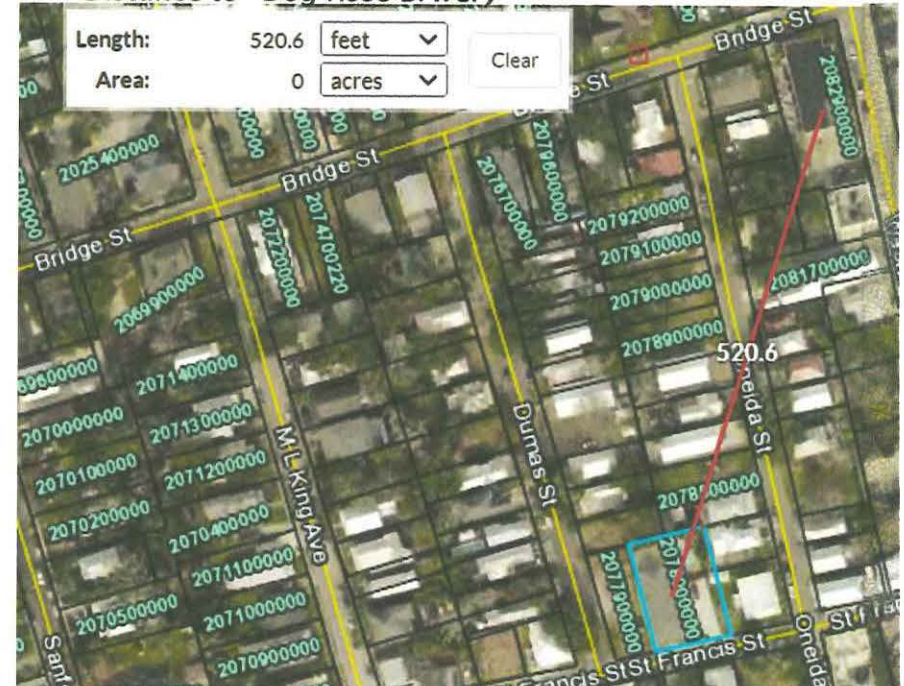
Option 2 & 3: “Off-site use by exception within 400 of property and off-site use by exception beyond 400 feet with a variance to distance”. Finding: Not available.

As shown on print using the St Johns county website there is no commercial parking available within 400 feet of the property. Nearest commercial parking options “The Preserve” and “The Dog Rose” but both of those are fully utilized by the business itself.

Distance to “The Preserve”



Distance to “Dog Rose Brwery”



Referencing: Sec. 28-151.-Parking

Option 5: “Off-site use by exception with use of residential parking pass program”. Finding: It does not appear that a residential parking pass programs can be established on St. Francis Street

St. Francis does in our view not meet the 60/50/25 criteria for Residential parking restrictions.

On any given day there is no significant amount of non-residential parking. Over the last 5 years more that 50% of the street falls into one of the following categories: Dilapidated, vacant, under construction long-term, owner is elderly with no car, or on site parking is utilized by owner.

Residential Parking Permit

The controlled parking in [residential areas policy \(PDF\)](#) is intended to alleviate chronic levels of commuter vehicle parking along streets with adjacent residential properties and is a reasonable exercise of the city's police power to prohibit the stopping, standing or parking of a vehicle in the controlled parking residential areas without the appropriate permit. Download the [residential parking permit application \(PDF\)](#).

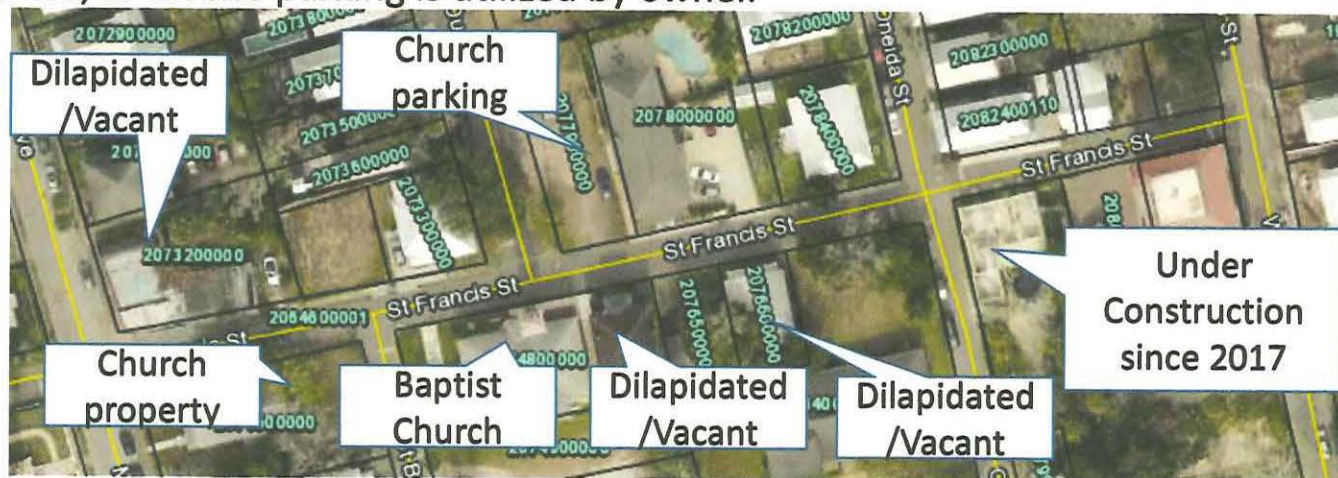
Permits & Applications

In order to establish Controlled Parking Residential Area restrictions in your neighborhood, a residential block must have parking overspill from out-of-area vehicles on an ongoing basis at least four days per week and nine months per year, with the following criteria being met:

- 25% or more of those vehicles are not registered in the name of a person residing in the area
- 50% of on-street parking is utilized
- Petition with at least 60% of households on each block

This is known as the 60/50/25 rule. To demonstrate this condition on the street, you will need to file a signed/completed [residential parking petition \(PDF\)](#).

As a resident in a Controlled Parking Residential Area, once the area is established, you can then apply for a [residential parking permit \(PDF\)](#). To better understand the ordinance and the policy as set forth, view / download the [residential permit parking policy \(PDF\)](#) and also view / download the [residential permit parking ordinance \(PDF\)](#).



CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: April 5, 2022

RE: **USE BY EXCEPTION 2022-0016**

AGENDA ITEM 5(b)

APPLICANT Kevin Gloer

OWNER Kelsey Glover

LOCATION 76 Abbott Street / PID 195010-0000

REQUEST To approve a use by exception for two (2) short-term rental parking spaces off-site in the City parking garage.

LAND USE Residential Low Density

ZONING Residential single-family-two: RS-2

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

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. The annual registration renewal will require the applicant provide proof of current parking on-site of 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 76 Abbott Street. The property is a single-family home which was built in 1890.
- 2 parking spaces are required for a short-term rental with 2 bedrooms being offered for rent.
- There are no parking spaces available to the owner on the property, leaving them two parking spaces short of the requirement.

This application was previously reviewed by the PZB, however due to a lack of clarity regarding the use of the loft as a “bedroom” for the short-term rental the PZB denied the application. The PZB also recognized that the application could be reheard pending this clarification. The applicant has confirmed that the loft is not designated as a short-term rental “bedroom”.

Parking Requirements Summary

- 1) Use by exception for off-site parking (within 400 feet per Sec. 28-371).
 - a. *This property is located in a residentially zoned area of the city with no additional commercial parking facilities being able to supply parking spaces. This is confirmed by efforts made by the applicant to find commercial parking alternatives within 400 feet.*
- 2) Parking permits to the municipal parking garage.
 - a. *The applicant is requesting two (2) parking spaces within the municipal parking garage.*
- 3) On-street parking permits within established Residential Permit Program Areas.
 - a. *There is no established residential parking permit program on Abbott Street for the use of short-term rentals.*

Information Only: As of the date of this report, and if item 5(a) was approved, the Planning & Zoning Board has approved 28 offsite parking spaces within the municipal parking garage and approval of this application would result in a total of 29.

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 two (2) short term rental offsite parking space in the municipal parking garage for 76 Abbott Street / PID 195010-0000.



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: 2022-0016
Receipt Number: 2328591 Meeting Date: Apr. 15, 2022
Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Kevin Glover Contact Number: 215-820-2695

Business (if applicable): _____

Address: 20 Penn Circle City: Holland State: PA Zip: 18966

E-Mail Address: Kevinrichardglover@gmail.com

2. NAME OF PROPERTY OWNER: Kelsey Glover Contact Number: 267-229-1671

Business (if applicable): _____

Address: 20 Penn Circle City: Holland State: PA Zip: 18966

E-Mail Address: glovin.it93@icloud.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 13

Block: E

Subdivision: Abbott Tract

Parcel Number: 1950100000

4. PROJECT STREET ADDRESS: 76 Abbott Street

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: _____

7. DESCRIPTION OF ACTION REQUESTED: Request a Use of Exception for two (2) offsite parking spaces within the municipal parking garage.

8. JUSTIFICATION FOR ACTION REQUESTED: 76 Abbott Street is a two(2) bedroom house in a residential neighborhood. In order to comply with the city regulation of one parking space per bedroom, the property will need two (2) spaces in the municipal parking 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.

01 FEB 2022 - Denied. (Incorrect bedrooms listed)

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

23 Feb 2022

Signature of Property Owner

Date

07 FEB 2022

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: 76 Abbott Street, Saint Augustine, FL 32084

Applicant's Name: Kelsey Glover Applicant's Signature: [Signature]

Owner's Name: Kelsey Glover Owner's Signature: [Signature]



**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.

Kenneth G. Smith

Print name of applicant

[Signature]

Signature of applicant

23 Feb 2022

Date



Owner's Authorization For Agent

Kevin Glover is/are hereby authorized TO ACT ON BEHALF
OF Kelsey Glover, 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:
City Hall

BY: Kelsey Glover
Signature of Owner
Kelsey Glover
Print Name of Owner
267-229-1671
Telephone Number

State of _____

County of _____

WITH THE UNITED STATES ARMED FORCES
AT RAF MILDENHALL, SUFFOLK, ENGLAND

Signed and sworn before me on this 7th day of February, 2022.

By Kelsey Glover

Identification verified:

Oath sworn: ☒ Yes ☐ No

Notary Signature: [Signature]

My Commission expires: May 2023





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	1950100000
Location Address	76 ABBOTT ST SAINT AUGUSTINE 32084-0000
Neighborhood	Abbott Tract (606)
Tax Description*	CITY OF ST AUGUSTINE ABBOTT TR E88.3FT OF LOT 13 BLK E OR5137/836 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Single Family (0100)
Subdivision	Abbott Tract
Sec/Twp/Rng	7-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.050
Homestead	N

Owner Information

Owner Name	Glover Kelsey Danielle 100%
Mailing Address	510 35TH AVE N SAINT PETERSBURG, FL 33704-0000

Map



Valuation Information

	2022
Building Value	\$195,455
Extra Features Value	\$0
Total Land Value	\$106,250
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$301,705
Total Deferred	\$0
Assessed Value	\$301,705
Total Exemptions	\$0
Taxable Value	\$301,705

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	\$184,307	\$0	\$93,750	\$0	\$0	\$278,057	\$278,057	\$0	\$278,057
2020	\$160,740	\$19,474	\$87,125	\$0	\$0	\$267,339	\$267,339	\$0	\$267,339
2019	\$146,231	\$19,474	\$87,125	\$0	\$0	\$252,830	\$252,830	\$0	\$252,830
2018	\$148,756	\$0	\$87,125	\$0	\$0	\$235,881	\$234,534	\$1,347	\$234,534
2017	\$143,395	\$118	\$69,700	\$0	\$0	\$213,213	\$213,213	\$0	\$213,213
2016	\$145,006	\$118	\$63,550	\$0	\$0	\$208,674	\$208,674	\$0	\$208,674
2015	\$110,461	\$32	\$50,738	\$0	\$0	\$161,231	\$155,176	\$6,055	\$155,176
2014	\$94,912	\$32	\$46,125	\$0	\$0	\$141,069	\$141,069	\$0	\$141,069
2013	\$91,877	\$32	\$46,125	\$0	\$0	\$138,034	\$138,034	\$0	\$138,034
2012	\$88,750	\$32	\$41,512	\$0	\$0	\$130,294	\$130,294	\$50,000	\$80,294
2011	\$90,838	\$32	\$46,125	\$0	\$0	\$136,995	\$135,666	\$51,329	\$85,666
2010	\$87,504	\$32	\$46,125	\$0	\$0	\$133,661	\$133,661	\$50,000	\$83,661

Building Information

Building	1
Year Built	1890
Actual Area	1361
Conditioned Area	1054
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Wood

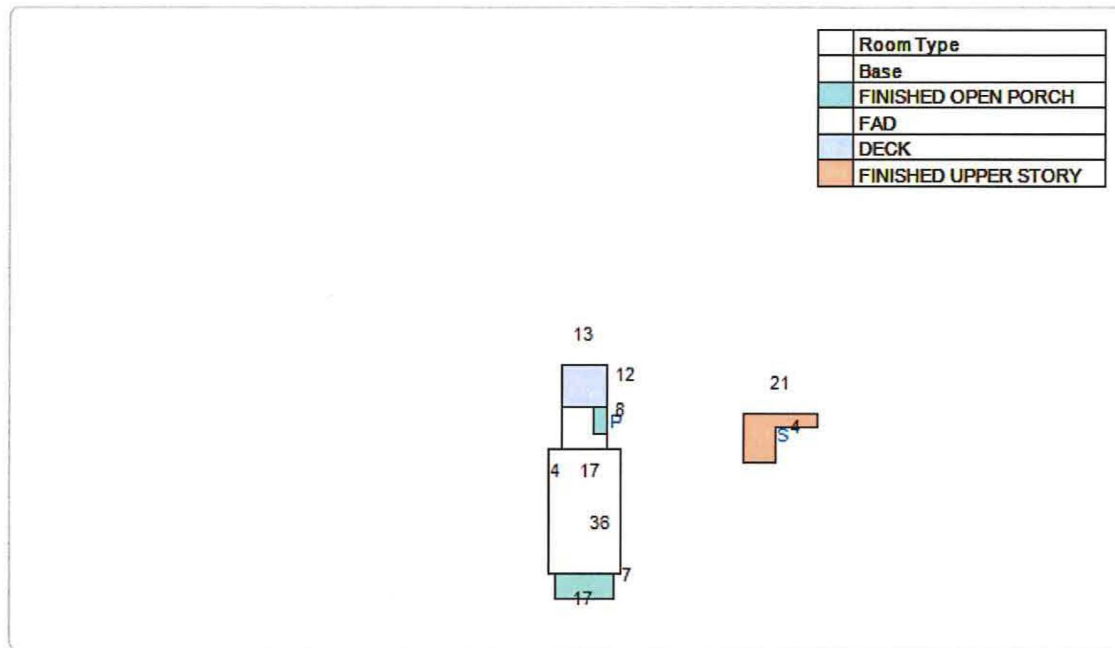
Roof Cover	Metal
Roof Structure	Gable Hip
Interior Flooring	Ceramic Tile, Hardwood
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	2
Baths	2

Description	Square Footage
FINISHED UPPER STORY	174
FINISHED DECK	156
FRAME ADDITION	124
FINISHED OPEN PORCH	32
BASE AREA	756
FINISHED OPEN PORCH	119

Total SqFt

1361

Sketch Information



Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	25	80	25	EF	\$106,250

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
12/29/2020	11/30/2020	\$346,000.00	WARRANTY DEED	5137	836	Q	I	SAMSON DEREK SHANE	GLOVER KELSEY DANIELLE
3/9/2018	3/9/2018	\$310,000.00	WARRANTY DEED	4514	632	Q	I	NOLDE MARK,RACHEL	SAMSON DEREK SHANE
4/30/2015	4/30/2015	\$269,000.00	WARRANTY DEED	4021	295	Q	I	FORTICH CARLOS M IV,TRACEY L	NOLDE MARK,RACHEL
8/25/2009	8/14/2009	\$220,000.00	WARRANTY DEED	3233	250	Q	I	MURRAY BARBARA M & MARPLES JOHN R	FORTICH CARLOS M IV,TRACEY L
	3/10/2005	\$223,000.00	WARRANTY DEED	2393	1117	Q	I	PRYTHERCH LAEL	MURRAY BARBARA M & MARPLES JOHN R (H&W)
	10/28/1999	\$105,000.00	WARRANTY DEED	1451	1047	Q	I	COLEMAN CHARLES	PRYTHERCH LAEL
	5/24/1995	\$100.00	CORRECTIVE DEED	1144	822	U	I	PROCTOR CUSTIS N,JACQUELINE	COLEMAN CHARLES
	3/4/1992	\$49,500.00	WARRANTY DEED	950	780	Q	I	BALCH ROBERT K,ELLEN B	PROCTOR CUSTIS N,JACQUELINE
	11/15/1991	\$2,000.00	WARRANTY DEED	915	1398	U	I	PROCTOR CUSTIS N,JACQUELINE	BALCH ROBERT K,ELLEN B
	10/1/1988	\$0.00		799	89	U	I		PROCTOR CUSTIS N,JACQUELINE
	9/1/1988	\$0.00		798	1522	U	I		
	5/1/1985	\$25,000.00		674	898	Q	I		
	12/1/1982	\$17,500.00		565	182	U	I		

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

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Version 2.3.177

 Developed by



Overview



Legend

□ Parcels

Parcel ID	1950100000	Physical	76 ABBOTT ST	Building Value	\$195,455	Last 2 Sales			
Property	0100 - Single	Address	SAINT AUGUSTINE	Extra Feature	N/A	Date	Price	Reason	Qual
Class	Family	Mailing	GLOVER KELSEY DANIELLE	Value		11/30/2020	\$346000	01	Q
Taxing	City of St	Address	510 35TH AVEN	Total Land Value	\$106,250	3/9/2018	\$310000	01	Q
District	Augustine		SAINT PETERSURG FL	Just Value	\$301,705				
Acres	0.05		33704-0000	Total Deferred	N/A				
				Assessed Value	\$301,705				
				Total	N/A				
				Exemptions					
				Taxable Value	\$301,705				

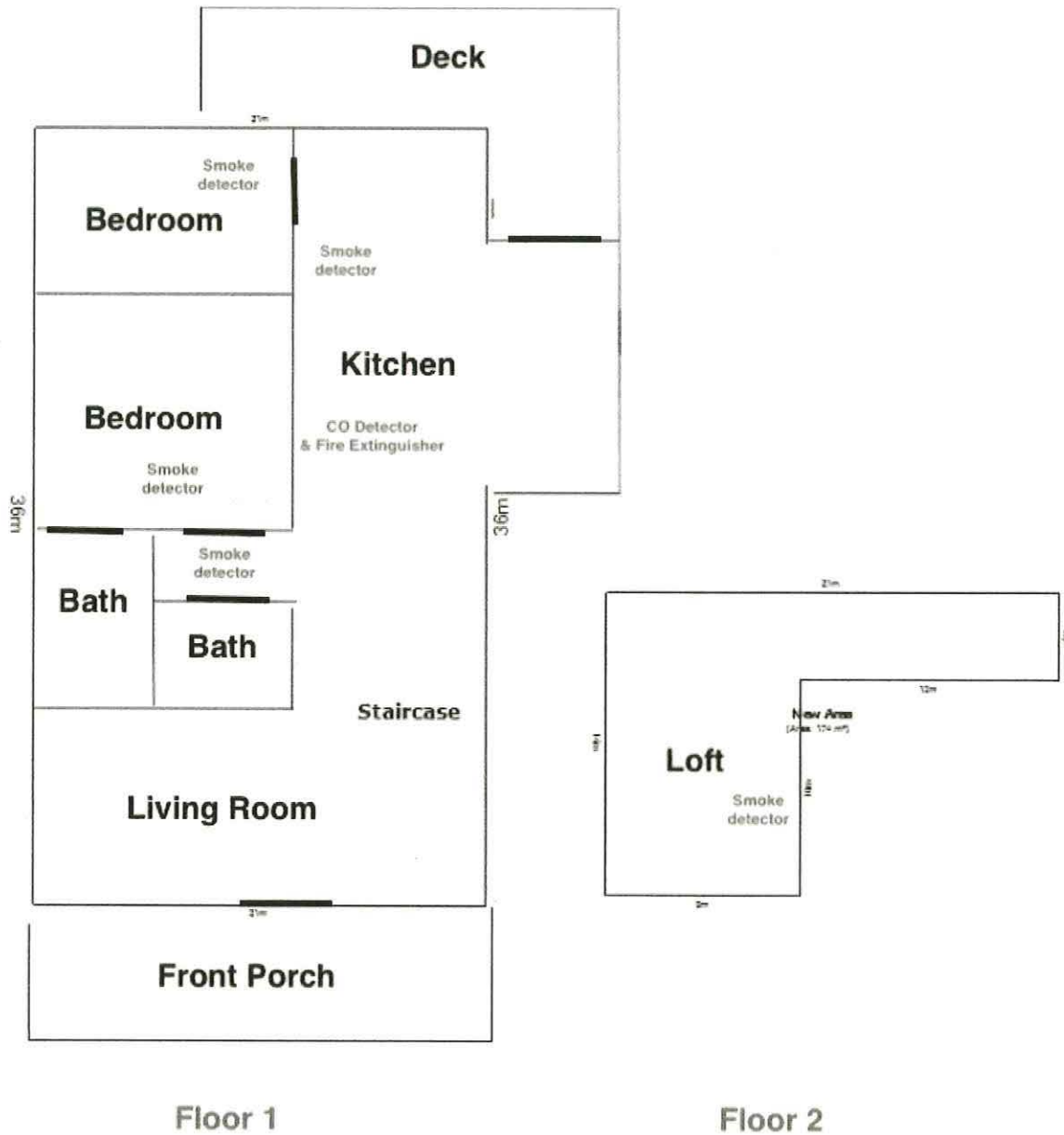
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GEOSPATIAL

76 Abbott St. Floor Plan



CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board
DATE: April 5, 2022
RE: **USE BY EXCEPTION #2022-0019**

AGENDA ITEM	5(c)
APPLICANT	Rebecca Geiger c/o Bath Junkie
OWNER	Len Weeks c/o Len Weeks Construction
LOCATION	58 Hypolita Street
REQUEST	To allow beer and wine sales as a permitted use by exception.
<u>LAND USE</u> <u>ZONING</u>	Historic Preservation Historic Preservation Three (HP-3)

SURROUNDING USES
Restaurants and retail shops

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.

General Zoning Standards:

Division 3. - Historic Preservation Districts

Sec. 28-181. - Purpose.

The historical heritage of the city is one of its most valued and important assets. It is therefore the purpose of the historic district regulations:

- (1) To safeguard the heritage of the city by preserving the district(s) which reflect noteworthy elements of the cultural, educational, social, economic, political and/or architectural history.
- (2) To educate the citizen to realize, understand, and appreciate the city's rich heritage.
- (3) To stimulate a greater awareness and sense of pride in the founding of the city and the contributions it has made to the state and nation.
- (4) To develop an atmosphere and feeling of old, historic St. Augustine by encouraging the preservation and restoration of historic structures within the districts.
- (5) To improve the environmental quality and overall livability of the historic section of St. Augustine.
- (6) To stabilize and improve property values in the district and to allow uses that encourage the restoration and conservation of historic sites and structures.
- (7) To promote the use and preservation of the district for the education, welfare and pleasure of residents of St. Augustine and St. Johns County, and of the state and nation as well.

- (8) That these aforementioned goals and objectives of the historic district be achieved and implemented through the establishment of and enforcement of the general district guidelines and specific district regulations.

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.

- (1) Boundaries. This district is bounded as follows:
- a. North. Commence at the intersection of Castillo Drive and Cordova Street; thence easterly to San Marco Avenue; thence southerly along San Marco Avenue to the intersection of the projection of a line running along the northern boundary of the Castillo de San Marcos National Monument Reservation; thence easterly along this projection line to Matanzas River or Bay.
 - b. East. Matanzas River or Bay.
 - c. South. Hypolita Street easterly to Charlotte Street; thence northerly along Charlotte Street to Cuna Street; thence easterly along Cuna Street to the Matanzas River or Bay.
 - d. West. Cordova Street between Hypolita Street and Castillo Drive.
- (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.

- (3) Permitted uses by exception:
- a. Fowl and hoofed animals in the area of HP-3 district bounded as follows: On the south by Hypolita Street; on the east by Charlotte Street; on the north by Orange Street and Avenida Menendez; on the west by Spanish Street; provided the fowl and hoofed animals are used solely for display purposes in accordance with the purpose and intent of the historic district regulations without any sale, resale or commercial use thereof.
 - b. Cocktail lounges, taverns.

STAFF SUMMARY AND ANALYSIS

This business was originally located at 62 A Spanish St. and received PZB approval for a use by exception for beer and wine sales on April 3, 2018.

The applicant intends to relocate their business to 58 Hypolita Street and is requesting to transfer their previous approval for beer and wine sales to this new location.

The Bath Junkie is a business that allows customers to create fragrances and bath products. They would like to expand their customers experience by offering custom made beverages. Entertainment for this space would be limited to television and radio.

PZB listed two conditions with previous approval:

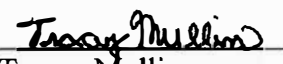
1. Alcohol sales 10am-10pm
2. If 3 complaints filed within 1 year, must come back to PZB for review (12 months from business opening)

To date we have not received any formal complaints regarding Bath Junkie.

The Planning and Zoning Board has the authority to place conditions on the approval of a use by exception in order to safeguard surrounding properties and the neighborhood.

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 to allow beer and wine sales at **58 Hypolita Street**.


Tracey Mullins
Planner



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$250 (plus advertising costs) Project Number: 2022-0019-

Receipt Number: 2328688 Meeting Date: Apr. 15, 2022

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

1. NAME OF APPLICANT: Rebecca Geiger Contact Number: 904-982-8295

Business (if applicable): Bath Junkie

Address: 58 Hypolita Street City: St Augustine State: FL Zip: 32084

E-Mail Address: robbecky02@gmail.com

2. NAME OF PROPERTY OWNER: Len Weeks Contact Number: 904-669-1670

Business (if applicable): Len Weeks Construction

Address: 62 Hypolita street City: St Augustine State: FL Zip: 32084

E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 13,14

Block: 17

Subdivision: City of St Augustine

Parcel Number: 1981300000

4. PROJECT STREET ADDRESS: 58 Hypolita Street

5. SPECIFIC PROPOSED USE: to mimic the experience of creating custom made fragrances with champagne

6. ACTION REQUESTED:

☐ Conservation Zone Development

☐ Appeal of Staff Determination

☒ Exception

☐ Land Use Plan Amendment

☐ Variance

☐ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Seeking to transfer locations for a previously awarded use by exception allowing the service of beer and wine. The current address for the exception is 62A Spanish Street, which remains unfinished. The request would change the address for the exception to 58 Hypolita Street.

8. JUSTIFICATION FOR ACTION REQUESTED: Our aim in tranfering the use by exception permit for Bath Junkie is to expand on the current sales concept of allowing customers to create custom fragances, bath products and custom made beverages.

see attached note

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

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

3/3/22
Date


Signature of Property Owner

3/3/22
Date

04/18/2019

JUSTIFICATION FOR ACTION REQUESTED: continued

Our aim in transferring the use by exception permit for Bath Junkie is to expand on the current sales concept of allowing customers to create custom fragrances and bath products to custom made beverages, including mimosas. This would give customers a more relaxing setting to create a scent. In addition, offering custom made refreshment options to those uninterested in designing a bath product would, hopefully, keep all members of a customer group engaged. Entertainment for this space would be limited to televisions and radio. Trash facilities already utilized by Bath Junkie would suffice.

Attached is the previous approval and minutes from the April 3, 2018 meeting. 62A Spanish street remains unfinished. Due to structural building issues at 63 Hypolita Street Bath Junkie was relocated to 58 Hypolita Street. To avoid the expense and labor of an additional relocation we are asking for the use by exemption to be awarded to 58 Hypolita Street.



**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.

Rebecca Geiser
Print name of applicant

[Signature]
Signature of applicant

3/3/22
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: 58 Hypolite St.

Applicant's Name: Rebecca Geiger Applicant's Signature: [Signature]

Owner's Name: Len Weeks 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	1981300000
Location Address	58 HYPOLITA ST SAINT AUGUSTINE 32084-0000
Neighborhood	City St Aug W of St George (COM) (610.06)
Tax Description*	CITY OF ST AUGUSTINE E37FT OF LOT 13 & 14 BLK 17 OR1290/224 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Stores (1100)
Subdivision	City of St Augustine
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.060
Homestead	N

Owner Information

Owner Name	Weeks Claude L Jr, Kristina G 100%
	Weeks Kristina G 100%
Mailing Address	PO BOX 3225 SAINT AUGUSTINE, FL 32085-3225

Map



Valuation Information

	2022
Building Value	\$93,014
Extra Features Value	\$0
Total Land Value	\$220,150
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$313,164
Total Deferred	\$88,149
Assessed Value	\$225,015
Total Exemptions	\$0
Taxable Value	\$225,015

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	\$95,967	\$0	\$220,150	\$0	\$0	\$316,117	\$204,559	\$111,558	\$204,559
2020	\$106,305	\$0	\$220,150	\$0	\$0	\$326,455	\$185,963	\$140,492	\$185,963
2019	\$57,425	\$0	\$220,150	\$0	\$0	\$277,575	\$169,057	\$108,518	\$169,057
2018	\$60,448	\$0	\$93,240	\$0	\$0	\$153,688	\$153,688	\$0	\$153,688
2017	\$63,470	\$0	\$93,240	\$0	\$0	\$156,710	\$156,710	\$0	\$156,710
2016	\$66,492	\$0	\$93,240	\$0	\$0	\$159,732	\$153,480	\$6,252	\$153,480
2015	\$70,119	\$0	\$84,175	\$0	\$0	\$154,294	\$139,527	\$14,767	\$139,527
2014	\$42,668	\$0	\$84,175	\$0	\$0	\$126,843	\$126,843	\$0	\$126,843
2013	\$44,801	\$0	\$84,175	\$0	\$0	\$128,976	\$128,976	\$0	\$128,976
2012	\$46,223	\$0	\$84,175	\$0	\$0	\$130,398	\$130,398	\$0	\$130,398
2011	\$47,646	\$0	\$93,240	\$0	\$0	\$140,886	\$140,886	\$0	\$140,886
2010	\$49,068	\$0	\$103,600	\$0	\$0	\$152,668	\$152,668	\$0	\$152,668

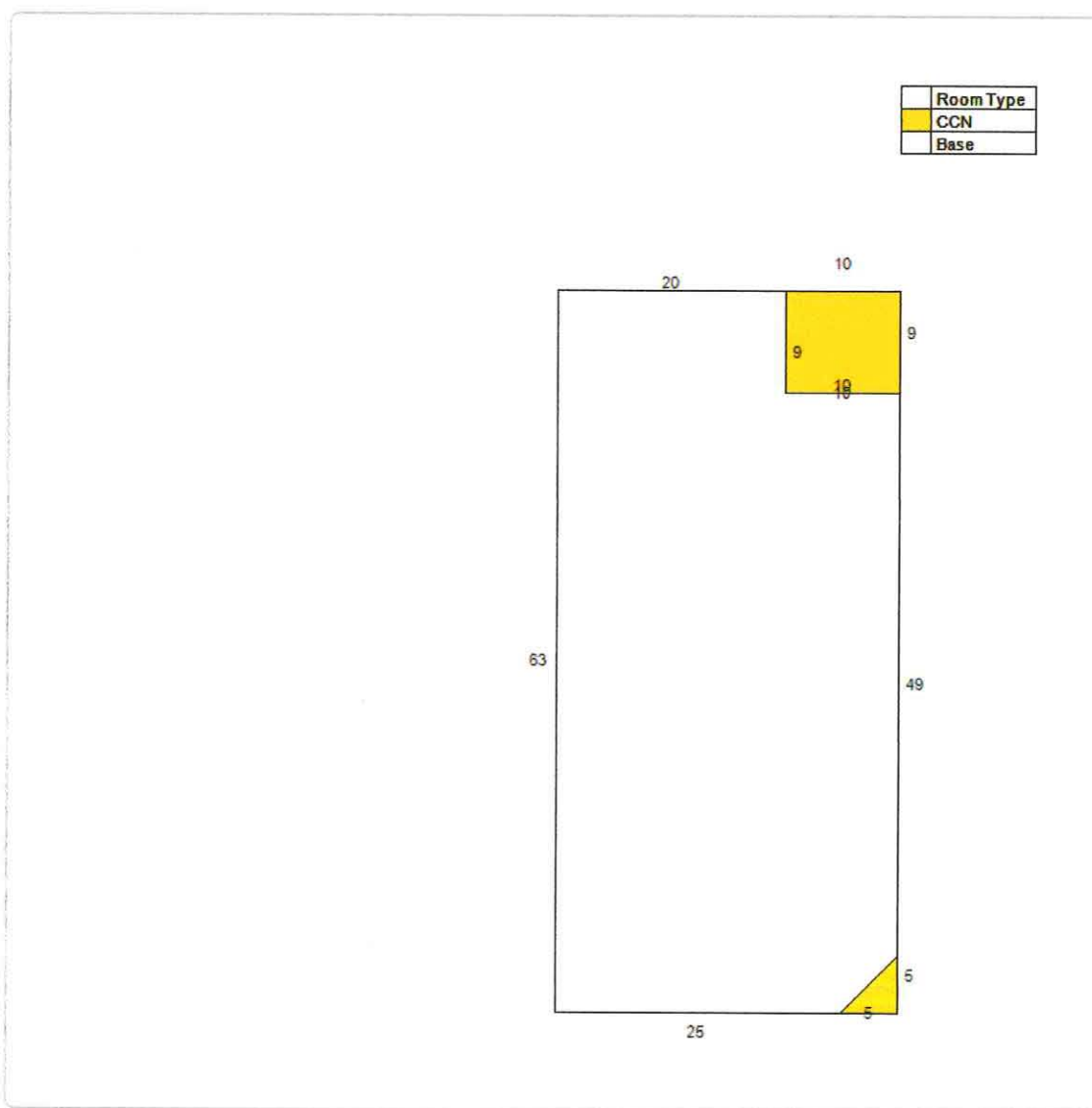
Building Information

Building 1
 Year Built 1940
 Actual Area 1891
 Conditioned Area 1788
 Use Stores (City/Historical)
 Style 04
 Class N
 Exterior Wall Concrete Block, Concrete Stucco

Roof Cover Metal
 Roof Structure Wood Truss
 Interior Flooring Ceramic Tile
 Interior Wall
 Heating Type Air Duct
 Air Conditioning Central
 Bedrooms
 Baths

Description	Square Footage
BASE AREA	1788
CANOPY (COMMERCIAL)	90
CANOPY (COMMERCIAL)	13
Total SqFt	1891

Sketch Information



Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Stores	37	70	2590	SF	\$220,150

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	1/15/1998	\$280,000.00	WARRANTY DEED	1290	224	U	I	PACETTI EMMETT W & VIRGINIA R	WEEKS CLAUDE L JR & KRISTINA G

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

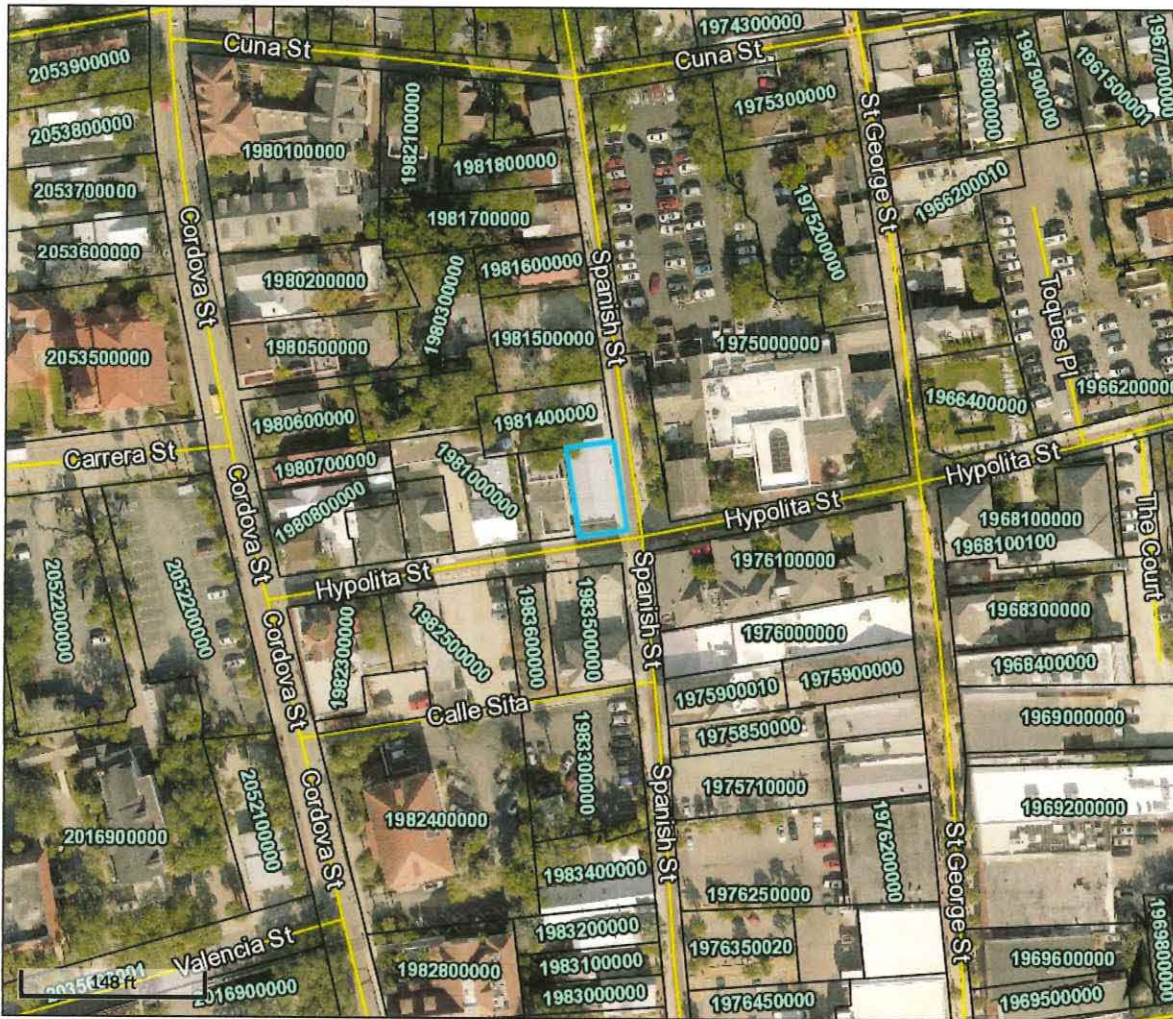
The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 3/4/2022, 12:29:49 AM

Developed by
 Schneider
 GEOSPATIAL

Version 2.3.177



Overview



Legend

□ Parcels

Parcel ID	1981300000	Physical Address	58 HYPOLITA ST SAINT AUGUSTINE	Building Value	\$93,014	Last 2 Sales			
Property Class	1100 - Stores	Mailing Address	WEEKS CLAUDE L JR, KRISTINA G	Extra Feature Value	N/A	Date	Price	Reason	Qual
Taxing District	City of St Augustine	Address	PO BOX 3225 SAINT AUGUSTINE FL 32085-3225	Total Land Value	\$220,150	1/15/1998	\$280000	11	U
Acres	0.06			Just Value	\$313,164	n/a	0	n/a	n/a
				Total Deferred	\$88,149				
				Assessed Value	\$225,015				
				Total Exemptions	N/A				
				Taxable Value	\$225,015				

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: 3/4/2022

Last Data Uploaded: 3/4/2022 12:29:49 AM

Developed by  Schneider
GEOSPATIAL

CITY OF ST. AUGUSTINE

50 BRIDGE ST
ST. AUGUSTINE, FLORIDA 32084-4334

BUSINESS TAX RECEIPT 2021-2022

REBECCA GEIGER
BATH JUNKIE ST. AUGUSTINE
129 SEA GROVE MAIN ST
#202
ST AUGUSTINE, FL 32080

BUSINESS NAME:

BATH JUNKIE OF ST AUGUSTINE

BUSINESS LOCATION:

58 HYPOLITA ST
ST AUGUSTINE, FL 32084

BUSINESS TYPE:

MERCHANT

BUSINESS TAX TYPE:

RETAIL

AMOUNT PAID:

\$75.00

THIS BUSINESS TAX RECEIPT MUST BE CONSPICUOUSLY DISPLAYED AT ALL
TIMES.

THIS BUSINESS TAX RECEIPT IS FURNISHED IN PURSUANCE OF CITY ORDINANCE
CODES. THIS BUSINESS IS HEREBY APPROVED TO ENGAGE IN THE BUSINESS,
PROFESSION OR OCCUPATION AS STATED ABOVE FOR THE PERIOD BEGINNING
ON OCTOBER 1, THRU SEPTEMBER 30.



Mark E Simpson, CPA

Finance Director



TAX #: 1339

ISSUE DATE: 09/21/2021

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 |
| One/Two/Three | ☐ Rezoning |
| ☒ Use by Exception | ☐ Variance |
| ☐ Final Development Plan | ☐ Other Click here to enter text. |
| ☐ Land Use Plan Amendment | |

IN THE MATTER OF:

Case No.: 2018-0034
Applicant: Robert & Rebecca Geiger
Owner: Len Weeks
Address: 62 A Spanish Street
Parcel Number: 198350-0000

RE: Exception, pursuant to Section 28-29, City of St. Augustine Code, consideration of a permitted use by exception, as allowed by Sec 28-184, in order to allow for the sale and consumption of beer and wine on premises.

THE PLANNING AND ZONING BOARD HAS HEARD TESTIMONY AND EXAMINED EVIDENCE AT A PUBLIC HEARING HELD ON APRIL 3, 2018, 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 April 3, 2018 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 Historic Preservation and a zoning classification of Historic Preservation-two (HP-2).
4. The above-described Exception 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 consideration of a permitted use by exception, as allowed by Sec 28-184, in order to allow for the sale and consumption of beer and wine on premises.

Subject to the following conditions:

- Approved to Applicant known as BATH JUNKIE
- Alcohol sales 10am - 10pm
- ~~Alcohol sales 10am - 10pm~~
- IF 3 complaints filed within 1 year, must
- come back to PZB for review
- (12 months from business opening)

DONE AND ORDERED, at a public hearing on the 3 day of April, A.D., 2018, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

2018 - 0034 REQUEST APPROVED / DENIED / CONTINUED

Sign Name

S. Ryan
SARAH RYAN

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, Sarah Ryan 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 3rd day of April, A.D., 2018.



SANDRA J. PARTIN
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF118112
Expires 4/30/2018

Sandra J. Partin
Notary Public, State of Florida

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting April 3, 2018

The Planning and Zoning Board met in formal session Tuesday, April 3, 2018, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Sarah Ryan, Chairperson and the following were present:

1. Roll Call: Sarah Ryan, Chairperson
Deltra Long, Vice Chairperson
Matthew Shaffer
Sue Agresta
Carl Blow
Grant Misterly
Karen Zander

City Staff: David Birchim, Director, Planning & Building Department
Amy Skinner, Deputy Director, Planning & Building Department
David Harrell, Senior Development Review Planner
Isabelle Lopez, City Attorney
John Cary, Assistant City Attorney
Candice Seymour, Recording Secretary

2. General Public hearings for Items Not on the Agenda

The following member of the public gave comment:

- B.J. Kalaidi¹

3. Approval of Minutes

Mr. Blow noted the term "floor heights" at the top of page two should be clarified to "ceiling heights."

Mr. Misterly wanted it made clear that during the discussion noted on page four regarding criteria for Variance approval the Board determined that the singular disadvantage was not created by the applicant.

MOTION

¹ Notes attached to original minutes

Ms. Ryan MOVED to APPROVED the March 6, 2018 minutes as amended. The motion was SECONDED by Mr. Misterly.

VOTE ON MOTION:

AYES: Ryan, Misterly, Zander, Blow,
Agresta, Shaffer, Long

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

Mr. Shaffer asked that the discussion item on page three regarding changes to the Design Guidelines in relation to curb-cuts be reviewed for accuracy.

Ms. Ryan noted an item on page two regarding hand-drawn plans as allowable for submission material which she would review during discussion item 8(a).

MOTION

Ms. Ryan MOVED to APPROVED the February 8, 2018 Joint Meeting minutes as presented. The motion was SECONDED by Mr. Blow.

maintenance due to close proximity to the property line

- Once the structure was moved, the existing kitchen in the guest house may need to be removed³

MOTION

Mr. Misterly MOVED to APPROVE Variance application 2018-0038 for the front yard setback being 5.82 feet off the property line and with the structure's side yard setback being brought into compliance with the code by limiting the side yard setback to 5 feet, due to the disadvantages of needing access to lift the primary structure on the property as well as maintenance of the existing secondary structure, with both disadvantages not being created by the applicant. The approval would benefit the public interest by eliminating the current side yard setback issue and pushing the subject structure further from the front yard. The motion was **SECONDED** by Ms. Long.

Mr. Misterly and Ms. Long withdrew their motion after further discussion regarding the side-yard setback and existing disadvantages on the property.

Ms. Ryan MOVED to APPROVE Variance application 2018-0038 to shift the secondary structure to the south with a 5 foot side yard setback and a 5.82 foot setback on the secondary front yard based on the particular property suffering a singular disadvantage due to the sewer location in the middle of the property which was not created by the applicant and which necessitates shifting the guest house. The variance was supported by the public and would improve the side yard setback. The motion was **SECONDED** by Ms. Agresta.

Mr. Misterly requested the motion include movement of the secondary structure as

³ Ms. Agresta departed at 5:32 p.m.

necessary for the ease of raising the primary structure. Ms. Ryan and Ms. Agresta amended the motion to include Mr. Misterly's addition.

VOTE ON MOTION:

AYES: Ryan, Long, Shaffer, Blow,
Misterly, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. Exception

7. (a) 2018-0034 – Robert & Rebecca Geiger – Applicant
Len Weeks – Owner
62A Spanish Street

Consideration of a permitted use by exception, as allowed by Sec. 28-184, in order to allow for the sale and consumption of beer and wine on premises.

Mr. Harrell read the staff report and said based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board may **APPROVE** a permitted use by exception, as allowed by Section 28-184, in order to allow for the sale and consumption of beer and wine on premises (cocktail lounge/tavern) located at 62A Spanish Street with the following condition:

1. Based on the applicant's timetable for alcohol sales and service, alcohol sales cannot occur between the hours of 11:00p.m. and 7:00a.m.

Len Weeks, Rebecca Geiger, and Robert Geiger reviewed the application noting that the business would not be utilizing the second floor as the application had indicated due to restrictions regarding safety and ADA compliance.

The Board provided their ex parte communications.

17 certified notices were sent, 2 were returned in favor, and 1 had comments.

Public hearing was opened.

Melinda Rakoncay was concerned with the possibility of the business changing to a strictly bar-type use should the application be approved.

Ed Slavin spoke against the application.

B. J. Kaladi wanted the hours of operation clarified and was concerned with future use of the second floor.

Martha Mickler asked that, if the exception were approved, the Board be specific with the hours of operation.

Public hearing was closed.

Ms. Geiger assured the board that the business would not become a bar. She further explained the future intent of business expansion. She said the hours would be 10:00a.m. until 10:00p.m., there would be no live music, and no package alcohol or food items would be sold.

Mr. Weeks stated that the capacity was 700 square feet with a maximum number of approximately 20 customers. He noted that the second story could be utilized in the event the building became ADA compliant; however, it was not currently.

The Board discussed

- Use by exception would run with the applicant and not with the property unless it was specifically stated
- Approval would be for the entire address
- Concerns with additional night time entertainment establishments
- Hour restrictions could address concerns
- Condition that the approval would specifically for Bath Junkie

- Condition could be added to limit alcohol sales
- Re-evaluation if three or more complaints were made
- No live amplified music

MOTION

Mr. Misterly MOVED to APPROVE Use by Exception application 2018-0034 with the following conditions:

- That the approval run with the applicant as the business Bath Junkie
- That the hours of alcohol sales be from 10:00am to 10:00p.m.
- After starting alcohol sales, if there were three complaints received by the City within one year the applicant would return before the Board for review of the Exception

The motion was SECONDED by Mr. Shaffer.

VOTE ON MOTION:

AYES: Misterly, Shaffer, Long, Ryan, Blow, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

8. Other Business

8. (a) Discussion and recommendation regarding the update to the San Marco Avenue Design Standards

Amy Skinner gave a brief introduction regarding the subject.

Jeremy Marquis and Carter Gresham reviewed a presentation on each section of the Design Standards and the revisions that were made based on Board and public input.⁴

⁴ Attached to original minutes.

Tracey Mullins

From: Becky Geiger <robbecky02@gmail.com>
Sent: Saturday, March 26, 2022 2:19 PM
To: PZB
Cc: Tracey Mullins
Subject: Bath Junkie Application #2022-0019

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact the City IT Department.

PZB Board Members

Thanks for the opportunity to allow me to send an additional e-mail following my request for use by exception. I am not the best public speaker so this is the best way for me to explain my situation.

This is the first time I have applied for use by exception for 58 Hypolita Street. I initially applied in April 2018 for 62A Spanish Street and was unanimously approved by the board. Bath Junkie operated at 62A Spanish Street from 2000 to 2014. We were forced to relocate after the collapse of the building in September 2014. We re-opened at 63 Hypolita Street in October 2014 under the assumption we would move back to 62A Spanish once the rebuild of the structure was complete. At that time the completion date for the rebuild was estimated to be near the end of September 2018. This is the reason for the initial application date for use by exception of April 2018. The building currently remains unfinished. Ongoing structural building issues at 63 Hypolita Street forced another re-location in October 2021 to 58 Hypolita Street. We are requesting the use by exception to be transferred to 58 Hypolita in order to avoid a third relocation.

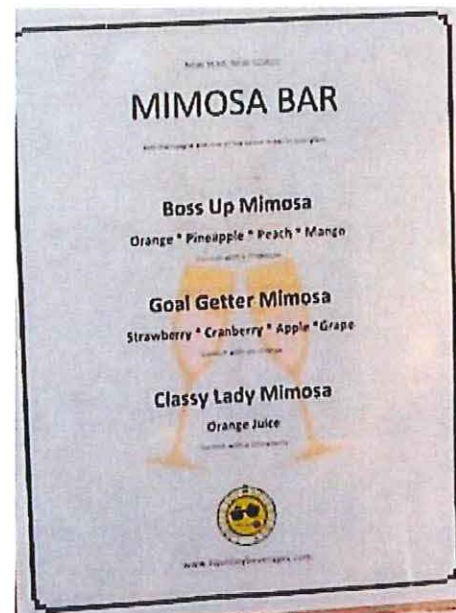
Bath Junkie's business model centers around offering customers the opportunity to create custom-made fragrances for bath and body products. With over 200 scents and dozens of products, this process can be time-consuming. In order to create a more inviting experience for customers, we would like to provide a sitting area where beverages will be offered. Mimicking the process of creating customized scents for body care products, we would like to offer custom-made sodas and mimosas. This dedicated space for refreshments will also be used to host special events like birthday parties, baby showers, and bridal showers. We hope customers will find this re-imagined location to be a welcome alternative to standard retail stores. This space will be a quiet, comfortable location that offers an opportunity for patrons to explore their creativity of taste and smell. It will be a great activity for the whole family or a great place to start a romantic date night.

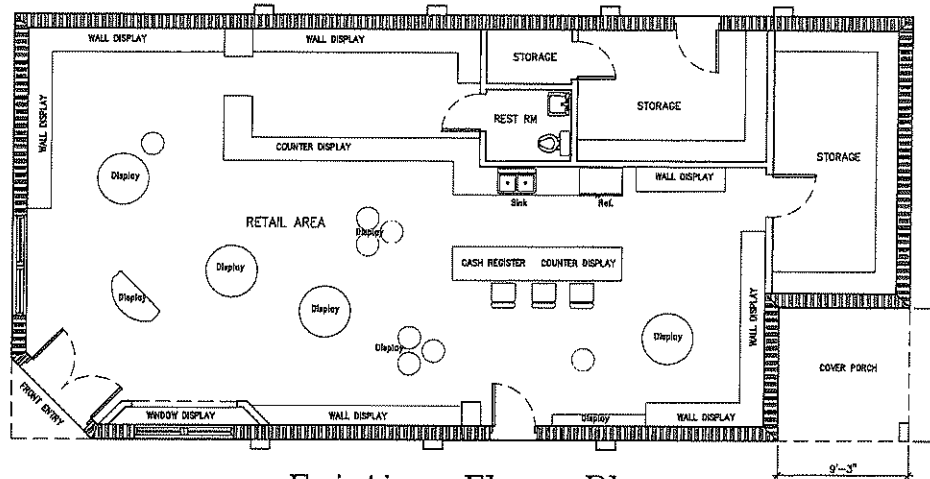
Thanks for your time and consideration,

Rebecca Geiger
Bath Junkie
58 Hypolita Street
St Augustine, FL

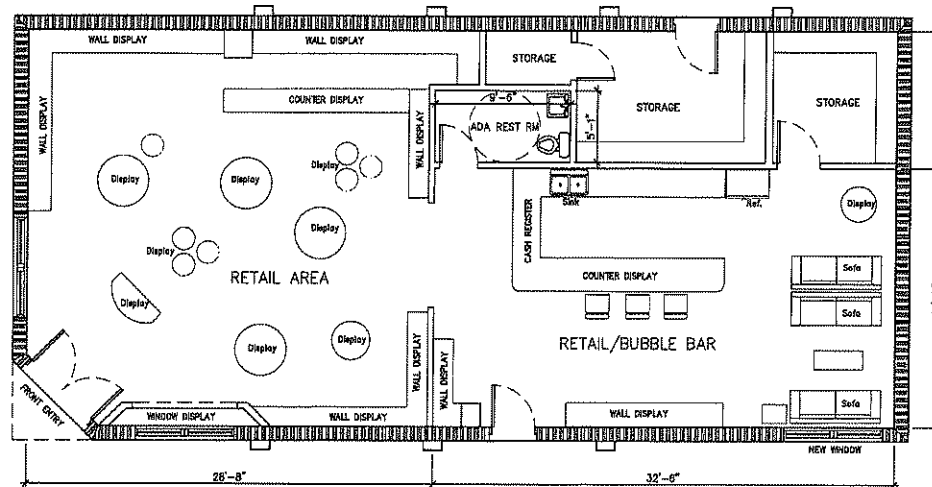
Idea board

Create your own fragrance while sipping on your own champagne creation. Choose from fresh juices or a variety of flavor syrups. We also have soda for the little ones. Come in and sip, shop, create and relax.





 **Existing Floor Plan**
SCALE: 1/8" = 1'-0"



 **Proposed Floor Plan**
SCALE: 1/8" = 1'-0"



General Contractors
G6C-011558

Bath Junkie
Renovation

58 Hypollia Street • St. Augustine, FL 32084

DIXON
Design Studio LLC
ARCHITECTS
182 BLANCO STREET
ST. AUGUSTINE, FL 32084
(904) 829-9277

3.4.2022

PROPOSED PLAN

mimosa bar

design your own

choose up to three

orange
cranberry
pomegranate

pineapple
grapefruit
raspberry

strawberry puree
mango puree
peach puree



served with a
champagne split

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: April 5, 2022

RE: **USE BY EXCEPTION 2022-0020**

AGENDA ITEM 5(d)

APPLICANT Jean – Pierre Klifa
c/o Fashion and Passion, Inc. d/b/a St. Augustine
Vine Room

OWNER Leonard R. Tucker, Jr.
c/o St. George Street Properties, LLC

LOCATION 21 Spanish Street / PID 197350-0000

REQUEST To approve a use by exception for a cocktail lounge.

LAND USE Historic Preservation

ZONING Historic Preservation district three : HP-3

APPLICABLE CODES/ORDINANCES

Sec. 28-2. – Definitions

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. 28-181. – Purpose.

The historical heritage of the city is one of its most valued and important assets. It is therefore the purpose of the historic district regulations:

- (1) To safeguard the heritage of the city by preserving the district(s) which reflect noteworthy elements of the cultural, educational, social, economic, political and/or architectural history.
- (2) To educate the citizen to realize, understand, and appreciate the city's rich heritage.
- (3) To stimulate a greater awareness and sense of pride in the founding of the city and the contributions it has made to the state and nation.
- (4) To develop an atmosphere and feeling of old, historic St. Augustine by encouraging the preservation and restoration of historic structures within the districts.
- (5) To improve the environmental quality and overall livability of the historic section of St. Augustine.
- (6) To stabilize and improve property values in the district and to allow uses that encourage the restoration and conservation of historic sites and structures.
- (7) To promote the use and preservation of the district for the education, welfare and pleasure of residents of St. Augustine and St. Johns County, and of the state and nation as well.
- (8) That these aforementioned goals and objectives of the historic district be achieved and implemented through the establishment of and enforcement of the general district guidelines and specific district regulations.

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.

- (3) Permitted uses by exception:
 - b. Cocktail lounges, taverns.

STAFF SUMMARY AND ANALYSIS

The applicant is seeking an approval of a use by exception to operate as a cocktail lounge in order to operate in a similar fashion as other restaurants and businesses in the immediate vicinity. The application also states that the lounge is intended to operate from 11 A.M. until 9 P.M. and should not generate substantial “late night” noise or disturbance.

Sec. 28-2. – Definitions

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.

- Number: There are over 62 businesses that have alcohol licenses in the downtown historic districts, which include restaurants, bars and cigar bars.
- Area: The downtown area of St. Augustine is an area dominated by tourism oriented commercial uses including many businesses that sell alcohol.
- Location: The specific location for this proposed cocktail lounge does not appear to negatively impact surrounding properties.

STAFF RECOMMENDATION

Based on a review of Section 28-2, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for a cocktail lounge at 21 Spanish Street / PID 197350-0000.



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: 2022-0020

Receipt Number: 2330294

Meeting Date: April 5, 2022

Advertising Costs: \$ _____

Paid On: _____

Receipt Number: _____

1. NAME OF APPLICANT: Jean - Pierre Klifa Contact Number: (754) 263 - 2233

Business (if applicable): Fashion and Passion, Inc. d/b/a St. Augustine Vine Room

Address: 21 Spanish Street City: St. Augustine State: FL Zip: 32084

E-Mail Address: designerpassion@me.com

2. NAME OF PROPERTY OWNER: Leonard R. Tucker, Jr. Contact Number: (407) 335 - 0677

Business (if applicable): St. George Street Properties, LLC

Address: 147 San Marco Ave. City: St. Augustine State: FL Zip: 32084

E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 7

Block: 12

Subdivision: City of St. Augustine

Parcel Number: 197340-0000

4. PROJECT STREET ADDRESS: 21 Spanish Street, St. Augustine, FL 32084

5. SPECIFIC PROPOSED USE: Cocktail lounge serving beer, wine and light fare.

6. ACTION REQUESTED:

☐ Conservation Zone Development

☐ Appeal of Staff Determination

☒ Exception

☐ Land Use Plan Amendment

☐ Variance

☐ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Requesting use by exception for a cocktail lounge.

8. JUSTIFICATION FOR ACTION REQUESTED: There are multiple restaurants and cocktail lounges surrounding the property and we feel a cocktail lounge will mesh with current businesses. The lounge is intended to be open from 11AM to 9PM. As a result, it should not generate substantial "late night" noise or disturbance as an operation intending to be open until the permitted limits.

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.

DocuSigned by:

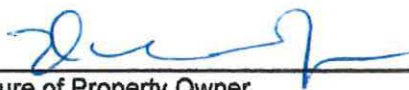
Jean Pierre Klifa

3E73BB64CF77469

3/7/2022 | 12:18 PM EST

Signature of Applicant

Date



3-7-2022

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.

Jean Pierr Klifa

Print name of applicant

DocuSigned by:

Jean Pierr Klifa

3C73B884CE77469

Signature of applicant

3/7/2022 | 12:18 PM EST

Date

10/31/17



Owner's Authorization For Agent

Leonard R. Tucker, Jr. is/are hereby authorized TO ACT ON BEHALF
OF St. George Street Properties, 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:
21 Spanish Street, St. Augustine, FL 32084

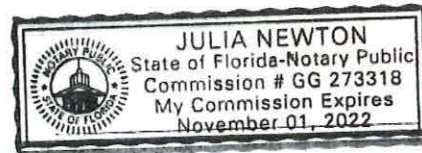
BY: [Signature]
Signature of Owner
DAVID LEE SELLERS JR
Print Name of Owner
407-335-0677
Telephone Number

State of Florida
County of St Johns

Signed and sworn before me on this 7 day of March, 2022
By Leonard R. Tucker, Jr. A/14A David Lee Sellers, Jr.

Identification verified:

Oath sworn: ☒ Yes ☐ No



Notary Signature: [Signature]

My Commission expires: 11-1-22

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.

21 Spanish Street, St. Augustine, FL 32084

Project Address: _____

Applicant's Name: Jean Pierr Klifa Applicant's Signature: Jean Pierr Klifa
DocuSigned by: 2C73BB84CF77460

Owner's Name: DAVID LEE SELLERS JR. 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	1973500000
Location Address	21 SPANISH ST SAINT AUGUSTINE 32084-0000
Neighborhood	City St Aug W of St George (COM) (610.06)
Tax Description*	CITY OF ST AUG LOT 7 BLK 12 OR2728/144 & 146 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Mixed Use (Store/Office/Residential Combo) (1200)
Subdivision	City of St Augustine
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.060
Homestead	N

Owner Information

Owner Name	St George Street Properties 100%
Mailing Address	PO BOX 1928 SAINT AUGUSTINE, FL 32085-1928

Map



Valuation Information

	2022
Building Value	\$128,229
Extra Features Value	\$13,933
Total Land Value	\$182,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$324,162
Total Deferred	\$53,276
Assessed Value	\$270,886
Total Exemptions	\$0
Taxable Value	\$270,886

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	\$132,175	\$14,804	\$182,000	\$0	\$0	\$328,979	\$246,260	\$82,719	\$246,260
2020	\$118,368	\$15,584	\$182,000	\$0	\$0	\$315,952	\$223,873	\$92,079	\$223,873
2019	\$65,988	\$4,280	\$182,000	\$0	\$0	\$252,268	\$203,521	\$48,747	\$203,521
2018	\$68,303	\$4,716	\$112,000	\$0	\$0	\$185,019	\$185,019	\$0	\$185,019
2017	\$69,461	\$4,745	\$112,000	\$0	\$0	\$186,206	\$186,206	\$0	\$186,206
2016	\$71,777	\$5,181	\$100,800	\$0	\$0	\$177,758	\$170,998	\$6,760	\$170,998
2015	\$72,934	\$5,616	\$91,000	\$0	\$0	\$169,550	\$155,453	\$14,097	\$155,453
2014	\$44,270	\$6,051	\$91,000	\$0	\$0	\$141,321	\$141,321	\$0	\$141,321
2013	\$44,952	\$3,022	\$91,000	\$0	\$0	\$138,974	\$138,974	\$0	\$138,974
2012	\$46,314	\$3,150	\$91,000	\$0	\$0	\$140,464	\$140,464	\$0	\$140,464
2011	\$46,995	\$3,278	\$100,800	\$0	\$0	\$151,073	\$151,073	\$0	\$151,073
2010	\$48,358	\$3,406	\$112,000	\$0	\$0	\$163,764	\$163,764	\$0	\$163,764

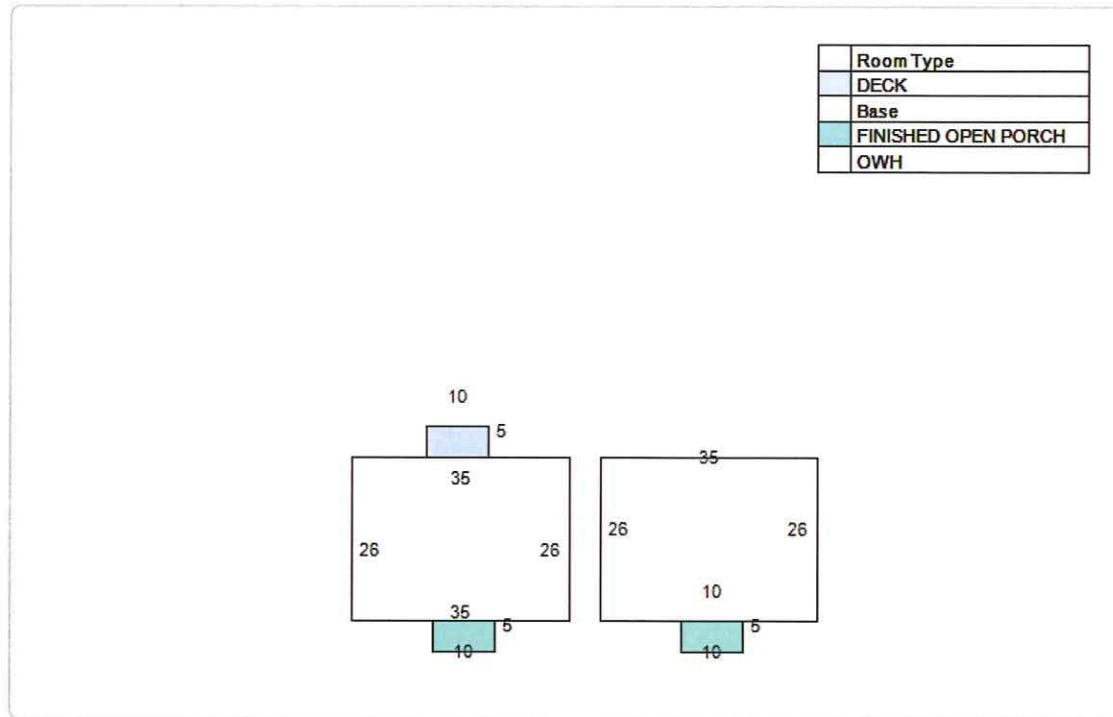
Building Information

Building	1
Year Built	1915
Actual Area	1970
Conditioned Area	2275
Use	Mixed Use (City/Historical)
Style	04
Class	N
Exterior Wall	Wood

Roof Cover	Wood Shingle
Roof Structure	Gable Hip
Interior Flooring	Hardwood
Interior Wall	Plaster
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	0
Baths	

Description	Square Footage
1.5 STORY	910
FINISHED OPEN PORCH	50
BASE AREA	910
FINISHED DECK	50
FINISHED OPEN PORCH	50
Total SqFt	1970

Sketch Information



Extra Feature Information

Code Description	Status	Value
Fireplace Exterior		3210
Handicap Ramp		1154
Wood Fence		2536
Gate		415
Brick Pavers (501-1000)		6618

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Mixed Use (Store/Office/Residential Combo)	40	70	2800	SF	\$182,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	10/31/2005	\$0.00	WARRANTY DEED	2728	146	U	I	TUCKER LEONARD R SR,RUTH S/TR LEONARD'S TRUST	ST GEORGE STREET PROPERTIES LLC
	10/31/2005	\$550,000.00	WARRANTY DEED	2728	144	U	I	TUCKER LEONARD R SR,RUTH S/TRUSTEES RUTH TRST	ST GEORGE STREET PROPERTIES LLC
	5/19/1993	\$100.00	WARRANTY DEED	992	995	U	I	TUCKER LEONARD R,RUTH S TRUSTEES	TUCKER LEONARD R
	5/19/1993	\$100.00	WARRANTY DEED	992	992	U	I	TUCKER LEONARD R,RUTH S TRUSTEES	TUCKER LEONARD R,RUTH S TRUSTEES
	5/19/1993	\$100.00	WARRANTY DEED	992	990	U	I	TUCKER LEONARD R,RUTH S TRUSTEES	TUCKER LEONARD R,RUTH S TRUSTEES

No data available for the following modules: Exemption Information.

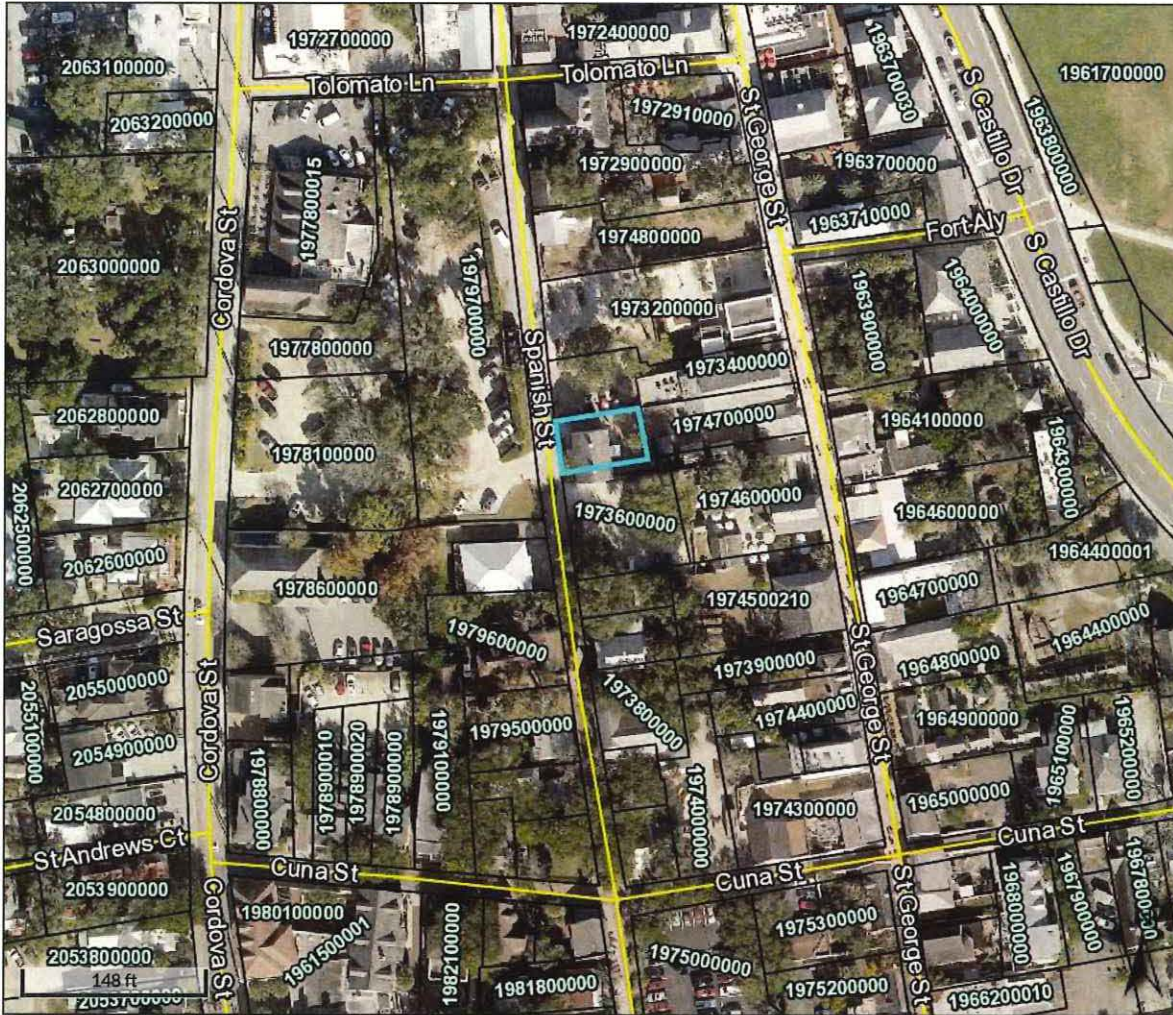
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Last Data Upload: 3/5/2022, 12:00:50 AM

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 Schneider
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Version 2.3.177



Overview



Legend

□ Parcels

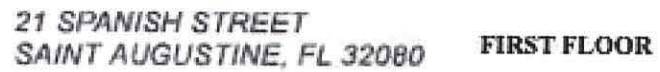
Parcel ID	1973500000	Physical Address	21 SPANISH ST SAINT AUGUSTINE ST GEORGE STREET PROPERTIES PO BOX 1928 SAINT AUGUSTINE FL 32085-1928	Building Value	\$128,229	Last 2 Sales Date	10/31/2005	Price	\$550,000	Reason	11	Qual	U
Property Class	1200 - Mixed Use (Store/Office/Residential Combo)	Mailing Address		Extra Feature Value	\$13,933		n/a	0		n/a		n/a	
Taxing District	City of St Augustine			Total Land Value	\$182,000								
Acres	0.06			Just Value	\$324,162								
				Total	\$53,276								
				Deferred Assessed Value	\$270,886								
				Total	N/A								
				Exemptions									
				Taxable Value	\$270,886								

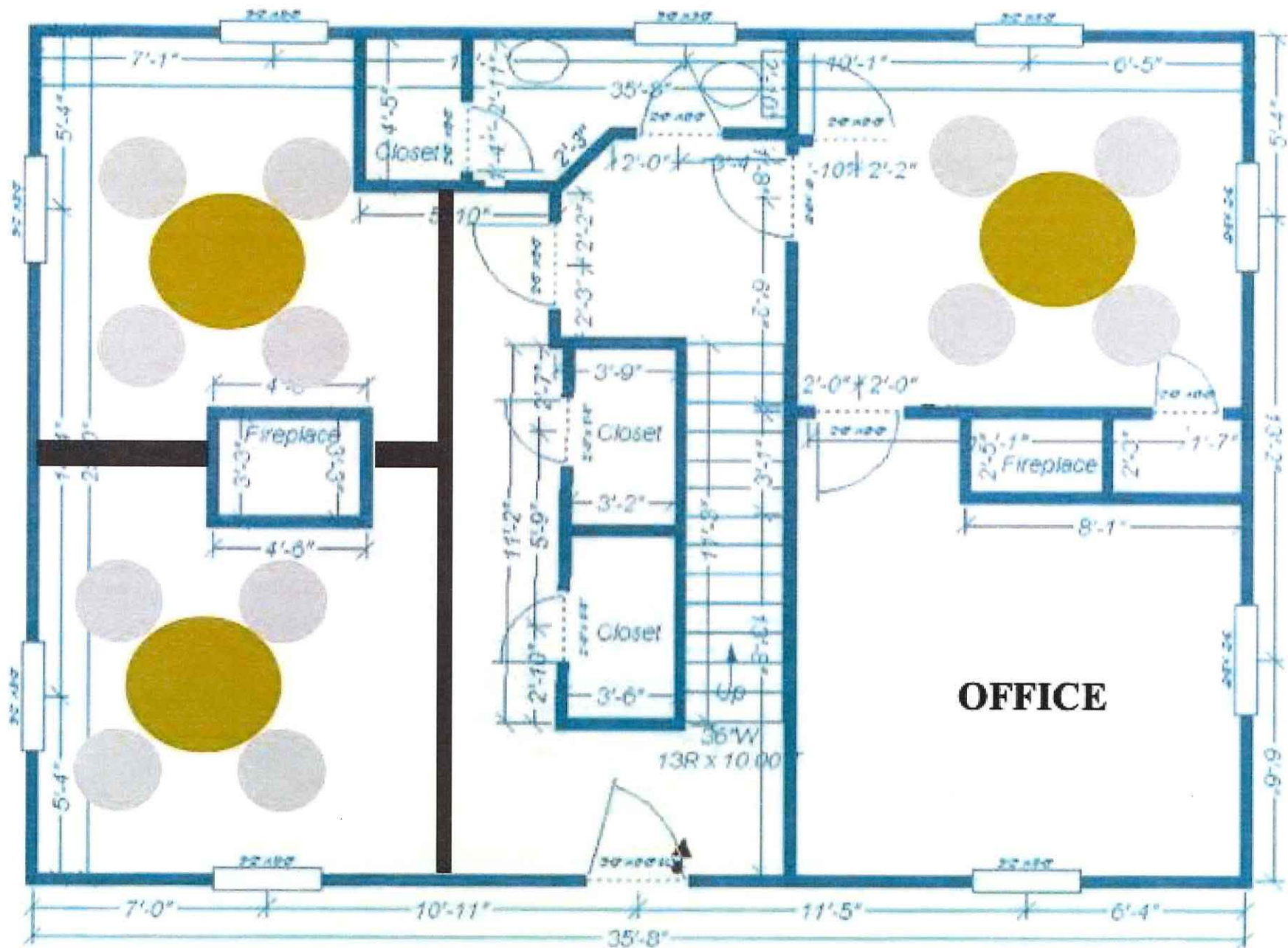
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Date created: 3/7/2022

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21 SPANISH STREET
 SAINT AUGUSTINE, FL 32080
 2ND FLOOR OFFICE PLAN

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: April 5, 2022

RE: Email from applicant requesting a continuance

Please find attached additional information provided by the applicant for the item Number 6(a) 2022-0005 to approve a retaining wall/landscape feature adjacent to rip rap within Conservation Overlay Zone 1 located at 40 Hildreth Way.

If you have any questions or require additional information please contact myself or Amy Skinner at our office by calling (904) 825-1065 or by email at either tmullins@citystaug.com or askinner@citystaug.com.

Tracey Mullins

Tracey Mullins
Planner

From: [Jessica Shafer](#)
To: [Amy Skinner](#); [Jacob Fredriksson](#); [Tracey Mullins](#); [Barry Fox](#); [Richard Schauland](#); [Curtis Boles](#); [Meredith H. Randolph](#)
Subject: Request to postpone PZB Meeting
Date: Tuesday, March 1, 2022 4:28:39 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact the City IT Department.

Dear Planning and Zoning Board,

RE: Conservation Overlay Zone Development - 40 Hildreth Way - Case Number 2022-0005

Applicant: Jessica Shafer

Location: 40 Hildreth Way St. Augustine, FL 32084

This letter is to bring awareness of the issues I have been having in getting the required documents needed in time for the PZB meeting to be held on April 5, 2022 but all documents must be submitted by March 25, 2022.

I have been reaching out to local engineers regarding the information requested but I have been unable to find an engineer that can provide the documentation within the time limit given. Everyone I have spoken to has informed me they are 6 months out, due to the demand of workload with all of the construction going on. I am still working on this and hope to find a solution but wanted to bring you up to speed on the issues I am currently facing.

With this being said, I am requesting to postpone the meeting to a later date to allow adequate time to produce the documents requested. Thank you for your time and I look forward to hearing from you.

--

Sincerely,
Jessica Shafer
Managing Member
Florida Coastal Contractors, LLC
Office: (904) 827-3962
www.DreamBackyardBuilders.com



CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: April 5, 2022 continued from February 1, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0005**

AGENDA ITEM	6(a)
APPLICANT & OWNER	Jessica Shafer
LOCATION	40 Hildreth Way / PID 151151-0010
REQUEST	To approve a retaining wall/landscape feature adjacent to rip rap 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 landscape feature per the applicant in their backyard to screen the view of the rip rap along the shoreline on their property.

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 currently has a single-family home with FDEP approved rip rap installed.
 - (2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.
The north side of this property borders a body of water as well as wetlands.
 - (3) Natural and proposed drainage patterns.

Grading plans have not been submitted. The applicant has submitted a letter from a registered architect stating that the pervious block allows water to flow through the wall's joints.

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

N/A.

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

Rip rap has already been installed on the property.

- (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 landscape feature is along the entire northern property line, but behind the rip rap.

- (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 construction of a new landscape feature per the applicant within Conservation Overlay Zone 1 at 40 Hildreth Way / PID 151151-0010.

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: 4105 (plus advertising costs) Project Number: 2022-0005

Receipt Number: _____ Meeting Date: _____

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

1. NAME OF APPLICANT: Jessica Shafer Contact Number: 904-540-3854

Business (if applicable): _____

Address: 40 Hildreth Way City: St. Augustine State: FL Zip: 32084

E-Mail Address: jessica@fccfl.net

2. NAME OF PROPERTY OWNER: Jessica Shafer Contact Number: 904-540-3854

Business (if applicable): _____

Address: 40 Hildreth Way City: St. Augustine State: FL Zip: 32084

E-Mail Address: Jessica@fccfl.net

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 1 Block: _____

Subdivision: Fullerwood Parcel Number: 1511510010

4. PROJECT STREET ADDRESS: 40 Hildreth Way St. Augustine FL 32084

5. SPECIFIC PROPOSED USE: Landscape wall a

6. ACTION REQUESTED:

☐ Conservation Zone Development ☐ Appeal of Staff Determination

☐ Exception ☐ Land Use Plan Amendment

☐ Variance ☐ Rezoning

☒ Other: Approval from planing and zoning

7. DESCRIPTION OF ACTION REQUESTED: decorative landscape wall on back of property
to hide a rip rap wall that was approved by the DEP

8. JUSTIFICATION FOR ACTION REQUESTED: This decorative landscape wall is just for looks
It is not to hold water back, nor will it. This is simply for the look and design of the feel
we are trying to achive for our backyard living space.

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.

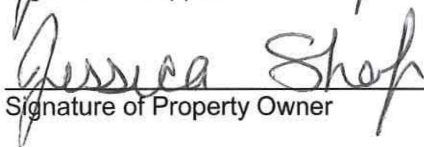
IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided 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

12

Date



Signature of Property Owner

12/15/2021

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.

Jessica Shafer

Print name of applicant


Signature of applicant

12/15/2021

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.

40 Hildreth Drive St. Augustine FL 32084

Project Address: _____

Jessica Shafer

Applicant's Name: _____ Applicant's Signature: Jessica Shafer

Jessica Shafer

Owner's Name: _____ Owner's Signature: Jessica Shafer

LOT 1, HILDRETH ESTATES, AS RECORDED IN MAP BOOK 71, PAGES 21 AND 22
OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

THE PARCEL OF LAND AS SHOWN HEREON LIES WITHIN FEDERAL FLOOD ZONE "A1" (ELEVATION 8 FEET NAVD 1988) AS DEPICTED ON FLOOD INSURANCE RATE MAP No. 12100C-0312-A, COMMUNITY No. 125145 FOR CITY OF ST. AUGUSTINE, FLORIDA. AS REVISED 12/07/2018
<http://www.floodzone.com/st-augustine/fl/maap/>

THE BASIS OF BEARING AS SHOWN HEREON IS THE NORTH RIGHT-OF-WAY
LINE OF HILDRETH WAY HAVING AN ASSIGNED BEARING OF S 77°21'18" W
OWNERSHIP OF FENCES NOT DETERMINED BY THIS SURVEY
FENCE POSITIONS MAY BE SHOWN EXAGGERATED FOR CLARITY

ALL ELEVATIONS AS SHOWN HEREON ARE BASED ON NORTH AMERICAN
VERTICAL DATUM OF 1988 (MAYO - 1988)
ALL CALCULATED DATA IS BASED ON FIELD MEASUREMENT

ENCROACHMENTS AS SHOWN HEREON ARE ONLY THOSE ABOVEGROUND,
VISIBLE OBJECTS OBSERVED BY THE SURVEYOR
THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP

NO UNDERGROUND STRUCTURES, UTILITIES OR FOUNDATIONS WERE LOCATED OR DETERMINED BY THIS SURVEY

THE PARCEL OF LAND AS SHOWN HEREON WAS NOT ABSTRACTED FOR
DEEDS, DEED RESTRICTIONS, EASEMENTS OR RIGHTS OF WAY OF RECORD

THIS SURVEY IS NOT VALID UNLESS IT IS SIGNED AND EMBOSSSED WITH THE
SOLING SURVEYORS SEAL.

THIS SURVEY IS CERTIFIED TO AND FOR THE USE AND BENEFIT OF:
JESSICA SHAFER
FINANCE OF AMERICA MORTGAGE, LLC
J RUSSELL COLLINS, ATTORNEY AT LAW
FIDELITY NATIONAL TITLE INSURANCE COMPANY

SUBJECT TO THE ABOVE CONDITIONS AND RESTRICTIONS I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS PERFORMED BY EITHER MYSELF OR UNDER MY DIRECT SUPERVISION AND THAT ALL OF THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY CONFORMS TO SECTIONS 5A-17.001, 5A-17.002 OF THE FLORIDA ADMINISTRATIVE CODE.

N/W = RIGHT OF WAY
 LB = LICENSED BUSINESS
 (P) = RECORD
 (N) = MEASURED
 POC = POINT OF COMMENCING
 POB = POINT OF BEGINNING
 PP = POWER POLE
 OVR = OVERHEAD WIRE(S)
 OWR = OUT WIRE AND ANCHOR
 WM = WATER METER
 EJ = ELECTRIC METER
 OFP = SANITARY SEWER MANHOLE
 ○ = OFFICIAL RECORDS BOOK
 [] = FOUND 3/8" IRON ROD - LB # 7111
 [] = FOUND 4" x 4" CONCRETE MOISTURE - LB # 7111



LOT 2

LOT 1

LOT 4

ORB 82, PAGE 24J

HILDRETH
DRIVE

HILDRETH WAY

ANCIENT CITY SURVEYORS

ACS

ACS
SURVEYORS • ENGINEERS
LAND PLANNERS

4425 U.S. HIGHWAY No. 1 NORTH, SUITE 401
ST. AUGUSTINE, FLORIDA 32086
PHONE: 904-797-0987 FAX: 904-797-8027

BOUNDARY SURVEY

440 HILDRETH WAY
ST. AUGUSTINE, FLORIDA

TYPE OF SURVEY:	BOUNDARY
DATE OF SURVEY:	07/24/2015
FIELD BOOK/PAGE(S):	369/63
DRAWING SCALE:	1" = 40'
JOB NUMBER:	15-445

12/04/2018 - FINAL AS-BUILT - FD 840/42-5



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](#)

No Image Available

Parcel ID	1511510010
Location Address	40 HILDRETH WAY SAINT AUGUSTINE 32084-0000
Neighborhood	Hildreth Estates (581.04)
Tax Description*	71/21-22 HILDRETH ESTATES LOT 1 OR4723/1863 & 5139/1917 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Single Family (0100)
Subdivision	Hildreth Estates
Sec/Twp/Rng	6-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	1.500
Homestead	Y

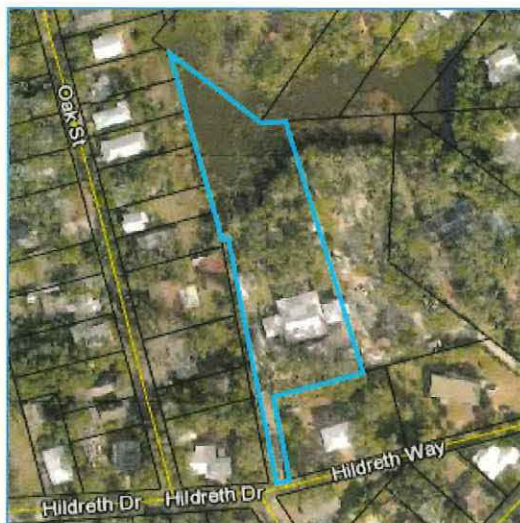
Owner Information

Owner Name	Joint Declaration Of Trust D:12/30/2020 100% Shafer Jessica Blair CO-Trustee 100% Shafer Howard Shane CO-Trustee 100%
Mailing Address	3501 N PONCE DE LEON BLVD UNIT 374 Saint Augustine, FL 32084-1403

Exemption Information

Exemption Type	Status	Amount
Homestead		\$0
Homestead		\$25,000
Homestead Band		\$25,000

Map



Valuation Information

	2022
Building Value	\$339,395
Extra Features Value	\$14,906
Total Land Value	\$135,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$489,301
Total Deferred	\$26,055
Assessed Value	\$463,246
Total Exemptions	\$50,000
Taxable Value	\$413,246

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

Historical Assessment Information

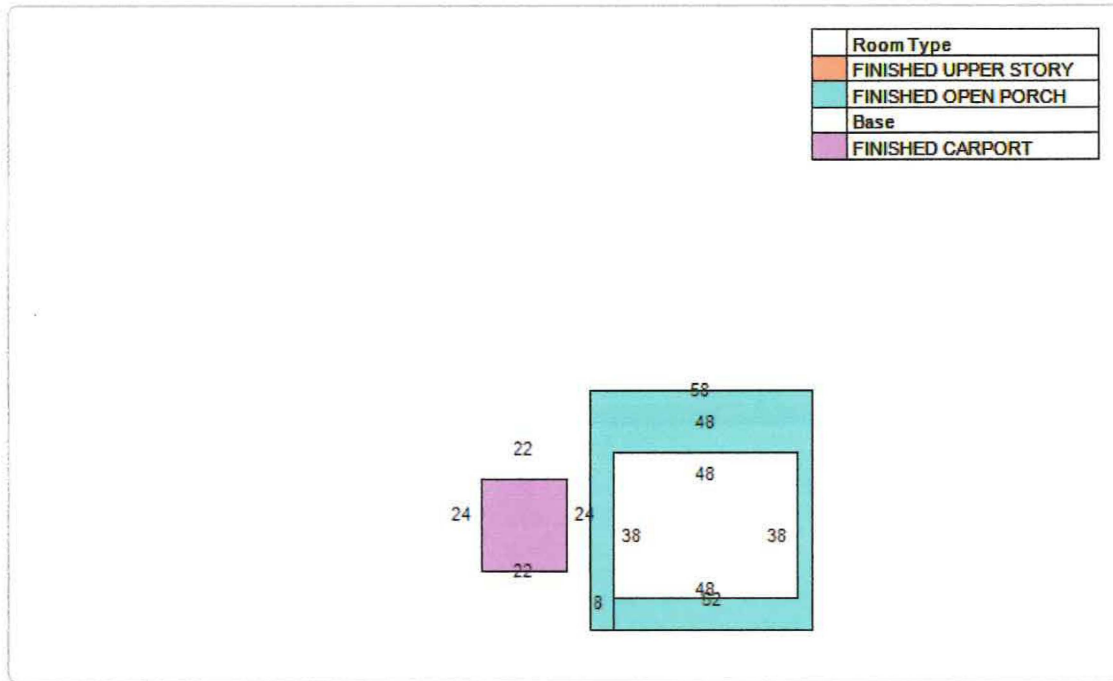
Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$306,530	\$15,320	\$135,000	\$0	\$0	\$456,850	\$456,850	\$50,000	\$406,850
2020	\$309,658	\$15,734	\$135,000	\$0	\$0	\$460,392	\$460,392	\$50,000	\$410,392
2019	\$278,237	\$16,148	\$110,000	\$0	\$0	\$404,385	\$404,385	\$0	\$404,385
2018	\$0	\$0	\$110,000	\$0	\$0	\$110,000	\$110,000	\$0	\$110,000
2017	\$0	\$6,887	\$110,000	\$0	\$0	\$116,887	\$116,887	\$0	\$116,887
2016	\$0	\$7,416	\$110,000	\$0	\$0	\$117,416	\$117,416	\$0	\$117,416
2015	\$0	\$0	\$89,547	\$0	\$0	\$89,547	\$89,547	\$0	\$89,547
2014	\$0	\$0	\$89,547	\$0	\$0	\$0	\$0	\$0	\$0

Building Information

Building	1	Roof Cover	Metal
Year Built	2018	Roof Structure	Gable Hip
Actual Area	5152	Interior Flooring	Carpet, Wood Laminate
Conditioned Area	2852	Interior Wall	Drywall
Use	Single Family Residence	Heating Type	Air Duct
Style	01	Air Conditioning	Central
Class	N	Bedrooms	3
Exterior Wall	Wood	Baths	3

Description	Square Footage
FINISHED CARPORT	528
BASE AREA	1824
FINISHED OPEN PORCH	1772
FINISHED UPPER STORY	1028
Total SqFt	5152

Sketch Information



Extra Feature Information

Code Description	Status	Value
Garage Finished (Average)		14906

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	0	0	1	UT	\$135,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
12/31/2020	12/30/2020	\$100.00	WARRANTY DEED	5139	1917	U	I	SHAHER JESSICA BLAIR	JOINT DECLARATION OF TRUST D:12/30/2020
5/14/2019	12/14/2018	\$100.00	WARRANTY DEED	4723	1863	U	I	HILDRETH ESTATES LAND TRUST	SHAHER JESSICA
7/30/2015	7/29/2015	\$124,000.00	WARRANTY DEED	4064	1138	U	V	HILDRETH WAY LAND TRUST	HILDRETH ESTATES LAND TRUST

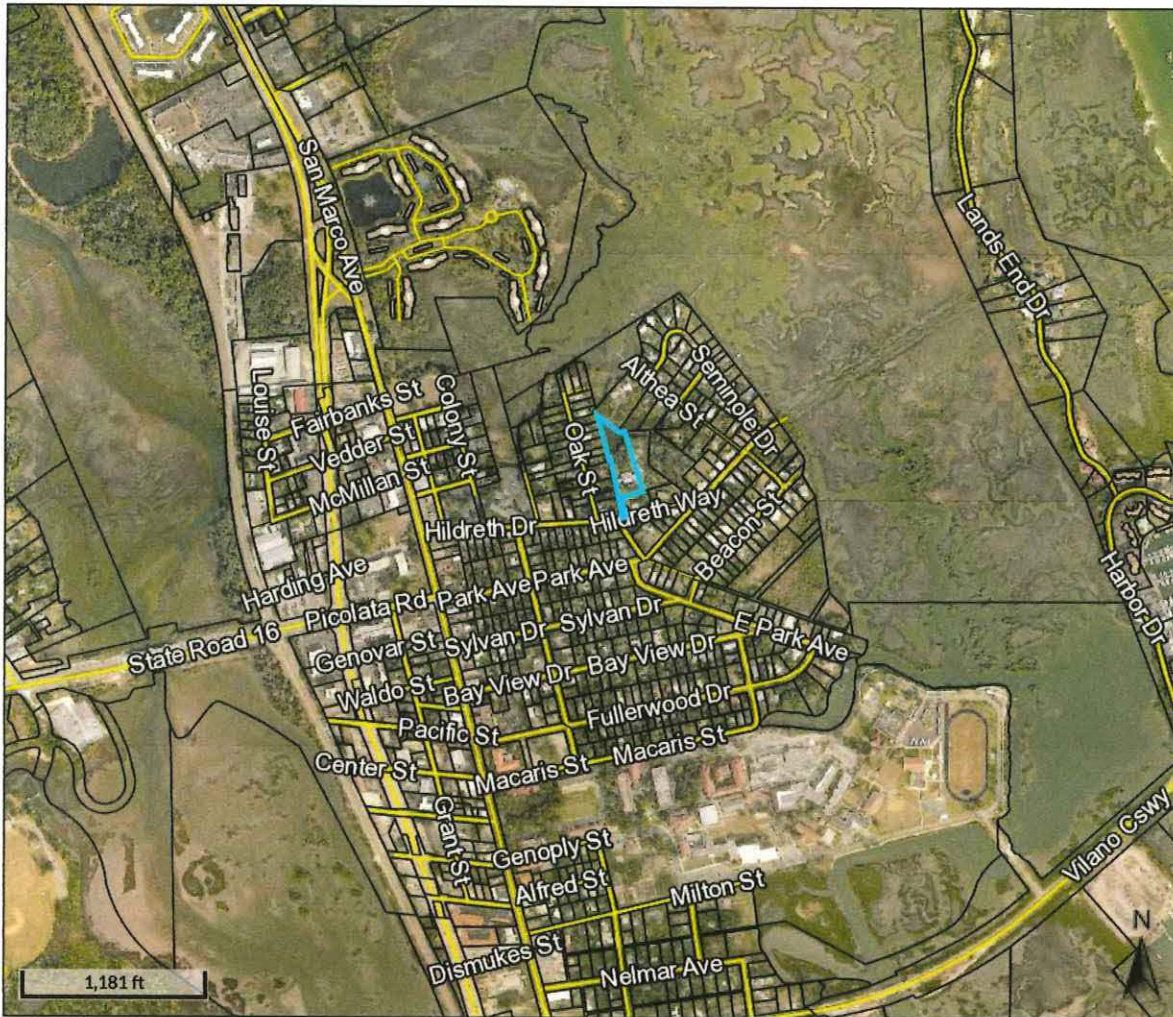
The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

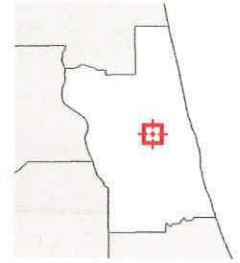
Last Data Upload: 1/8/2022, 12:01:08 AM

Developed by
 Schneider
 GEOSPATIAL

Version 2.3.16⁹



Overview



Legend

□ Parcels

Parcel ID 1511510010
Property 0100 - Single
Class Family
Taxing City of St
District Augustine
Acres 1.5

Physical Address
Mailing Address
Address

40 HILDRETH WAY
SAINT AUGUSTINE
JOINT DECLARATION OF TRUST
D:12/30/2020
3501 N PONCE DE LEON BLVD
UNIT 374
Saint Augustine FL 32084-1403

Building Value	\$339,395	Last 2 Sales			
Extra Feature Value	\$14,906	Date	Price	Reason	Qual
Total Land Value	\$135,000	7/29/2015	\$124,000	11	U
Just Value	\$489,301	n/a	0	n/a	n/a
Total Deferred Assessed Value	\$26,055				
Total Exemptions	\$463,246				
Taxable Value	\$50,000				
	\$413,246				

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: 1/10/2022
Last Data Uploaded: 1/8/2022 12:01:08 AM

Developed by  **Schneider**
GEOSPATIAL



Closed Complaints

[Report](#)[Print Entry](#)[Reopen Complaint](#)[Refresh Data](#)

Complaint ID: 2316

High Priority: ☐

Section: ERP

Date Entered: 10/3/2016 10:43:16 AM

Date Assigned:

Program: SLERP

Investigated By: Neumann_J

County: St Johns

Date Initiated: 10/4/2016

Address: 40 Hildreth Way
(Street, City, Zip) Parcel No. 1511510010
St Augustine, FL, 32084

Site Visit Date:

Site Contact: Hildreth Estates Land Trust, Russell J Collins Trustee, 400

Results: 10/4/16: ERPCE complaints #29911 from 9/20/16, #29403 from 4/21/16, & #29245 from 4/11/16 all for concerns about stormwater & wetland impacts. All were found to be invalid. Jason contacted the

Description: Property owners have installed a riprap embankment and back filled without authorization from the Department. May have filled wetlands. Complaintants property is now experiencing severe

Facility Name: Collins, Trustee Property

Anonymous: ☐

Program Site ID: ERPCE complaint #29955

Complainant Name: Bruce Alvarez- 904-226-7450

Additional Comments:

Contact Info: 17 Oak Street, St Augustine, FL, 32084

Date Closed: 10/4/2016 2:39:38 PM



Closed Complaints

[Report](#)[Print Entry](#)[Reopen Complaint](#)[Refresh Data](#)Complaint ID: **2292**High Priority: ☐

Section: ERP

Date Entered: 9/20/2016 5:22:06 PM

Date Assigned: 9/21/2016 9:17:00 AM

Program: SLERP

Investigated By: Neumann_J

County: St Johns

Date Initiated: 9/20/2016

Address: 40 Hildreth Dr.
(Street, City, Zip) St. Augustine, FL 32084
Parcel # 1511-51-0070

Site Visit Date: 9/23/2016

Site Contact: Zane Stephens

Results: 9/20/16: The address and property number don't exist. Probably the property on the backside of the complainant's.
9/21/16: Two prior complaints in ERPCE in April 2016Description: Concerned construction will flood her property.
There is a side road adjacent to property of concern.
Claims there was a wetland fill violation that has since been resolved, rip-rap in marsh.

Facility Name: Stephens Property

Anonymous: ☐

Program Site ID: ERPCE complaint # 29911

Complainant Name: Clare Norris

Additional Comments: As of 09/23/2016 - All activities were in an upland location. Invalid Complaint - Ready to Close!

Contact Info: 904-823-2063

Date Closed: 9/27/2016 1:47:58 PM



Closed Complaints

[Report](#)[Print Entry](#)[Reopen Complaint](#)[Refresh Data](#)

Complaint ID: 1867

High Priority: ☐

Section: ERP

Date Entered: 4/21/2016 1:46:10 PM

Date Assigned: 4/21/2016 3:12:07 PM

Program: SLERP

Investigated By: Neumann_J

County: St Johns

Date Initiated: 4/21/2016

Address: 40 Hildreth Street, St. Augustine
(Street, City, Zip)

Site Visit Date: 4/22/2016

Site Contact: SHANE, 904-728-7663

Results: SV on 04/22... Got pictures. Need survey from City and Manager's review.

Description: The City of St. Augustine's Code Enforcement Department has received a citizen complaint of broken concrete being dumped into the marsh at 40 Hildreth Street in St. Augustine, Florida. Our

Facility Name: North City Uptown Neighborhood (historical area)

Anonymous: ☐

Program Site ID: ERPce #29403

Complainant Name: Sandy Partin

Additional Comments: ~04/26: Reviewed with Manager. Site meets exempt criteria. Ready to CLOSE CASE.

Contact Info: <spartin@citystaug.com> 904-825-1066

Date Closed: 5/18/2016 7:02:06 PM

January 21, 2022

City of St. Augustine Building Department
P.O. Box 210
St. Augustine, FL 32085

Re: Schafer Residence, 40 Hildreth Way

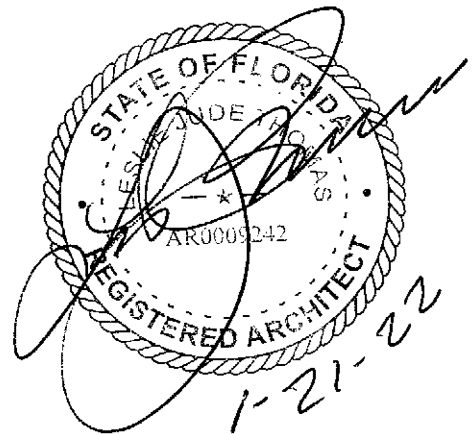
I have visited the property at 40 Hildreth Way and examined the wall in question. The wall is located on the owners property and does not touch the existing permitted rip rap. The wall is made of Tremron Blocks that are simply stacked. There is no mortar in the joints and there is no concrete footing under the wall.

The Tremron block is pervious to allow water to flow through and water can also seep through the joints. Without a footing as hindrance the water can flow in both directions.

The wall acts as a esthetic cover to the rip rap behind it.

Les Thomas, Architect

LT/jmc



CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: April 5, 2022 continued from March 1, 2022

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

AGENDA ITEM	6(b)
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.

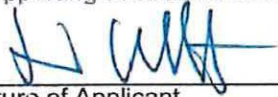
11. AGREEMENT:

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.

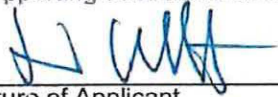
Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

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.

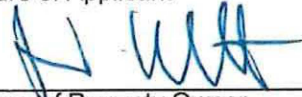


Signature of Applicant

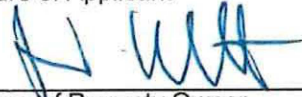


Date

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, 2022.

By Jared Whetstone

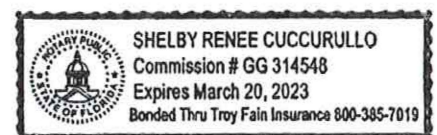
Identification verified:

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 be 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.

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.

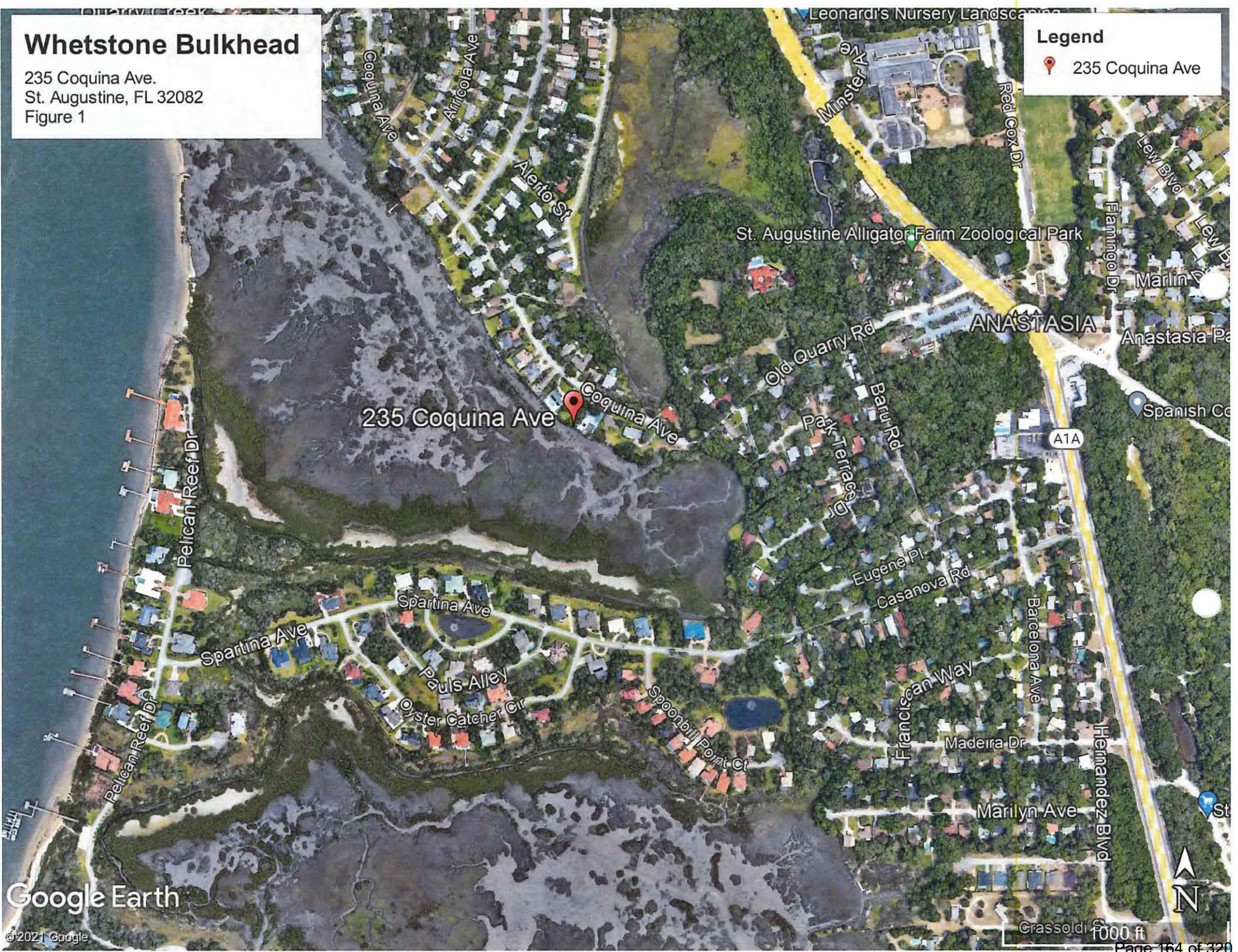
N/A

Whetstone Bulkhead

235 Coquina Ave.
St. Augustine, FL 32082
Figure 1

Legend

 235 Coquina Ave



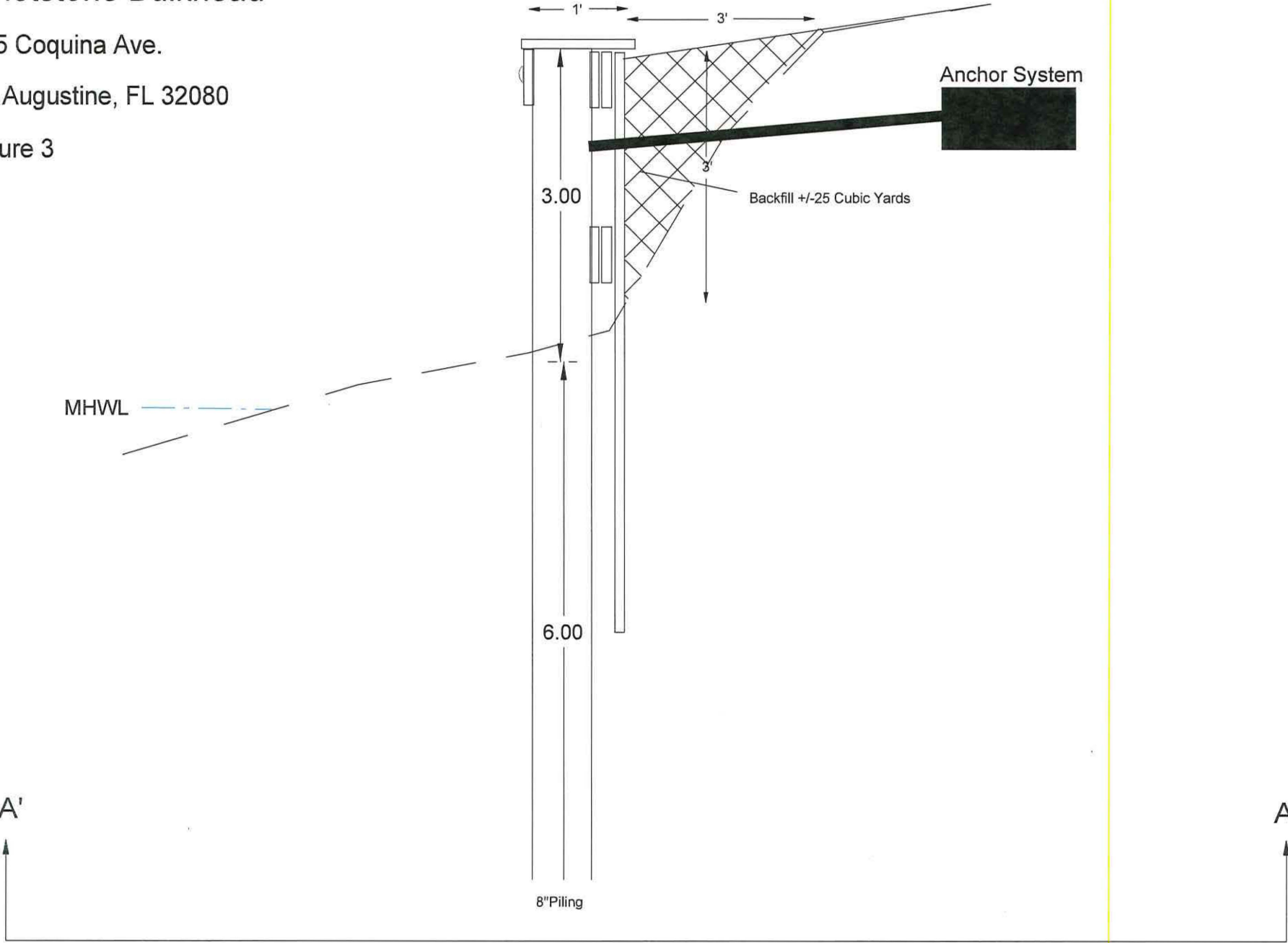
Google Earth

©2021 Google

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.

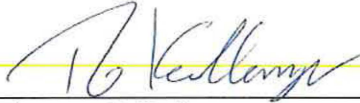
FLAWAC Review

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.

Request to Transfer Environmental Resource Permit

Instructions: To be completed, executed, and submitted by the new owner to the Agency within 30 days after any transfer of ownership or control of the real property where the permitted activity is located.

Use of this form is not required when a valid permit is in the operation and maintenance phase. In such case, the owner must notify the Agency in writing within 30 days of a change in ownership or control of the entire real property, project, or activity covered by the permit. The notification may be by letter or e-mail, or through use of this form, and must be sent to the office that issued the permit. A processing fee is not required for this notice. The permit shall automatically transfer to the new owner or person in control, except in cases of abandonment, revocation, or modification of a permit as provided in Sections 373.426 and 373.429, F.S. (2013). If a permittee fails to provide written notice to the Agency within 30 days of the change in ownership or control, or if the change does not include the entire real property or activity covered by the permit, then the transfer must be requested using this form.

Permit No: _____ Application No(s): _____ Acres to be Transferred: _____

Permitted Project: _____

Proposed Project Name (if different): _____

Phase of Project (if applicable): _____

I hereby notify the Agency that I have acquired ownership or control of the land on which the permitted system is located through the sale or other legal transfer of the land. By signing below, I hereby certify that I have sufficient real property interest or control in the land in accordance with subsection 4.2.3(d) of Applicant's Handbook Volume I; attached is a copy of my title, easement, or other demonstration of ownership or control in the land, including any revised plats, as recorded in the Public Records. I request that the permit be modified to reflect that I agree to be the new permittee. By so doing, I acknowledge that I have examined the permit terms, conditions, and drawings, and agree to accept all rights and obligations as permittee, including agreeing to be liable for compliance with all of the permit terms and conditions, and to be liable for any corrective actions required as a result of any violations of the permit after approval of this modification by the Permitting Agency. Also attached are copies of any recorded restrictive covenants, articles of incorporation, and certificate of incorporation that may have been changed as a result of my assuming ownership or control of the lands. As necessary, I agree to furnish the Agency with demonstration that I have the ability to provide for the operation and maintenance of the system for the duration of the permit in accordance with subsection 12.3 of Applicant's Handbook Volume I.

Name of Proposed Permittee: _____

Mailing Address: _____

City: _____

State: _____

Zip: _____

Telephone: _____

E-mail: _____

Signature of Proposed Permittee

Date:

Name and Title



Enclosures:

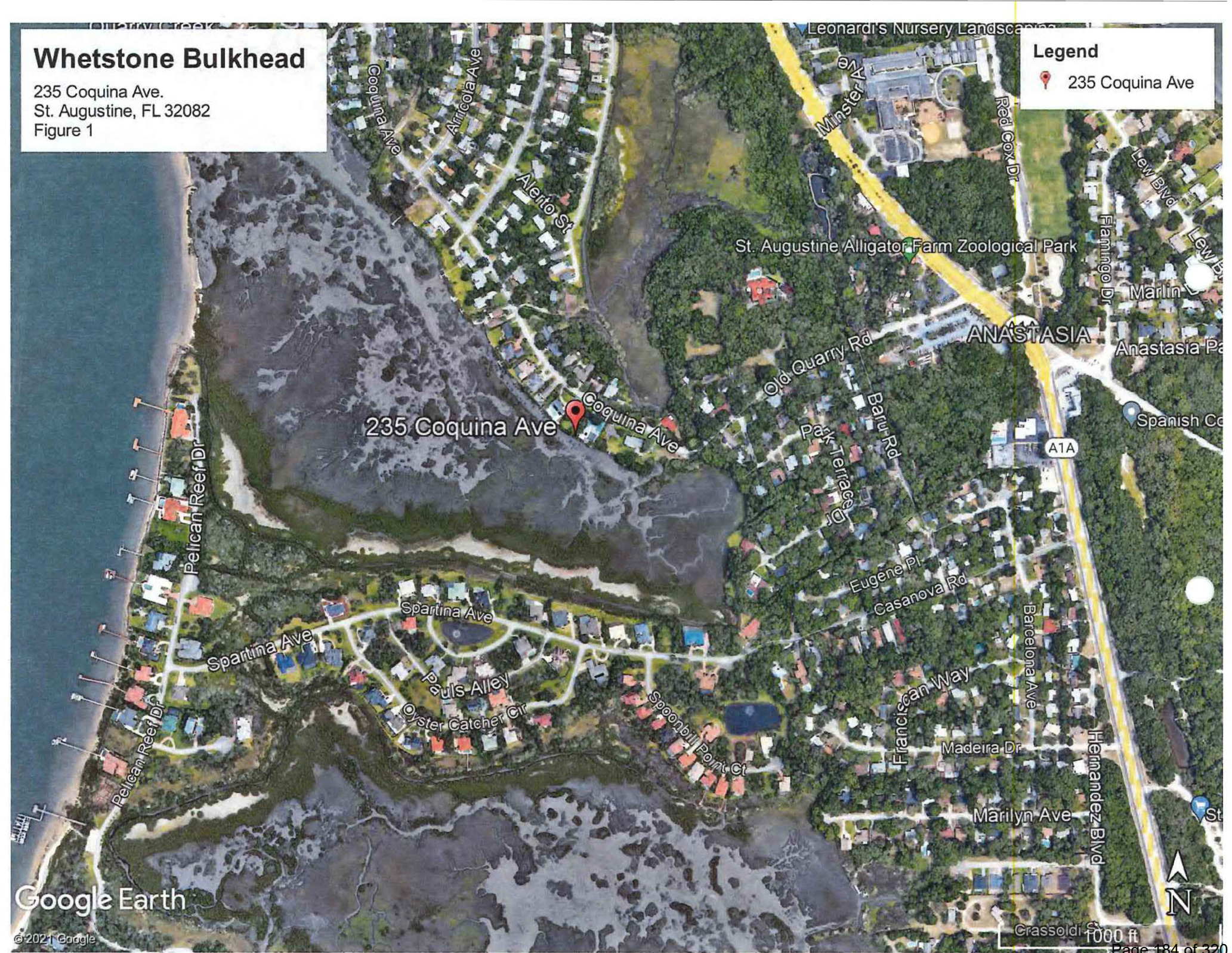
- ☐ Copy of title, easement, or other demonstration of ownership or control in the land, as recorded in the Public Records
 - ☐ Copy of current plat(s) (if any), as recorded in the Public Records
 - ☐ Copy of current recorded restrictive covenants and articles of incorporation (if any)
 - ☐ Other
-

Whetstone Bulkhead

235 Coquina Ave.
St. Augustine, FL 32082
Figure 1

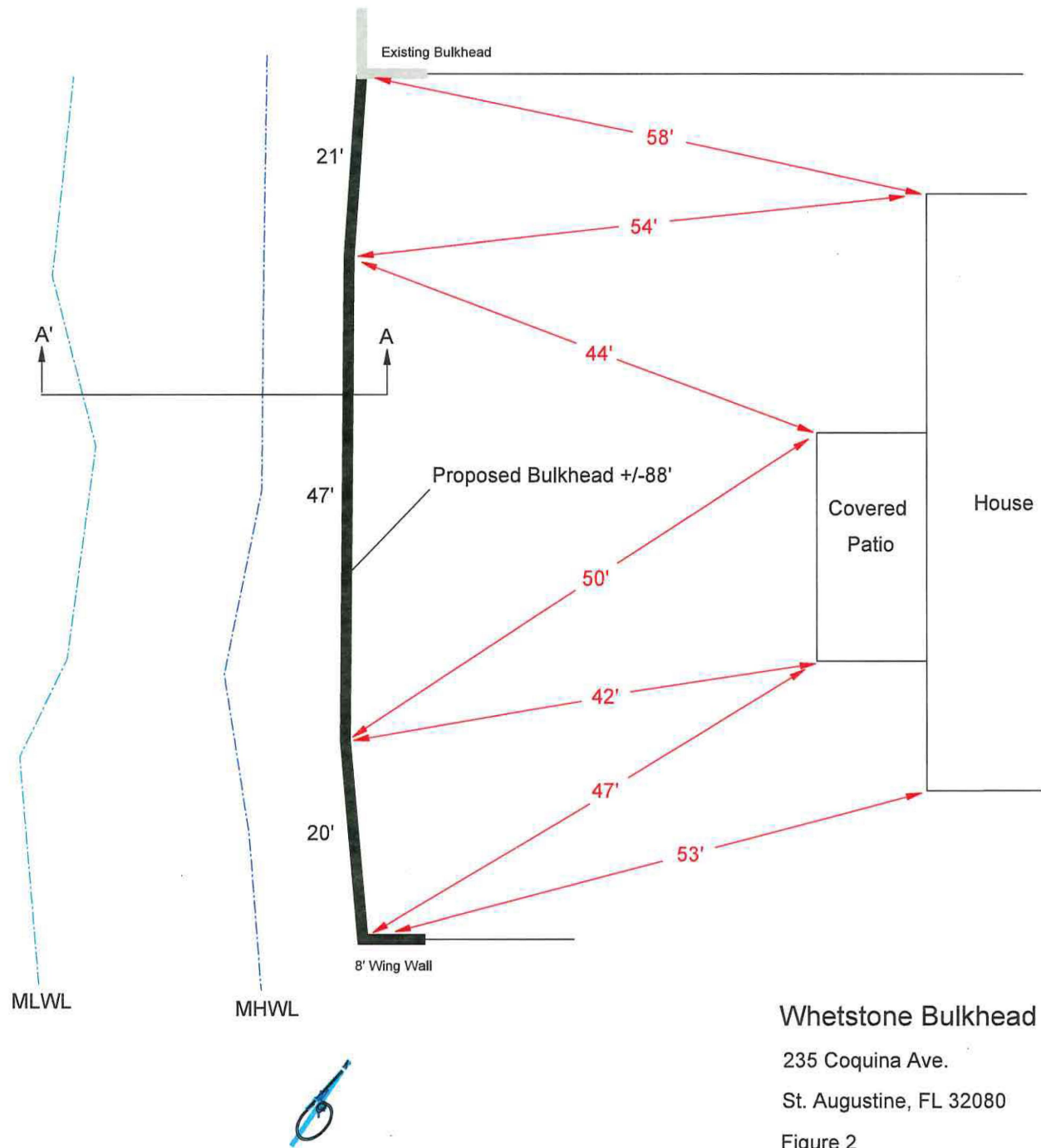
Legend

 235 Coquina Ave



Google Earth

© 2021 Google

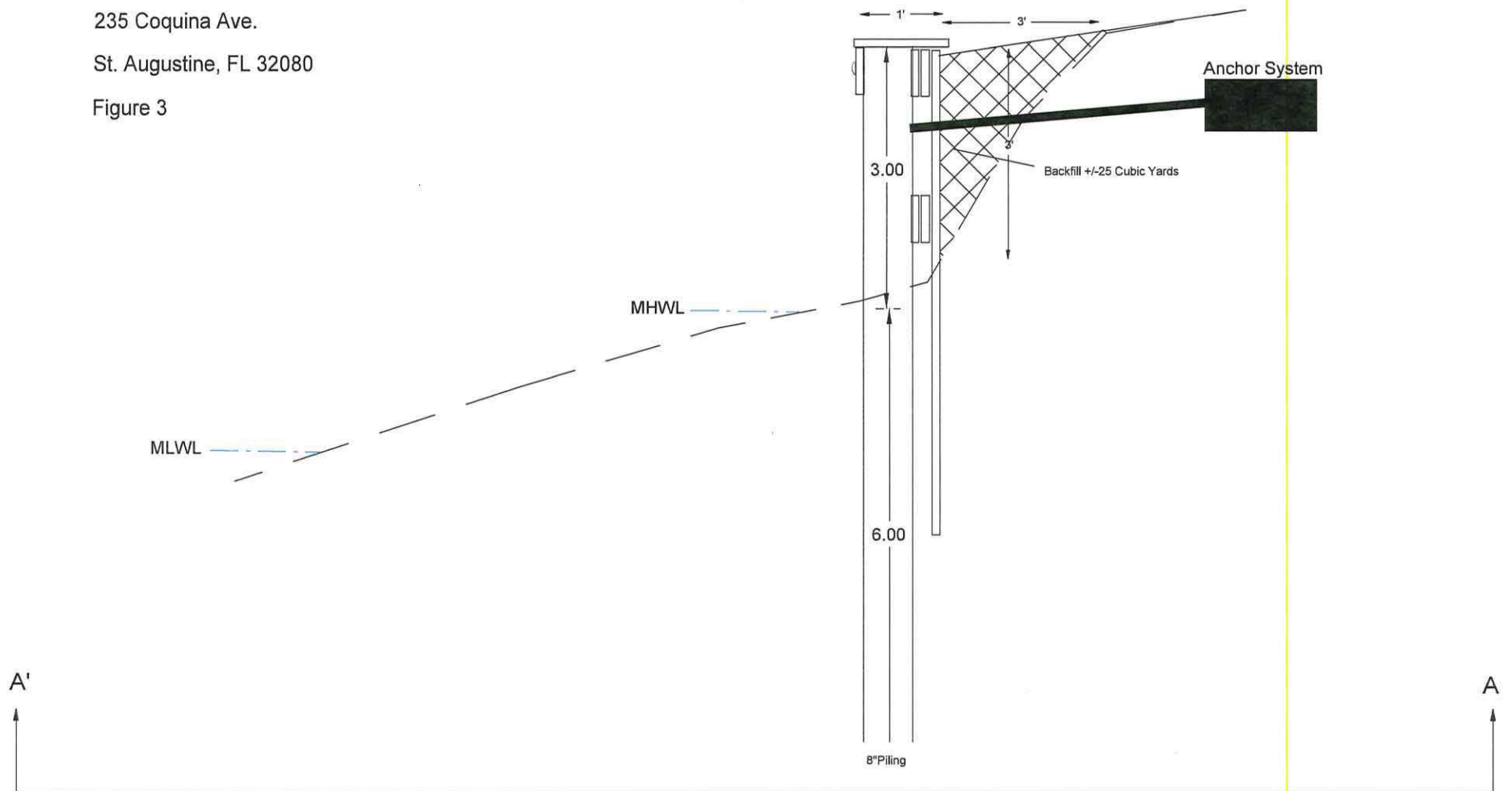


Whetstone Bulkhead

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.

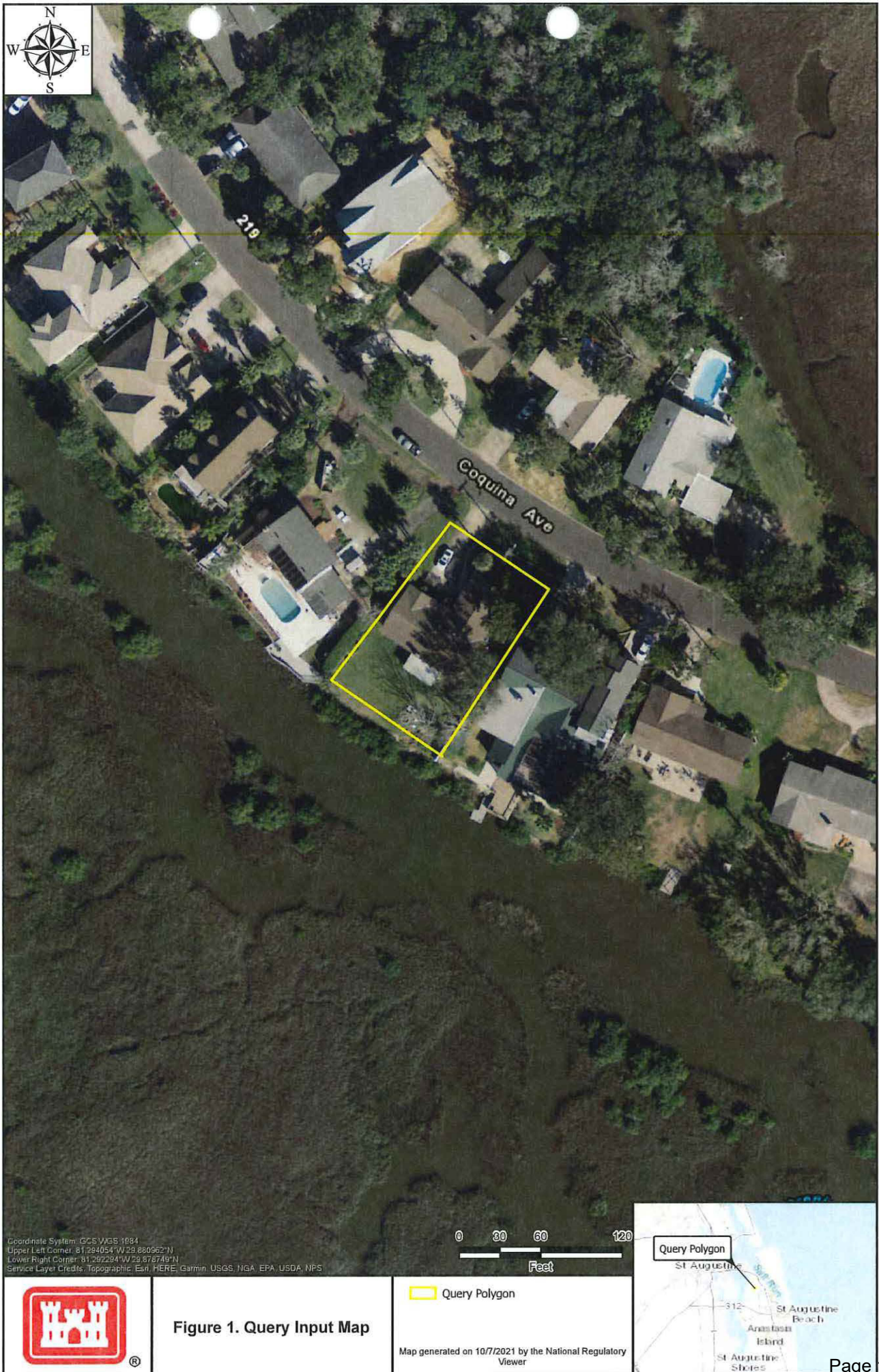
Sincerely,



Renee Riker
Project Manager

Enclosures:
Plans

cc:
Brian Spahr, briansphr@yahoo.com

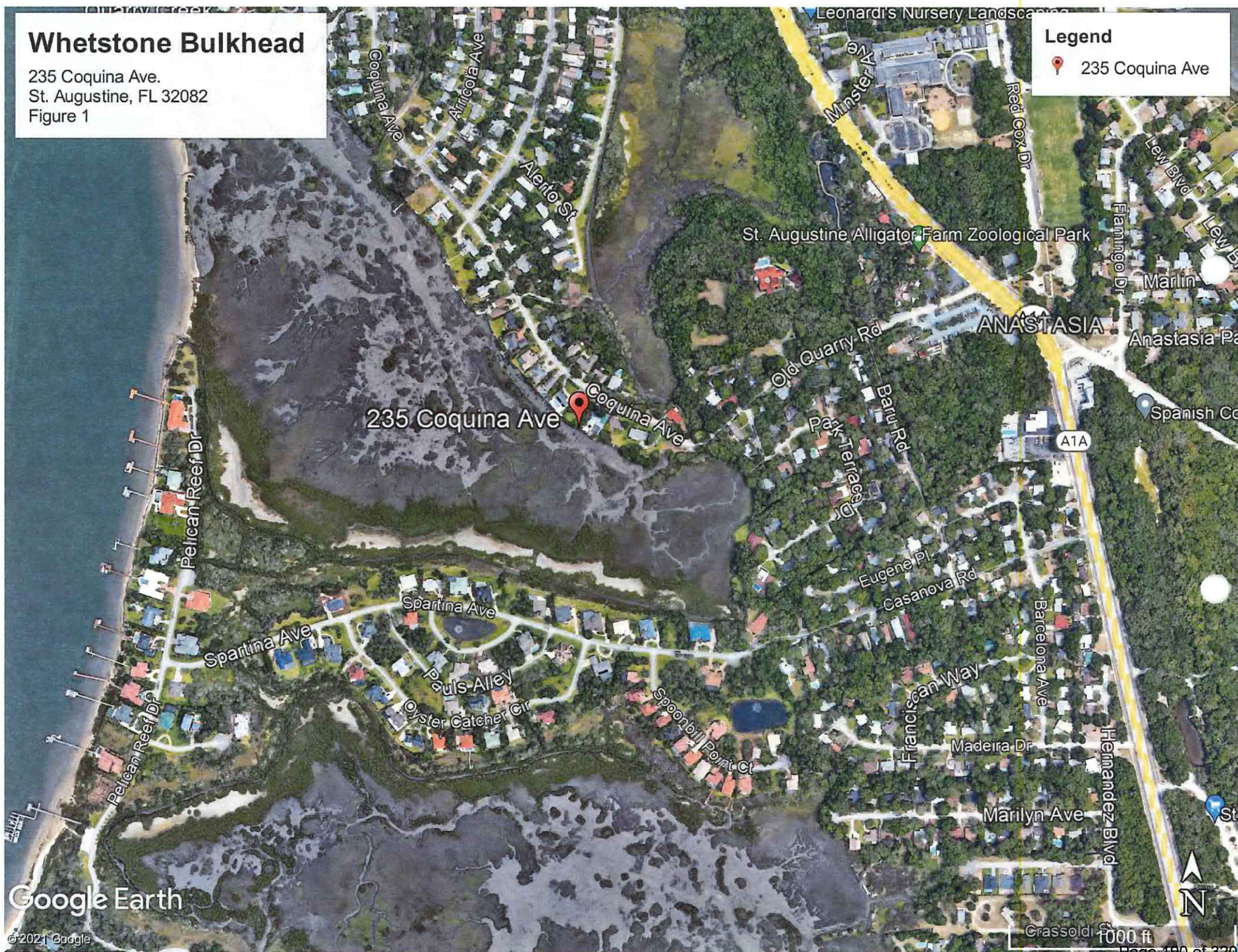


Whetstone Bulkhead

235 Coquina Ave.
St. Augustine, FL 32082
Figure 1

Legend

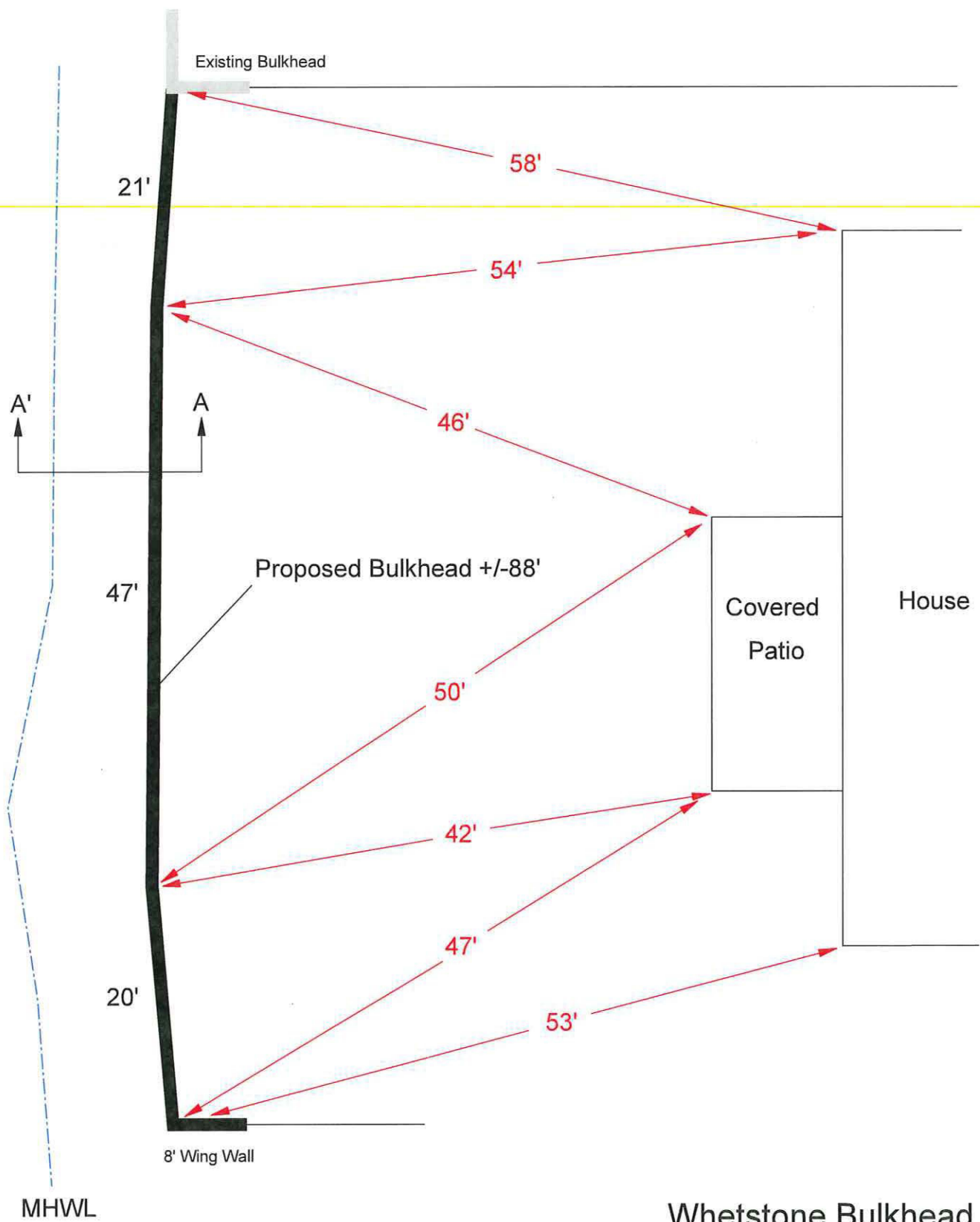
 235 Coquina Ave



Google Earth

© 2021 Google

Grassold St 1000 ft



Whetstone Bulkhead

235 Coquina Ave.

St. Augustine, FL 32080

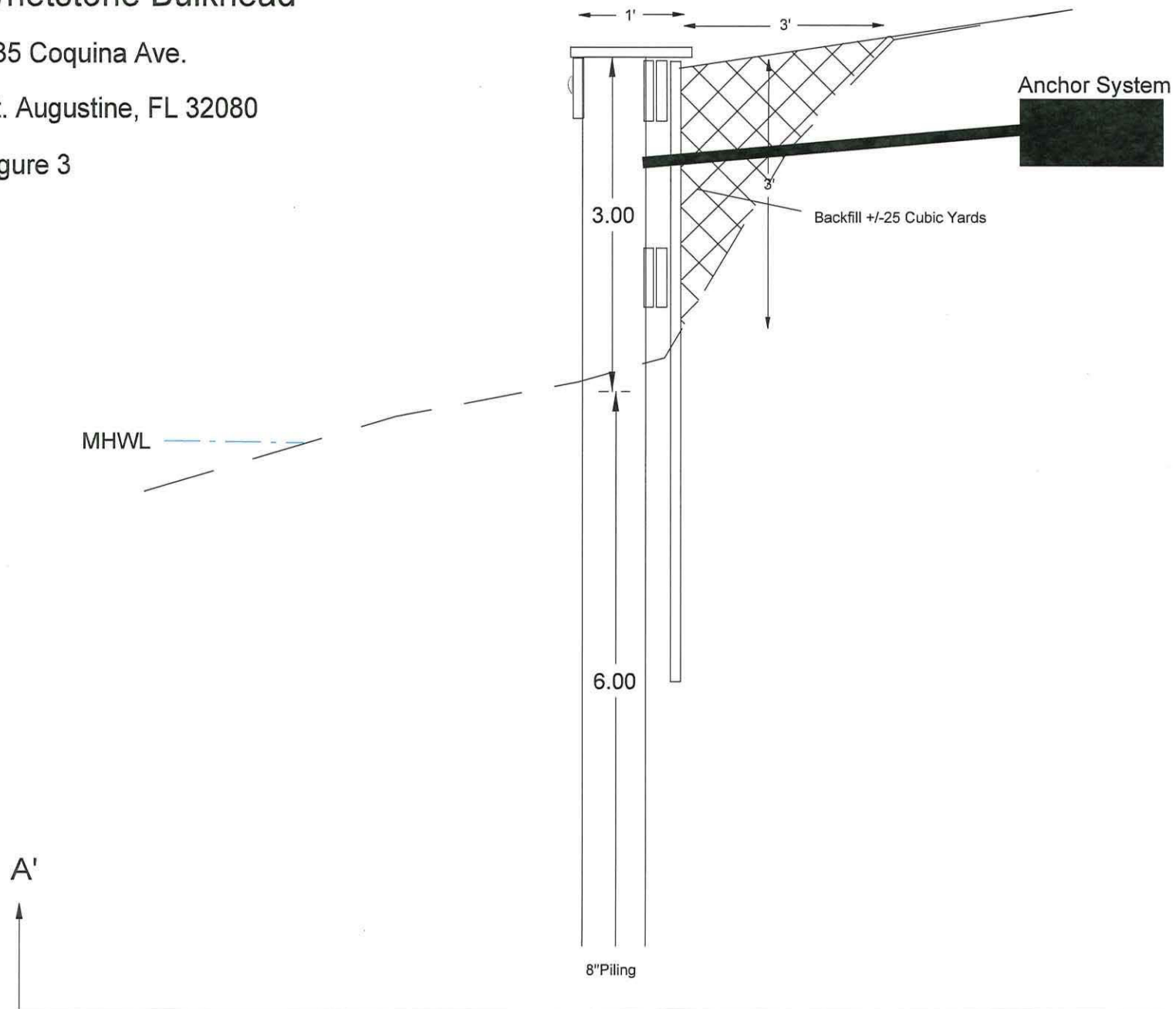
Figure 2

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

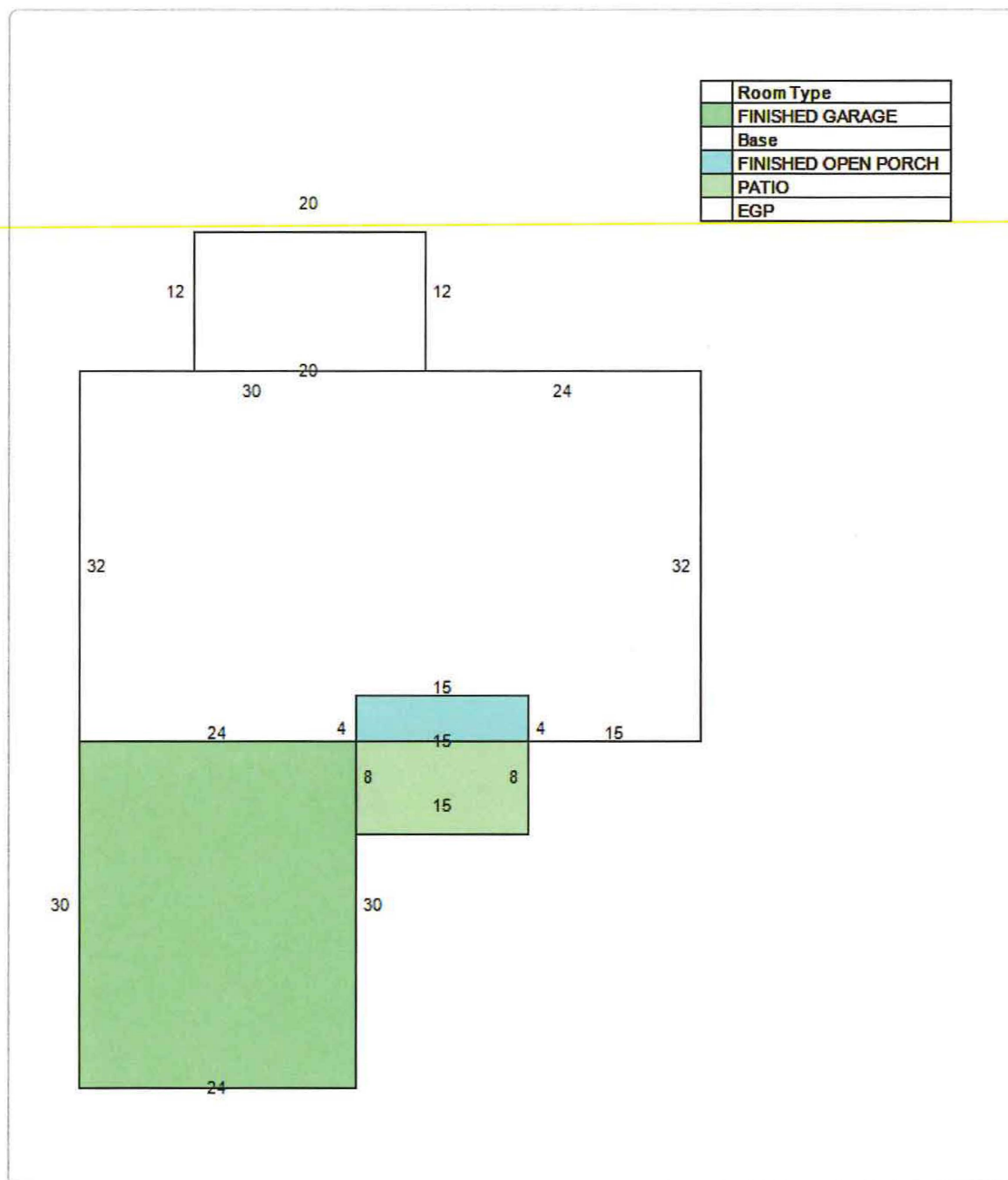
Building Information

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: April 5, 2022

RE: **CONSERVATION OVERLAY ZONE 3 DEVELOPMENT 2022-0014**

AGENDA ITEM	6(c)
APPLICANT & OWNER	Nell Johnson
LOCATION	0 McWilliams Street / PID 108920-0002
REQUEST	To approve the removal of a 24" dbh Red Cedar tree in Conservation Overlay Zone 3.
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.

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 3 is comprised of uplands and urban/residential areas which are inland from Zones 1 and 2, and which require special environmental consideration. Zone 3 is comprised of those undeveloped areas considered to be special flood hazard areas and significant tree canopy areas.

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.

- (d) Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover, or cause the removal of significant trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation.
- (1) In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following:
 - a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
 - b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
 - c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
 - d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.
 - e. Whether the tree has been designated a significant tree.
 - f. Impact upon the urban and natural environment, including:
 - 1. Ground and surface water stabilization.
 - 2. Water quality and aquifer recharge.
 - 3. Ecological impacts.
 - 4. Noise pollution.
 - 5. Air movement.
 - 6. Air quality.
 - 7. Wildlife habitat.

- g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.
- (e) Issuance of permit. The planning and building division shall issue the removal permit for trees not identified as significant trees under [section 11-27](#) unless, upon consideration of the criteria set forth above, it finds any of the following will result:
- (1) That the property owner or agent will not be unreasonably affected in shifting the location of the proposed structure, building or improvement, which shift will maintain the existence of the subject trees and still permit construction of such building or improvement on the site.
 - (2) That the property owner or agent will not be unreasonably affected in modifying the design of the proposed structure, building or other improvement, which modification will maintain the existence of the trees proposed to be removed and still permit construction substantially similar to that originally proposed.
 - (3) That the removal of the subject trees will have a substantial adverse impact on the urban and natural environment.
 - (4) That the subject trees are significant trees and removal must be reviewed by the planning and zoning board.

STAFF SUMMARY AND ANALYSIS

This request is to remove a 24" dbh Red Cedar tree in order to build a new single-family home on the corner of McWilliams Street and Palmer Street. No arborist report was submitted with the application, therefore, without an arborist report the condition of the Red Cedar tree with respect to disease or safety is unclear.

Aerial photographs from this area of St. Augustine show a lack of tree coverage. A Red Cedar of at least eight (8) inches dbh is classified as a significant tree. The removal of a twenty-four (24) inch Red Cedar could potentially have significant impacts on the City's tree canopy and property values in the area. Given the location of the required yards on the property there seems to be room for a more creative structure placement or layout.

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 **DENY** the removal of a 24" Red Cedar tree given the size of the property and potential options to build a single-family home at 0 McWilliams Street / PID 108920-0002.



Jacob Fredriksson
Senior Planner
Planning and Building Department

MAR 04 2022



CITY OF ST AUGUSTINE

APPLICATION TO PLANNING AND ZONING BOARD

Planning/Building Dept.

Application Fee: 165.00 (plus advertising costs) Project Number: 2022-0014

Receipt Number: 2328488 Meeting Date: 4/5/2021

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

1. NAME OF APPLICANT: nell johnson Contact Number: 312-493-5033

Business (if applicable): _____

Address: 143 Ocean Hollow Lane City: St. Augustine State: FL Zip: 32084

E-Mail Address: johnsonnell@hotmail.com

2. NAME OF PROPERTY OWNER: nell johnson Contact Number: 312-493-5033

Business (if applicable): _____

Address: 143 ocean hollow lane City: st. augustine State: fl Zip: 32084

E-Mail Address: johnsonnell@hotmail.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 6 Block: 34-A

Subdivision: Ravenswood Parcel Number: 108920-0002

4. PROJECT STREET ADDRESS: McWilliams

5. SPECIFIC PROPOSED USE: single family residence

6. ACTION REQUESTED:

☒ Conservation Zone Development ☐ Appeal of Staff Determination

☐ Exception ☐ Land Use Plan Amendment

☐ Variance ☐ Rezoning

☐ Other: tree removal

7. DESCRIPTION OF ACTION REQUESTED: Removal of 24" red cedar tree

8. JUSTIFICATION FOR ACTION REQUESTED: New construction, tree in question is inside the footprint of the home

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.

Application before HARB for demolition of 4 McWilliams 03/2021 was approved, home has been removed, site cleared

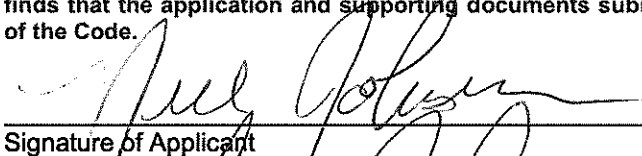
11. AGREEMENT:

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

03/03/2022
Date


Signature of Property Owner

03/03/2022
Date



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

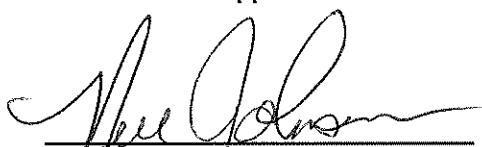
The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

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.

nell johnson

Print name of applicant



Signature of applicant

03/03/2022

Date



Owner's Authorization For Agent

nell johnson is/are hereby authorized TO ACT ON BEHALF
OF nell johnson, 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: nell johnson

Signature of Owner
nell johnson

Print Name of Owner
312-493-5033

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: _____

[Handwritten signature]

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.

2 McWilliams

Project Address: _____

nell johnson

nell johnson

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

nell johnson

nell johnson

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

EAST 86.0'
LOT 8
BLOCK 34-A
(VACANT)

LOT 5
BLOCK 34-A
(VACANT)

LOT 6
BLOCK 34-A
(VACANT)

10' SETBACK

10' SETBACK

PLAT)

N08°43'05"W 150.06'

PALMER STREET
(30' RIGHT OF WAY)

100.00'(PLAT)

7.5' SETBACK

12.8" CEDAR

46" OAK

15' SETBACK

100.01

13'-0"

18'-0"

Drive Way

5'-0"

10'-0"

5'-0"

50.00'(PLAT)

POINT OF
BEGINNING



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

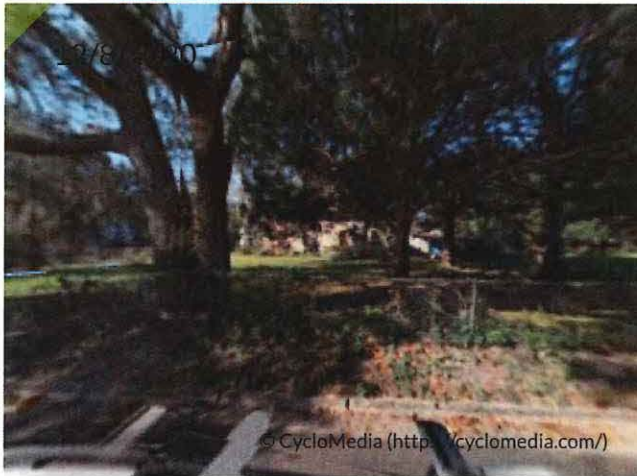
[Sales Questionnaire](#)

2021 TRIM Notice

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

Summary

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

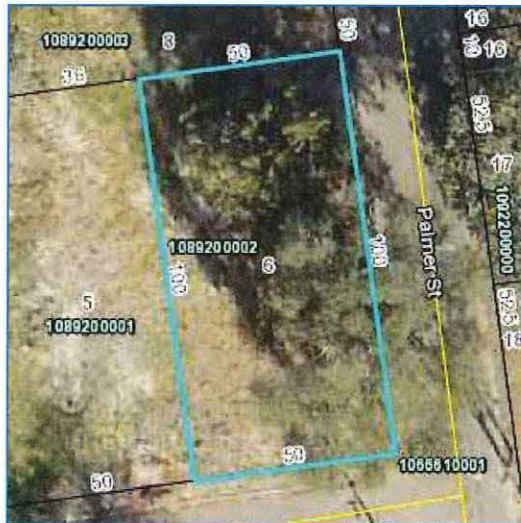


Parcel ID	1089200002
Location Address	MC WILLIAMS ST SAINT AUGUSTINE 32084-0000
Neighborhood	Ravenswood (485)
Tax Description*	RAVENSWOOD SUB LOT 6 BLK 34-A OR5193/222 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Residential (0000)
Subdivision	Ravenswood Subdivision
Sec/Twp/Rng	41-7-29
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.110
Homestead	N

Owner Information

Owner Name	Frenzel Graydon Et AL 100% Johnson Nell 100%
Mailing Address	2625 N MILDRED AVE 1 CHIGACO, IL 60614-0000

Map



Valuation Information

	2022
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$25,708
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$25,708
Total Deferred	\$0
Assessed Value	\$25,708
Total Exemptions	\$0
Taxable Value	\$25,708

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	\$25,708	\$0	\$0	\$25,708	\$25,708	\$0	\$25,708

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	50	100	50	EF	\$25,708

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
3/1/2021	2/26/2021	\$90,000.00	WARRANTY DEED	5193	222	U	I	HOBBS CHARLES RAYMOND,DOROTHY ANN	FRENZEL GRAYDON ET AL

No data available for the following modules: 2020 TRIM Notice, Exemption Information, Building Information, Sketch Information, Extra Feature 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.

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 3/4/2022, 12:29:49 AM

Developed by
 Schneider
 GEOSPATIAL

Version 2.3.177



Overview



Legend

□ Parcels

Parcel ID	1089200002	Physical	MC WILLIAMS ST	Building Value	N/A	Last 2 Sales			
Property	0000 - Vacant	Address	SAINT AUGUSTINE	Extra Feature	N/A	Date	Price	Reason	Qual
Class	Residential	Mailing	FRENZEL GRAYDON ET	Value		2/26/2021	\$90000	37	U
Taxing	City of St Augustine	Address	AL	Total Land Value	\$25,708	n/a	0	n/a	n/a
District			2625 N MILDRED AVE 1	Just Value	\$25,708				
Acres	0.11		CHIGACO IL 60614-0000	Total Deferred	N/A				
				Assessed Value	\$25,708				
				Total Exemptions	N/A				
				Taxable Value	\$25,708				

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.

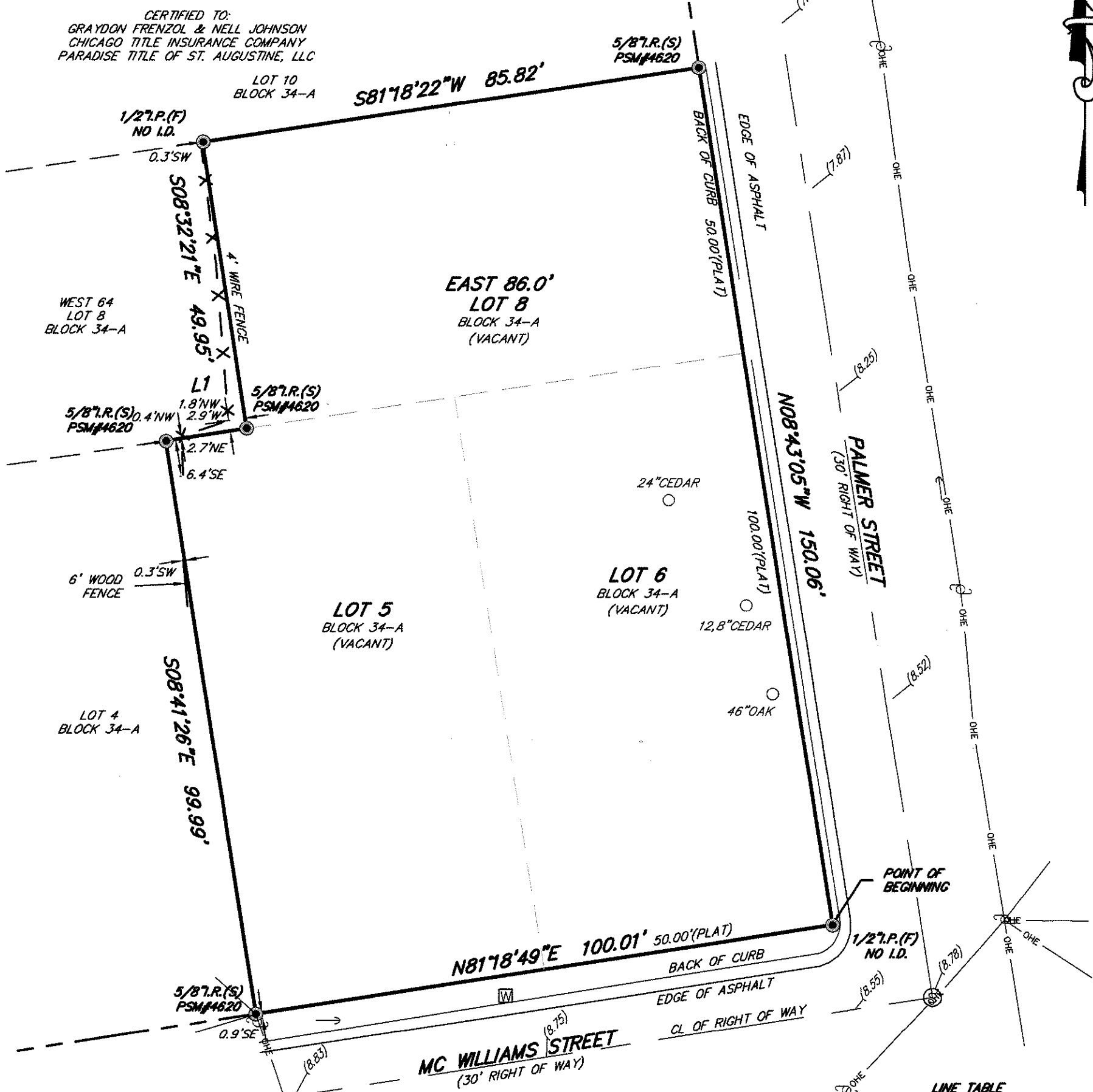
Date created: 3/4/2022

Last Data Uploaded: 3/4/2022 12:29:49 AM

Developed by  Schneider
GEOSPATIAL

MAP SHOWING SURVEY OF

LOTS 5 AND 6, AND THE EAST 86 FEET OF LOT 8, BLOCK 34-A, RAVESWOOD, ACCORDING TO THE MAP OF WEST ST. AUGUSTINE MADE BY PETER KENDRICK ENGINEERING COMPANY DATED JANUARY 1926, WHICH MAP IS OWNED BY THE ST. JOHNS COUNTY ABSTRACT COMPANY, ALL OF THE SAME MORE FULLY DESCRIBED IN OFFICIAL RECORDS BOOK 127, PAGE 312, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

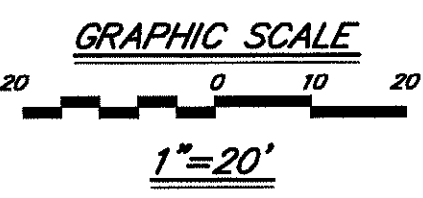


SURVEYOR NOTES:
1. REVISED TO SHOW LOCATIONS OF POWER POLES, OVERHEAD ELECTRIC & TREES ON 11/03/2021.

LEGEND

- | | |
|---|--------------------------|
| A/C - AIR CONDITIONER PAD | RES. - RESIDENCE |
| ID. - IDENTIFICATION | CL - CENTERLINE |
| N.A. V.D. - NORTH AMERICAN VERTICAL DATUM | + - DENOTES NOT TO SCALE |
| sq. ft. - SQUARE FEET | WM - WATER METER |
| I.P.(F) - IRON PIPE FOUND | EC - EXPOSED CONCRETE |
| I.R.(F) - IRON ROD FOUND | CA - COVERED AREA |
| I.R.(S) - 5/8\" | |

AREA = 0.33 ± ACRES
OR 14,300 ± sq. ft.



GENERAL NOTES:

- This survey made without benefit of an abstract of title. No right-of-way or easements of record were furnished to this firm except as shown.
- The certification of this survey is a professional opinion based on the existing field and documentary evidence available at the time this survey was prepared.
- This office has not abstracted this parcel of land for any recorded claims of title, easements or restrictions. This surveyor shall not be held liable for the existence of any such claims.
- Use of this survey for purposes other than that which it was intended, without written verification, will be at the user's sole risk and without liability to this surveyor. Nothing hereon shall be intended to give any rights or benefits to anyone other than those the survey was prepared for.
- All disputes here under shall be resolved by binding arbitration in accordance with rules set forth by the American Arbitration Association.
- No underground structures, utilities or foundations were located or determined by this survey.
- For building setbacks call the appropriate county codes enforcement office.
- All distances, bearings or angles are as field measured. Deed or plat measurements are noted if different.
- The measurements for this survey were made in accordance with the United States Standards.
- Encroachments as shown hereon are only those above ground, visible objects observed by the surveyor.

NOTE:

THIS SURVEY IS PROTECTED BY COPYRIGHT AND IS CERTIFIED ONLY TO THE PARTIES LISTED ABOVE AND ONLY FOR THIS PARTICULAR TRANSACTION. ANY USE OR REPRODUCTION OF THIS SURVEY WITHOUT THE EXPRESS PERMISSION OF THE SURVEYOR IS PROHIBITED. USE OF THIS SURVEY IN ANY SUBSEQUENT TRANSACTION IS NOT AUTHORIZED. THE SURVEYOR EXPRESSLY DISCLAIMS ANY CERTIFICATION TO ANY PARTIES IN FUTURE TRANSACTIONS. NO PERSON OTHER THAN THOSE LISTED SHOULD RELY UPON THIS SURVEY.

According to the Federal Emergency Management Agency FIRM Map No: 125145-0314J effective date: 12/07/2018, the property described hereon appears to lie in Zone X.

Basis of bearing structure: REFER TO SURVEY

Basis of elevations: N.A. V.D. 88

JOB NO.	LAST FIELD DATE	SCALE	P.B./PAGE	CHK. BY	DWG. BY
21-0134	11/03/2021	1" = 20'	797/59	N.H.F.	R.J.B.

TYPE: BOUNDARY

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NICHOLAS H. FRANKLIN
6170 A1A SOUTH #316
ST. AUGUSTINE, FLORIDA 32086
(904) 471-6877 FAX (904) 471-6876

Nicholas H. Franklin
NICHOLAS H. FRANKLIN, P.L.S. 4620
FOR LANDTECH AND ASSOCIATES

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper. Additions or deletions to survey maps or reports by other than the signing party is prohibited without the written consent of the signing party.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board
DATE: April 5, 2022
RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0017**

AGENDA ITEM 6(d)
APPLICANT Ryan Carter
c/o Carter Environmental Services
OWNER Flagler College Inc.
LOCATION 1 Malaga Street / PID 206440-0020
REQUEST To approve a pile-support dock and floating platform including a gangway and floating kayak launch within Conservation Overlay Zone 1.
LAND USE Commercial Low Intensity
ZONING Commercial Low-two: CL-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 strand 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 820 square foot (sf) total pile-supported dock at 1 Malaga Street to provide access to the San Sebastian River for recreation opportunities. This includes 558 sf of decking, a 150 sf floating dock, a 42 sf gangway, and a 70 sf floating kayak launch as represented in the application.

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 467 feet of river frontage. The applicant states that there is very sparse salt marsh vegetation, mangroves and sparse oyster colonies present.

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

The east side of this property borders the San Sebastian River and has a fire station, winery, and convenience store as neighbors.

- (3) Natural and proposed drainage patterns.

The Applicant states that the proposed works will not have any impacts on drainage.

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

N/A.

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

The Applicant states that there will be no long term or permanent impacts in terms of erosion, but will employ necessary soil and erosion control methods during construction.

- (6) Impact on floodplain.

None.

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

<i>Vegetative impacts</i>	<i>The boardwalk will likely not pose a shading problem for salt marsh vegetation due to its design height. It will be built as required by state and federal agencies, five feet or higher above mean high water.</i>
<i>Lighting of the open water areas at night</i>	<i>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.</i>
<i>Increased noise from day users</i>	<i>Minimal noise associated with user activities. No power boat lifts are proposed.</i>

- (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 based on dock height and pile placement.

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

This area is a no wake zone and boat use will be unpowered.

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

The new dock will be 6 feet wide which is roughly 1.3% of the site's shoreline length.

- (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 is 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.)

According to the applicant turbidity barriers will be in place during pile-setting. No long-term turbidity inputs will take place, nor other deleterious water quality inputs.

- (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:*

<i>Positive</i>	<i>Negative</i>
<i>The proposed new dock could provide shelter for larval, juvenile, and adult fish</i>	<i>None anticipated</i>

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

<i>Positive</i>	<i>Negative</i>
<i>The pilings used to construct the dock could be colonized by barnacles, oysters and mussels. This will be an addition of habitat.</i>	<i>None anticipated</i>

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

<i>Positive</i>	<i>Negative</i>
<i>The new boardwalk could be used as a resting place or perch for many water fowl.</i>	<i>None anticipated</i>

- (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 proposed plans for any boathouse, roofed structure or wall within the development with the decking being 5 feet above the mean high water line.

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 pile-supported dock and floating platform including a gangway and floating kayak launch within Conservation Overlay Zone 1 at 1 Malaga Street / PID 206440-0020.

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: \$330 165 (plus advertising costs)

Project Number: 2022-0017

Receipt Number: 2328584

Meeting Date: April 5, 2022

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: Flagler College Inc. Contact Number: 904-819-6205

Business (if applicable): _____

Address: 74 King Street City: St. Augustine State: FL Zip: 32084

E-Mail Address: LStevenson@flagler.edu

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: _____

Block: 0

Subdivision: Model Land Company Subdivision

Parcel Number: 2064400020

4. PROJECT STREET ADDRESS: 1 Malaga Street

5. SPECIFIC PROPOSED USE: Public Colleges

6. ACTION REQUESTED:

☒ Conservation Zone Development

☐ Appeal of Staff Determination

☐ Exception

☐ Land Use Plan Amendment

☐ Variance

☐ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Proposed pile-support dock and floating platform

8. JUSTIFICATION FOR ACTION REQUESTED: Access to San Sebastian River

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.

R. A. C.

1-25-2022

Signature of Applicant

Date

Signature of Property Owner

Date

1-22-22

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 cursive script, appearing to read "R. A. Carter".

Signature of applicant

1-25-2022

Date



Owner's Authorization For Agent

Carter Environmental Services is/are hereby authorized TO ACT ON BEHALF OF Flagler College Inc., 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]
Signature of Owner
David Carson
Print Name of Owner
904-819-6231
Telephone Number

State of Florida

County of St. Johns

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

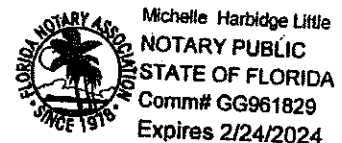
By David Carson

Identification verified: Personally Known

Oath sworn: X Yes _____ No

Notary Signature: Michelle Harbidge Little

My Commission expires: 02/24/2024





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

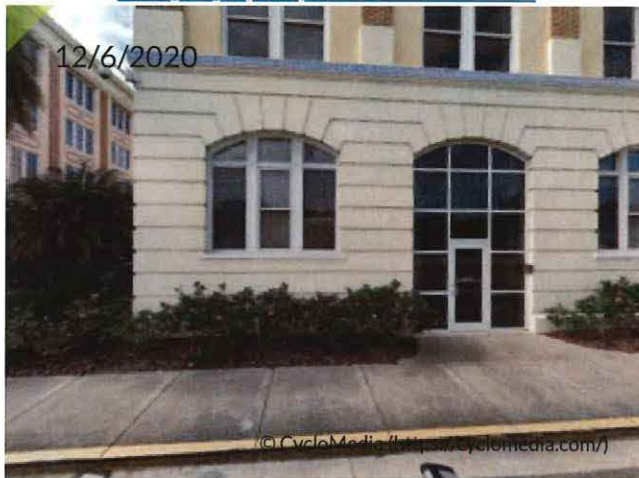
[Sales Questionnaire](#)

2021 TRIM Notice

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

Summary

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



Parcel ID 2064400020
Location Address 1 MALAGA ST
 SAINT AUGUSTINE 32084-0000
Neighborhood City of St Aug King St (COM) (610.19)
Tax Description* MODEL LAND CO SUB CITY PART OF BLK O LYING S OF US 1 & W OF MALAGA STREET OR2804/1620
**The Description above is not to be used on legal documents.*
Property Use Code Public Colleges (8400)
Subdivision Model Land Company Subdivision
Sec/Twp/Rng 18-7-30
District City of St Augustine (District 452)
Millage Rate 19.3368
Acreage 4.620
Homestead N

Owner Information

Owner Name [Flagler College Inc](#) 100%
Mailing Address PO BOX 1027
 SAINT AUGUSTINE, FL 32085-1027

Exemption Information

Exemption Type	Status	Amount
Educational		\$39,963,770

Map



Valuation Information

	2022
Building Value	\$41,486,197
Extra Features Value	\$643,319
Total Land Value	\$2,012,260
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$44,141,776
Total Deferred	\$4,178,006
Assessed Value	\$39,963,770
Total Exemptions	\$39,963,770
Taxable Value	\$0

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	\$42,069,652	\$653,081	\$2,012,260	\$0	\$0	\$44,734,993	\$36,330,700	\$44,734,993	\$0
2020	\$42,653,108	\$662,845	\$2,012,260	\$0	\$0	\$45,328,213	\$33,027,909	\$45,328,213	\$0
2019	\$41,386,560	\$618,175	\$2,012,260	\$0	\$0	\$44,016,995	\$30,025,372	\$44,016,995	\$0
2018	\$26,077,670	\$623,553	\$1,609,808	\$0	\$0	\$28,311,031	\$27,295,793	\$28,311,031	\$0
2017	\$3,971,570	\$284,572	\$1,609,808	\$0	\$0	\$5,865,950	\$5,865,950	\$5,865,950	\$0
2016	\$4,036,677	\$293,482	\$1,609,808	\$0	\$0	\$5,939,967	\$5,939,967	\$5,939,967	\$0
2015	\$4,101,785	\$302,395	\$1,609,808	\$0	\$0	\$6,013,988	\$5,430,350	\$6,013,988	\$0
2014	\$3,921,781	\$310,610	\$704,291	\$0	\$0	\$4,936,682	\$4,936,682	\$4,936,682	\$0
2013	\$3,983,094	\$319,487	\$704,291	\$0	\$0	\$5,006,872	\$5,006,872	\$5,006,872	\$0
2012	\$4,044,373	\$328,365	\$704,291	\$0	\$0	\$5,077,029	\$5,077,029	\$5,077,029	\$0
2011	\$4,105,651	\$336,536	\$804,904	\$0	\$0	\$5,247,091	\$5,247,091	\$5,247,091	\$0
2010	\$4,166,930	\$345,410	\$875,333	\$0	\$0	\$5,387,673	\$5,387,673	\$5,387,673	\$0

Building Information

Building	1
Year Built	1923
Actual Area	64237
Conditioned Area	63904
Use	Dormitories
Style	04
Class	N
Exterior Wall	Concrete Stucco, Jumbo Brick

Roof Cover	Built Up
Roof Structure	Rigid Frame
Interior Flooring	Carpet, Marble
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	
Baths	

Description	Square Footage
BASE AREA	20720
BASE AREA	20800
BASE AREA	792
BASE AREA	20800
BASE AREA	792
CANOPY (COMMERCIAL)	190

CANOPY (COMMERCIAL)

Total SqFt

143

64237

Building 2
 Year Built 2017
 Actual Area 191878
 Conditioned Area 191570
 Use Parking Garage (Above-ground)
 Style 04
 Class N
 Exterior Wall Precast Panel

Roof Cover
 Roof Structure Prestressed Concrete
 Interior Flooring Concrete 6-8"
 Interior Wall Minimum
 Heating Type None
 Air Conditioning N/A
 Bedrooms
 Baths

Description

Square Footage

ENCLOSED STAIRWELL

308

BASE AREA

191570

Total SqFt

191878

Building 3
 Year Built 2017
 Actual Area 74160
 Conditioned Area 68274
 Use Dormitories
 Style 04
 Class N
 Exterior Wall Brick, Concrete Stucco

Roof Cover Roll Composite
 Roof Structure Flat
 Interior Flooring Carpet, Ceramic Tile
 Interior Wall Drywall
 Heating Type Air Duct
 Air Conditioning Central
 Bedrooms
 Baths

Description

Square Footage

PATIO

1398

BASE AREA

54072

PATIO

344

CANOPY (COMMERCIAL)

352

BASE AREA

7326

CANOPY (COMMERCIAL)

1398

FINISHED UPPER STORY

6876

PATIO

344

CANOPY (COMMERCIAL)

352

CANOPY (COMMERCIAL)

960

ENCLOSED STAIRWELL

432

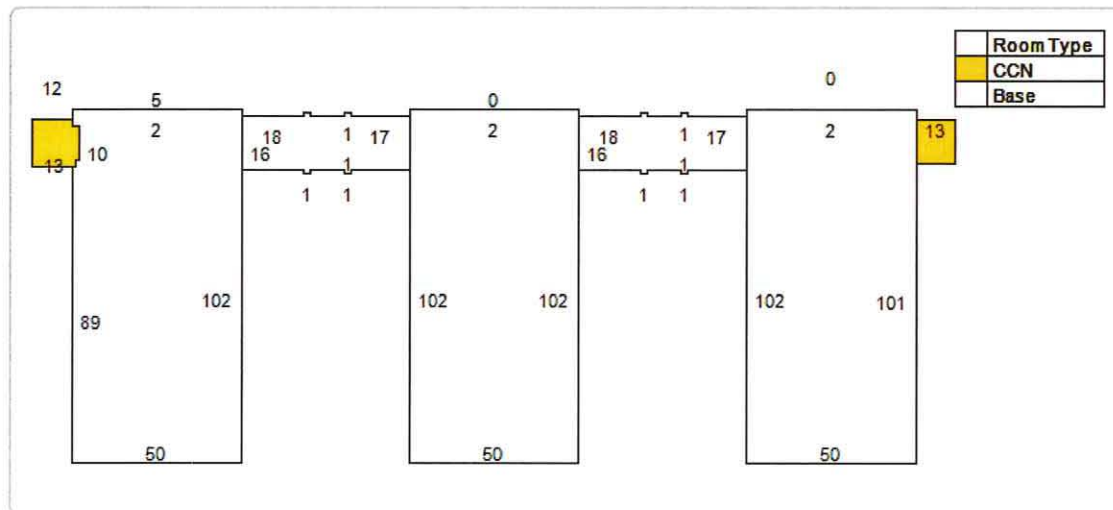
ENCLOSED STAIRWELL

306

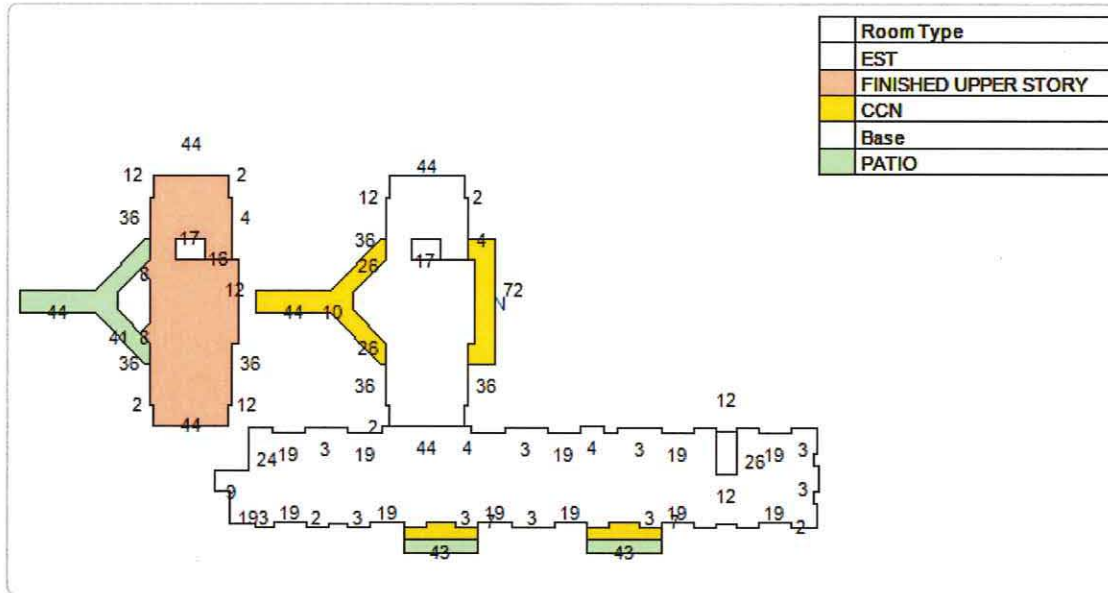
Total SqFt

74160

Sketch Information



	Room Type
	EST



Extra Feature Information

Code Description	Status	Value
Curb		954
Pole Light		29402
Brick Pavers (3001-9999)		77775
Commercial Metal Fence 4'		2445
Concrete Paving		59172
Sprinkler Wet		23467
Sprinkler Wet		87958
Elevator (Freight)		23030
Elevator - Commercial (4+)		23030
Elevator - Commercial (4+)		23030
Elevator - Residential (48"x48" - 3 Passenger) 3+		21150
Elevator - Residential (48"x48" - 3 Passenger) 3+		21150
Elevator - Residential (48"x48" - 3 Passenger) 3+		21150
Asphalt Paving		108943
Concrete Paving		6598
Pole Light		9450
Pole Light		3780
Curb		11082
Canopy		1080
Storage Building		15552
Storage Building		864
Masonry Wall		2840
Metal Fence 6'		85
Wood Fence (3' - 4')		103
Aluminum Fence (4' - 6')		328
Vinyl Fence (6')		836
Canopy		3276
Sprinkler Wet		31824
Metal Fence 6'		1731

Brick Pavers (501-1000)	7788
Masonry Wall	9466
Concrete Paving	1115
Pole Light	8829
Pole Light	4036

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Public Colleges	0	0	201226	SF	\$2,012,260

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
2/18/2013	10/23/2012	\$0.00	COVENANTS AND RESTRICTIONS	3687	1413	U	I	FLAGLER COLLEGE INC	FLA DEPT ENVIRONMENTAL PROTECTION
	10/20/2006	\$10,000,000.00	WARRANTY DEED	2804	1620	U	I	FLORIDA EAST COAST RAILWAY LLC	FLAGLER COLLEGE INC

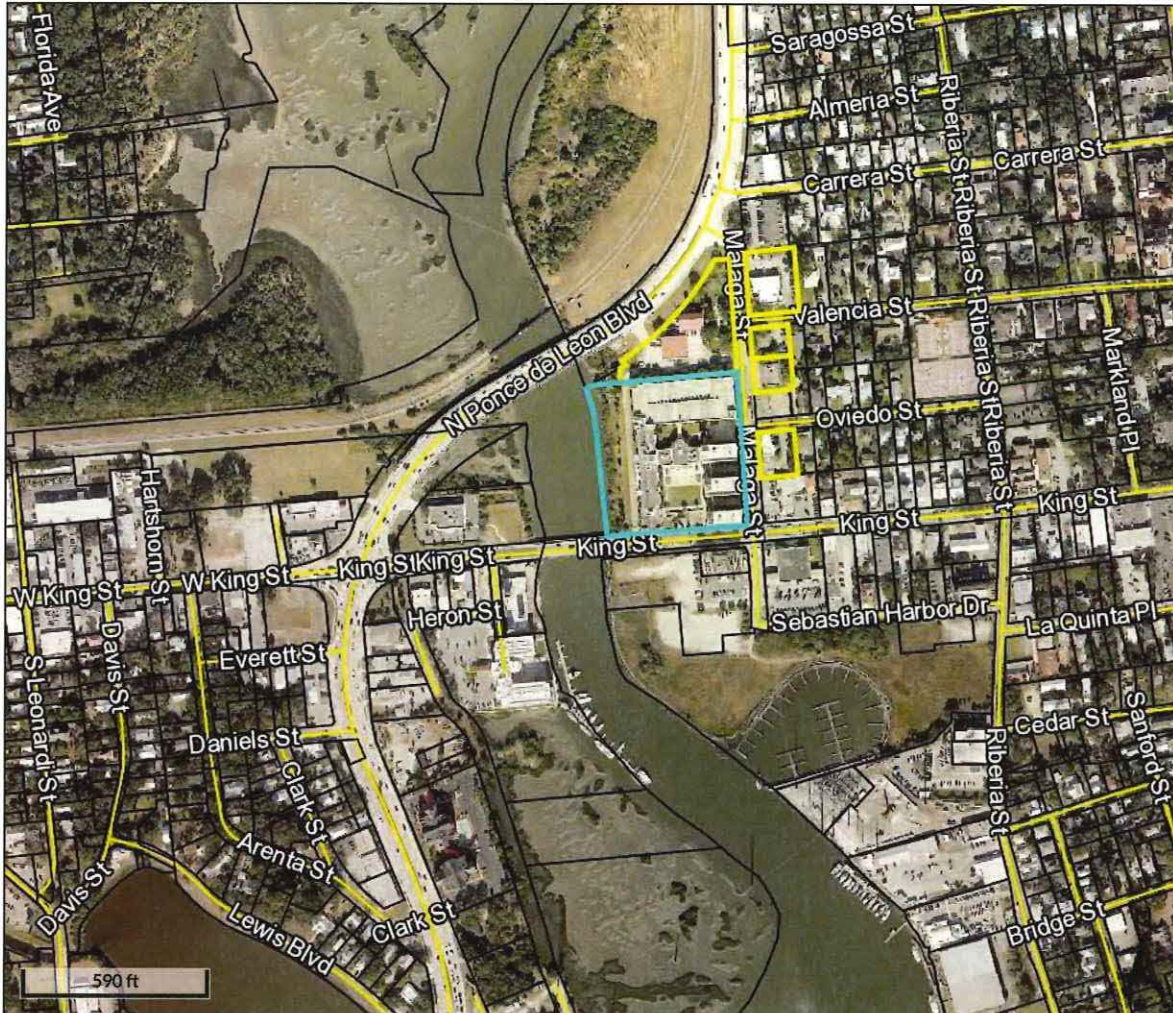
The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

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Last Data Upload: 3/4/2022, 12:29:49 AM

Developed by
 Schneider
 GEOSPATIAL

Version 2.3.177



Overview



Legend

□ Parcels

Parcel ID	2064400020	Physical	1 MALAGAST	Building Value	\$41,486,200	Last 2 Sales			
Property	8400 - Public	Address	SAINT AUGUSTINE	Extra Feature	\$643,319	Date	Price	Reason	Qual
Class	Colleges	Mailing	FLAGLER COLLEGE INC	Value		10/20/2006	\$10000000	11	U
Taxing	City of St	Address	PO BOX 1027	Total Land	\$2,012,260	n/a	0	n/a	n/a
District	Augustine		SAINT AUGUSTINE FL	Value					
Acre	4.62		32085-1027	Just Value	\$44,141,780				
				Total Deferred	\$4,178,006				
				Assessed	\$39,963,770				
				Value					
				Total	\$39,963,770				
				Exemptions					
				Taxable Value	N/A				

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: 3/4/2022

Last Data Uploaded: 3/4/2022 12:29:49 AM

Developed by  Schneider
GEOSPATIAL

Attachment 1
Overlay Zone Application Narrative

**Flagler College Dock
1 Malaga Street
Overlay Zone Development Application Supplement
March, 2022**

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a proposed dock at Flagler College - 1 Malaga Street. The proposed dock is for Flagler College students and staff to access the San Sebastian River, launch kayaks, and view the river. Total dock area will be approximately 820 sq. ft. The height of the dock will be 5' 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 proposed dock, associated with Flagler College will allow students and staff to access the San Sebastian River, to launch kayaks or enjoy river views.

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 minimal salt marsh vegetation along the shore here as it slopes steeply to open water. The dock will not harm any of this vegetation and will be built 5' high to allow light penetration below. The access pier alignment will also be placed as to avoid the necessity to trim or remove any mangroves.

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

No boat houses or tall structures 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 add opportunities for the public to view the river and enjoy the scenic vistas.

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 467 feet of river frontage. There is very sparse salt marsh vegetation, mangroves and sparse oyster colonies present.

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

The property is adjacent to other commercial uses 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 to the floodplain associated with this application.

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

Vegetative impacts: The boardwalk will likely not pose a shading problem for salt marsh vegetation due to its design height. It 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 marsh and open water.

Increased noise from day users: Minimal noise associated with user activities. No power boat lifts are proposed.

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 non-existent due to deck height and proper pile placement.

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 boat use will be unpowered. The additional use should not affect any *manatees, vegetation, shellfish and wildlife or shoreline erosion.*

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

The access pier will be 6' wide, or approximately 1.3% of the shoreline.

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.*

Turbidity barriers will be in place during pile-setting. No long-term turbidity inputs will take place, nor other deleterious water quality inputs.

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 could provide shelter for larval, juvenile, and adult fish.

Negative: None anticipated

- 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 anticipated.

- 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: None anticipated.

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.*

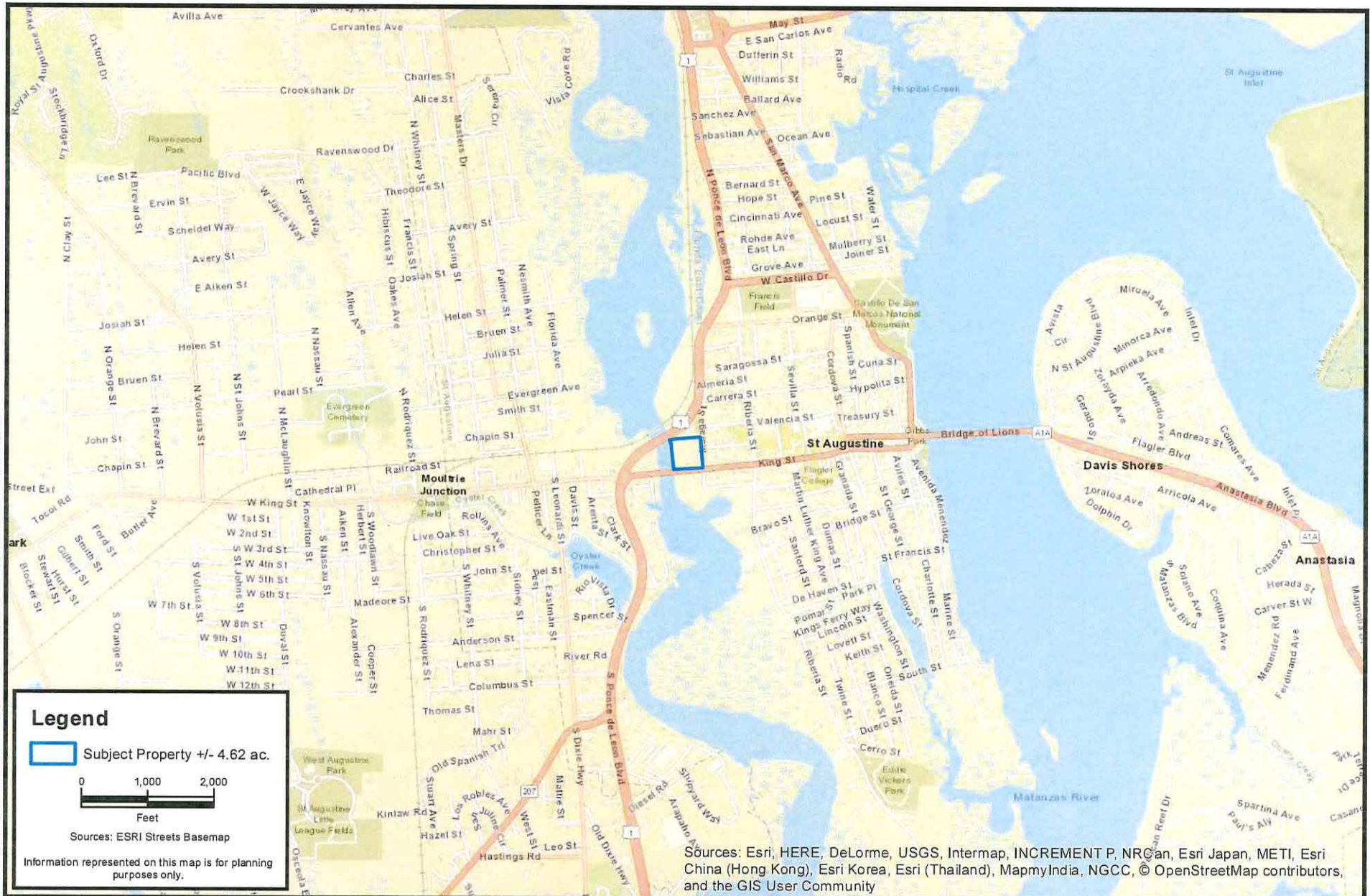
The deck will be 5' above MHW.

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

No boat lift is 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 Flagler College Dock

Project: 5.21611

St. Augustine, FL

Date: Jan 20 2022

Figure:

1



F:\CES Project\Project Files\Aerial\Project Files\2021\5.21611 Flagler College Dock\GIS\MXD\02-Flagler College Dock_Aerial Map.mxd



CARTER ENVIRONMENTAL
SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Aerial Map

Flagler College Dock

Project: 5.21611

St. Augustine, FL

Date: Jan 20 2022

Figure:

2





CARTER ENVIRONMENTAL
SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Dock Alignment
Flagler College Dock

Project: 5.21611

St. Augustine, FL

Date: Feb 09 2022

Figure:

3





Legend

Total Dock Area: 820 sf.

- Decking: 558 sf.
- Floating Dock: 150 sf.
- Gangway: 42 sf.
- Floating Kayak Launch: 70 sf.

0 5 10
Feet

Sources: ESRI Aerial Basemap

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 Dock Dimensions
Flagler College Dock

Project: 5.21611

St. Augustine, FL

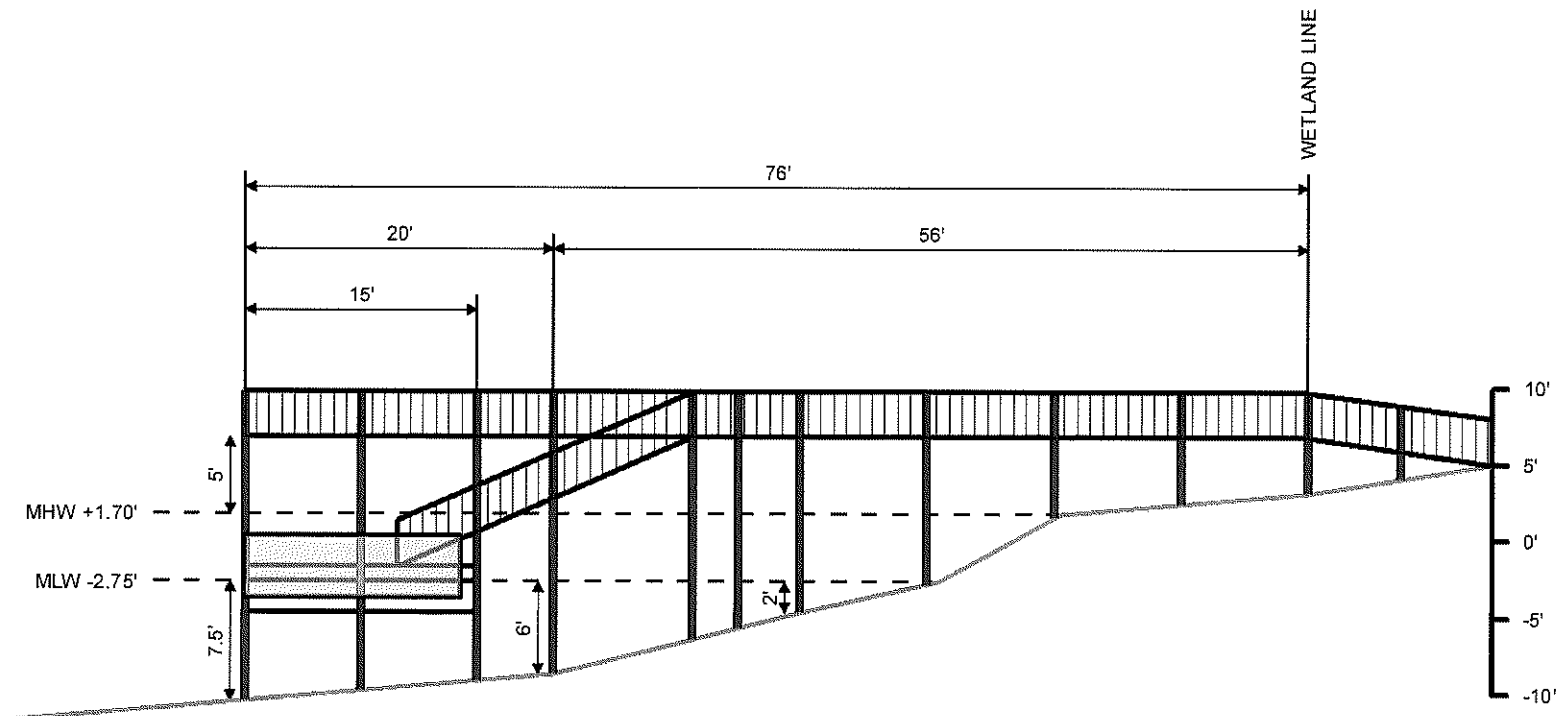
Date: Feb 09 2022

Figure:

4



F:\CES Projects\Project Files\Active\Project\Flagler College Dock\GIS\MXD\06-Flagler College Dock_Proposed Dock Profile View.mxd



CARTER ENVIRONMENTAL
SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Dock Profile View
Flagler College Dock

Project: 5.21611

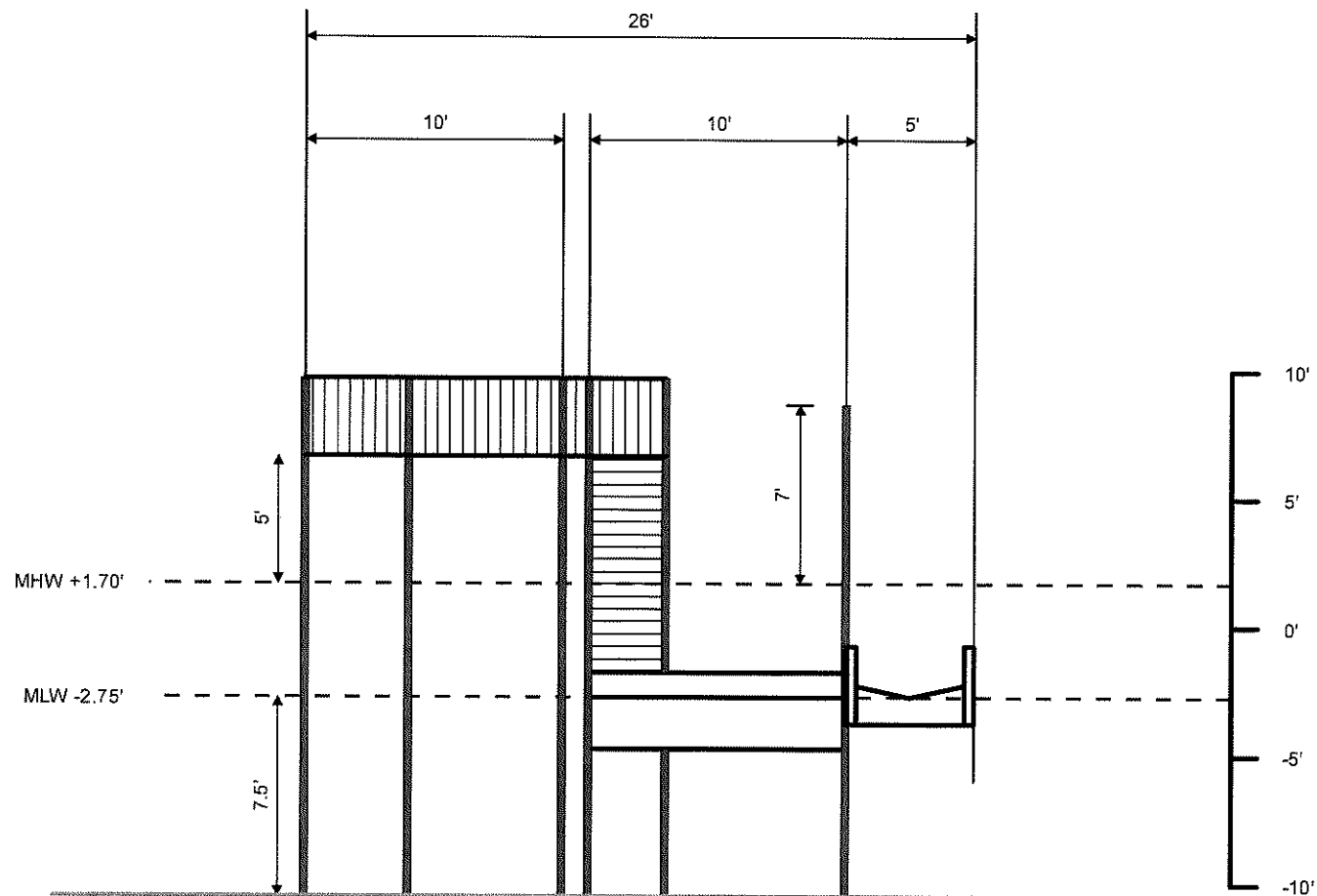
St. Augustine, FL

Date: Feb 10 2022

Figure:

5





CARTER ENVIRONMENTAL
SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Dock Cross-Section
Flagler College Dock

Project: 5.21611

St. Augustine, FL

Date: Feb 10 2022



Figure:

6

Kayak Launch Example Pictures



CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: April 5, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0018**

AGENDA ITEM	6(e)
APPLICANT	Ryan Carter c/o Carter Environmental Services
OWNER	Robert Ziadie
LOCATION	150 Pelican Reef Drive / PID 158571-4030
REQUEST	To approve a modification of an existing single-slip dock by adding a 450 square foot aluminum floating dock with a gangway and additional decking 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 strand 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 modify an existing dock.

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 an existing dock with approximately 117 feet of frontage along the Matanzas River and is not visible from the Atlantic Ocean beaches. The property is elevated from the coastline using a natural buffer rather than hardening the coastline. There is vegetation present but will not be impacted by the proposed dock modification.

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

This property is located on the Matanzas River and is in a single-family neighborhood.

- (3) Natural and proposed drainage patterns.

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

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

Point and non-point discharge will not be altered.

- (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.

The dock addition will shade an open area of water therefore not impacting vegetative or animal communities. Low-level lighting will be included in the modification and the applicant states that the direction of the lighting will have minimal impacts.

- (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.

The area of water that the dock modification will be covering will have minimal impacts on vegetation or shellfish.

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

The impact will be minimal given that this dock is located on the Intercoastal Waterway where there is already significant boat traffic.

- (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.

N/A.

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

As mentioned above the location of the addition will not impact animal habitat.

- (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 dock modification.

- (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:*

<i>Positive</i>	<i>Negative</i>
<i>The proposed new dock supports and platform will provide shelter for larval, juvenile, and adult fish.</i>	<i>Extremely small loss of juvenile habitat from the placement of approximately 12 new pilings for the dock expansion.</i>

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

<i>Positive</i>	<i>Negative</i>
<i>The floating platform and pilings used to construct the dock addition could be colonized by barnacles, oysters, and mussels. This will be an addition of habitat.</i>	<i>None, as the bottom depth is too great to currently offer shellfish habitat at the location of the proposed floating platform.</i>

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

<i>Positive</i>	<i>Negative</i>
<i>The additional dock/platform area could be used as a resting place or perch for many water fowl.</i>	<i>Extremely small loss of foraging habitat.</i>

- (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 plans for an addition of a boathouse, roofed structure or wall within the dock. The modification will match the existing dock profile and no new boatlifts are proposed.

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 modification of an existing dock by adding a 450 square foot aluminum floating dock with a gangway and additional decking for access within Conservation Overlay Zone 1 at 150 Pelican Reef Drive / PID 158571-4030.

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: \$330⁰165 (plus advertising costs) Project Number: 2022-0018
Receipt Number: 2328587 Meeting Date: April 5, 2022
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: Robert Ziadie Contact Number: 770-633-7373
Business (if applicable): _____
Address: 150 Pelican Reef Drive City: St. Augustine State: FL Zip: 32080
E-Mail Address: rz@rangermech.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: 3 Block: 4
Subdivision: Pelican Reef Parcel Number: 1585714030

4. PROJECT STREET ADDRESS: 150 Pelican Reef Drive

5. SPECIFIC PROPOSED USE: Modification/addition to existing single-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 1,610 square-foot, single-slip dock
by adding a 450 sq ft aluminum floating dock with gangway and additional decking for access. See
attached narrative and figures.

8. JUSTIFICATION FOR ACTION REQUESTED: _____
The applicant, who recently purchased the property, seeks to add the floating platform in order to
provide recreational access to the waterway and allow for the temporary docking of private vessels.

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.



3/1/22

Signature of Applicant

Date



3/3/22

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.

Ryan Carter

Print name of applicant

A handwritten signature in black ink, appearing to read "Ryan Carter".

Signature of applicant

3/1/22

Date



Owner's Authorization For Agent

Carter Environmental Services is/are hereby authorized TO ACT ON BEHALF
OF Robert Ziadie, 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:
150 Pelican Reef Drive

BY: Robert Ziadie
Signature of Owner
Robert Ziadie
Print Name of Owner
~~770-787-7010~~ 770-633-7373
Telephone Number

State of GEORGIA

County of NEWTON

Signed and sworn before me on this 3rd day of MARCH, 2022.

By Robert Ziadie

Identification verified:

Oath sworn: ☒ Yes ☐ No

Notary Signature: Ashton Eily Queen

My Commission expires: 04/26/2025





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

Parcel ID 1585714030
 Location Address 150 PELICAN REEF DR
 SAINT AUGUSTINE 32080-0000
 Neighborhood pelican reef (ICW) (628.42)
 Tax Description* 25/67-91 PELICAN REEF LOT 3 BLK 4 ORS330/1410
 *The Description above is not to be used on legal documents.
 Property Use Code Single Family (D100)
 Subdivision Pelican Reef
 Sec/Twp/Rng 20-7-30
 District City of St Augustine (District 452)
 Millage Rate 19.3368
 Acreage 0.500
 Homestead N

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


Owner Information

Owner Name [Zladin Robert Wesley Revocable Trust](#) 100%
[Zladin Robert Wesley Trust](#) 0%
 Mailing Address 150 PELICAN REEF DR
 SAINT AUGUSTINE, FL 32080-0000



Valuation Information

Building Value	2022
Extra Features Value	\$1,143,564
Total Land Value	\$49,977
Agricultural (Assessed) Value	\$950,000
Agricultural (Market) Value	\$0
Just (Market) Value	\$0
Total Deferred	\$2,143,541
Assessed Value	\$0
Total Exemptions	\$2,143,541
Taxable Value	\$0
	\$2,143,541

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	\$1,033,353	\$52,061	\$725,000	\$0	\$0	\$1,810,414	\$1,810,414	\$0	\$1,810,414
2020	\$1,044,464	\$55,020	\$725,000	\$0	\$0	\$1,824,484	\$1,691,445	\$183,039	\$1,641,445
2019	\$950,502	\$13,901	\$725,000	\$0	\$0	\$1,689,403	\$1,653,416	\$85,987	\$1,603,416
2018	\$961,303	\$14,835	\$700,000	\$0	\$0	\$1,676,138	\$1,622,587	\$103,551	\$1,572,587
2017	\$972,104	\$15,473	\$660,000	\$0	\$0	\$1,647,577	\$1,589,214	\$108,363	\$1,539,214
2016	\$955,553	\$26,376	\$660,000	\$0	\$0	\$1,641,929	\$1,540,246	\$151,683	\$1,490,246
2015	\$966,054	\$28,287	\$660,000	\$0	\$0	\$1,654,341	\$1,529,539	\$174,802	\$1,479,539
2014	\$827,200	\$30,200	\$660,000	\$0	\$0	\$1,517,400	\$1,517,400	\$50,000	\$1,467,400
2013	\$528,802	\$18,251	\$660,000	\$0	\$0	\$1,207,053	\$731,922	\$525,131	\$681,922
2012	\$504,823	\$19,812	\$575,000	\$0	\$0	\$1,099,635	\$719,687	\$429,948	\$669,687
2011	\$510,251	\$21,371	\$650,000	\$0	\$0	\$1,181,622	\$698,725	\$532,897	\$648,725
2010	\$530,862	\$22,929	\$650,000	\$0	\$0	\$1,203,791	\$688,399	\$565,392	\$638,399

Building Information

Building 1
 Year Built 1998
 Actual Area 7192
 Conditioned Area 5020
 Use Single Family Residence
 Style 01
 Class N
 Exterior Wall Concrete Stucco, Stucco

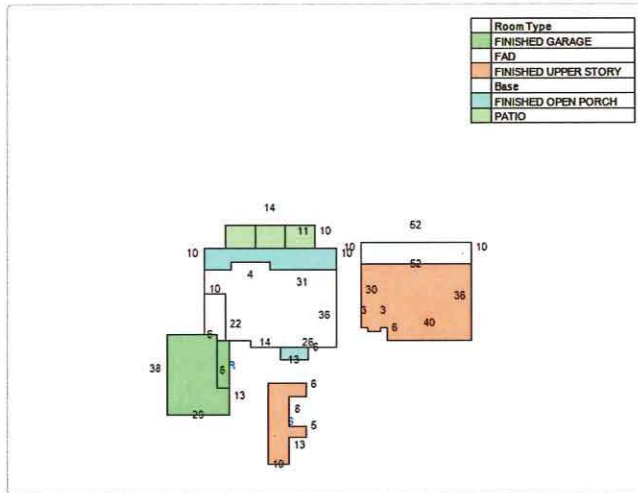
Roof Cover Composite Shingle
 Roof Structure Gable Hip
 Interior Flooring Hardwood
 Interior Wall Drywall
 Heating Type Air Duct
 Air Conditioning Central
 Bedrooms 4
 Baths 5

Description	Square Footage
PATIO	154
PATIO	154
FINISHED OPEN PORCH	548
BASE AREA	2018
FINISHED UPPER STORY	1812
FRAME ADDITION	520
PATIO	154
FINISHED GARAGE	952
FINISHED UPPER STORY	468

FINISHED GARAGE
FINISHED OPEN PORCH
FRAME ADDITION
POINTER
Total SqFt

132
78
202
0
7192

Sketch Information



Extra Feature Information

Code Description	Status	Value
Pool (Concrete)		10858
Kool Deck		8288
Boat Dock (Average)		18560
Boat Lift		2067
Bulkhead (Average)		3149
Summer Kitchen (Good)		7055

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	0	0	1	UT	\$950,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
7/30/2021	7/28/2021	\$2,300,000.00	WARRANTY DEED	5330	1410	Q	I	AUGSPURGER TERRI ET AL	ZIADIE ROBERT WESLEY REVOCABLE TRUST
1/8/2020	1/8/2020	\$0.00	DISSOLUTION OF MARRIAGE	4863	227	U	I	AUGSPURGER MARK, TERRI	AUGSPURGER TERRI ET AL
6/18/2013	6/3/2013	\$1,875,000.00	WARRANTY DEED	3748	213	Q	I	KLINGE KRISTIAN W & DIANE GRADY	AUGSPURGER MARK, TERRI
6/18/2013	6/14/2012	\$0.00	FINAL JUDGMENT	3748	203	U	I	KLINGE KRISTIAN W & DIANE G	KLINGE KRISTIAN W ET AL
	9/18/2004	\$0.00	QUIT CLAIM DEED	2285	241	U	I	KLINGE KRISTIAN W	KLINGE KRISTIAN W & DIANE GRADY
	11/8/2000	\$100.00	QUIT CLAIM DEED	1565	1782	U	I	KLINGE KRISTINA K	KLINGE KRISTIAN W
	7/28/2000	\$0.00	FINAL JUDGMENT	1514	1566	U	I	KLINGE KRISTIAN W & KRISTINA K	KLINGE KRISTIAN W & KLINGE KRISTINA K (T/C)
	5/14/1997	\$100,000.00	WARRANTY DEED	1251	319	U	V	THOMPSON PIERRE D	KLINGE KRISTIAN W & KRISTINA K

No data available for the following modules: Exemption Information.

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Attachment 1
Overlay Zone Application Narrative

**150 Pelican Reef Dr
Overlay Zone Development Application Supplement
March 2022**

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a proposed dock modification to add an aluminum floating dock to an existing, 1,610 sq ft single-lift dock at 150 Pelican Reef Dr. The proposed dock addition will allow the new owner recreational access to the waterway and provide for the temporary docking of private vessels. Total dock decking, lift, access pier and floating dock area over open water once modified will be approximately 2,126 sq ft. The height of the dock will still be 5' 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 no salt marsh or mangrove vegetation between the uplands and open water on the site. Portions of the surrounding shoreline are armored with riprap and vegetation is not present.

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

No boat houses/walls are proposed. The height of the small, 60 sq ft decking addition will be the same height as the current decking and comply with Federal and State regulations. The proposed floating dock will lie well below the horizontal viewing height of neighboring properties, will not extend more than 12' farther seaward than the existing dock structure, and will also comply with all Federal and State regulations.

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

A newer dock platform will be added, increasing the overall scenic vista by modernizing the structure.

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 an existing dock and approximately 117 feet of Matanzas River frontage that is not visible from Atlantic beaches. The property is elevated from the coastline, as seen in the attached images, and adjacent properties utilize riprap, also being elevated from the coastline. Mangroves and marine vegetation are present in the area but not on the site of the structure, and none of the proposed dock modifications will occur near shore or any of the vegetation present in the area.

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, east 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.

No soil and erosion impacts are anticipated. If any soil and erosion controls become necessary during construction, silt fences and turbidity barriers will be employed, 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 grasses are not present in the area of the proposed dock modifications. Also, the proposed floating

platform will shade an area of open water, but will be built as required by state and federal agencies, with no submerged vegetation present in waters beneath it, which are 8 ft or more in depth.

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 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 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.*

The dock site is located at the edge of a broad area of the ICW/Matanzas River, where boat traffic is currently high to moderate and will not be significantly impacted by the minimal increased boat usage due to the added platform. Use of the modified dock by the new 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 supports and platform will provide shelter for larval, juvenile, and adult fish.

Negative: Extremely small loss of juvenile habitat from the placement of approximately 12 new pilings for the dock expansion.

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

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

Negative: None, as the bottom depth is too great to currently offer shellfish habitat at the location of the proposed floating platform.

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

Positive: The additional dock/platform area 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 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 dock decking will remain at its current elevation of 5' above MHW, with the proposed height for the 60 sq ft terminal platform addition being 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

F:\CES Projects\Project Files\Active\Projects\Project Files\2021\5.21693 Ziadie Pelican Reef\GIS\MapXD01\Ziadie Pelican Reef_Location 2-18-22.mxd



Legend

 Subject Property +/- 0.50 ac.



Sources: ESRI Streets Basemap

Information represented on this map is for planning purposes only.

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

**CARTER ENVIRONMENTAL
SERVICES, INC.**



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Location Map

Ziadie - 150 Pelican Reef

Project: 5.21693

St. Augustine, FL

Date: Feb 18 2022

Figure:

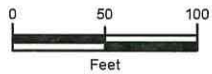
1





Legend

Subject Property +/- 0.50 ac.



Sources: ESRI Aerial Basemap

Information represented on this map is for planning purposes only.

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Current Color Aerial

Ziadie - 150 Pelican Reef

Project: 5.21693

St. Augustine, FL

Date: Feb 18 2022

Figure:

2



F:\CES Projects\Project Files\Active\Projects\Project Files\2021\5 21693 Ziadie Pelican Reef\GIS\MXD\03-Ziadie Pelican Reef_Proposed Dock Alignment.mxd



CARTER ENVIRONMENTAL
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Proposed Dock Alignment
Ziadie - 150 Pelican Reef

Project: 5.21693

St. Augustine, FL

Date: Feb 28 2022

Figure:

3





**CARTER ENVIRONMENTAL
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Proposed Dock Dimensions
Ziadie - 150 Pelican Reef

Project: 5.21693

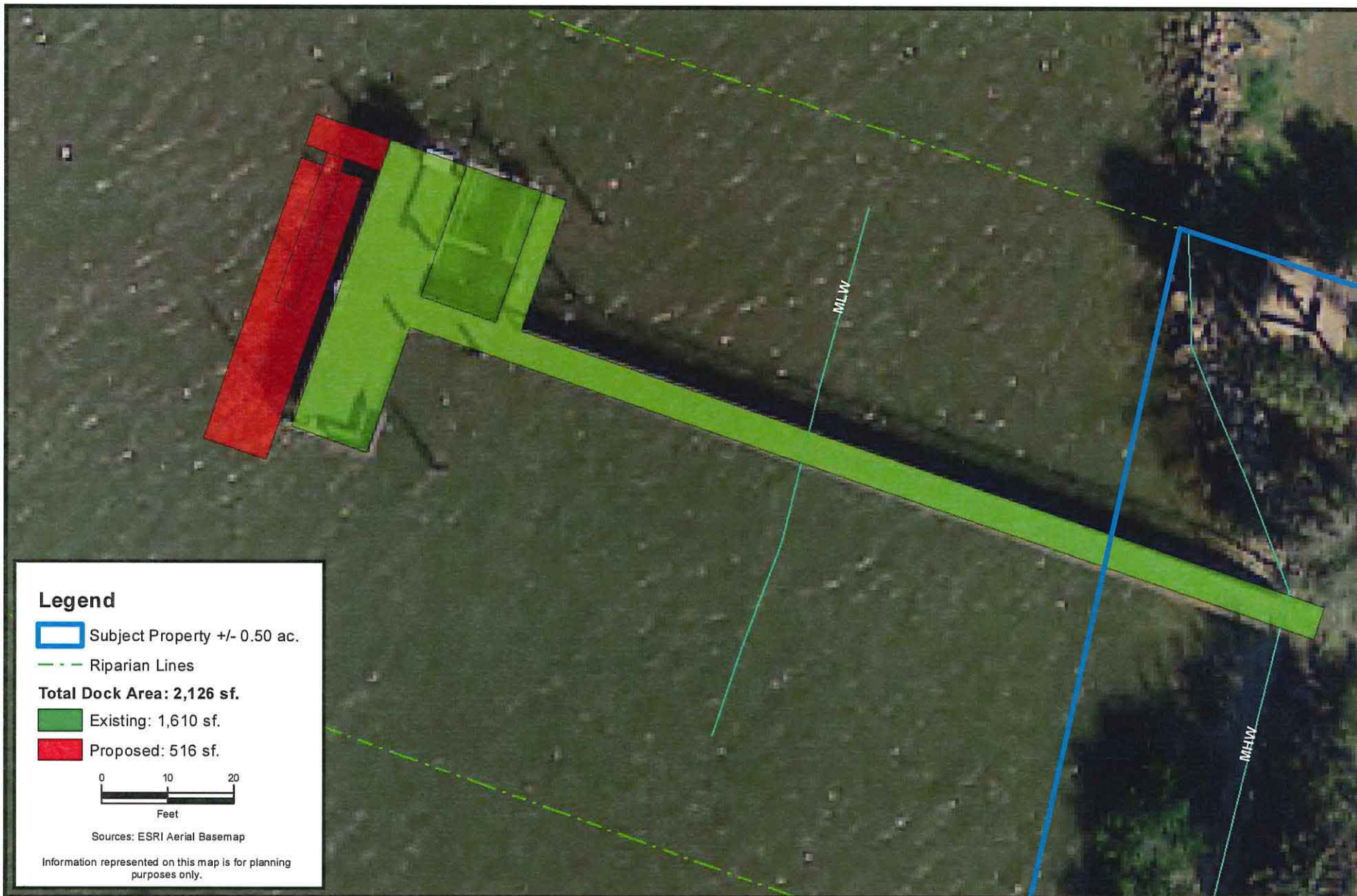
St. Augustine, FL

Date: Feb 28 2022

Figure:

4





CARTER ENVIRONMENTAL
SERVICES, INC.



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Existing/Proposed Dock
Ziadie - 150 Pelican Reef

Project: 5.21693

St. Augustine, FL

Date: Feb 28 2022

Figure:

5





Legend

 Subject Property +/- 0.50 ac.

--- Riparian Lines

Total Dock Area: 2,126 sf.

Decking: 1,418 sf.

Boat Lift: 252 sf.

Floating Dock: 450 sf.

Gangway: 6 sf.



Sources: ESRI Aerial Basemap

Information represented on this map is for planning purposes only.

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42 Masters Drive
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www.carterenv.com

Existing Bathymetry Ziadie - 150 Pelican Reef

Project: 5.21693

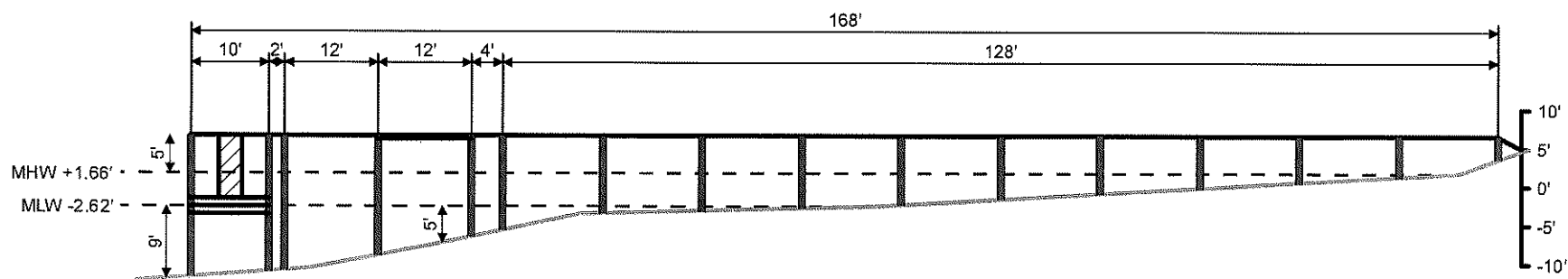
St. Augustine, FL

Date: Feb 28 2022

Figure:

6





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 Dock Profile View

Ziadie - 150 Pelican Reef

Project: 5.21693

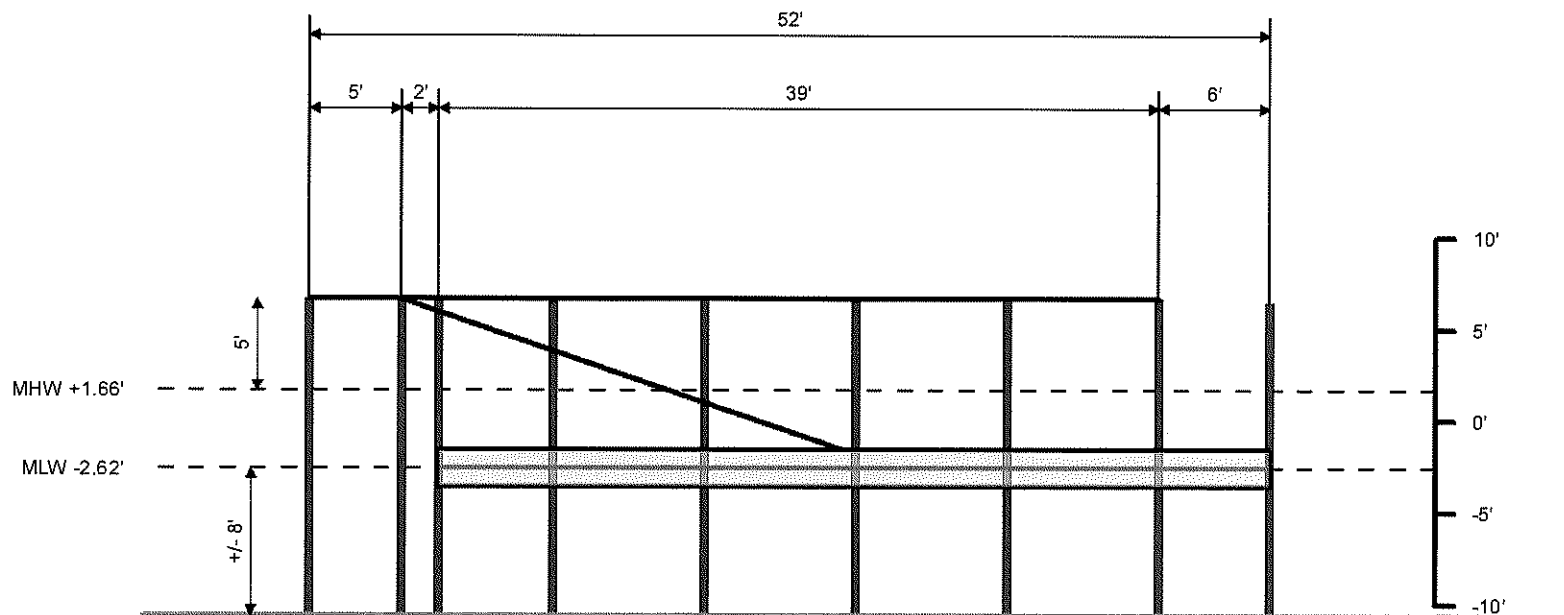
St. Augustine, FL

Date: Feb 28 2022

Figure:

7





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**CARTER ENVIRONMENTAL
SERVICES, INC.**



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Dock Cross-Sections
Ziadie - 150 Pelican Reef

Project: 5.21693

St. Augustine, FL

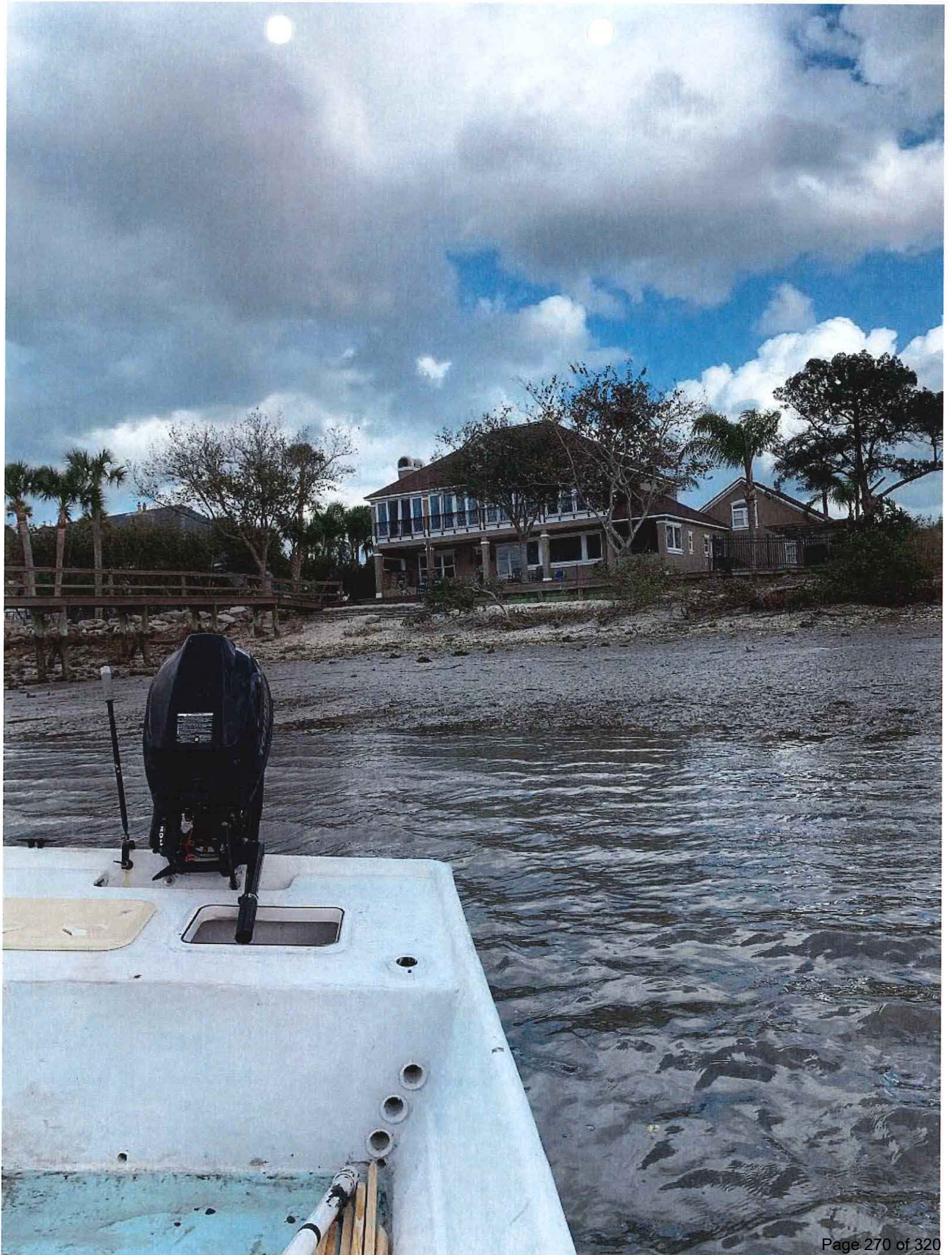
Date: Feb 28 2022

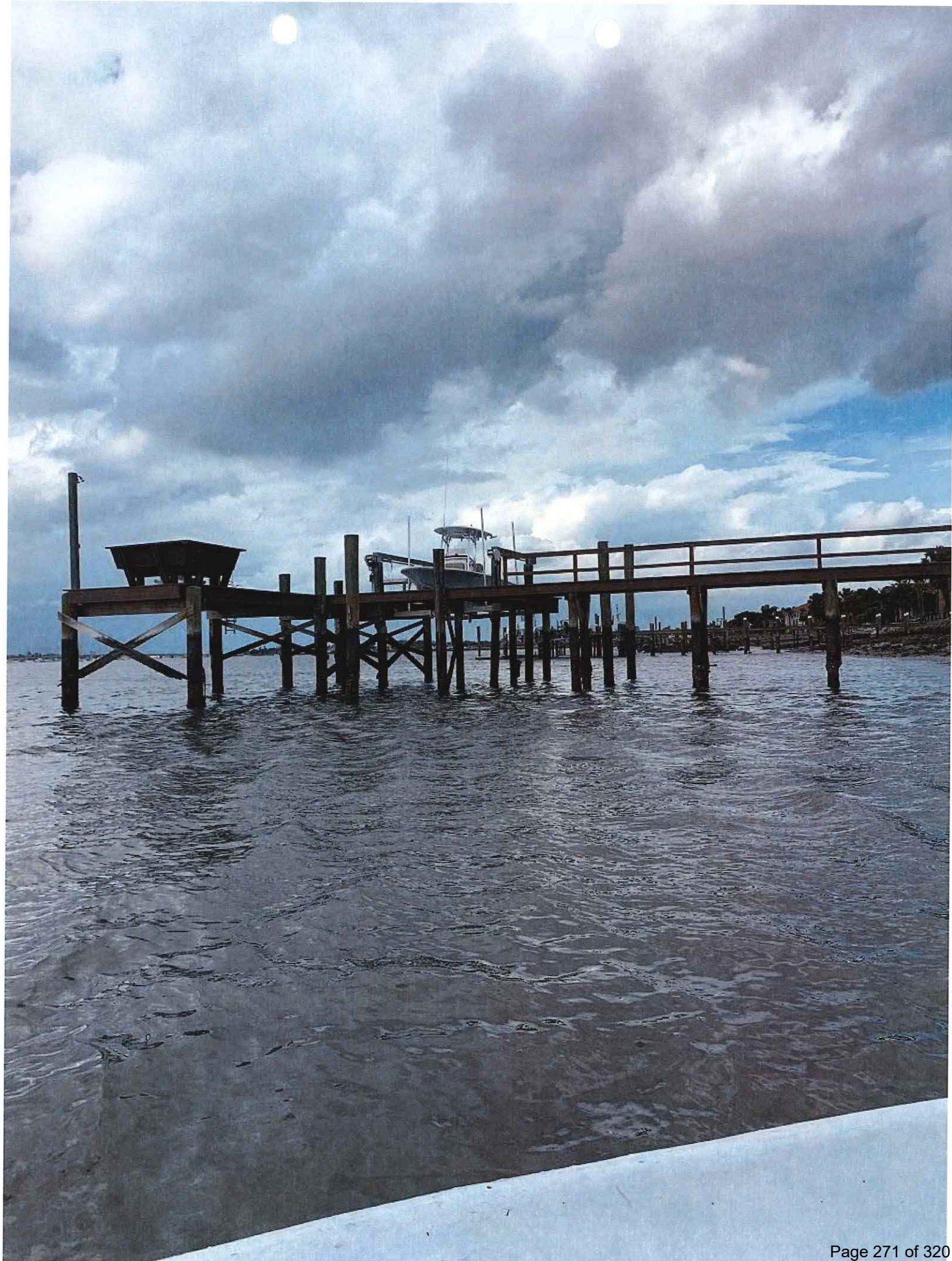
Figure:

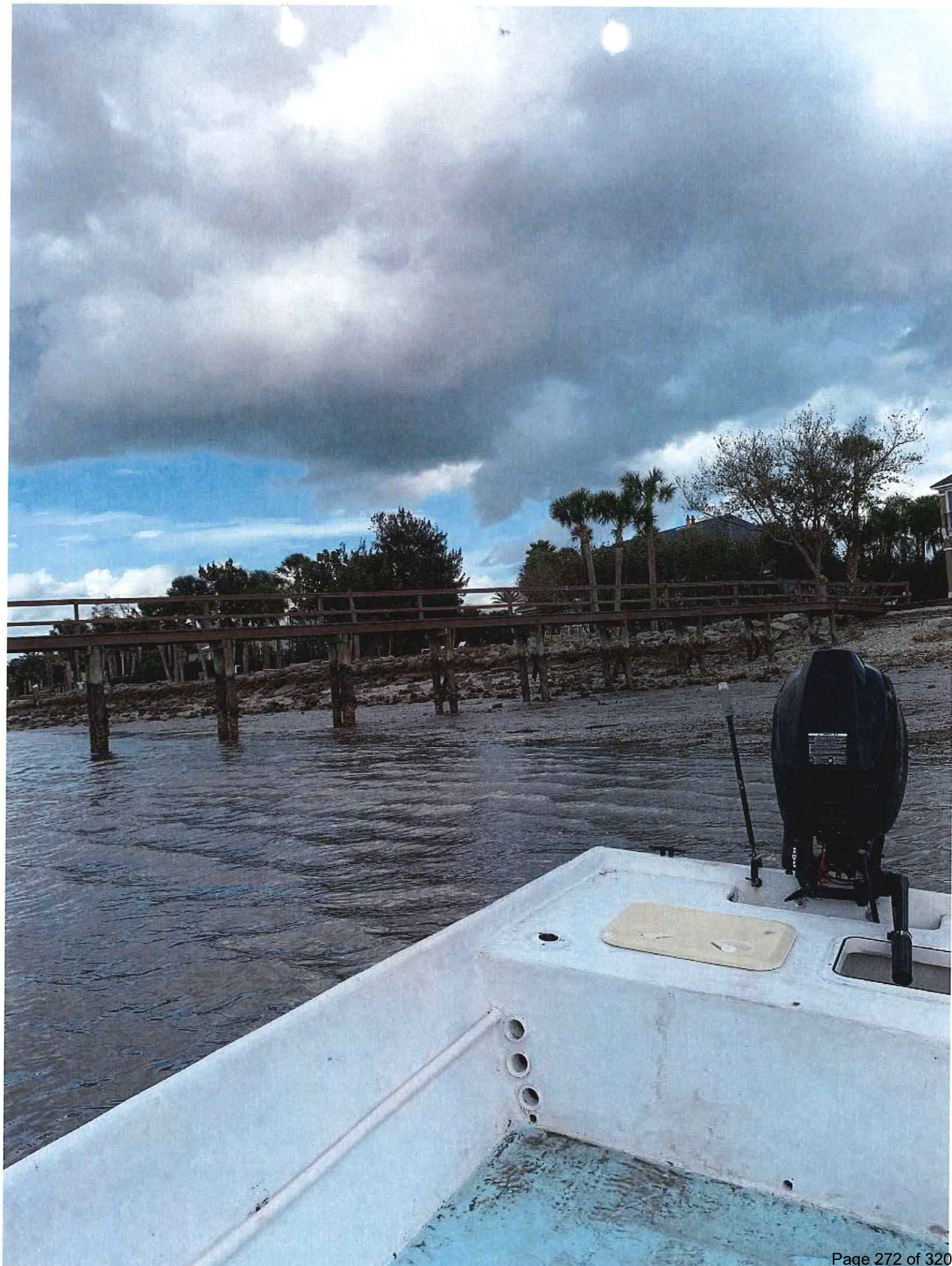
8



Attachment 3
Photo documentation sheet







CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: April 5, 2022

RE: **CONSERVATION OVERLAY ZONE 3 DEVELOPMENT 2022-0021**

AGENDA ITEM	6(f)
APPLICANT	Jeremy Marquis c/o Marquis Latimer + Halback, Inc.
OWNER	Robert Finvarb c/o Windwards Shipyard Land Holdings, LLC and Windward Shipyard, LLC
LOCATION	117 Dockside Drive / PID 127910-0000, 128090-0010, 134230-0011, 134230-0030, 134390-0000, 134390-0010, 134340-0000, 134600-0000, 134230-0000, 134230-0020, 134410-0000, 134630-0000, 134650-0000, 134770-0000.
REQUEST	To approve tree mitigation on this approximately 38.63-acre site by retaining and relocating forty-four (44) red cedar, oak and palm trees and also planting forty-nine (49) new oak trees within Conservation Overlay Zone 3.
LAND USE	Residential Medium Density Mixed Use
ZONING	Residential, general office: RGO

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.

1

117 Dockside Drive / PID 127910-0000, 128090-0010,
134230-0011, 134230-0030, 134390-0000, 134390-0010,
134340-0000, 134600-0000, 134230-0000, 134230-0020,
134410-0000, 134630-0000, 134650-0000, 134770-0000.
Staff Report and Recommendation

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 3 is comprised of uplands and urban/residential areas which are inland from Zones 1 and 2, and which require special environmental consideration. Zone 3 is comprised of those undeveloped areas considered to be special flood hazard areas and significant tree canopy areas.

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:
- (1) Site specific conditions.
 - (2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.
 - (3) Natural and proposed drainage patterns.
 - (4) Effect of point and nonpoint discharge in the marine environment.
 - (5) Proposed soil stabilization and erosion control methods.
 - (6) Impact on floodplain.
 - (7) Impact of development on vegetative and animal communities.
 - (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.
 - (9) Effect of shade on vegetation and shellfish.
 - (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.
 - (11) Impact of development on shoreline by linear feet and percent of site.
 - (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.
 - (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.
 - (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.
 - (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.)

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

(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.

(d) Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover, or cause the removal of significant trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation.

(1) In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following:

- a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
- b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
- c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
- d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on

- property values in the neighborhood where the property is located and on other vegetation in the neighborhood.
 - e. Whether the tree has been designated a significant tree.
 - f. Impact upon the urban and natural environment, including:
 - 1. Ground and surface water stabilization.
 - 2. Water quality and aquifer recharge.
 - 3. Ecological impacts.
 - 4. Noise pollution.
 - 5. Air movement.
 - 6. Air quality.
 - 7. Wildlife habitat.
 - g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.
- (e) Issuance of permit. The planning and building division shall issue the removal permit for trees not identified as significant trees under [section 11-27](#) unless, upon consideration of the criteria set forth above, it finds any of the following will result:
 - (1) That the property owner or agent will not be unreasonably affected in shifting the location of the proposed structure, building or improvement, which shift will maintain the existence of the subject trees and still permit construction of such building or improvement on the site.
 - (2) That the property owner or agent will not be unreasonably affected in modifying the design of the proposed structure, building or other improvement, which modification will maintain the existence of the trees proposed to be removed and still permit construction substantially similar to that originally proposed.
 - (3) That the removal of the subject trees will have a substantial adverse impact on the urban and natural environment.
 - (4) That the subject trees are significant trees and removal must be reviewed by the planning and zoning board.

STAFF SUMMARY AND ANALYSIS

This request is to mitigate an approximately 38.63-acre site by retaining and relocating 44 red cedar, oak and palm trees while also planting 56 new oak trees within Conservation Overlay Zone 3.

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

(d) Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover, or cause the removal of significant trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid

alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation.

(1) In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following:

a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.

The tree removal and relocation program outlined in the application was developed by an ISA Arborist, licensed Landscape Architect, and an Urban Forestry expert. A visual inspection was performed from the ground where each tree was reviewed and evaluated to determine whether the trees were sturdy and in good health to withstand the pressures of relocation.

Type, health, size, and condition of the trees were considered during the evaluation.

b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.

The site is associated with a large scale redevelopment mixed use project for portions of the site, including project impacts in previously undeveloped portions of the site.

The relocation plan takes into consideration the future development of the entire site.

c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.

The site is a large scale project requiring approximately three (3) feet or 36 inches of fill on the site.

The applicant states that best management practices will be used and on site stormwater will be treated in new ponds on site.

d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.

There is a significant amount of tree canopy on the existing undeveloped portion of the site. Retaining and relocating existing trees with additional planting of new trees creating a mixed environment that will support the existing habitat, new habitat and encourage future tree canopy over time is encouraged.

- e. Whether the tree has been designated a significant tree.

A tree survey was conducted to determine the feasibility of saving and relocating trees. Staff has not reviewed the application for specific significant trees because the application is associated with a large scale project. Landscape and tree professionals have submitted material with the application to demonstrate in their opinion which trees can be retained, saved and/or relocated based on the project.

- f. Impact upon the urban and natural environment, including:

1. Ground and surface water stabilization.
2. Water quality and aquifer recharge.
3. Ecological impacts.
4. Noise pollution.
5. Air movement.
6. Air quality.
7. Wildlife habitat.

The applicant has submitted material with the application that addresses some of these specific issues.

- g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.

The site is a largely vacant site. The applicant has outlined the proposed distribution of trees to be relocated and planted to meet the credit criteria and intent of the code based on a future development plan of the entire.

(e) Issuance of permit. The planning and building division shall issue the removal permit for trees not identified as significant trees under [section 11-27](#) unless, upon consideration of the criteria set forth above, it finds any of the following will result:

(1) That the property owner or agent will not be unreasonably affected in shifting the location of the proposed structure, building or improvement, which shift will maintain the existence of the subject trees and still permit construction of such building or improvement on the site.

(2) That the property owner or agent will not be unreasonably affected in modifying the design of the proposed structure, building or other improvement, which modification will

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

maintain the existence of the trees proposed to be removed and still permit construction substantially similar to that originally proposed.

(3) That the removal of the subject trees will have a substantial adverse impact on the urban and natural environment.

(4) That the subject trees are significant trees and removal must be reviewed by the planning and zoning board.

Planning and Building Department staff can issue tree removal permits for trees that are not considered significant trees under the above circumstances. However, based on the large scale nature of this project and the need to bring in significant amounts of fill on this property, the tree canopy removal considerations, and consideration of the overall site design it is in the best interest of the community for the Planning and Zoning Board to review the above application in its entirety, and review the tree removal, relocation and planting of additional trees as presented by the applicant in the application.

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 tree mitigation plan on this approximately 38.63 acre site by retaining and relocating 44 red cedar, oak and palm trees and also planting 56 new oak trees with Conservation Overlay Zone 3.



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: 2022-0021
 Receipt Number: _____ Meeting Date: April 15, 2022
 Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Jeremy Marquis Contact Number: 904.825.6747
 Business (if applicable): Marquis Latimer + Halback, Inc.
 Address: 34 Cordova Street, Suite A City: St. Augustine State: FL Zip: 32084
 E-Mail Address: jeremy@halback.com & emily@halback.com

2. NAME OF PROPERTY OWNER: Robert Finvarb Contact Number: 904.824.4394
 Business (if applicable): Windward Shipyard Land Holdings, LLC and Windward Shipyard, LLC
 Address: 404 Riberia Street City: St. Augustine State: FL Zip: 32084
 E-Mail Address: karl@mywindward.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: _____ Block: _____
 Subdivision: _____ Parcel Number: See right: PID 127910-0000,
128090-0010, 134230-0011,
134230-0030, 134390-0000,
134390-0010, 134340-
0000, 134600-0000,
134230-0000, 134230-0020,
134410-0000, 134630-0000,
134650-0000, 134770-
0000

4. PROJECT STREET ADDRESS: 117 Dockside Drive, St. Augustine, FL 32084

5. SPECIFIC PROPOSED USE: Mixed Use

6. ACTION REQUESTED:

- ☒ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Preparation of site for mixed use development will include
increasing the property level approximately 36". This application is connected to the associated tree mitigation needs that are a result of this
lot preparation.

8. JUSTIFICATION FOR ACTION REQUESTED: The St. Augustine Shipyard project is committed
to creating a dynamic, mixed use, and resilient neighborhood and retail village that will
be storm ready. The overall height of the property will increase approximately 36".

This results in the requirement of 390 tree credits needed to mitigate for the trees
that will be removed. The 390 credits are offset by moving 44 trees (red cedars, oaks,
and palms) on site (278 credits total) and 56 new oak trees (112 credits).

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.

February 1, 2022 for off site parking.

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

3 March 2022

Date


Signature of Property Owner

3-5-22

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.

Robert Finvarb

Print name of applicant


Signature of applicant

3/4/22

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."

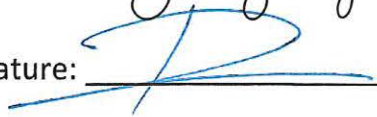
If a Credit Card Authorization Form is used for the payment of fees, the City will maintain the form and automatically charge additional advertising and noticing fees, once determined, to the credit-card account submitted.

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: St. Augustine Shipyard (various; 117 Dockside Drive)

Applicant's Name: Jeremy Marquis Applicant's Signature: 

Owner's Name: Robert Finvarb Owner's Signature: 

MEMORANDUM

Project: 22.5.0 St Augustine Shipyard Task 1
Re: Arborist Report
Date: 3/7/2022

Introduction

Arborist outline report for CO3 application.

Overview of Process

Elijah George, ISA Arborist (Marquis Latimer + Halback), met on site on March 7, 2022, with Bryce Underhill (Urban Forestry Works) and Jeremy Marquis (ML+H) to select trees for relocation within the future shipyard development. Trees were selected based on health, location, and size.

Selection

All trees selected for relocation were **native hardwoods or palms**. Species with broad shallow root systems, such as **Magnolias, Live Oaks and Southern Red Cedars** are more easily transplanted than trees with deep tap roots such as pines.

Trees selected are provided on the associated plan views with photographic documentation. Caliper inches are included.

Visual Inspection

A visual inspection was performed from the ground. Each tree was reviewed and evaluated to determine that the trunk and crown structure were sturdy and in good health free of mechanical or biological damage that would affect the future viability of the tree.

Relocation Process

Prior to other clearing, tree barricades will be set up around the root protection zone. These trees will then have their roots pruned to prepare for transplanting. Trees will be relocated with an intact root ball. All trees 16" caliper and less will be relocated in a 7' x 7' steel box while trees between 18-26" will be relocated in a 10' x 10' box.

Live Oak trees growing among more dense canopies will be relocated in groves in groups of three and four to imitate their natural environment. Magnolias and cedars with straight central leaders and more symmetrical branching structures will be relocated as individual specimens.

<JM / EG>

MEMORANDUM

Project: 22.5.0 St Augustine Shipyard Task 1
Re: Arborist Report
Date: 3/7/2022

Introduction

Arborist outline report for CO3 application.

Overview of Process

(c)

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

(1)Site specific conditions.

See attached plans. This area to be increased approximately 36" for resiliency and preparation for the mixed use village.

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

See attached plans. We are adjacent to the San Sebastian River.

(3)Natural and proposed drainage patterns.

Drainage patterns keep the right of way and associated site drainage on site. Current drainage goes towards the San Sebastian River.

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

Not applicable to this application.

(5)Proposed soil stabilization and erosion control methods.

We will be using both the stormwater pollution prevention plan elements (silt fencing and the like) in addition to tree barricade fencing.

(6) Impact on floodplain.

MEMORANDUM

Page 2 of 3

Note edit to the grades for resiliency. More information may be provided by the Civil engineer as needed.

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

Relocation or preservation of 48 trees continues to provide habitat for a range of flora and fauna. Note that the Southern Red Cedars also provide habitat for the endangered hairstreak butterfly.

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

Best management practices are being utilized and on site stormwater will be treated in the new ponds.

(9) Effect of shade on vegetation and shellfish.

Not applicable to this application.

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

Not applicable to this application.

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

Not applicable to this application.

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

This site is largely back from the scenic vista, but views of the San Sebastian River are being incorporated into the overall site development plan.

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

Forty eight (48) native trees (cedars, oaks, magnolias, and cabbage palms) are to be relocated. Additionally, forty nine (49) new live oaks will be planted, intermixed with the transplants, to develop the next generation of tree canopy.

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

This portion of the site is largely open woods, and the tree transplanting is designed to minimize impact and to support future habitat.

(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

MEMORANDUM

Page 3 of 3

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 immediately applicable to this application. However, best management practices are being utilized.

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

Not applicable to this application.

(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.

Not applicable to this application.

<JM / EG>

TREE MITIGATION + RELOCATION

Project 22.5.0 Shipyard Task 1 ROW

Last Updated March 7, 2022

Program Element	Qty	Credits	Size / Factor	Notes
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TREE MITIGATION

Tree Removal (per 09/24/21 MDG document)

Removed Tree Inches	4,382			per MDG
Removed Tree Credits Req. Mitigation		(390)		per MDG

OVERVIEW: Transplanting + Replanting

	Qty	Credits	Credit Overview	
FROM SOUTH				
Southern Red Cedars	13	84.5	3 + 1.5 (relocated) + 1 (native) + 1 (cedar)	14-16" caliper + cedar bonus
FROM NORTH				
Large Live Oaks (20"+)	2	14	4 max + 2 (relocated) + 1 (native)	20-25" caliper
Live Oaks (12"-20")	13	72	3 + 1.5 (relocated) + 1 (native)	12-16" caliper
Southern Red Cedars	4	26	3 + 1.5 (relocated) + 1 (native) + 1 (cedar)	14-16" caliper + cedar bonus
Sabal Palms	12	78	3 + 1.5 (relocated) + 1 (native) + 1 (sabal)	14-16" caliper + sabal palm bonus
Large Oak to remain	2	10	4 max + 1 (native)	tree 465, 466
Large Oak to remain	2	8	3 + 1 (native)	tree 467, 478
RELOCATED / PRESERVED				
Total Preserved / Transplant	48	292		
NEW TREES				
New Trees	49	98	4" oak trees (2 credits per tree)	



ST. AUGUSTINE SHIPYARD

PLANNING & ZONING BOARD PRESENTATION



April 5, 2022
Version 1.0
ML+H Project 22.5.0



*Images from original Windward Shipyards DPZ Design Booklet.

OVERVIEW OF VISION

Marquis Latimer + Halback, Inc. | St. Augustine, Florida | www.halback.com | LC0000091 (Florida)



*Images from original Windward Shipyard DPZ Design Booklet.

OVERVIEW OF VISION

Marquis Latimer + Halback, Inc. | St. Augustine, Florida | www.lalback.com | LC000009 (Florida)



Throughfare Type Location



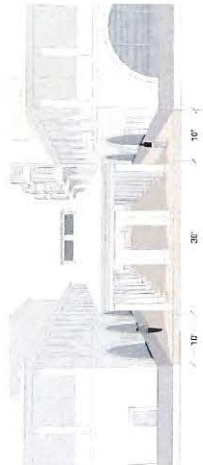
Throughfare Type Location Detail



ST 70 - 38



ST 50 - 34



PS 50 - 20



PS 50 - 12



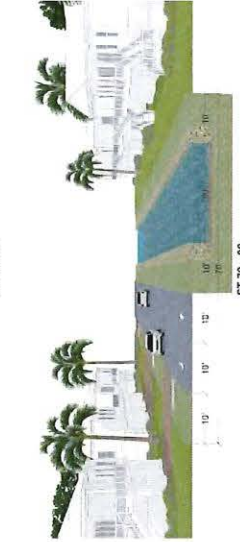
Throughfare Type Location



Throughfare Type Location Detail



ST 40 - 20



ST 70 - 20

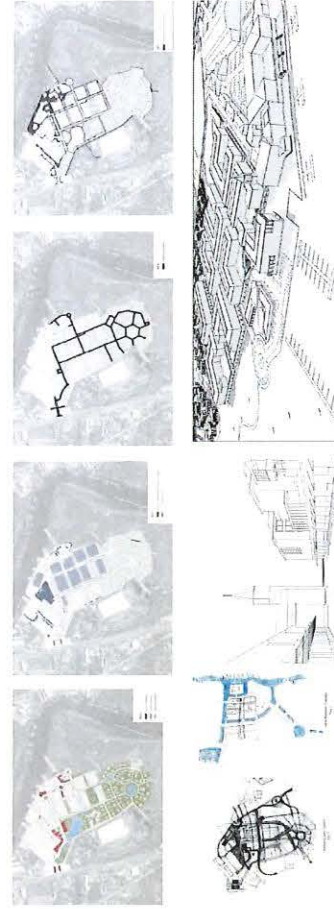
*Images from original Windward Shipyard DPZ Design Booklet.

OVERVIEW OF VISION



*Images from original Windward Shipyard DPZ Design Booklet.

OVERVIEW OF VISION



*Images from original Windward Shipyard DPZ Design Booklet.

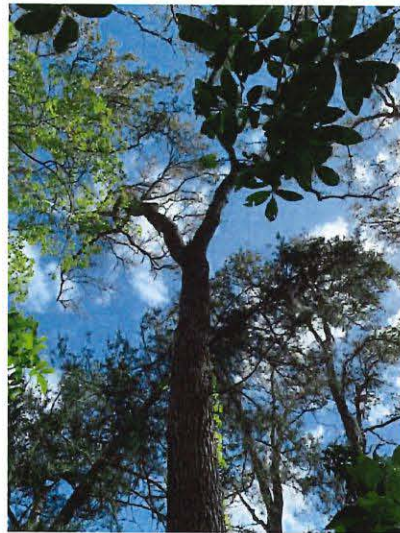
OVERVIEW OF VISION

TREE RELOCATION: SELECTING THE TREE



Tree Health

Review trees for signs of decline or damage.



Tree Species

Select native hardwoods and palms with more shallow broad root systems



Tree Location

Level terrain will typically provide a more balanced spread of roots.



Tree Flagging

The appropriate candidates are selected and flagged. Tree protection fencing will then be set up

TREE RELOCATION

TREE RELOCATION: STRATEGIES



Prevent Physical Damage

Implement tree barriers within drip line during construction.



Root Prune

Prune root ball to allow for stabilization and prepare for relocation



Dig The Tree

Dig area for The Box and hydraulic system



Box The Tree

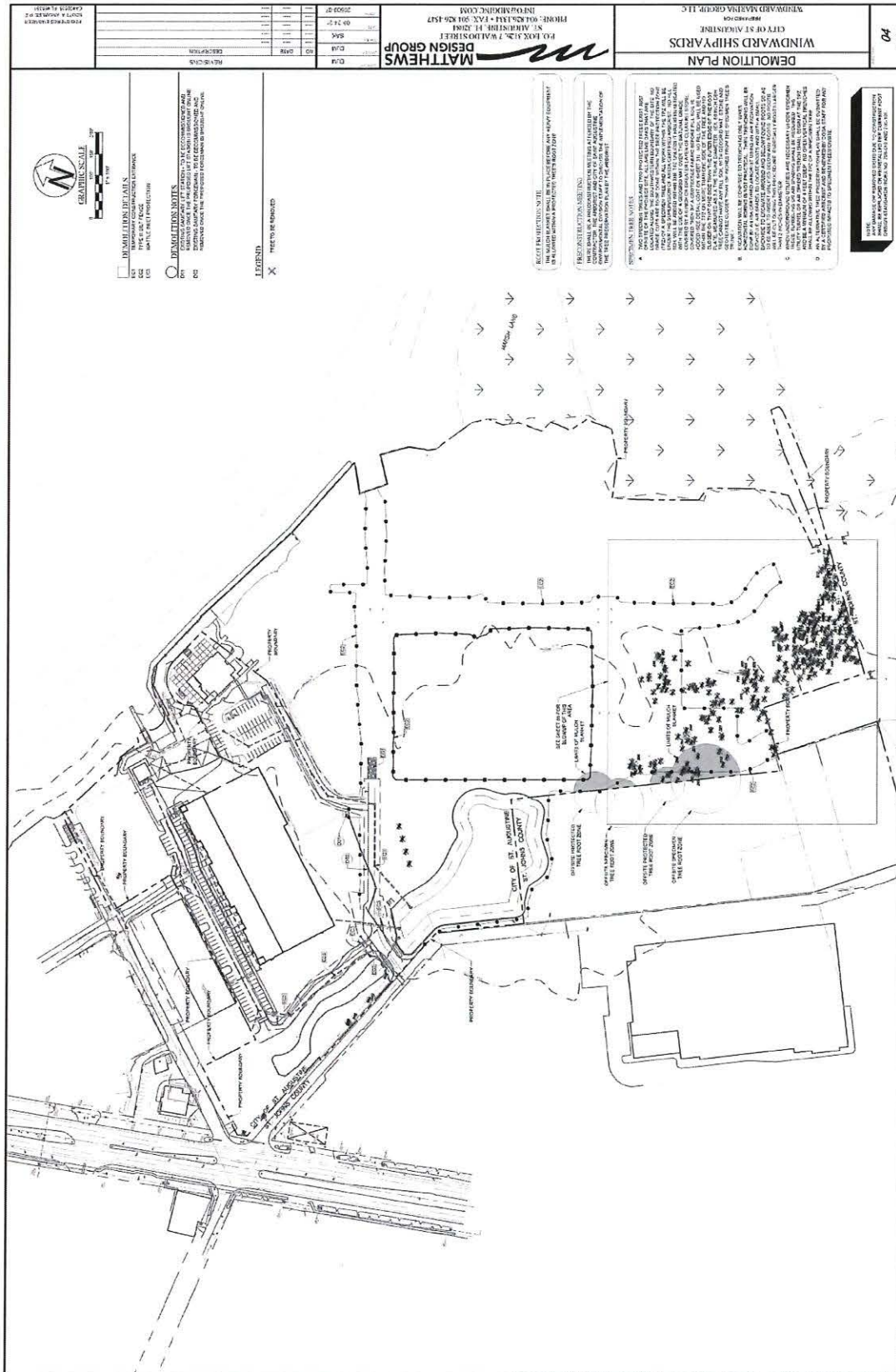
Use hydraulics to pull The Box and cutting blade under the root ball



Relocate Tree on Site

Place tree in new location in development at appropriate finished grade grade

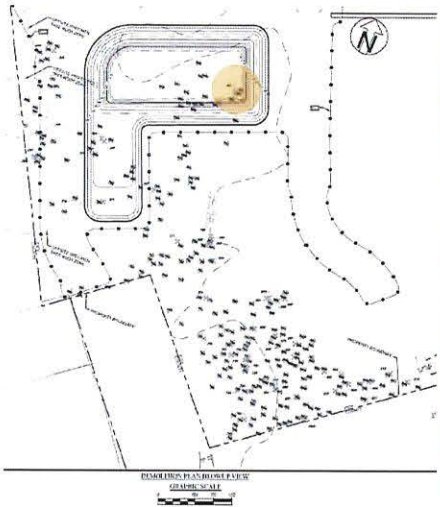
TREE RELOCATION



TREE SURVEY + CIVIL 390 CREDITS NEEDED



MAP Tree Location



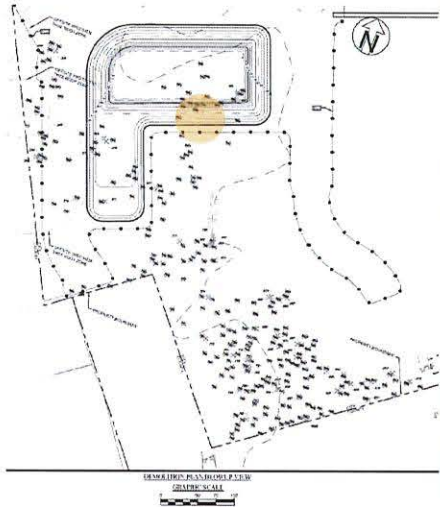
Tree No(s)	465, 466, 467, 468
Caliper	18", 14", 25", 28"
Type	Oaks
Credits	14 Caliper inch 0 Relocated Bonus 4 Native Bonus 0 Cedar/Palm Bonus
	18

TREE TO REMAIN IN PLACE

TREE RELOCATION



MAP Tree Location

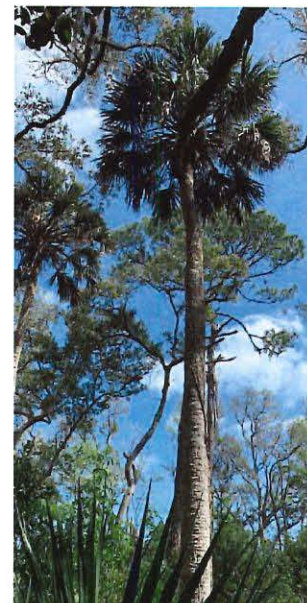
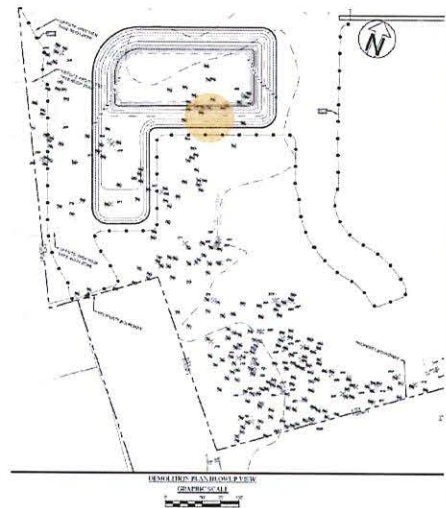


TREE RELOCATION

Tree No(s)	340, 342, 344
Caliper	15", 21", 13"
Type	Cabbage Palms
Credits	10 Caliper inch 5 Relocated Bonus 3 Native Bonu: 3 Cedar/Palm Bonus
	65



MAP Tree Location

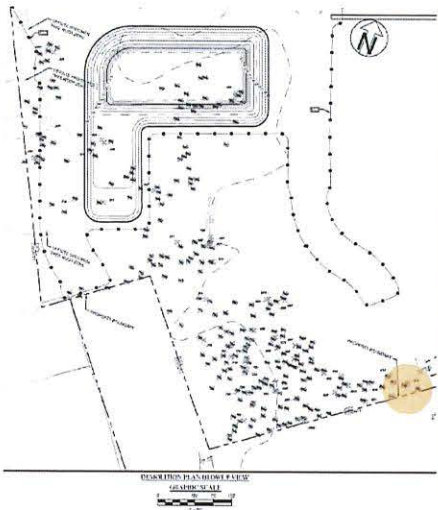


Tree No(s)	320, 321, 328, 329, 330
Caliper	14", 14", 10", 16", 15"
Type	Palm
Credits	14 Caliper inch 7 Relocated Bonus 5 Native Bonus 5 Cedar/Palm Bonus
	31

TREE RELOCATION



MAP Tree Location

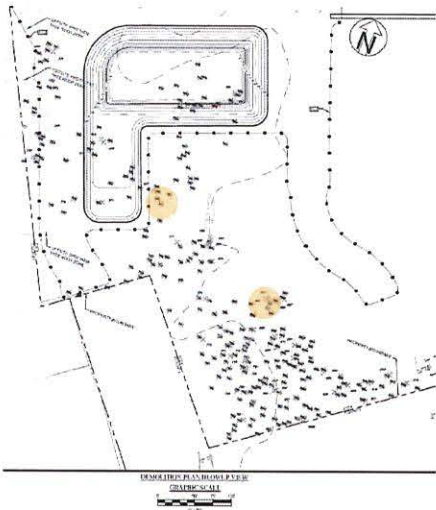


Tree No(s)	810, 811, 816, 817
Caliper	11", 15", 10", 15"
Type	Cabbage Palms
Credits	51 Caliper inch 15 Relocated Bonus 4 Native Bonus 4 Cedar/Palm Bonus
	74

TREE RELOCATION



MAP Tree Location



Tree No(s)	802
Caliper	17"
Type	Live Oak
Credits	3 Caliper inch 1.5 Relocated Bonus 1 Native Bonus 0 Cedar/Palm Bonus 5.5

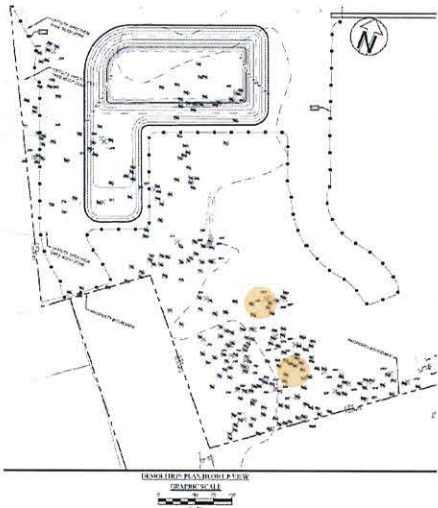


Tree No(s)	584
Caliper	13"
Type	Live Oak
Credits	3 Caliper inch 1.5 Relocated Bonus 1 Native Bonus 0 Cedar/Palm Bonus 5.5

TREE RELOCATION



MAP Tree Location



Tree No(s)	563
Caliper	18"
Type	Live Oak
Credits	3 Caliper inch 1.5 Relocated Bonus 1 Native Bonus 0 Cedar/Palm Bonus 5.5

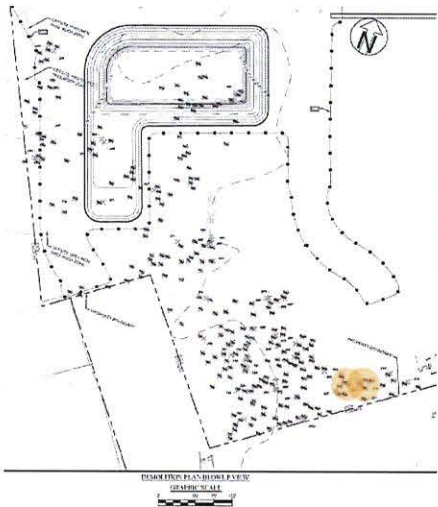


Tree No(s)	789
Caliper	8"
Type	Magnolia
Credits	2 Caliper inch 1 Relocated Bonus 1 Native Bonus 0 Cedar/Palm Bonus 4

TREE RELOCATION



MAP Tree Location



Tree No(s)	823
Caliper	18"
Type	Live Oak
Credits	3 Caliper inch 1.5 Relocated Bonus 1 Native Bonus 0 Cedar/Palm Bonus 5.5



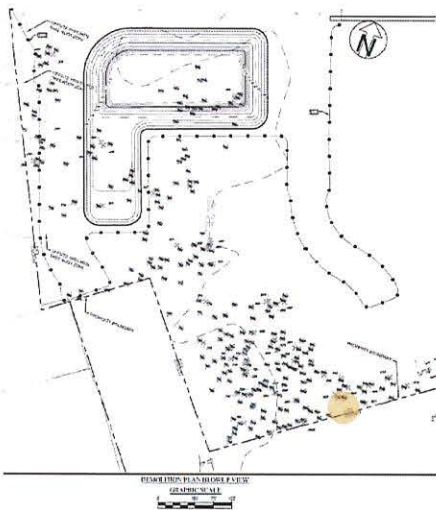
Tree No(s)	826
Caliper	12"
Type	Live Oak
Credits	3 Caliper inch 1.5 Relocated Bonus 1 Native Bonus 0 Cedar/Palm Bonus 5.5

TREE RELOCATION



Tree No(s)	839
Caliper	27"
Type	Live Oak
Credits	4 2 1 0 7 Caliper inch Relocated B Native Bonus Cedar/Palm Bonus

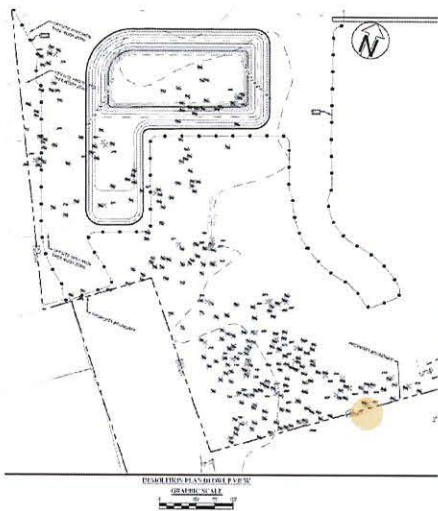
MAP Tree Location



TREE RELOCATION



MAP Tree Location

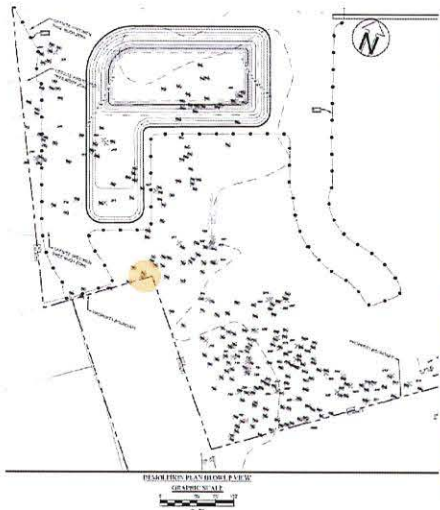


TREE RELOCATION

Tree No(s)	Unknown
Caliper	19"
Type	Cedar
Credits	3 Caliper inch 1.5 Relocated Bu 1 Native Bonus 1 Cedar/Palm Bonus 5.5



MAP Tree Location

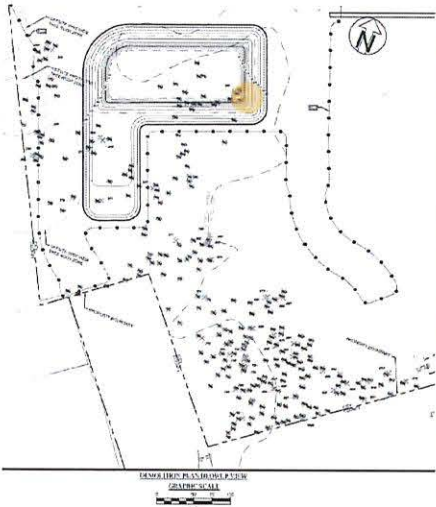


Tree No(s)	768
Caliper	13"
Type	Cedar
Credits	3 Caliper inch 1.5 Relocated B 1 Native Bonus 1 Cedar/Palm Bonus
	5.5

TREE RELOCATION



MAP Tree Location

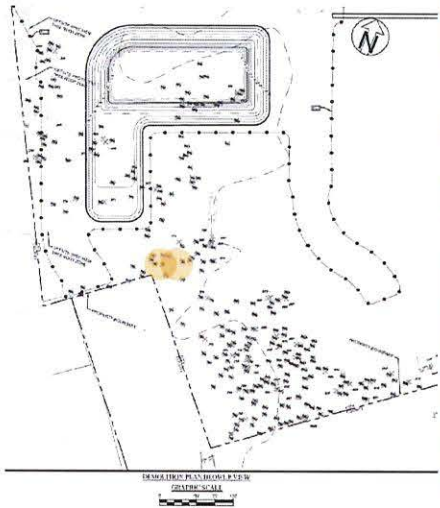


TREE RELOCATION

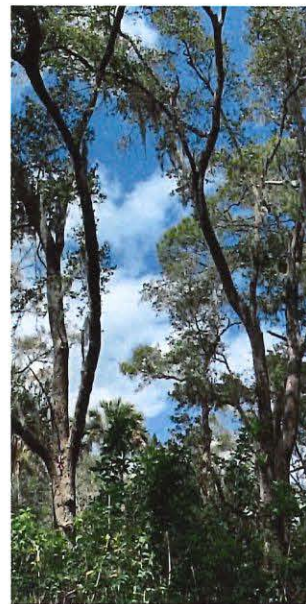
Tree No(s)	Unknown	
Caliper	8"	
Type	Cedar	
Credits	2	Caliper inch
	1	Relocated B
	1	Native Bonus
	1	Cedar/Palm Bonus
	4	



MAP Tree Location



Tree No(s)	740
Caliper	14"
Type	Live Oak
Credits	3 Caliper inch 1.5 Relocated Bonus 1 Native Bonus 0 Cedar/Palm Bonus 5.5

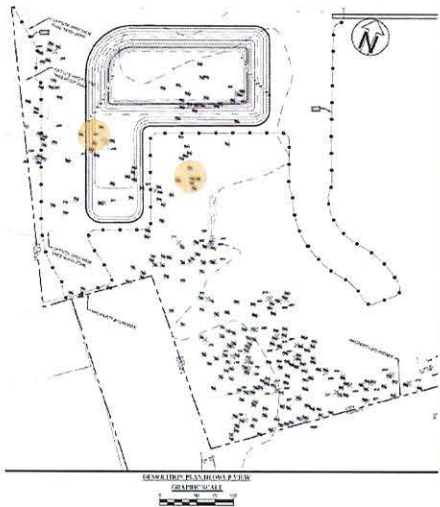


Tree No(s)	741
Caliper	18"
Type	Live Oak
Credits	3 Caliper inch 1.5 Relocated Bonus 1 Native Bonus 0 Cedar/Palm Bonus 5.5

TREE RELOCATION



MAP Tree Location



Tree No(s)	Unknown	
Caliper	9"	
Type	Magnolia	
Credits	2	Caliper inch
	1	Relocated Bonus
	1	Native Bonus
	0	Cedar/Palm Bonus
4		

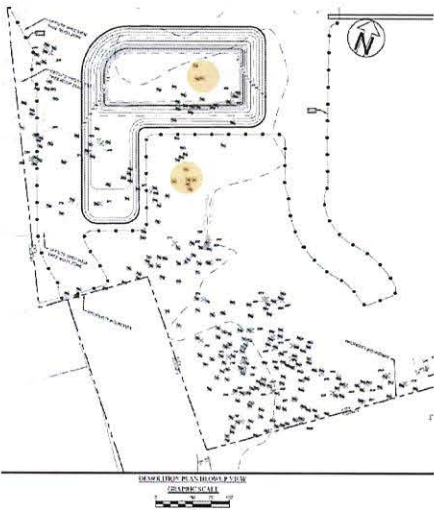


Tree No(s)	355	
Caliper	12"	
Type	Live Oak	
Credits	3	Caliper inch
	1.5	Relocated Bonus
	1	Native Bonus
	0	Cedar/Palm Bonus
5.5		

TREE RELOCATION



MAP Tree Location



Tree No(s)	345
Caliper	20"
Type	Live Oak
Credits	4 Caliper inch 2 Relocated Bonus 1 Native Bonus 0 Cedar/Palm Bonus 7

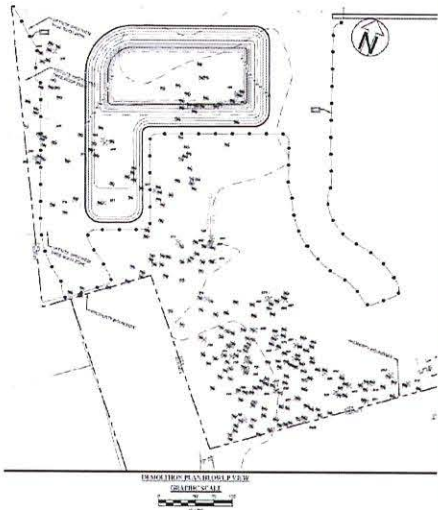


Tree No(s)	476
Caliper	16"
Type	Live Oak
Credits	3 Caliper inch 1.5 Relocated Bonus 1 Native Bonus 0 Cedar/Palm Bonus 5.5

TREE RELOCATION

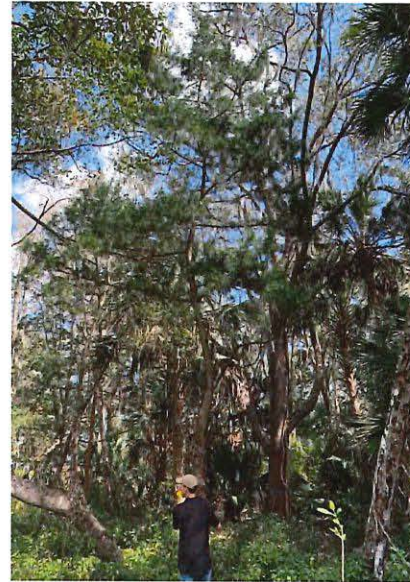


MAP Tree Location

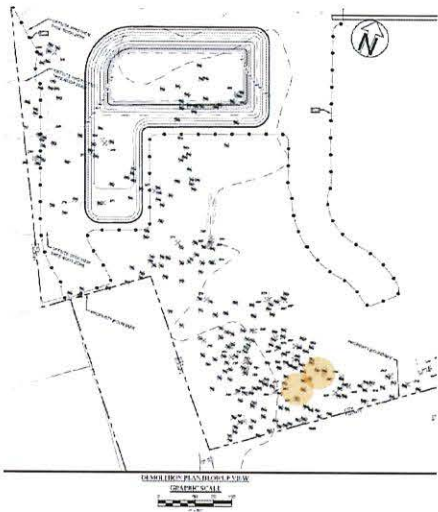


Tree No(s)	843
Caliper	15"
Type	Cedar
Credits	3 Caliper inch 1.5 Relocated Br 1 Native Bonus 1 Cedar/Palm Bonus
	6.5

TREE RELOCATION



MAP Tree Location



Tree No(s)	768
Caliper	13"
Type	CEDAR
Credits	3 Caliper inch 1.5 Relocated Bonus 1 Native Bonus 1 Cedar/Palm Bonus
	6.5

Tree No(s)	769
Caliper	6"
Type	Cedar
Credits	1 Caliper inch .5 Relocated Bonus 1 Native Bonus 1 Cedar/Palm Bonus
	3.5

TREE RELOCATION

TREES TO BE TRANSPLANTED

PLANT SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	CONT	QTY	DETAIL
	JS	Juniperus silicicola / Southern Red Cedar 14-16" CALIPER	B&B	4	
	QV	Quercus virginiana / Southern Live Oak 20"-25" LIVE OAK SPECIMEN	B&B	5	
	QV2	Quercus virginiana / Southern Live Oak 12"-16" CALIPER	B&B	10	
	SS	Sabal palmetto / Cabbage Palmetto 15'-15"	B&B	8	

 EXISTING TREE TO BE PRESERVED

 EXISTING TREES TO BE TRANSPLANTED

IN ADDITION TO THE RELOCATED TREES
(49) 4" LIVE OAKS WILL BE PLANTED ON
SITE.



TREE RELOCATION PLAN



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	1279100000
Location	117 DOCKSIDE DR
Address	SAINT AUGUSTINE 32084-0000
Neighborhood	St. Augustine Shipyards (681.15)
Tax	3-87 SEMINOLE PARK LOTS 1 2 3 4 & ALL LOTS 5 & 6 (EX SE'LY PT IN OR88/640 & 4665/1736Q/C) & SEBASTIAN BLVD ADJ TO LOTS 1,4,5 VACATED IN DB203/27 BLK B & E HALF OF IROQUOIS AVE VACA IN OR3947/881 OR4829/784
Description*	<i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Parking Lots (Owner Occupied) (2815)
Subdivision	Seminole Park
Sec/Twp/Rng	40-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	1.170
Homestead	N

Owner Information

Owner Name	Windward Shipyard LLC 100%
Mailing Address	2999 NE 191 ST STE 800 AVENTURA, FL 33180-0000

	2022
Building Value	\$0
Extra Features Value	\$89,319
Total Land Value	\$412,775
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$502,094
Total Deferred	\$0
Assessed Value	\$502,094
Total Exemptions	\$0
Taxable Value	\$502,094

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	\$412,775	\$0	\$0	\$412,775	\$412,775	\$0	\$412,775
2020	\$0	\$0	\$412,775	\$0	\$0	\$412,775	\$412,775	\$0	\$412,775
2019	\$0	\$1,346	\$380,520	\$0	\$0	\$381,866	\$211,379	\$170,487	\$211,379
2018	\$0	\$1,346	\$380,520	\$0	\$0	\$381,866	\$192,163	\$189,703	\$192,163
2017	\$0	\$1,346	\$173,348	\$0	\$0	\$174,694	\$174,694	\$0	\$174,694
2016	\$0	\$1,346	\$173,348	\$0	\$0	\$174,694	\$174,694	\$0	\$174,694
2015	\$0	\$6,620	\$173,348	\$0	\$0	\$179,968	\$179,968	\$0	\$179,968
2014	\$0	\$18,289	\$153,750	\$0	\$0	\$172,039	\$172,039	\$0	\$172,039
2013	\$0	\$18,516	\$153,750	\$0	\$0	\$172,266	\$172,266	\$0	\$172,266
2012	\$0	\$18,744	\$153,750	\$0	\$0	\$172,494	\$172,494	\$0	\$172,494
2011	\$17,639	\$18,971	\$168,750	\$0	\$0	\$205,360	\$205,360	\$0	\$205,360
2010	\$18,305	\$19,198	\$187,500	\$0	\$0	\$225,003	\$225,003	\$0	\$225,003

Code Description	Status	Value
Bulkhead (Low)		23918
Boat Dock (Commercial)		11520
Boat Lift		36864
Concrete Paving (Commercial)		5443
Asphalt Paving		11574

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Owner Occupied Parking Lots	250	175	43441	SF	\$412,690
Wetlands	0	0	0.17	AC	\$85

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
11/12/2019	11/8/2019	\$18,000,000.00	WARRANTY DEED	4829	784	Q	I	GREENWOOD PROPERTY LLC	WINDWARD SHIPYARD LLC
1/29/2016	1/29/2016	\$0.00	COVENANTS AND RESTRICTIONS	4143	885	U	V	GREENWOOD PROPERTY LLC	SHIPYARD VILLAGE LLC ETAL
8/20/2015	8/13/2015	\$100.00	QUIT CLAIM DEED	4074	187	U	V	7700 SOUTH TAMiami TRAIL CORP	GREENWOOD PROPERTY LLC
2/9/2015	1/27/2015	\$0.00	COVENANTS AND RESTRICTIONS	3985	1785	U	V	GREENWOOD PROPERTY LLC	SHIPYARD VILLAGE LLC ET AL
10/29/2014	10/27/2014	\$0.00	VACATION OF R/W	3947	881	U	V	CITY OF ST AUGUSTINE	GREENWOOD PROPERTY LLC
2/26/2014	2/18/2014	\$100.00	QUIT CLAIM DEED	3849	1620	U	V	MAC DAVITT LLC	GREENWOOD PROPERTY LLC
2/26/2014	2/18/2014	\$225,000.00	WARRANTY DEED	3849	1617	Q	I	MAC DAVITT LLC	GREENWOOD PROPERTY LLC

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

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