



## **AGENDA**

### **Planning and Zoning Board City of St. Augustine, Florida**

#### **Alcazar Room**

Tuesday, August 2, 2022 at 2:00 p.m.  
Including items from July 5, 2022 Agenda

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### **Regular Agenda**

**1. Roll Call**

**2. General Public Comments for Items Not on the Agenda**

**3. Approval of Minutes**

- a. Regular Meeting Minutes from June 7, 2022.

**4. Preliminary Plat Approval**

- a. 2022-0040

James G. Whitehouse, Esq. – Applicant  
c/o St. Johns Law Group  
Lion Gate of St. Augustine LLC – Owner  
[Sidney Street / PID 125210-0010](#)

To approve a preliminary subdivision plat at Sidney Street/Madeore Street PID 125210-0010 to create two conforming lots within the Residential single-family-two (RS-2) zoning district.

**5. Variance**

- a. 2022-0038

Randall & Laura Rupp – Owner & Applicant  
[20 Bird Island Drive](#)

To reduce the rear setback from 10' to 6'6" on a Residential general-one (RG-1) lot to allow for the installation of a pool screen enclosure.

- b. 2022-0041

Oasis Equity Holdings LLC – Owner & Applicant  
[93 Oneida Street](#)

To reduce the side yard setbacks from 4' to 1' on a Residential single-family-two (RS-2) lot to allow for the relocation of the existing home.

- c. 2022-0045                      Thomas Burd – Owner & Applicant  
c/o Fullerwood Construction  
[28 Macaris Street](#)  
To reduce the rear setback from 20' to 13' on a Residential single-family-one (RS-1) lot to allow for the proposed addition to the single family residence.

## **6. Use by Exception**

- a. 2022-0039                      Judith Dembowski – Applicant  
St. Augustine Society Inc – Owner  
[64 Washington Street](#)  
To approve off-site parking within 400 feet as a permitted use by exception.

## **7. Conservation Overlay Zone Development**

- a. 2022-0005                      Jessica Shafer – Owner & Applicant  
*Continued from* [40 Hildreth Way](#)  
*February 1, 2022 Meeting*                      To approve a retaining wall/landscape feature adjacent to rip rap within Conservation Overlay Zone 1.
- b. 2022-0043                      Jessica Shafer – Owner & Applicant  
[0 Hildreth Drive / PID 151151-0020](#)  
To approve a retaining wall/landscape feature adjacent to rip rap within Conservation Overlay Zone 1.
- c. 2022-0031                      Ryan Carter – Applicant  
*Continued from* c/o Carter Environmental Services  
*June 7, 2022 Meeting*                      John Andrews – Owner  
[97 Coquina Avenue](#)  
To approve the construction of a 665 square foot dock and boat lift within Conservation Overlay Zone 1.
- d. 2022-0032                      Ryan Carter – Applicant  
*Continued from* c/o Carter Environmental Services  
*June 7, 2022 Meeting*                      John Andrews – Owner  
[99 Coquina Avenue](#)  
To approve the construction of a 665 square foot dock and boat lift within Conservation Overlay Zone 1.



- e. 2022-0042 Jennifer White Conner – Applicant  
White’s Wharf – Owner  
[135 Avenida Menendez](#)  
To approve a modification of the walkway/access boardwalk to White’s Wharf from Avenida Menendez within Conservation Overlay 1.
- f. 2022-0037 Kevin Marks – Applicant  
c/o Shoreland Home Builders  
Paul Thompson – Owner  
Pelican Reef of St. Augustine LLC  
[0 Pelican Reef Drive / PID 158573-0100](#)  
To remove significant trees within Conservation Overlay 3.
- g. 2022-0027 Jason Stancil – Applicant  
c/o Colour Homes, LLC  
Darden Claire Harting Trust – Owner  
[0 Seminole Drive / PID 151370-0000](#)  
To approve the construction of a new single-family home within Conservation Overlay Zone 2.

## 8. Other Business

- a. Planning and Zoning Board discussion to consider recommending a change to the Zoning Code to allow Not-for-profit clubs as a permitted use or a permitted use by exception in Historic Preservation District-three (HP-3).
- b. Planning and Zoning Board discussion related to potential code amendments pertaining to Historic Preservation and the issue of partial demolition.

## 9. 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 Regular Meeting  
June 7, 2022

The Planning and Zoning Board (PZB) met in formal session Tuesday, June 7, 2022, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Mike Davis, Vice-Chairperson and the following were present:

**1. Roll Call:** Mike Davis, Vice- Chairperson  
Jon DePreter  
Sarah Ryan  
Carl Blow  
Charles Pappas  
Christina Griggs

Absent: Grant Misterly, Chairperson

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

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**2. General Public hearings for Items Not on the Agenda**

(None)

**3. Approval of Minutes**

**MOTION**

Ms. Ryan MOVED to APPROVE the April 5, 2022, minutes as presented. The motion was SECONDED by Mr. DePreter and APPROVED BY UNANIMOUS VOICE VOTE.

**MOTION**

Ms. Ryan MOVED to APPROVE the April 19, 2022, Special Board meeting minutes as presented. The motion was SECONDED by Mr. Blow and APPROVED BY UNANIMOUS VOICE VOTE.

**MOTION**

Ms. Ryan MOVED to APPROVE the May 3, 2022, meeting minutes as presented. The

motion was SECONDED by Mr. Pappas and APPROVED BY UNANIMOUS VOICE VOTE.

**4. Variance**

**4. (a) 2022-0030 – Lloyd & Veronika Feltner– Applicant & Owner 10 First Street**

To increase the lot coverage on a Residential single-family-two (RS-2) lot from 26.5% to 52% to allow for an addition to a single-family residential structure.

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 the maximum lot coverage at 10 First Street/ PID 193170-0010 from 26.5% to 52%.

Lloyd Feltner reviewed the application.

The Board provided their ex parte communication.

18 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:

- Home would be permanent residence for the applicant
- Rear yard had a four-foot set back from the fence and north a ten-foot set back from the existing
- A five-foot setback would exist from the addition
- Was a corner lot with two front and two sides the sides became ten percent of the lot width
- Addition not an issue as the yard was small
- Neighbors were in support
- Application met the Code criteria
- Home was next to a busy short-term rental
- Did not want property to become a short-term rental
- Back of the lot was open and there was twenty feet before another home

#### **MOTION**

**Mr. DePreter MOVED to APPROVE Variance 2022-0030 as it meets the criteria for the variance application. The motion was SECONDED by Mr. Pappas.**

#### **VOTE ON MOTION:**

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

**NAYES: NONE**

**MOTION CARRIED UNANIMOUSLY**

Ms. Skinner announced that there were some changes to the agenda. She said 18 Park Avenue was withdrawn and 0 Seminole Drive, for Conservation Zone Development, and the applicant asked for the item to be continued to the August meeting as they were unable to attend.

Mr. Blow said this property looked to be in an estate sale and was trying to settle. He thought it would be fair to continue the item.

The representative for 0 Seminole Drive application said they had attempted to have the application continued.

Ms. Skinner said during the last communication with Mr. Stancil, he asked for a continuance.

Mr. Pappas said since there was a representative for the applicant, he suggested looking into other building methods.

Ms. Lopez suggested not having the hearing as they did not want to have a disjointed hearing, and it was best to keep it as one comprehensive hearing. She said if the Board was inclined to continue the application that should be the motion.

#### **MOTION**

**Mr. DePreter MOVED to CONTINUE application 2022-0027 0 Seminole Drive, continue to the August 2, 2022 PZB meeting at the applicant's request. The motion was SECONDED by Mr. Pappas.**

#### **VOTE ON MOTION:**

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

**NAYES: NONE**

**MOTION CARRIED UNANIMOUSLY**

#### **5. Use by Exception**

**5. (a) 2022-0035 – Chris & Laura Jennings – Applicant & Owner**  
**58 Saragossa Street**

**To approve two (2) off-site parking spaces either with the use of the Saragossa Street residential parking pass program or 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 two (2) short term rental offsite parking spaces in the municipal parking garage for 58 Saragossa Street/ PID 203670-0000.

Kathryn Mitchell, representative, reviewed the application.

Ex Parte Communication:

(None)

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

Public hearing was opened.

Barbara Tanner said she hoped the Board would not allow them to obtain a parking pass for Saragossa Street as she had to pay \$90.00 annually for two parking passes, and often she had to find other parking as Saragossa Street parking was full. She said it was a detriment to those who owned property and lived there. She was not in favor of the parking on the street.

Van Cogley spoke in opposition to the application and said parking near the property was reserved for residential use. He said the applicant was requesting to use the residential parking program or the City parking garage. He said parking on the street should be for residents. He was not opposed to the City parking garage but was against street parking.

BJ Kalaidi said if it was a short-term rental, they should not be allowed to use the residential parking passes, and thirty-four parking spaces in the parking garage was a lot. She said short-term rentals were out of control and downtown parking was unavailable.

Melinda Rakoncay said parking was an issue and felt short-term rentals were a commercial entity. She said if commercial businesses were required to provide onsite parking, so should they. She felt if they were unable to provide parking then they should not be allowed. She felt guests would not park in the garage and thought the Board had no control over the parking issue, but something needed to be done. She said the short-term rentals should have to advertise the parking location and the distance.

Lauren Giber said she lived in Lincolnville and parking for short-term rentals was unavailable. She said first responders should have room to get in the area, and short-term rentals were businesses, and if parking could not be provided then they should not be allowed. She said parking should be advertised correctly.

Public hearing was closed.

Ms. Mitchell replied the property was zoned Residential General Office (RG1) and after speaking with the Planning and Building Department they decided not to build a driveway as that would take away parking from the neighborhood. She said they were willing to purchase parking garage passes and state where the parking was located.

Mr. Davis asked if the application was being reviewed as a short-term.

Ms. Skinner replied in the affirmative. She said the applicant had asked about adding a driveway; however, that would remove parking from the neighborhood. She said the short-term rental ordinance tried to address the parking issues. She said parking was required on site and if not available the option was to have offsite parking within 400 feet, use the residential parking program if available by using the public right-of-way with approval from PZB, or at the City parking garage. She said there was a residential parking program on Saragossa Street and that could be utilized or the parking garage.

Ms. Lopez said if there was ample on street parking through the residential program, the Board should review the evidence to conclude if there was substantial parking on the street. She said the issue was the Board had to determine if there was enough parking near the home for the residential parking, and if not, the parking garage was an option.

Mr. Davis said State law required providing an option which was the parking garage if parking was unavailable, and the City Commission had designated the PZB to hear these types of cases.

Ms. Lopez said if there was a residential parking program for the street it was the Boards job to determine if there was sufficient on street parking for the short-term rental or was the street already limited or strained, and if so, then the parking garage was the option.

Mr. Davis thought the applicant had not followed all the steps for a short-term rental and the applicant should have to follow the rules that had been set.

Mr. Pappas said that could be added to the motion like it had been done previously.

Ms. Skinner stated she was unaware of the properties short-term rental status but thought when it was purchased it was a short-term rental. She said she would have to check on the status, and they were working with Code Enforcement to obtain the documentation before the application was presented to the Board.

The Board discussed:

- Not in favor of on-street parking but supportive of utilizing the garage
- Felt the residential parking passes would not work per the testimony
- Realtors should not sell properties with no parking available if it was planned for a short-term rental

## MOTION

**Mr. Blow MOVED to APPROVE the Exception 2022-0035 to approve the parking pass in the parking garage and disapprove an application for on street parking and application for a driveway cut that would eliminate parking on Saragossa Street and surrender their garage parking pass if in the future decided to withdraw from short-term rental and the passes be granted until final short-term application. The motion was SECONDED by Mr. Pappas.**

### VOTE ON MOTION:

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

**NAYES: NONE**

**MOTION CARRIED UNANIMOUSLY**

### 6. Conservation Zone Development

|                     |                |             |          |
|---------------------|----------------|-------------|----------|
| <u>Conservation</u> | <u>Overlay</u> | <u>Zone</u> | <u>3</u> |
| <u>Development</u>  |                |             |          |

**6. (a) 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.**

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 DENY the removal of a 24" Red Cedar tree given the availability of room on the site to build a single-family home at 0 Mc Williams Street/ PID 108920-0002.

Mr. Fredriksson said they had unable to reach the applicant and no additional documentation had been provided since June 1, 2022.

Mr. DePreter asked if there was a reason provided for being unavailable.

Mr. Fredriksson noted the applicants had been to City Hall twice in person, but other

than that, there had not been any other contact.

Mr. Davis stated the applicants were not present, nor there to ask for a continuance, he questioned the options if the Board denied the application.

Ms. Skinner replied the applicant could appeal the decision to the City Commission or re-apply if they wanted to construct the home. She said the Board had provided feedback regarding moving the home over which would require a Variance; however, no information had been received for a Variance.

The Board provided their ex parte communication.

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

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

Public hearing was closed.

The Board discussed:

- Board provided specific information to the applicant last time the application was heard
- Wanted to save the tree and would need to move the house
- Very disappointed there had been no response and would be inclined to deny the application
- No new information presented, and they favored a denial
- Questioned if the applicant could reapply in a twelve-month period, and if so, the Board would decide when the applicant reapplied
- If requesting a side yard variance, which the Board suggested, that would be a new application

## MOTION

**Mr. DePreter MOVED to DENY the Conservation Overlay Zone Development 2022-0014 on the ground that the applicant was not present, had not communicated with the City, but had options to apply for a side yard variance as the Board suggested. The motion was SECONDED by Mr. Pappas.**

### **VOTE ON MOTION:**

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

**NAYES: NONE**

**MOTION CARRIED UNANIMOUSLY**

Ms. Skinner said the twelve-month period applied to a variance and exception and if it was the same application the Board was unable to hear it.

**6. (b) 2022-0033 – Charles Tabb – Applicant**  
**c/o Coastal Construction of St. Augustine**  
**John Thompson – Owner**  
**18 Park Avenue**

**To approve the removal of a 32" dbh Magnolia tree to allow for the construction of a new single-family home in Conservation Overlay Zone 3.**

Application withdrawn prior to meeting

**6. (c) 2022-0036 – Guy A. Maltese, Exec, Dir. of Safety & Facilities – Applicant**  
**c/o Florida School of the Deaf and Blind**  
**Florida School for the Deaf & Blind– Owner**  
**207 N San Marco Avenue**

**To approve the removal of a Red Cedar, a Laurel Oak, and a Live Oak tree(s) due to safety concerns in Conservation Overlay Zone 3.**

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 removal of a Red Cedar, Laurel Oak, and Live Oak tree given the potential risks they each pose to an increase of recreational activity in the area and the planting of ten new Cedar Trees at 207 San Marco Avenue / PID 149335-0000.

Guy A. Maltese reviewed the application.

The Board provided their ex parte communication.

75 certified notices were sent, 3 were returned in favor, 1 returned opposed and 2 had comments.  
Public hearing was opened.

BJ Kalaidi said if the tree was dangerous, she understood removal and was happy they had added more trees. She asked if it was a requirement to have an arborist indicate if the trees were safe or not.

Mr. Davis replied in the affirmative and confirmed the applicant had submitted an arborist report from Mr. Lippi.

Lauren Giber asked if there was a reason the trees were being removed or could they be saved. She said many people loved the area because of the trees and thought it would be good to have photos of the trees relative to the property.

Melinda Rakoncay provided pictures of the twelve trees that had been added to the site. She said the arborist report indicated the trees were not in immediate danger and she was concerned with why they needed to be removed. She said the property was zoned RS2 and did not think it could be a park, and it was important to keep the tree canopy.<sup>1</sup>

Public hearing was closed.

Mr. Maltese replied out of the twelve red cedars, there were two dead which would be replaced. He said the arborist report noted each of the trees in questions had at least

one serious defect. He agreed with the City they were not building on the property and it was not a public park; however, it was part of their campus and the students used it.

The Board discussed:

- Viewed the trees and thought applicant was being overly cautious, but understood the caution as it was a school
- Felt the issues with tree #4293, and #4294 was caused by bad trimming
- Cedar tree from a distance was fine, but was dead in the center
- Thought trees that had been lost to storms on San Marco should be replaced
- Arborist report showed the Cedar tree would likely fail
- Suggested keeping the Live Oak #4294 tree but monitor it every couple of years and increase the health
- Thought it could be saved, but would have to add a fence around it to ensure safety and trimming regularly
- Laurel Oak had been overly trimmed, but understood why it needed to be removed although, it was not a safety issue
- Live Oak tree was alive and in the center of the property, but it could be saved
- Red Cedar was in the right-of-way but should not be removed
- In support of keeping the Oak tree if there was a fencing solution
- Proposed tree removal was based on the arborist report and a fence would be installed similar to the rest of the campus
- Unsure about the cedar tree remarks on the arborist report
- Space would have more student use
- Oak tree could be saved, but the structural integrity of the cedar had been compromised
- Damage in Cedar was similar to other cedar trees, but it was not near water and was surrounded by school buildings
- Nursery grown Cedar trees were perfect and did not have the same character as this one
- Not in favor of cutting trees down, but had a report that indicated it was dangerous

<sup>1</sup> Photos attached to packet

- Understood there was potential danger
- Laurel Oak should be removed and the concern for the cedar tree understood
- Arborist report indicated the Live Oak could be kept

#### **MOTION**

**Mr. DePreter MOVED to APPROVE the removal of the Laurel Oak #4293 given testimony from Mr. Lippi, and the removal of the Southern Red Cedar tree #4292 identified by Mr. Lippi, certified arborist.**

Mr. Pappas recommended a modification to the motion to include the removal of the Red Cedar based on the addition of the twelve new cedars added to the property.

**Mr. DePreter added the recommendation to the motion. The motion was SECONDED by Mr. Pappas.**

#### **VOTE ON MOTION:**

**AYES: DePreter, Pappas, Griggs, Ryan, Davis**

**NAYES: Blow**

**MOTION CARRIED 5/1**

#### **Conservation Overlay Zone 2 Development**

#### **6. (d) 2022-0027 – Jason Stancil – Applicant c/o Colour Homes, LLC Darden Claire Harting Trust – Owner 0 Seminole Drive / PID 151370-0000**

**To approve the construction of a new single-family home within Conservation Overlay Zone 2.**

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 single-family residence within Conservation Overlay Zone 2 at 0 Seminole Drive / PID 1513 70-0000 given the size of the house, appropriate buffers from jurisdictional wetland lines and adjacent development.

#### **MOTION under Item 4(a).**

#### **Conservation Overlay Zone 1 Development**

#### **6. (e) 2022-0029 – Ryan Carter – Applicant c/o Carter Environmental Services Mark Williams – Owner 47 Iroquois Avenue**

**To approve the construction of a 375 square foot boat lift on an existing dock within Conservation Overlay Zone 1.**

Ms. Griggs recused herself for the three applications presented by Ryan Carter.

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 no-profile boat lift within Conservation Overlay Zone I at 47 Iroquois Avenue I PID 127881-0050.

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.

The Board provided their ex parte communication.

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

Public hearing was opened.

BJ Kalaidi said there were twelve slips at this condominium location. She questioned why the applicant wanted a dock that was 375 feet and asked why they were not utilizing the shipyard. She asked if the other docks there had come before the Board.

Lauren Giber said after reviewing the documentation she saw the applicant wanted to trim vegetation but was unsure what type



it would be trimmed and questioned the effect it could have on the ecosystem.

Mr. Cater said they were not trimming any vegetation and explained that the shipyard had a long waiting list.

Public hearing was closed.

The Board discussed:

- In support of the application
- Residents wanted space for their boats at their condo
- Boatlifts provided resting locations for birds which was criteria sixteen in the Code
- In favor of the application as it met the criteria
- Questioned if the other docks had been presented in front of the Board

## MOTION

**Mr. DePreter MOVED to APPROVE the Conservation Overlay Development 2022-0029 as it meets the seventeen criteria for Conservation Overlay Zone Development. The motion was SECONDED by Mr. Pappas.**

### **VOTE ON MOTION:**

**AYES: DePreter, Pappas, Blow, Ryan, Davis**

**NAYES: NONE**

**MOTION CARRIED UNANIMOUSLY<sup>2</sup>**

**6. (f) 2022-0031 – Ryan Carter – Applicant  
c/o Carter Environmental Services  
John Andrews – Owner  
97 Coquina Avenue**

**To approve the construction of a 665 square foot dock and boat lift 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 665 square foot dock and boat lift within Conservation Overlay Zone 1 at 97 Coquina Avenue/ PID 223370-0000.

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.

The Board provided their ex parte communication.

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

Public hearing was opened.

BJ Kalaidi asked who owned the property and the vegetation. She questioned what was being done to the mangroves, if an expert was needed, and the necessary requirements.

Giselle Thompson said the lots next door were previously one lot which was split into two. She said she was unsure if it was necessary to have two docks on smaller lots. She suggested having a shared dock instead.

Laruen Giber said the mangrove trees were important to the environment. She provided information regarding who and how the mangroves could be trimmed and felt the Board needed to consider the mangroves for the application.

Public hearing was closed.

Mr. Carter said the proposed south dock did not have mangroves within the footprint but the one to the north did have them. He said the best location for the dock was where the dock had been as there was an existing footprint. He said they would have to trim the mangroves which were protected under the Florida Mangrove Protection Act, by a

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<sup>2</sup> Recusal form attached

landscape architect, arborist or professional wetland scientist, which was his profession. He said they would only be trimming the sides to reestablish the footprint of the existing boardwalk. He said shared docks were beneficial if everyone got along; however, that was not always the case. He said that was the reason they were seeking approval for both docks at 97 and 99 Coquina Avenue.

Ms. Ryan asked why there were fifty foot lots in Residential Single Family One (RS-1) zoning.

Ms. Skinner said the lots had been previously platted prior to 1975 and were existing non-conforming lots.

The Board and Mr. Carter discussed:

- Docks were large to be on the narrow lots
- Docks were not centered; riparian setbacks did not apply when a lot was a certain width
- Suggested a shared dock as a solution
- Lot was allowed twenty-nine percent since it was a non-conforming lot
- Thought most docks in the area were older, low profile, sitting docks which were different from the proposed docks
- Area had more observation piers versus boat docks and use by kayaks
- Questioned the width of the creek and dock and how much room there would be if the proposed dock was built

Mr. Carter said there would be thirty-three feet which was plenty of room for a boat to pass through. He said at the entrance to the creek during low tide boats would have to hug the dock, but there were many locations where people understood during lot tide there was no way to enter or exit.

Discussion continued:

- Docks would block the view and when a boat was added the boat and dock would be the view instead of a vista

- Thought the area was dense
- Justification for the proposed large dock was questionable as Board had testimony that area was mainly used by kayaks
- Open to having a shared dock instead of the two separate docks
- Dock was being installed before the house
- Would rather have a dock built after the home had an owner
- Asked if they could build without trimming the mangroves
- Previous dock was damaged during hurricane Matthew
- Only allowed to be built after a building permit had been issued
- Docks were an accessory use to a primary use
- Questioned if they were building for the most income or for an actual homeowner
- Should remember there was a five-foot tide range +/- which would impact where a boat could enter or exit
- Shared dock would need a written agreement between the two owners
- Could have two docks adjacent to each other about a foot off the property line, which were more compact without having a shared dock
- At low tide or close to low tide could be restricted for entry or exit but at high tide there was plenty of water
- Could have a flat bottom boat which was no more than twenty feet but would only be restricted by the tide

Ms. Lopez clarified the City did not protect an individual's private scenic vista, only the public scenic vista.

Mr. DePreter said the property was limited by fifty feet and the boat was twenty-four feet which meant that was about fifty percent of the site. He suggested considering a 'twin dock' instead and could shrink the linear feet or would they still request the twenty-four feet.

Mr. Carter said they would be requesting the twenty-four feet as it was impossible to have a twenty-two-foot boat on a smaller deck. He said the shared dock was a good solution previously and he would discuss that possible solution with the applicant or if the Board wanted the docks reduced. He said this situation was a different and they were trying to reduce the impact to the mangroves which was why they were using the existing footprint on the north and pushed the boardwalk alignment to the south. He said if they put the walkway over the mangroves, they would have to obtain a permit from the Department of Environmental Protection (DEP).

#### **MOTION**

**Mr. Ryan MOVED to CONTINUE the application 2022-0031 to the revised design as discussed and present a shorter boat slip to the July 5, 2022. The motion was SECONDED by Mr. Pappas.**

Mr. Davis advised there would be three Board members absent at the July meeting, and asked if Mr. Carter wanted to postpone to a later meeting date in order to have a full Board.

Mr. Carter replied he was fine with the July PZB meeting.

#### **VOTE ON MOTION:**

**AYES:** Ryan, Pappas, Blow, DePreter, Davis

**NAYES:** NONE

**MOTION CARRIED UNANIMOUSLY<sup>3</sup>**

**6. (g) 2022-0032 – Ryan Carter – Applicant  
c/o Carter Environmental Services  
John Andrews – Owner  
99 Coquina Avenue**

<sup>3</sup> Recusal form attached

#### **To approve the construction of a 665 square foot dock and boat lift within Conservation Overlay Zone 1**

Board discussion heard with Item 6(f).

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 665 square foot dock and boat lift within Conservation Overlay Zone I at 99 Coquina Avenue/ PID 223370-0060.

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.

The Board provided their ex parte communication.

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

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

#### **MOTION**

**Mr. Blow MOVED to CONTINUE Conservation Overlay Zone Development 2022-0032 to the July 5, 2022 meeting. The motion was SECONDED by Ms. Ryan.**

#### **VOTE ON MOTION:**

**AYES:** Blow, Ryan, Pappas, DePreter, Davis

**NAYES:** NONE

**MOTION CARRIED UNANIMOUSLY<sup>4,5</sup>**

#### **7. Rezoning**

**7. (a) 2022-0026 – Gary B. Davenport – Applicant c/o Gary B. Davenport PA**

<sup>4</sup> Recusal form attached

<sup>5</sup> Break from 4:18p.m.-4:28p.m.

**36 Granada LLC – Owner c/o Alsop Properties**  
**36 Granada Street/ PID 203240-0000 & 203230-0000**

**To amend an existing Planned Unit Development (PUD) adopted November 8, 2021 at 36 Granada Street to change the site plan, text and elevations related to flood protection and flood resiliency**

Mr. Fredriksson stated staff does not make recommendations concerning the rezoning of land. The Board is responsible for making a recommendation based on the following:

- (1) The need and justification for the change.
- (2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.
- (3) Consistency with the Comprehensive Plan.

Gary B. Davenport, attorney, and James McGarvey reviewed the application.

The Board provided their ex parte communication.

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

Public hearing was opened.

Lauren Giber spoke in opposition to the application and read a letter from a neighbor in the area. She said the changes in the documentation increased the square footage and she questioned if there would be sixty parking spaces available. She was concerned with having only four bathrooms in the building with 250 seats and asked if that met the guidelines for the Code.<sup>6</sup>

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<sup>6</sup> Letter attached to packet

Public hearing was closed.

Mr. McGarvey said the number of seats would conform to the amount of parking and there would be fewer seats as they had lost five parking spaces. He said because they had lost parking spaces, they would have less than 200 seats and they would conform 4-1 as stipulated by Code.

The Board discussed:

- Did not see any major changes to the PUD
- Lake Maria Sanchez was a major stormwater project which could help address the flooding the applicant was experiencing
- City had funding for the three-year Back Bay study
- Solution to flooding problem was coming but would be sometime in the future
- PUD had minor modifications
- Terrace extending down the alley was a good improvement to the site plan
- Would not have increased seating
- Hours of operation condition had been changed and the parking was addressed
- Resiliency was a goal for the City and applicant was planning for it
- Questioned if changes would have to be reviewed by Historic Architectural Review Board (HARB)

Ms. Skinner stated they would review to see if it needed to return to HARB for the changes. She said there were other issues that had to be reviewed such as the mural, elevations, and changing the agreement for the right-of-way because the awnings had changed. She said that was a condition of the partial demolition request and if PZB made a recommendation to approve the application would go before the City Commission.

Discussion continued:

- HARB had discussed maintaining the general look of the building and the front windows

- Concerned about voting on the application if HARB was not going to review the changes
- Appearance changes were an issue as HARB had spent a lot of time on the application
- Preferred landscaping over awnings on Granada Street
- Landscaping was narrowed to add back two parking spaces

Mr. Pappas expressed the importance of the application returning to HARB for the changes in the visual appearance. He said without assurance HARB would rehear the changes, he could not support the application.

Mr. McGarvey asked why the application needed to return to HARB as the building was not in a historic district.

Mr. Pappas said HARB reviewed the partial demolition application and that was the only chance to retain part of the building. He said it was important to know if the spirit of the building was kept.

Ms. Skinner noted the building was fifty years old or older and the extent of work was a partial demolition and HARB applied conditions to the approval of partial demolition. She said those conditions were not a zoning issues related to the PUD. She said the elevations had changed which were directly related to the PUD and the Board could approve those changes. She said if the Historic Preservations Officer felt the elevations changes were significant and had changed the conditions that were added to the demolition permit, then it may have to return to HARB.

Mr. DePreter said this could be approved and the Historic Preservation Officer would determine if the application needed to return to HARB.

Mr. Pappas said the partial demolition by HARB was based on their ruling and

conditions but thought with the changing of the windows and the opening it would need to return as that was one of the conditions.

## MOTION

**Mr. DePreter MOVED to RECOMMEND APPROVAL the proposed changes to the PUD rezoning application 2022-0026 with the knowledge it will go before the City Historic Preservation Officer to determine if it needs to return to HARB. The motion was SECONDED by Mr. Davis.**

### **VOTE ON MOTION:**

**AYES: DePreter, Davis, Griggs, Blow, Ryan**

**NAYES: Pappas**

**MOTION CARRIED 5/1**

**7. (b) 2022-0108 – Ellen Avery-Smith, Esq.**  
**– Applicant c/o Rogers Towers, P.A.**  
**Flagler College, Inc. – Owner**  
**97 Cedar Street and 7 ML King Avenue/**  
**PID201850-0000, 201860-0000, and**  
**201860-0150**

**To amend an existing Planned Unit Development (PUD) and to remove one (1) significant tree (Laurel Oak) in Conservation Overlay Zone 3.**

Mr. Davis recused himself from the application.<sup>7</sup>

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 removal of one (1) significant tree(s) at the subject property within Conservation Overlay Zone 3 located at 7 ML King Avenue/ PID 201850-0000.

Ellen Avery- Smith, attorney, and Beth Sweeny reviewed the application.

The Board provided their ex parte communication.

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<sup>7</sup> Recusal form attached

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

Public hearing was opened.

BJ Kalaidi spoke in opposition to the application and asked the Board to deny the request. She said the students were not parking in the garage on Malaga Street and brought increased traffic. She said the students were not adding to the City environment. She noted the Oak tree had been there for a long time and would take away the character of the neighborhood.

Lauren Giber spoke in opposition to the application and pointed out there were many trees in the area that had restricted roots, but the trees survived. She said the tree was beautiful and was significant and it would be a shame for the City to allow removal of the tree. She said students parked in various locations but thought parking was oversold by the college.

Public hearing was closed.

Ms. Avery-Smith said most of the information was hearsay and should not be considered in the Board's determination. She noted there was an arborist report by Chuck Lippi, a certified arborist. She said there was plenty of parking for students, facility, handicap, and security.

The Board and applicants discussed:

- Questioned if the college sold out of parking passes each year
- College had 1,400 parking spaces, but parking permits were not limited; however, there were never that many people on campus at one time and parking was never at capacity
- In favor of keeping the tree but the report indicated the root zone was restricted and could have long term effects

- Concerned with having the tree close to the building as Laurel Oaks had shallow root systems
- Would be providing stormwater treatment for the building addition
- In favor as the addition would provide more living space for students
- In support of the modification as there were more positives than negatives for the community
- Number of beds had been reduced and the parking had been increased
- Had proposed a landscape plan and would mitigate for removal of the tree
- Would be beneficial for students as rental housing was not readily available
- Preferred having students closer to campus than all over town
- Suggested having ample room for bikes and bike racks
- Lot coverage for a Commercial Low was 60% but the PUD was 50%
- Building setbacks were slightly different
- The college was an asset to the community
- More students living on campus would help reduce vehicles traffic downtown
- Would help reduce the demand on housing
- Laurel Oaks did not live as long as Live Oaks and was not concerned where it was; however, lots of the trees in the City had restricted roots
- Confirmed with City staff the college would pay the mobility fee

## MOTION

**Ms. Griggs MOVED to RECOMMEND APPROVAL to the City Commission for Rezoning Conservation Overlay Zone Development 2022-0108 to amend an existing Planned Unit Development (PUD) and to remove one significant tree in Conservation Overlay Zone Three. The motion was SECONDED by Mr. Blow.**

## VOTE ON MOTION:

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

**NAYES: NONE**  
**MOTION CARRIED UNANIMOUSLY<sup>8</sup>**

**8. Comprehensive Plan Land Use Plan  
Amendment and Rezoning**

**8. (a) 2022-0028 – Courtney P. Gaver–  
Applicant c/o Rogers Towers, P.A.  
Wild Bills' s Investments, LLC– Owner  
63 West Avenue/ PID 119480-0000  
65 West Avenue/PID 119510-0000**

**To amend the current land use of  
Residential Medium Density Mixed Use to  
Commercial Medium Intensity and to  
rezone parcels at 63 & 65 West Avenue  
from an expired Planned Unit  
Development (PUD) to Commercial  
Medium-Two (CM-2).**

Mr. Fredriksson stated Staff does not make recommendations concerning comprehensive plan amendments or rezoning's of land. The Planning and Zoning Board makes formal recommendations to the City Commission regarding these items.

Courtney Gaver, attorney, reviewed the application.

Ex Parte Communication:

(None)

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

Public hearing was opened.

BJ Kalaidi said she wanted to make sure the property was not connected to US1 because Commercial Medium Two (CM2) zoning on US1 allowed adult entertainment. She said she was unsure of the plan for development and asked if it would be the fifty-foot height. Public hearing was closed.

Ms. Gaver said the property was owned by Mr. William Barber, who was a county resident. She said the property would not front US1 and the change in land use designation would reduce the height of the building. She said at this time there was no development plans as the property was currently rented and they were responding to the letter he received to renew the zoning to what it was previously.

The Board discussed:

- Felt this application was a house keeping item as the City had sent notice to the applicant regarding the zoning
- Thought the use of the property leaned more towards commercial
- Parcel by parcel was being rezoned
- Adjacent properties were CM-2
- Many parcels were in the expired PUD

**MOTION**

**Mr. Davis MOVED to RECOMMEND to the City Commission a Land Use Change. The motion was SECONDED by Mr. DePreter.**

**VOTE ON MOTION:**

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

**NAYES: NONE**

**MOTION CARRIED UNANIMOUSLY**

**MOTION**

**Mr. Davis MOVED to RECOMMEND the Rezoning to the City Commission for this**

<sup>8</sup> Recusal form attached and Break from 5:26p.m.-5:45p.m.

parcel. The motion was **SECONDED** by Mr. DePreter.

**VOTE ON MOTION:**

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

**NAYES:** NONE

**MOTION CARRIED UNANIMOUSLY**

**9. Creation of a New Land Use Category to be Inserted into the Comprehensive Plan and including a Compatible Zoning District and a Subsequent Comprehensive Plan Land Use Plan Amendment and Rezoning of Certain Property**

**9. (a). Discussion and recommendation related to the Creation of a Mobility Oriented Development (MOD) Future Land Use Category to be inserted into the Comprehensive Plan and a Compatible MOD Zoning District<sup>9</sup>**

Mr. Davis recused himself for Item 9(a) and Item 9(b).

Ms. Skinner reviewed the topic with the Board regarding the creation of a New Land Use Category to be added to the Comprehensive Plan and to create a compatible zoning district that would be added to the City of St. Augustine's zoning code. She advised the conversation was not specific to a certain parcel; however, the next item on the agenda would be to apply if the Board chose to recommend the creation of the categories. She listed a few items the Board could address which were as follows:

- Proposed height
- Proposed density
- Proposed mandatory and optional listed mobility features
- Permitted uses and Uses by Exception in the Proposed Categories and Zoning Districts

- Relationship to King Street and West King Street

Ms. Skinner continued the PZB may want to clarify the statement in the land use category stating "PZB will make a recommendation to the City Commission regarding a public benefit gained by the mobility station component". She said for future applicants, if their proposal had to return to the Board for specific recommendations, it need to be clear to staff as to what would be required.

Mr. DePreter asked if this was a discussion of a zoning category and should the Board disclose ex parte communication.

Ms. Lopez said there were two parts and the first was a legislative decision and ex parte was not needed; however, if the Board wanted to disclose ex parte communications they could but it was not required.

The Board provided their ex parte communication.

Public Comment was opened.

Judith Wilmot said she was in favor of the change and was happy about the pedestrian walkway. She was concerned with the traffic pulling on to King Street as it was already difficult. She asked if there would be a red light added to help people get in and out.

Mr. Blow clarified the current discussion was regarding the change in the code and not the next application.

Mr. DePreter reiterated public comment was open for the proposed changes to the City Code and public comment regarding the Broudy Project would take place after the discussion concluded.

Ms. Avery-Smith said there was a combined presentation for both items and a lot of questions could be answered as a part of the presentation.

<sup>9</sup> Recusal form attached



James McGarvey felt this was a game changer and encouraged the Board to keep an open mind as they listen to the presentation. He said this was a great opportunity for the City.

Ms. Lopez advised Ms. Avery-Smith had a blended presentation for the change in the code and for a specific project. She said the Board could allow more than three minutes for the presentation.

Mr. Pappas noted he thought hearing the presentation would be confusing as it would be related to a specific parcel. He said he felt these two items should not have been on the same agenda.

Ms. Avery-Smith said they had brought in people from other agencies to speak and the first part of the presentation was an overview from Jacksonville Transportation Authority (JTA), Mobility from the City of St. Augustine and the goals. She said that way the Board could hear from them and then pause for the rest of the presentation.

Mr. DePreter said as long as the presentation would be regarding the zoning and nothing else, he was willing to proceed.

Mr. Blow said he only wanted to clarify that this was not a PUD but was for a new zoning category.

There was Board consensus to allow the presentation and ample time to explain.

Ms. Avery-Smith said Reuben Franklin, City of St. Augustine, and Richard Clark, Jacksonville Transportation Authority, were available to speak regarding mobility. She said they would discuss the City's Commitment to Mobility and the Connectivity in the Region.

Reuben Franklin, Public Works Director, City of St. Augustine, provided context to the mobility plan and how this fit into the City's goals. He said having people park on the periphery and having access the City by other means of transportation. He said these

were general areas of where they thought this could be applied. He said the next component was the biking and pedestrian connections and where these modes were applied. He reviewed the transit circulator map and discussed how these could tie into the area. He updated the Board and said they were working on the Route One and having a circulator running from the existing parking garage. He said additional routes would be added in the future to help meet the goals of the 2040 Mobility Plan.

Richard Clark, Jacksonville Transportation Authority (JTA), Director of Economic Development, said Duval County had changed their Comprehensive Plan for the County about a year and half ago and they just went through what the City of St. Augustine was doing now. He said there was around 40,000 people going north and 15,000 people entering St. Johns County for work each day and the roads were constrained. He said Florida Department of Transportation (FDOT) had a plan to expand I95 with one lane heading north and south. He said they had started looking at alternative modes of transit that were denser. He said the idea was to provide a commuter rail service and provide micro mobility solutions. He noted from a mobility and safety standpoint, it was important to have people cross US1 and still have access to the core of the City. He said he thought this was the right course of action for the future.

Ellen Avery-Smith said she had reviewed Transit Oriented Design (TOD) codes, Land Use, Comprehensive Plan Amendments, and Zoning Codes throughout Florida and the Country and for them to be successful they needed the following:

- Have a certain residential density around the station
- Would activate the station to have people living around it; with commercial uses within mixed uses in the area
- Designed to be a Mixed-Use-High-Density area

- Would need building height and lot coverage to have the density

Bruce McGuire spoke in favor of a mobility ordinance and thought it was a good idea. He was concerned with the public not being heard regarding the major land use change. He felt that not many people understood what was taking place. He questioned how this was publicized and presented to the people as this was a major change and concern. He said his other concern were the details in the zoning category. He disagreed with the density that was being proposed for the property, which was more than double of anywhere else in the City and was unsure how this zoning category was reliant on fifty units per acer. He said he did not feel that should be a requirement for the property. He stated he did not see a mobility issue that resulted in doubling the maximum use of density for apartments in the City. He expressed concern regarding the seventy-five-foot height and fifty units per acer. He noted he was in favor of the concept but not the size and encouraged the Board to question that too.

Greg White said he was in favor of the change and believed in economic development moving west of US1. He said with every journey there was a first step and he thought this was the first step. He said this could provide jobs and people could walk or bike to the location. He said the goal for the core group in West Augustine was to create a historic destination where Dr. Hayling lived. He said in addition, they wanted to have a Civil Rights Museum located in historic West Augustine. He said he was in support of the change

Virginia Whetstone said her family owned two parcels across from the Broudy project and was in favor of having a parking garage on the property. She said her concern was how this was being rushed though and the Board was voting on a new classification and then following up with an applicant who wanted to use it. She said this had not been vetted with the people and as a property

owner, she unaware and only found out when notice was provided for the Broudy project. She said notice was not provided for the new zoning category. She said she was opposed to allowing fifty units per acer as this was three times anywhere else in the City, allowing the height to be seventy-five feet tall was inappropriate for the property, and allowing 80% density was unacceptable and too much for the area. She said all of these were not necessary to make the parking garage and transit facility successful.

Melinda Rakoncay said she was in favor of a parking garage on the periphery; however, her concern with having an applicant wanting to use the zoning category before having the actual category. She said the height limit was to help preserve the skyline but allowing the building to be seventy-five feet tall, the skyline would be ruined.

Jeremy Marquis said to go with the MOD it had to have a mobility station, which was in the 2040 Comprehensive Plan and

Steven Mandoza said density was important as it helped with vibrancy. He said West King was in need of a reboot and thought it would take a drastic change and the City was used by County and City residents along with many others. He said by increasing the density use on West King, it could help elevate the overcrowding and this could help West King.

BJ Kalaidi said allowing the lawyer to have more time than the pubic was disrespectful. She said there was no reason for this to be passed and if so, it should not be on the same agenda as the next application. She said transparency was important and she did not believe this would benefit anyone and this would take away from the character and history of the town.

Public Comment Closed.

Board Discussion:

- Understood the frustration from the public
- Was a follow-up to the Comprehensive Plan that had been discussed over the past year
- Parking garage would be in the general area
- Concerned with the density, height, and lot coverage

Discussion continued:

- Wanted the Corridor Review Committee (CRC) to have architectural design/control of the review over the projects
- Instead of the entire site being seventy-five feet, the heights could step down
- CRC had a map that it covered but it could be expanded but that would require a code amendment
- Discussion of the mobility plan had been taken place for the past two years
- Other areas were beyond thirty-five feet tall and it was a balancing act when it came to planning and could help resolve the mobility issues
- Density should be kept on a major corridor
- A proposed project would have to have a mobility station and that would have to be at a future rail station site
- Two areas proposed were on a major corridor but felt language should be added that specified 'a major highway corridor'
- Park and ride, bicycle station, pedestrian connectivity, and ride share hub were mandatory and that was why the language should be added as it should not be in a residential area
- Should add language regarding charging stations for bikes and vehicles
- New modes of transportation were discussed in the Comprehensive Plan
- Questioned the reason for Permitted Uses
- Goal was to assist with the mobility issues

- Affordable housing and having residential density were good as that would bring vitality and increase safety
- Should limit short-term rentals; however, the City was preempted by State Law
- Would have multifamily component but no percentage was required
- Perhaps excluding hotels and conference centers
- Felt this was limited if the City wanted to make a mobility zoning category
- Was 100% geared towards tourism and not for residents and mobility should be for livability
- Did not feel this helped residents get to jobs outside of town
- Did not help get to places where residents lived
- Felt it was overworked for what the City wanted to achieve

Mr. Pappas asked if one of the items did not exist, was the project still allowed to be there. He said for example if the transit dropped out, would the high-density project be allowed.

Ms. Lopez answered in the affirmative. She said once it was built it would not be torn down.

Mr. Pappas said he understood wanting to combine density and affordable housing, but it was written very specific. He said putting it all in a mobility district was too much. He said mobility needed to be for all.

Discussion continued:

- Questioned how the City determined the height and density
- Not focused on the mobility issues within the City but more on the perimeter parking area
- Benefit for people to enter by railway and not by vehicles
- Fifty units per acre was dense but having a transit station close to the City made sense

- Unsure if it should be a hotel, residential, or retail
- Goal was to see if mobility could be improved, having less vehicles in the City, and to a perimeter garage
- Economic standpoint should have a public/private partnership
- Could improve the quality of life for those who lived here
- Lots of people worked elsewhere, and transit could potentially assist in other transportation
- Questioned if other TOD areas would be true mixed use and not only a hotel
- Designed to be an integrated project
- Zoning and Land Use categories were designed to be at the two rail stations identified in the transit plan

Ms. Skinner noted the transit plan which had four circles that identified the general areas for a potential peripheral parking but the blue dots on the map showed where the potential railway could be located.

Mr. DePreter clarified these were the only two locations where this could be used.

Ms. Skinner replied in the affirmative and said it would meet all the criteria outlined in the land use plan.

Mr. Pappas asked if there were only two locations what was the reason for the zoning.

Ms. Skinner said the Land Use in the Zoning District set the other perimeters like the height, and density which were different from other categories in the City.

Mr. Pappas asked why a Planned Unit Development (PUD) could not be done where more control would be allowed.

Ms. Skinner advised a PUD would have to be consistent with the Land Use Category. She said this location only allowed sixteen units per acre and thirty-five feet in height which would not allow for a higher density which

was needed for a rail station and the multi model concept.

Mr. DePreter questioned who this would benefit, residents or tourism, because it was hard to separate. He said if people could park on the outside of town there would be less vehicles on the road, and it would be easier for the residents inside the perimeter. He said this could be part of a larger mobility plan for tourist and residents.

Mr. Pappas reiterated he applauded everything this could achieved; however, felt this was not heavily discussed when talking of the Mobility Plan, and that was his reason for hesitation.

#### **MOTION**

**Mr. DePreter MOVED to RECOMMEND to the City Commission for the Mobility Future Land Use District with these items:**

- **Design and architectural review included in the language**
- **Possible “step down” language to blend in more**
- **Mandatory access on US1**
- **Clarify meaning of public parking**
- **Discussion on if a residential minimum percentage**
- **Charging stations**

**The motion was SECONDED by Mr. Blow.**

#### **VOTE ON MOTION:**

**AYES: DePreter, Blow, Griggs, Ryan**

**NAYES: Pappas**

**MOTION CARRIED 4/1**

#### **MOTION**

**Mr. DePreter MOVED to RECOMMEND the Zoning Code Change with the same points as the Future Land Use. The motion was SECONDED by Ms. Ryan.**

**VOTE ON MOTION:**

**AYES: DePreter, Ryan, Griggs, Blow**

**NAYES: Pappas**

**MOTION CARRIED 4/1<sup>10</sup>**

**9.(b). 2022-0034 – Ellen Avery-Smith,  
Esq– Applicant  
c/o Rodgers Towers, P.A.  
Broudy Bros., Ltd.– Owner  
Portions of N Ponce de Leon Boulevard  
and W King Street/ PID 111190-0000,  
111200-0000, 111130-0000, 111110-0000,  
111225-0120, 111220-0000, 111225-0000**

**To amend the current land use from Commercial Medium Intensity and Industrial Warehouse to the newly created Mobility Oriented Development: MOD land use category and to rezone the property from Commercial medium-two: CM-2 and Industrial and warehousing: IW to the newly created Mobility Oriented Development: MOD zoning district.**

**Mr. Davis recused himself for Item 9(a) and Item 9(b). <sup>11</sup>**

Mr. Fredriksson stated staff does not make recommendations concerning Comprehensive Plan Amendments or Land Rezoning's, the PZB makes formal recommendations to the City Commission regarding these items.

Mr. Pappas asked if the Board could recommend something that had not been created.

Ms. Lopez replied this was a theoretical recommendation, and should the City Commission change, the applicant might not want to proceed or revise the plan.

<sup>10</sup> Break from 7:35p.m.- 7:44p.m.

<sup>11</sup> Recusal form attached

Ellen Avery-Smith, Jermei Marquis, and Barry Broudy reviewed the application.

Ms. Lopez said the frontage would be within the entry corridor but would the back of the building.

Mr. Marquis said it was existing Commercial Medium (CM) Zoning. He provided more details with a map for clarity and said the building seen would have to be reviewed by the CRC.

Mr. DePreter asked if the new zoning required the project to have architectural review, if this would that superseded the corridor.

Ms. Lopez said these would take place simultaneously for a change to the boundary for the parcel.

Ms. Avery-Smith stated they had no objection for the entire project to be subjected to the CRC.

The Board provided their ex parte communication.

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

Public hearing was opened.

Melinda Rakoncay said she was for the parking, but the drawings were deceptive, and it would be massive from street level, but seventy-five feet was too large and it almost twice the size of the current parking garage. She was in favor of the project but thought the height needed to be adjusted.

Robert Depiazza said he knew the neighborhood well and supported the application. He said the biggest complaint was the height, but that was more of an aesthetic issue that could be completed tastefully. He felt the density was a tale of the times as other historic areas had mixed residential and were a trend and reality of modern times.

Steven Mendoza spoke in favor of the application and felt it was very forward thinking. He said the area businesses were closed by 5:00 p.m. except for one. He said a development like this allowed businesses to grow and the area would become more vibrant. He said the area was growing as young families were moving to the area rapidly and this would offer many amenities and could provide relief from the downtown area and another outlet for people. He was in support of keeping the project as it was.

BJ Kalaidi felt 9(a) was clearly written for Mr. Broudy and he could have built other buildings in the area. She said Commercial Medium (CM) and Industrial and Warehouse (IW) would have allowed him to build and make a profit. She stated this would not be historical, and this would not be for locals. She encouraged the Board to include a line that would not allow people to enter or exit from West King Street.

Amy Tarmey spoke in support of the project and thought it would be beneficial for the locals as it could create jobs and parking. She said it was described as a vibrant gateway, but it could not be described as that now. She said the vision would be an extreme upgrade in the area and beneficial to those who lived in the City and County. She felt it could improve the quality of life of those working and living in the area.

Public hearing was closed.

Ms. Avery-Smith said the businesses on West King Street would benefit from the public parking and it could help them thrive and grow. She said the site needed a certain density and height to be financially feasible. She said a stand-alone parking structure would not bring vibrancy to West Augustine, but a mixed-use project would, which from a planning tool and a financially feasible tool was needed.

Mr. Marquis said it was understandable to want to know how it would feel from ground level. He said as this was developed the

CRC would be interested as well. He said the livable parts would be what people experienced from West King Street.

The Board discussed:

- Only concerned with the zoning change as the renderings shown the Board could not have input
- In favor of changing the zoning for the plot of land
- Area would be allowed with or without the railway
- Required public parking in order to qualify
- Railway referenced narrowed down the locations, but railways were not required
- Required mobility station
- Land Use and Zoning made sense and vision for the property was needed
- Pedestrian bridge over US1 was not an applicant obligation, but a government obligation
- Project would be beneficial to West Augustine
- Applicants were sincere and should be sent to the City Commission with the Board's recommendations
- Applicants had objections to review by the CRC
- In favor of the multifamily component
- Railway was out of their control but was a public benefit
- Met the Mobility goals and the public benefit
- Located in the Mobility Plan and compatible with the long-term planning goals and Comprehensive Plan
- Favored the project and hoped for regeneration in the area
- Leading development into West King helped meet some of the resiliency goals

## MOTION

**Mr. DePreter MOVED to RECOMMEND Land Use from Commercial Medium Intensity and Industrial Warehouse to the newly created Mobility Orientated Development Land Use Category. The motion was SECONDED by Mr. Pappas.**

**VOTE ON MOTION:**

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

**NAYES:** NONE

**MOTION CARRIED UNANIMOUSLY**

Mr. Blow asked if the automotive shop was included.

Ms. Lopez stated he was a co-applicant.

Ms. Avery-Smith stated they had the owner's authorization form.

**MOTION**

**Mr. DePreter MOVED to RECOMMEND to the City Commission the REZONING of the property from Commercial Medium and Industrial Warehouse to the newly created Mobility Orientated Development (MOD) Zoning district if it passes. The motion was SECONDED by Mr. Pappas.**

**VOTE ON MOTION:**

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

**NAYES:**

**MOTION CARRIED UNANIMOUSLY**

**10. Other Business**

Mr. Davis announced there would be four Board members at the July meeting. He said all four were needed to have a quorum, and he asked staff to have the agenda out earlier in case of a conflict.

Mr. Pappas said he was bothered by the zoning and an applicant requesting the zoning, since the zoning had not been approved by the City Commission.

Mr. Blow said he agreed but this zoning was unique.

**11. Adjournment**

Having no further business, Mr. Misterly adjourned the meeting at 8:42 P.M.<sup>12</sup>

---

Grant Misterly, Chairperson

---

<sup>12</sup> Transcribed by Elyse Wiemann

CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **PRELIMINARY SUBDIVISION PLAT 2022-0040**

|             |                                                                                                                                                                                            |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AGENDA ITEM | 4(a)                                                                                                                                                                                       |
| APPLICANT   | James G. Whitehouse, Esq.<br>c/o St. Johns Law Group                                                                                                                                       |
| OWNER       | Lion Gate of Saint Augustine LLC                                                                                                                                                           |
| LOCATION    | Sidney Street / PID 125210-0010                                                                                                                                                            |
| REQUEST     | To approve a preliminary subdivision plat (replat) at Sidney/Madeore Street PID 125210-0010 to create two conforming lots within the Residential single family-two (RS-2) zoning district. |
| LAND USE    | Residential Low Density                                                                                                                                                                    |
| ZONING      | Residential, single-family-two: RS-2                                                                                                                                                       |

APPLICABLE CODES/ORDINANCES

**Section 23-36 Generally.**

The following procedures for securing subdivision plat approval shall be followed in submitting, reviewing and acting upon all subdivision plats within the city. The subdivider and/or his surveyor, engineer or land planner is encouraged, but not required, to discuss informally his preliminary studies and sketches for any subdivision of land with the city offices listed in section 23-38, as well as those other offices such as the county health department or county community development department. Many times these discussions may lead to a more complete preliminary plan or plat as hereinafter set forth. During this review process, the subdivider or his agent may be called upon for consultation. Each preliminary plan or plat for a subdivision shall be presented for review prior to detailed development of the plat. This preliminary plan will benefit the subdivider in accordance with the degree of completeness of the plan. Such preliminary plan shall be accompanied by a written statement describing the proposed subdivision. Such preliminary plan and statement shall be reviewed by the city planning and building department, public works department, fire department and police department and shall be submitted to the city planning and zoning board for preliminary approval subject to such revision as may be deemed necessary.



**Section 23-38 Preliminary plat.**

- (a) All of the following city departments must approve preliminary plats prior to submitting to the planning and zoning board. A preliminary plat submittal meeting is recommended involving the appropriate city departments and the agent(s) of the developer.
  - (1) Planning and building department.
  - (2) Public works department.
  - (3) City manager
  - (4) City attorney
  - (5) City fire department
  - (6) City police department
- (b) The city manager shall receive two (2) copies and each of the remaining offices shall be provided with one (1) legible reproduced copy of the proposed preliminary plat a minimum of three (3) weeks prior to submittal to the planning and zoning board for approval. Should any of these city offices or utility companies need to be involved, they may make necessary contacts and/or request additional reproduced copies for these offices and/or companies.
- (c) This preliminary plat shall be prepared on sheet sizes of twenty-four (24) inches by thirty-six (36) inches with at least a one-inch margin on the left side of the plat for binding purposes, and shall be in accordance with F.S. 177.091.
- (d) The plat will be reviewed by the city offices during the three week period prior to submittal of the preliminary plat to the city planning and zoning board. The developer or his agent will be contacted during this period of time should any discrepancies be apparent that would affect preliminary approval. However, the reviewing offices' agreement as to acceptability of format and content is not to be construed as assurance of final acceptance by the city.

**Sec. 28-2. Definitions**

Lot – [Specifically pertaining to conforming residential single family districts] ...As of the effective date of this article, any two or more nonconforming lots of record located in single-family residential districts RS-1 and RS-2 on which a residential or commercial structure exists, excluding accessory structures as defined by section 28-348 of this Code, are considered combined and may not thereafter be divided into nonconforming lots by the removal or destruction of the structure or any portion thereof by any means whatsoever. Such lots, however, may be replatted so long as the replatted lots conform to the requirements of this chapter.

**Sec. 28-162. - Residential, single-family-two: RS-2.**

**Intent.** This district is intended to apply to those neighborhoods designated for single-family dwellings and single-family type uses, as well as those uses compatible with low density single-family uses, so as to create and maintain a low intensity residential character.

- (1) Permitted uses and structures. Single-family dwellings; home office, private.
- (2) Permitted accessory uses and structures. See section 28-348.
- (3) Permissible uses by exception. See section 28-347; housing for the elderly; neighborhood recreation facility.
- (4) **Minimum lot requirements (width and area):**
  - a. **Minimum lot width, fifty (50) feet.**

CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

- b. Minimum lot area, one-eighth acre (5,450 square feet).**
- (5) Maximum lot coverage by all buildings:
  - a. Thirty (30) percent.
- (6) Minimum yard requirements. All permitted or permissible uses and structures:
  - a. Front, fifteen (15) feet.
  - b. Side, ten (10) feet.
  - c. Rear, ten (10) feet.
- (7) Maximum height of structures:
  - a. Thirty-five (35) feet.

STAFF SUMMARY AND ANALYSIS

The subdivision platting process is defined by Florida Statutes as well as the local municipal code. The board's role in the process is to suggest potential design improvements and provide a public forum to introduce the development plan.

In this case, the existing conforming lots are vacant. The proposed replat of these lots will result in two conforming RS-2 lots. The two proposed lots meet all requirements of the RS-2 zoning standards, as shown above, and the preliminary replat is included as an attachment.

STAFF RECOMMENDATION

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 0 Sidney Street / PID 125210-0010.



---

Jacob Fredriksson  
Senior Planner  
Planning and Building Department



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

Application Fee: \$275 (plus advertising costs) Project Number: 2022-0040

Receipt Number: 2398744 Meeting Date: July 5, 2022

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

1. NAME OF APPLICANT: James G. Whitehouse, Esq. Contact Number: 904-495-0400

Business (if applicable): St. Johns Law Group

Address: 104 Sea Grove Main Street City: St. Augustine State: FL Zip: 32080

E-Mail Address: jameswhitehouse@sjlawgroup.com

2. NAME OF PROPERTY OWNER: LION GATE OF ST AUGUSTINE LLC Contact Number: \_\_\_\_\_

Business (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 40

Block: 12

Subdivision: HUERTAS GRANT SUBD

Parcel Number: 125210-0010

4. PROJECT STREET ADDRESS: Sydney Street - Parcel Number 125210-0010

5. SPECIFIC PROPOSED USE: Two single family residential units

6. ACTION REQUESTED:

☐ Conservation Zone Development

☐ Appeal of Staff Determination

☐ Exception

☐ Land Use Plan Amendment

☐ Variance

☐ Rezoning

☒ Other: Preliminary Plat Approval

7. DESCRIPTION OF ACTION REQUESTED: \_\_\_\_\_

PRELIMINARY PLAT APPROVAL — SEE ATTACHED

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8. JUSTIFICATION FOR ACTION REQUESTED: \_\_\_\_\_ Planning/Building Dept.

REQUEST MEETS REQUIREMENTS OF CITY CODE  
AND SUCH IS AN ALLOWED USE AT THIS LOCATION

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.

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6/8/2022

Signature of Applicant

Date

Signature of Property Owner

Date

Owner's Authorization Attached





### Owner's Authorization For Agent

James G. Whitehouse, Esq. \_\_\_\_\_ is/are hereby authorized TO ACT ON BEHALF  
OF Lion Gate Of St Augustine 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:  
Sydney Street - Parcel # 125210-0010

BY:   
Signature of Owner

GREG LEO FOR LION GATE OF ST AUGUSTINE LLC  
Print Name of Owner

973 865 5748  
Telephone Number

State of FLORIDA

County of ST. JOHNS

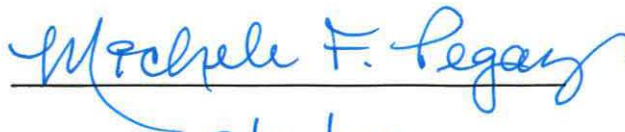
Signed and sworn before me on this 10<sup>TH</sup> day of June, 2022

By Gregory Leo, Jr.

Identification verified: FL Driver's License

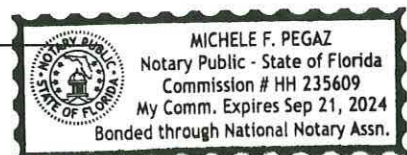
Oath sworn: ☒ Yes ☐ No

Notary Signature:



My Commission expires:

9/21/24



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

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

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

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

JAMES G. WHITEHOUSE

Print name of applicant

[Signature]

Signature of applicant

6/8/2022

Date

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# PZB APPLICATION FEE SCHEDULE

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

| Description of Work                                                 | Fee Amount                                                                  |
|---------------------------------------------------------------------|-----------------------------------------------------------------------------|
| Rezoning: small scale                                               | \$300.00 + ads & notices                                                    |
| Rezoning: large scale                                               | \$1,000.00 + ads & notices                                                  |
| Land Use Plan Amendment: small scale                                | \$400.00 + ads & notices                                                    |
| Land Use Plan Amendment: large scale                                | \$1,400.00 + ads & notices                                                  |
| Planned Unit Development                                            | \$400.00 or \$35.00/acre, whichever is greater, \$1,400 max + ads & notices |
| Zoning Variance                                                     | \$350.00 + ads & notices                                                    |
| Zoning Exception                                                    | \$250.00 + ads & notices                                                    |
| Conservation Overlay Zone Development                               | \$165.00 + ads & notices                                                    |
| Significant Tree Removal or<br>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.

**SYDNEY STREET - PARCEL # 1252100010**

Project Address: \_\_\_\_\_

James G. Whitehouse, Esq.

Applicant's Name: \_\_\_\_\_ Applicant's Signature: \_\_\_\_\_

Owner's Authorization Attached

Owner's Authorization Attached

Owner's Name: \_\_\_\_\_ Owner's Signature: \_\_\_\_\_

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Prepared by:  
Wayde Carter Jr.  
Land Title of America, Inc.  
2495 US Highway 1 South  
Saint Augustine, FL 32086  
File Number: 22-851-WC

Parcel ID: 125210-0010

## Warranty Deed

This Indenture made this 12th day of May, 2022 BETWEEN **Jonathan W. Stamps and Claudia Toller Tavares Stamps, husband and wife**, GRANTOR\*, whose post office address is 35 Madeore St., St. Augustine, FL 32084 and **Lion Gate of St. Augustine, LLC, a Florida limited liability company**, GRANTEE\*, whose post office address is 21 Davis Street, St. Augustine, FL 32084.

Witnesseth, that said Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the grantee and grantee's heirs forever the following described land located in the County of St. Johns, State of Florida, to-wit:

**BEGINNING AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SIDNEY (FORMERLY MOORE) AND MADEORE STREETS IN THE CITY OF SAINT AUGUSTINE, FLORIDA; THENCE RUN SOUTH 04 DEGREES, 10 MINUTES, 21 SECONDS EAST, 165.20 FEET TO THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE SOUTH 85 DEGREES, 10 MINUTES, 04 SECONDS WEST, 92.00 FEET TO THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE NORTH 04 DEGREES, 09 MINUTES, 04 SECONDS WEST, 165.13 FEET TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE NORTH 85 DEGREES, 11 MINUTES, 07 SECONDS EAST, 91.94 FEET TO THE POINT OF BEGINNING.**

**Subject to Covenants, Restrictions, Easements and Reservations of record, if any; However, this reference does not operate to reimpose same; Subject to Zoning Ordinances that may affect subject property; Subject to Taxes for the year 2022 and Subsequent Years.**

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

\*Singular and plural are interchangeable, as context requires.

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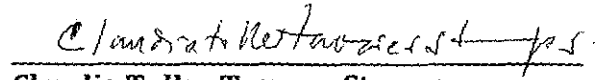
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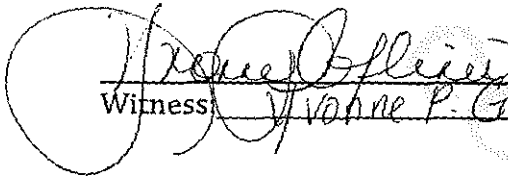


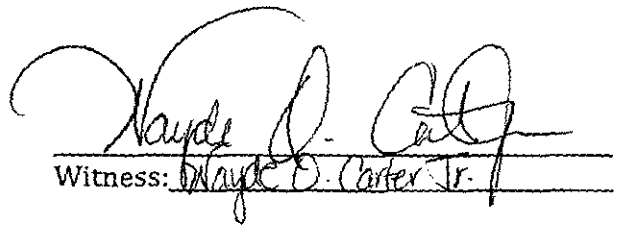
In Witness Whereof, Grantor, has hereunto set grantor's hand and seal this day and year first above written.

  
Jonathan W. Stamps

  
Claudia Toller Tavares Stamps

WITNESSES

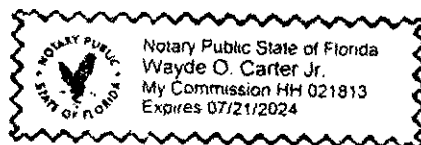
  
Witness: Vianne P. Glines

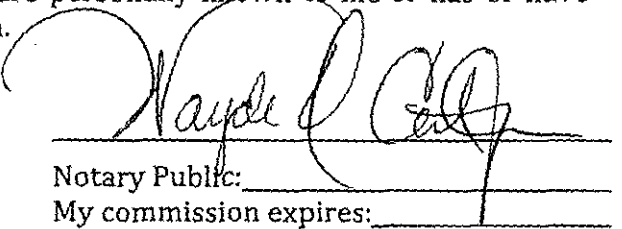
  
Witness: Wayde O. Carter Jr.

State of Florida  
County of Saint Johns

THE FOREGOING INSTRUMENT was acknowledged before me by means of ☒ physical presence or [ ] online notarization on May 12, 2022 by Jonathan W. Stamps and Claudia Toller Tavares Stamps who is or are personally known to me or has or have produced Driver's License(s) as identification.

[Seal]



  
Notary Public: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

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## 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](#)

### Summary

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



|                   |                                                                     |
|-------------------|---------------------------------------------------------------------|
| Parcel ID         | 1252100010                                                          |
| Location Address  | SIDNEY ST                                                           |
|                   | SAINT AUGUSTINE 32084-0000                                          |
| Neighborhood      | Madore-Columbus Street (SF) (2510)                                  |
| Tax Description*  | (6-7A) E1/2 HUERTAS GRANT SUBD BLK 12 E92FT OF LOT 40 OR5559/276    |
|                   | <i>*The Description above is not to be used on legal documents.</i> |
| Property Use Code | Vacant Residential (0000)                                           |
| Subdivision       | Huertas Grant, East 1/2                                             |
| Sec/Twp/Rng       | 45-7-29                                                             |
| District          | City of St Augustine (District 452)                                 |
| Millage Rate      | 19.3368                                                             |
| Acreage           | 0.350                                                               |
| Homestead         | N                                                                   |

### Owner Information

|                 |                                                    |
|-----------------|----------------------------------------------------|
| Owner Name      | <a href="#">Lion Gate Of St Augustine LLC</a> 100% |
| Mailing Address | 21 DAVIS ST                                        |
|                 | SAINT AUGUSTINE, FL 32084-0000                     |

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## Map



## Valuation Information

|                               | 2022     |
|-------------------------------|----------|
| Building Value                | \$0      |
| Extra Features Value          | \$0      |
| Total Land Value              | \$82,207 |
| Agricultural (Assessed) Value | \$0      |
| Agricultural (Market) Value   | \$0      |
| Just (Market) Value           | \$82,207 |
| Total Deferred                | \$0      |
| Assessed Value                | \$82,207 |
| Total Exemptions              | \$0      |
| Taxable Value                 | \$82,207 |

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

## Land Information

| Use Description    | Front | Depth | Total Land Units | Unit Type | Land Value |
|--------------------|-------|-------|------------------|-----------|------------|
| Vacant Residential | 92    | 165   | 92               | EF        | \$82,207   |

## Sale Information

| Recording Date | Sale Date | Sale Price   | Instrument Type | Book | Page | Qualification | Vacant/Improved | Grantor                                  | Grantee                                  |
|----------------|-----------|--------------|-----------------|------|------|---------------|-----------------|------------------------------------------|------------------------------------------|
| 5/16/2022      | 5/12/2022 | \$215,000.00 | WARRANTY DEED   | 5559 | 276  | Q             | V               | STAMPS JONATHAN W,CLAUDIA TOLLER TAVARES | LION GATE OF ST AUGUSTINE LLC            |
| 2/3/2022       | 2/3/2022  | \$100.00     | WARRANTY DEED   | 5485 | 1021 | U             | V               | STAMPS JONATHAN W,CLAUDIA TOLLER TAVARES | STAMPS JONATHAN W,CLAUDIA TOLLER TAVARES |

No data available for the following modules: 2021 TRIM Notice, 2020 TRIM Notice, Exemption Information, Historical Assessment 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.

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Last Data Upload: 6/7/2022, 12:59:41 AM

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[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Florida Limited Liability Company  
LION GATE OF ST. AUGUSTINE, LLC

### Filing Information

**Document Number** L21000263457  
**FEI/EIN Number** 87-1050848  
**Date Filed** 06/07/2021  
**Effective Date** 06/01/2021  
**State** FL  
**Status** ACTIVE

### Principal Address

21 DAVIS STREET  
ST AUGUSTINE, FL 32084 UN

### Mailing Address

21 DAVIS STREET  
ST AUGUSTINE, FL 32084 UN

### Registered Agent Name & Address

LEO, GREGORY G  
21 DAVIS STREET  
ST AUGUSTINE, FL 32084

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

LEO, GREGORY G  
21 DAVIS STREET  
ST AUGUSTINE, FL 32084 UN

Title MBR

LEO, TEODORO A  
21 DAVIS STREET  
ST AUGUSTINE, FL 32084 UN

### Annual Reports

| Report Year | Filed Date |
|-------------|------------|
|-------------|------------|

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2022

03/04/2022

**Document Images**[03/04/2022 -- ANNUAL REPORT](#)[View image in PDF format](#)[06/07/2021 -- Florida Limited Liability](#)[View image in PDF format](#)

Florida Department of State, Division of Corporations

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# LION GATE ON SIDNEY

A REPLAT OF THE EASTERLY PORTION OF LOT 40, BLOCK 12, HUERTAS GRANT SUBDIVISION  
PLAT BOOK 6 PAGE 7A  
SECTION 45, TOWNSHIP 7 SOUTH, RANGE 29 EAST  
ST. JOHNS COUNTY, FLORIDA

MAP BOOK \_\_\_\_ PAGE \_\_\_\_

SHEET 1 OF 2 SHEETS

## DESCRIPTION BY SURVEYOR

A REPLAT OF THE EASTERLY PORTION OF LOT 40, BLOCK 12, HUERTAS GRANT SUBDIVISION, SECTION 45, TOWNSHIP 7 SOUTH, RANGE 29 EAST, AS RECORDED IN OFFICIAL RECORDS MAP BOOK 6, PAGE 7A, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SIDNEY (FORMERLY MOORE) AND MADEORE STREETS IN THE CITY OF SAINT AUGUSTINE, FLORIDA; THENCE RUN SOUTH 04 DEGREES, 10 MINUTES, 21 SECONDS EAST, 165.20 FEET ALONG THE WESTERLY RIGHT OF WAY LINE OF SIDNEY STREET (A 30 FOOT RIGHT OF WAY), TO THE SOUTHEAST CORNER OF SAID LOT 40; THENCE SOUTH 85 DEGREES, 10 MINUTES, 04 SECONDS WEST, 92.00 FEET; THENCE NORTH 04 DEGREES, 09 MINUTES, 04 SECONDS WEST, 165.23 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF MADEORE STREET (A 30 FOOT RIGHT OF WAY WIDTH); THENCE ALONG SAID SOUTHERLY RIGHT OF WAY NORTH 85 DEGREES, 11 MINUTES, 07 SECONDS EAST, 91.94 FEET TO THE POINT OF BEGINNING. CONTAINS 0.35 ACRES, MORE OR LESS.

## ADOPTION AND DEDICATION

THIS IS TO CERTIFY THAT LION GATE OF ST. AUGUSTINE, LLC, ("OWNER"), IS THE LAWFUL OWNER OF THE LANDS DESCRIBED IN THE CAPTION SHOWN HEREON WHICH SHALL HEREAFTER BE KNOWN AS LION GATE ON SIDNEY, AND THAT IT HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AND THAT THIS PLAT, MADE IN ACCORDANCE WITH SAID SURVEY, IS HEREBY ADOPTED AS THE TRUE AND CORRECT PLAT OF SAID LANDS.

THE "OWNER", ITS SUCCESSORS AND ASSIGNS, HEREBY GRANTS TO THE PRESENT AND FUTURE OWNERS OF THE LOTS SHOWN ON THIS PLAT AND ITS SUCCESSORS AND ASSIGNS, GUEST, INVITEES, DOMESTIC HELP, DELIVERY, PICK-UP AND FIRE PROTECTION SERVICE PROVIDERS, POLICE AND OTHER AUTHORITIES OF THE LAW, UNITED STATES POSTAL CARRIERS, REPRESENTATIVES OF THE UTILITIES AND TELECOMMUNICATION COMPANIES AUTHORIZED BY SAID OWNER IN WRITING TO SERVE THE LAND SHOWN HEREON, HOLDERS OF MORTGAGE LIENS ON SUCH LANDS AND SUCH OTHER PERSONS AS MAY BE DESIGNATED, THE NON-EXCLUSIVE AND PERPETUAL RIGHT OF INGRESS AND EGRESS AND MAINTENANCE OVER THE ACROSS PRIVATE ROADWAYS SHOWN ON THIS PLAT. THE OWNER, ITS SUCCESSORS AND ASSIGNS, RESERVES AND SHALL HAVE THE UNRESTRICTED AND ABSOLUTE RIGHT TO DENY INGRESS TO ANY PERSON WHO MAY CREATE OR PARTICIPATE IN A DISTURBANCE OR NUISANCE ON ANY PART OF THE LANDS SHOWN HEREON.

IN WITNESS WHEREOF, THE "OWNER" HAS CAUSED THIS PLAT AND DEDICATION TO BE EXECUTED BY ITS DULY ELECTED OFFICERS, ACTING BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS.

WITNESSES: OWNER: LION GATE OF ST. AUGUSTINE, LLC.

BY: \_\_\_\_\_

PRINT NAME \_\_\_\_\_ PRINT NAME \_\_\_\_\_

## STATE OF FLORIDA, COUNTY OF ST. JOHNS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_ A.D., 2022, BY GREGORY G. LEO, MANAGER OF LION GATE OF ST. AUGUSTINE, A FLORIDA LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY, AND WHO IS PERSONALLY KNOWN TO THE UNDERSIGNED AND OR PRODUCED IDENTIFICATION.

MY COMMISSION EXPIRES: \_\_\_\_\_

COMMISSION NUMBER: \_\_\_\_\_ NOTARY PUBLIC, STATE OF FLORIDA AT LARGE

PRINTED NAME: \_\_\_\_\_

## CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING CURRENTLY LICENSED AND REGISTERED BY THE STATE OF FLORIDA, AS A PROFESSIONAL SURVEYOR AND MAPPER, DOES HEREBY CERTIFY THAT THE ABOVE PLAT WAS PREPARED UNDER HIS OR HER DIRECTION AND SUPERVISION, AND THAT THE PLAT COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, PART 1, PLATTING, CURRENT FLORIDA STATUTES.

SIGNED AND SEALED THIS \_\_\_\_ DAY OF \_\_\_\_ A.D., 2022.

RUSSELL D. FUNT, FLORIDA PSM # 7324  
FLINT SURVEYING & MAPPING, LLC  
2692 U.S. HWY 1 SOUTH #208, ST. AUGUSTINE, FLORIDA 32086

## CERTIFICATE OF PLAT REVIEW

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO FLORIDA STATUTES CHAPTER 177, PART 1, PLATTING FOR THE CITY OF ST. AUGUSTINE, FLORIDA ON THIS \_\_\_\_ DAY OF \_\_\_\_ 2022.

BY: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

## CERTIFICATE OF THE CLERK

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO FLORIDA STATUTES CHAPTER 177, FLORIDA STATUTES AND IS RECORDED IN MAP BOOK \_\_\_\_ PAGES \_\_\_\_ OF THE PUBLIC RECORDS ST. JOHNS COUNTY, FLORIDA ON THIS \_\_\_\_ DAY OF \_\_\_\_ 2022.

BY: \_\_\_\_\_

ST. JOHNS COUNTY CLERK OF THE CIRCUIT COURT

## CERTIFICATE OF THE CITY ATTORNEY

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY ATTORNEY FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS \_\_\_\_ DAY OF \_\_\_\_ 2022.

BY: \_\_\_\_\_

ATTORNEY FOR CITY OF ST. AUGUSTINE, FLORIDA

## CERTIFICATE OF CITY FINANCE DIRECTOR

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY FINANCE DIRECTOR FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS \_\_\_\_ DAY OF \_\_\_\_ 2022.

BY: \_\_\_\_\_

CITY OF ST. AUGUSTINE FINANCE DIRECTOR

## CERTIFICATE OF CITY MANAGER

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY MANAGER FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS \_\_\_\_ DAY OF \_\_\_\_ 2022.

BY: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

CITY MANAGER FOR THE CITY OF ST. AUGUSTINE

## CERTIFICATE OF APPROVAL OF THE CITY PUBLIC WORKS DEPARTMENT

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY PUBLIC WORKS DEPARTMENT FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS \_\_\_\_ DAY OF \_\_\_\_ 2022.

BY: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

CITY OF ST. AUGUSTINE DIRECTOR OF PUBLIC WORKS

## CERTIFICATE OF THE BUILDING DEPARTMENT

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE DIRECTOR OF PLANNING AND BUILDING FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS \_\_\_\_ DAY OF \_\_\_\_ 2022.

BY: \_\_\_\_\_

CITY OF ST. AUGUSTINE, DIRECTOR OF PLANNING & BUILDING DEPARTMENT

## CERTIFICATE OF APPROVAL AND ACCEPTANCE

THIS IS TO CERTIFY THAT ON THIS \_\_\_\_ DAY OF \_\_\_\_ 2022, THE FOREGOING PLAT WAS APPROVED AND ACCEPTED BY THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA. THIS ACCEPTANCE OF DEDICATED AREAS IF ANY, SHALL NOT BE DEEMED AS REQUIRING CONSTRUCTION OR MAINTENANCE BY THE CITY OF SAID AREAS.

CITY COMMISSIONER OF ST. AUGUSTINE FLORIDA

BY: \_\_\_\_\_

MAYOR/COMMISSIONER

BY: \_\_\_\_\_

CITY CLERK

## VICINITY MAP



SCALE: 1" = 1000'

PREPARED BY:



Flint Surveying  
& Mapping, Inc.

2692 U.S. HWY 1 SOUTH #208  
ST. AUGUSTINE, FL 32086  
PHONE (904) 346-3444

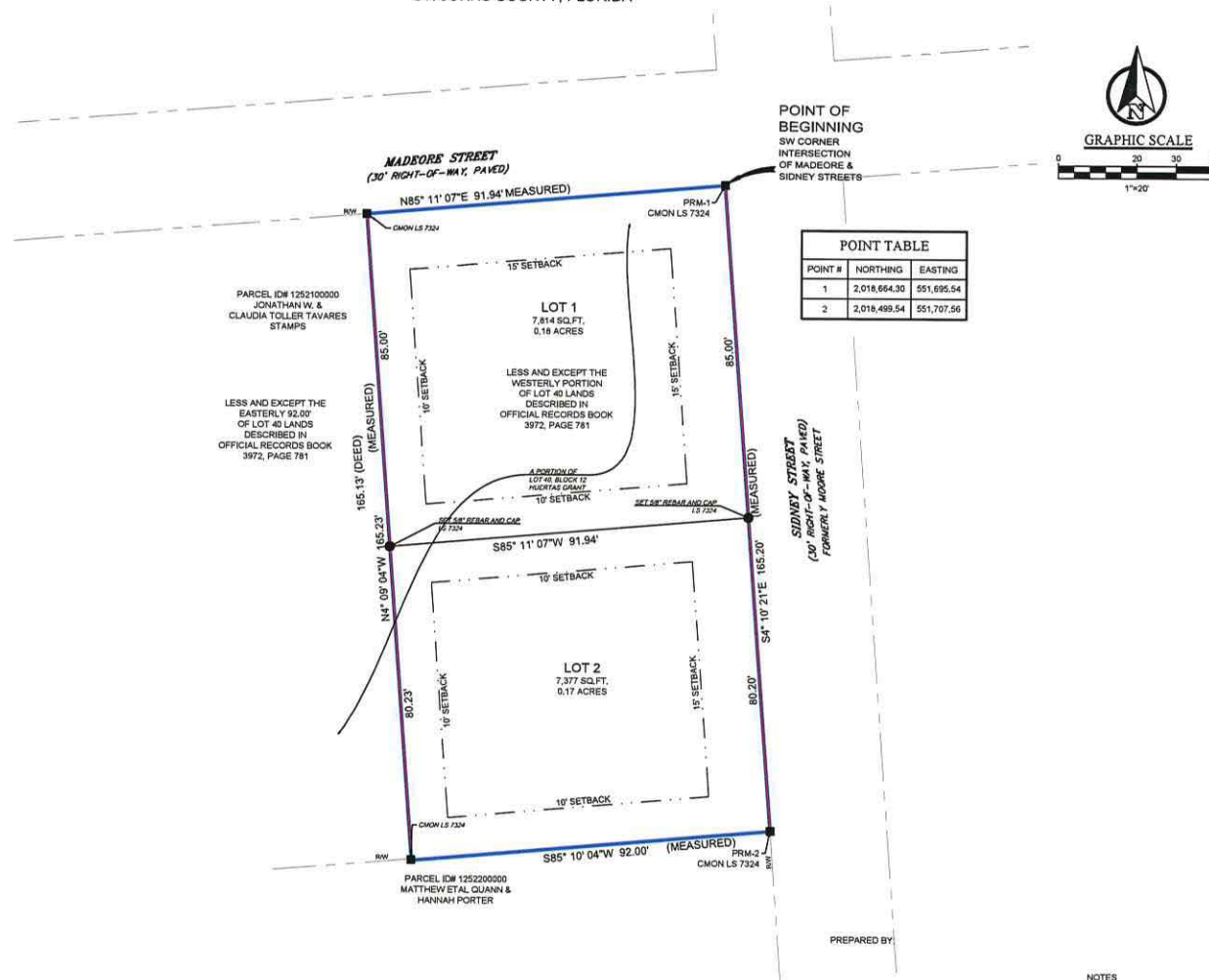
LICENSURE INFORMATION:  
Florida State

# LION GATE ON SIDNEY

A REPLAT OF THE EASTERLY PORTION OF LOT 40, BLOCK 12, HUERTAS GRANT SUBDIVISION  
 PLAT BOOK 6 PAGE 7A  
 SECTION 45, TOWNSHIP 7 SOUTH, RANGE 29 EAST  
 ST. JOHNS COUNTY, FLORIDA

MAP BOOK \_\_\_ PAGE \_\_\_

SHEET 2 OF 2 SHEETS



| Symbol  | Abbreviation Legend                | Denotes |
|---------|------------------------------------|---------|
| FOUND   | FOUND                              |         |
| PRO #   | PROPERTY IDENTIFICATION NUMBER     |         |
| ELEV    | ELEVATION                          |         |
| NO ID   | NO IDENTIFICATION                  |         |
| PSM     | PROFESSIONAL SURVEYOR & MAPPING    |         |
| LS      | LICENSED SURVEYOR                  |         |
| EP      | EDGE OF PAVEMENT                   |         |
| RW      | RIGHT OF WAY                       |         |
| OR      | OFFICIAL RECORDS                   |         |
| PG      | PAGE                               |         |
| NAD 83  | NORTH AMERICAN VERTICAL DATUM 1983 |         |
| N.S.E.V | STATE PLANE COORDINATE SYSTEM      |         |
| ICR     | IRON ROD AND CAP SET               |         |
| PRM     | PERMANENT REFERENCE POINT          |         |

## NOTES

1. BEARINGS SHOWN HEREON ARE REFERENCE TO THE STATE PLANE COORDINATES AS INDICATED HEREON AND ARE BASED ON THE [FILL IN THE BLANK]
2. NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
3. THE INTENDED USE OF THESE COORDINATES IS FOR GIS BASE MAPPING PURPOSES. THE GEODETIC CONTROL RELIED UPON FOR THESE VALUES ARE BASED ON NORTH AMERICAN DATUM 1983 - STATE PLANE COORDINATES - FLORIDA EAST ZONE - U.S. FEET.



**Flint Surveying & Mapping, Inc.**  
 2002 U.S. HWY. 1 SOUTH #208  
 ST. AUGUSTINE, FL 32086  
 PHONE (904) 345-9444  
 LICENSED PROFESSIONAL  
 SURVEYOR

RECEIVED

JUN 10 2022

Planning/Building Dept.

CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **VARIANCE 2022-0038**

|                   |                                                                                                                                               |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| AGENDA ITEM       | 5(a)                                                                                                                                          |
| APPLICANT & OWNER | Randall & Laura Rupp                                                                                                                          |
| LOCATION          | 20 Bird Island Drive / PID 161252-0490                                                                                                        |
| REQUEST           | To reduce the rear setback from 10' to 6'6" on a Residential general-one (RG-1) lot to allow for the installation of a pool screen enclosure. |
| LAND USE          | Residential Medium Density                                                                                                                    |
| ZONING            | Residential general-one (RG-1)                                                                                                                |

APPLICABLE CODES/ORDINANCES

**Variance** means a relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship on the land. As used in this chapter, a variance is authorized only for height, area and size of structure or sides of yards and open spaces. Establishment or expansion of uses otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district. A modification to lot requirements so as to increase the permitted density of multifamily dwellings shall not be considered a variance and is specifically prohibited.

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

**(b) Variances:**

- (1) Requirements for grant of variance. The board may grant a variance only under circumstances where practical difficulty or unnecessary hardship is so substantial, serious and compelling that relaxation of the general restrictions should be granted; provided, however, that no variance may be granted for maximum lot coverage requirements within any historic preservation districts 1, 2 and 3, except variances may be obtained for school, church and governmental agency uses. No variance shall be granted unless the applicant shall show and the board shall find that:



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

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

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

#### STAFF SUMMARY AND ANALYSIS

The applicant is requesting a variance to the rear yard setback within the Residential general-one (RG-1) zoning district. The applicant is proposing adding a screen enclosure to a pool in their backyard.

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;

*This property does suffer a singular disadvantage in that it is a more shallow lot compared to other properties in the vicinity.*

CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

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

*The disadvantage of the shallow lot proves difficult to build a pool with an enclosure in the rear of the property.*

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

*This lot was created and home built before the current owner purchased it constricting site plan options.*

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

*Granting a variance would not adversely affect neighboring properties due to the nature of the request.*

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 decrease the rear yard setback at 20 Bird Island Drive / PID 161252-0490 from 10' to 6'6".



---

Jacob Fredriksson  
Senior Planner  
Planning and Building Department



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

Application Fee: 350.00 (plus advertising costs) Project Number: 2022-0038  
Receipt Number: 239 7619 Meeting Date: \_\_\_\_\_  
Advertising Costs: \$ \_\_\_\_\_ Paid On: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

1. NAME OF APPLICANT: Randall & Laura Rupp Contact Number: 630-728-7151  
Business (if applicable): \_\_\_\_\_  
Address: 20 Bird Island Dr City: St Augustine State: FL Zip: 32080  
E-Mail Address: randalljrupp050619@gmail.com

2. NAME OF PROPERTY OWNER: Randall & Laura Rupp Contact Number: 630-728-7151  
Business (if applicable): \_\_\_\_\_  
Address: 20 Bird Island Dr City: St Augustine State: FL Zip: 32080  
E-Mail Address: \_\_\_\_\_

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:  
Lot: 49 Block: \_\_\_\_\_  
Subdivision: Antigua Parcel Number: 1612520490

4. PROJECT STREET ADDRESS: 20 Bird Island Dr

5. SPECIFIC PROPOSED USE: Screen Enclosure

6. ACTION REQUESTED:

- ☐ Conservation Zone Development ☐ Appeal of Staff Determination  
☐ Exception ☐ Land Use Plan Amendment  
☒ Variance ☐ Rezoning  
☐ Other: \_\_\_\_\_

7. DESCRIPTION OF ACTION REQUESTED: Rear setback for zoned property is 10', proposed  
site plan notes rear setback is 6' 6". Please allow screen enclosure to encroach rear setback.

8. JUSTIFICATION FOR ACTION REQUESTED: Pool plan and permit with the same proposed plan  
was already approved and the pool/deck is currently being built. The HOA has also  
approved of the pool and screen enclosure plans with the same proposed setbacks.  
Since it is already in the construction phase and cannot be changed. The homeowner  
would love to be able to have the pool built to original plans which include  
the screen enclosure.

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: NIA

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

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: YES, WE ARE REQUESTING A VARIANCE FOR A SCREEN AS THE POOL AND SPA STRUCTURE HAD BEEN APPROVED WITH THE SCREEN ON THE PLAN. WE ARE TRYING TO FIT AN AVERAGE FAMILY SIZED POOL WITH AN ARCHITECTURALLY PLEASING ENCLOSURE WITHIN A REASONABLE SPACE.

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.

Screen enclsoure permit submitted in May with zoning denial for screen enclsoure having 6'6" setbacks, the city requires 10' setbacks

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

6/8/2022  
Date

  
Signature of Property Owner

6/8/2022  
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.

Ransom J. Rupp

Print name of applicant

[Signature]

Signature of applicant

6/8/2022

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<br>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: 20 BIRD ISLAND DRIVE, ST. AUGUSTINE, FL 32080

Applicant's Name: RANDALL J. RUFF Applicant's Signature: [Signature]

Owner's Name: RANDALL J. RUFF 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 1612520490  
 Location Address 20 BIRD ISLAND DR  
 398 E MARINA COVE DR  
 SAINT AUGUSTINE 32080-0000  
 Neighborhood Antigua (SF) (2650.02)  
 Tax Description\* 93/18-25 ANTIGUA PHASE ONE LOT 49 OR5011/923  
 \*The Description above is not to be used on legal documents.  
 Property Use Code Single Family (0100)  
 Subdivision ANTIGUA PHASE ONE  
 Sec/Twp/Rng 29-7-30  
 District City of St Augustine (District 452)  
 Millage Rate 19.3368  
 Acreage 0.160  
 Homestead Y

### Owner Information

Owner Name Rupp Randall James,Laura Christine 100%  
 Rupp Laura Christine 100%  
 Mailing Address 20 BIRD ISLAND DR  
 SAINT AUGUSTINE, FL 32080-0000

### Exemption Information

| Exemption Type | Status | Amount   |
|----------------|--------|----------|
| Homestead      |        | \$50,000 |



## Map



## 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 | \$281,983      | \$0                 | \$110,000        | \$0               | \$0                 | \$391,983           | \$391,983      | \$50,000     | \$341,983     |
| 2020 | \$0            | \$0                 | \$110,000        | \$0               | \$0                 | \$110,000           | \$63,800       | \$46,200     | \$63,800      |
| 2019 | \$0            | \$0                 | \$58,000         | \$0               | \$0                 | \$58,000            | \$58,000       | \$0          | \$58,000      |

## Building Information

Building 1  
 Year Built 2020  
 Actual Area 3273  
 Conditioned Area 2495  
 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 4  
 Baths 3

| Description          | Square Footage |
|----------------------|----------------|
| HALF SCREEN PORCH    | 128            |
| BASE AREA            | 1168           |
| FINISHED UPPER STORY | 1327           |
| FINISHED OPEN PORCH  | 128            |
| FINISHED OPEN PORCH  | 90             |
| FINISHED GARAGE      | 432            |
| Total SqFt           | 3273           |

## Sketch Information

**Land Information**

| Use Description | Front | Depth | Total Land Units | Unit Type | Land Value |
|-----------------|-------|-------|------------------|-----------|------------|
| Single Family   | 0     | 0     | 1                | UT        | \$110,000  |

**Sale Information**

| Recording Date | Sale Date | Sale Price   | Instrument Type | Book                 | Page                 | Qualification | Vacant/Improved | Grantor                 | Grantee                             |
|----------------|-----------|--------------|-----------------|----------------------|----------------------|---------------|-----------------|-------------------------|-------------------------------------|
| 8/7/2020       | 7/31/2020 | \$457,300.00 | WARRANTY DEED   | <a href="#">5011</a> | <a href="#">923</a>  | Q             | I               | DREAM FINDERS HOMES LLC | RUPP RANDALL JAMES, LAURA CHRISTINE |
| 2/13/2020      | 2/12/2020 | \$632,500.00 | WARRANTY DEED   | <a href="#">4882</a> | <a href="#">1791</a> | U             | V               | ANT JV OWNER LLC        | DREAM FINDERS HOMES LLC             |

No data available for the following modules: 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.

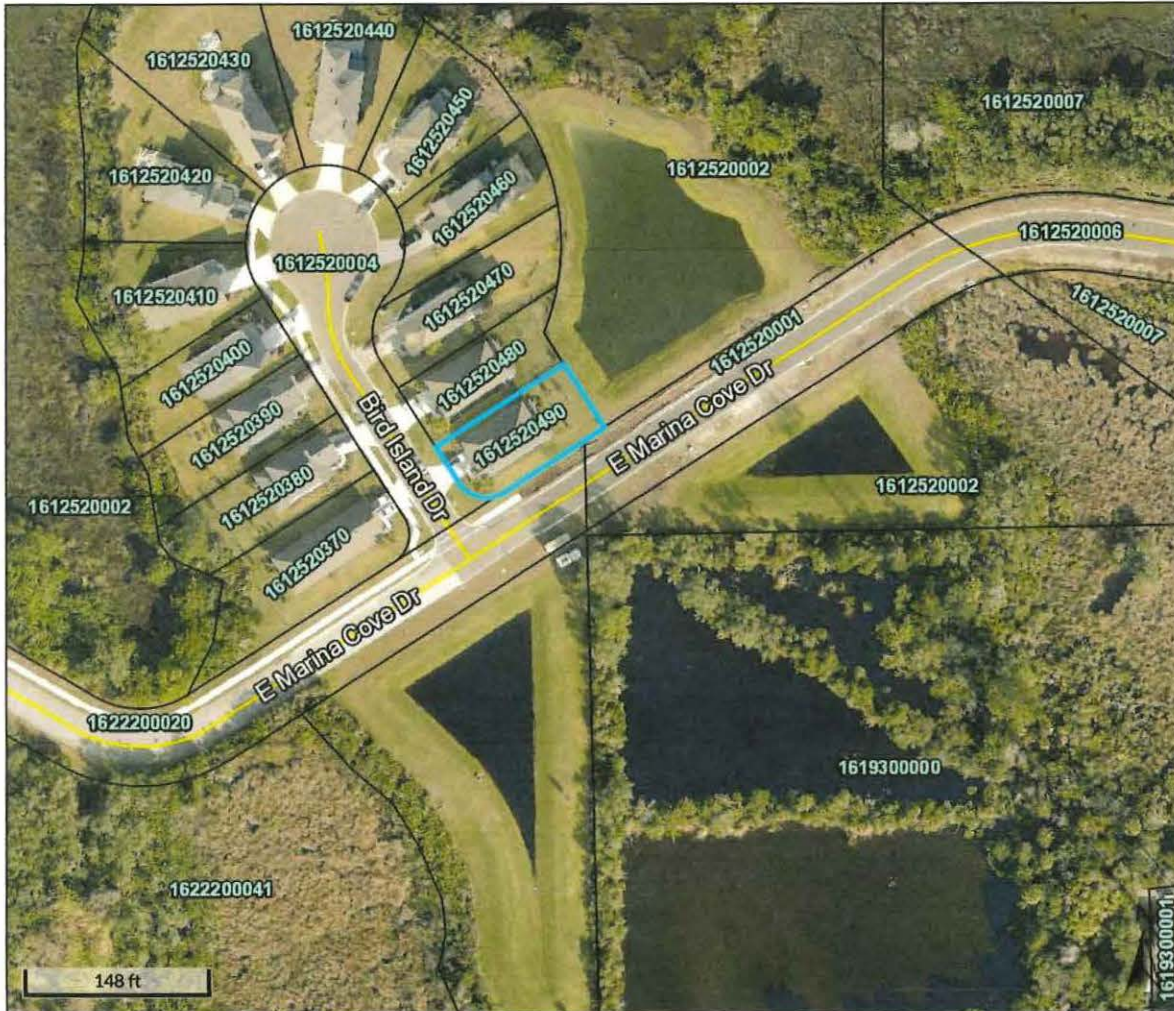
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Last Data Upload: 6/9/2022, 1:03:17 AM

Developed by  
 Schneider  
 GEOSPATIAL

Version 2.3.199





Overview



Legend

□ Parcels

|           |               |          |                               |                |           |              |          |        |      |
|-----------|---------------|----------|-------------------------------|----------------|-----------|--------------|----------|--------|------|
| Parcel ID | 1612520490    | Physical | 20 BIRD ISLAND DR             | Building Value | \$355,230 | Last 2 Sales |          |        |      |
| Property  | 0100 - Single | Address  | SAINT AUGUSTINE               | Extra Feature  | N/A       | Date         | Price    | Reason | Qual |
| Class     | Family        | Mailing  | RUPP RANDALL JAMES, LAURA     | Value          |           | 7/31/2020    | \$457300 | 01     | Q    |
| Taxing    | City of St    | Address  | CHRISTINE                     | Total Land     | \$110,000 | 2/12/2020    | \$632500 | 30     | U    |
| District  | Augustine     |          | 20 BIRD ISLAND DR             | Value          |           |              |          |        |      |
| Acres     | 0.16          |          | SAINT AUGUSTINE FL 32080-0000 | Just Value     | \$465,230 |              |          |        |      |
|           |               |          |                               | Total Deferred | \$61,488  |              |          |        |      |
|           |               |          |                               | Assessed Value | \$403,742 |              |          |        |      |
|           |               |          |                               | Total          | \$50,000  |              |          |        |      |
|           |               |          |                               | Exemptions     |           |              |          |        |      |
|           |               |          |                               | Taxable Value  | \$353,742 |              |          |        |      |

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: 6/9/2022

Last Data Uploaded: 6/9/2022 1:03:17 AM

Developed by  Schneider  
GEOSPATIAL



AS RECORDED IN MAP BOOK 93 PAGES 18-25 OF THE PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLA.  
CERTIFIED TO: RANDAL J. RUPP & LAURA C. RUPP  
JET HOMELOANS, LLC  
OF TITLE, LLC DBA GOLDEN DOG TITLE & TRUST, LLC  
FIDELITY NATIONAL TITLE INSURANCE COMPANY

EXISTING IMPERVIOUS  
TOTAL LOT: 6,775 SF  
HOUSE: 1633 SF  
LANAI: 132 SF  
FRONT PORCH: 104 SF  
DRIVE/WALKWAY: 340 SF  
A/C PAD: 10 SF  
TOTAL: 2,219 SF 32%

JF 5/18/2022



ELEVATIONS SHOWN HEREON  
REFER TO NAVD OF 1988

CURVE DATA C2  
N77°37'10"W  
CH = 35.35'  
R = 25.00'  
A = 39.26°  
= 89°58'11"

O DENOTES FOUND S/S"  
RCH 700 LB 3857  
UNLESS OTHERWISE NOTED  
[ ] - DENOTES CONCRETE

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT  
THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS THAT ARE NOT SHOWN  
ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY

NOTE  
SIDE/FRONT BUILDING YES 49L IS THE FOUNDATION.

UNDERGROUND ENCROACHMENTS NOT LOCATED

THE LAND SHOWN HEREON IS IN THE SPECIAL FLOOD HAZARD ZONE "AS" EL:(7.0') AS SHOWN ON FLOOD INSURANCE RATE MAP 0391-J FOR THE CITY OF ST. AUGUSTINE, FLORIDA. FIRM INDEX DATE 12-07-18

LAND SURVEYORS - 3751 SAN JOSE PLACE, SUITE 15 - JACKSONVILLE, FLORIDA, 32257 - 904/279-0088 - LICENSED LAND BUSINESS NO. 3857

THIS IS TO CERTIFY THAT THE ABOVE LANDS WERE SURVEYED UNDER MY RESPONSIBLE SUPERVISION AND DIRECTION, THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN AND THAT THE SURVEY SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 472.027 / CHAPTER 61G17-6, FLORIDA STATUTES.

SURVEY NOT VALID UNLESS EMBOSSED BY SEAL  
JAMES O. HARRISON, JR., No. 2847  
MICHAEL A. GARRETT, No. 6243 0062

SCALE 1"=20'

DATE 07-29-19

FLORIDA REGISTERED SURVEYOR AND MAPPER



CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **VARIANCE 2022-0041**

AGENDA ITEM 5(b)

APPLICANT & OWNER Oasis Equity Holdings LLC

LOCATION 93 Oneida Street / PID 208010-0060

REQUEST To reduce the side yard setbacks from 4' to 1' on a Residential single-family-two (RS-2) lot to allow for the relocation of an existing home.

LAND USE Residential Low Density

ZONING Residential single-family-two (RS-2)

APPLICABLE CODES/ORDINANCES

**Variance** means a relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship on the land. As used in this chapter, a variance is authorized only for height, area and size of structure or sides of yards and open spaces. Establishment or expansion of uses otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district. A modification to lot requirements so as to increase the permitted density of multifamily dwellings shall not be considered a variance and is specifically prohibited.

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

**(b) Variances:**

- (1) Requirements for grant of variance. The board may grant a variance only under circumstances where practical difficulty or unnecessary hardship is so substantial, serious and compelling that relaxation of the general restrictions should be granted; provided, however, that no variance may be granted for maximum lot coverage requirements within any historic preservation districts 1, 2 and 3, except variances may be obtained for school, church and governmental agency uses. No variance shall be granted unless the applicant shall show and the board shall find that:

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

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

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

#### **Sec. 28-161. - Residential, single-family-two: RS-2.**

*Intent.* This district is intended to apply to those neighborhoods designated for single-family dwellings and single-family type uses, as well as those uses compatible with low density single-family uses, so as to create and maintain a low intensity residential character.

- (1) *Permitted uses and structures.* Single-family dwelling; home office, private.
- (2) *Permitted accessory uses and structures.* See [section 28-348](#).
- (3) *Permissible uses by exception.* See [section 28-347](#).
- (4) *Minimum lot requirements (width and area):*
  - a. Minimum lot width, fifty (50) feet.
  - b. Minimum lot area, one-eighth acre (5,450 square feet).
- (5) *Maximum lot coverage by all buildings and structures.*
  - a. Thirty (30) percent.
- (6) *Minimum yard requirements:*
  - a. Front, fifteen (15) feet minimum.
  - b. Side, ten (10) feet minimum.
  - c. Rear, ten (10) feet minimum.



- (7) *Maximum height of structures.*  
a. Thirty-five (35) feet.

**Sec. 28-119. – Nonconforming lots of record.**

Notwithstanding limitations imposed by the provisions of this chapter, any single lot or lots of record which were so recorded on or before the effective date of adoption of this chapter [April 29, 1975] may be used in accordance with the following:

- (6) The above uses are also subject to the following:  
a. No side yard shall be less than ten (10) percent of the width of the lot, provided such side yard is not less than four (4) feet.

**STAFF SUMMARY AND ANALYSIS**

The applicant is requesting a variance to the side yard setback within the Residential single-family-two (RS-2) zoning district. In efforts to provide “ample” off-street parking at this property the existing home is being relocated further away from the street on this 32-foot-wide lot.

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;

*This property is located within Lincolnville and was platted long before current zoning standards which makes its size a disadvantage as it is zoned for Residential single-family-two which is ideally used for larger lots. Preservation efforts for the existing home which was built in 1910 are being pursued which also make the need for a relaxation of required setbacks necessary.*

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

*The disadvantage of the narrow lot proves difficult to preserve a home that is over one hundred years old, meeting current setbacks would mean demolishing the existing home.*

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

*No.*

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

*Granting a variance would not adversely affect neighboring properties due to the nature of the request.*



CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

STAFF RECOMMENDATION

Based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a variance to decrease the side yard setbacks at 93 Oneida Street / PID 208010-0060 from 4' to 1'.



---

Jacob Fredriksson  
Senior Planner  
Planning and Building Department



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

Application Fee: \$350 (plus advertising costs) Project Number: 2022-0041  
Receipt Number: 2399169 Meeting Date: July 5, 2022  
Advertising Costs: \$ \_\_\_\_\_ Paid On: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

1. NAME OF APPLICANT: \_\_\_\_\_ Contact Number: \_\_\_\_\_  
Business (if applicable): Oasis Equity Holdings LLC  
Address: 814 A1A N Suite #101 City: Jacksonville State: FL Zip: 32082  
E-Mail Address: hunterfho@gmail.com

2. NAME OF PROPERTY OWNER: \_\_\_\_\_ Contact Number: \_\_\_\_\_  
Business (if applicable): Oasis Equity Holdings LLC  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:  
Lot: Lot 6 Block: J  
Subdivision: Dumas Tract Parcel Number: \_\_\_\_\_

4. PROJECT STREET ADDRESS: 93 Oneida Street St Augustine FL 32084

5. SPECIFIC PROPOSED USE: Single Family

6. ACTION REQUESTED:  
☐ Conservation Zone Development ☐ Appeal of Staff Determination  
☐ Exception ☐ Land Use Plan Amendment  
☒ Variance ☐ Rezoning  
☐ Other: 742

7. DESCRIPTION OF ACTION REQUESTED: \_\_\_\_\_  
We are seeking a width variance for both the side setbacks to accompany the house being moved to the center of the lot, creating ample off-street parking for the residence.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. JUSTIFICATION FOR ACTION REQUESTED: \_\_\_\_\_  
The width of Onieda Street is very narrow and on-street parking is a challenge.  
Vehicles parked on Oneida street retricts the flow of traffic. in particular at this section  
The residence currently encroaches the front and side setbacks. the approval of this application would remove the front setback encroachment. while continuing a side setback encroachment at the center of the lot only.

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: The lot lines are not straight creating a tapered line making the rear property boundary more narrow than the front property boundary.
- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: The property is in need of dedicated off-street parking for a more safe and secure access to the property.
- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: This lot was originally platted and therefore was in no way created by the owner.
- (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: Moving the structure to the center of the lot brings the front elevation in line with the neighboring property at 91 Oneida Street. Approving this application will remove the necessity of on street parking from the property owner and increase the flow of traffic on Oneida Street.

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.

This property was approved previously with a similar application from the previous owner.

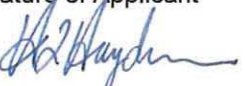
11. AGREEMENT:

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.**

|                                                                                     |          |
|-------------------------------------------------------------------------------------|----------|
|  | 6        |
| Signature of Applicant                                                              | Date     |
|  | 6/9/2022 |
| 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.

Hunter Hayden

\_\_\_\_\_  
Print name of applicant

A handwritten signature in blue ink, appearing to read "Hunter Hayden", written over a horizontal line.

\_\_\_\_\_  
Signature of applicant

6/9/2022

\_\_\_\_\_  
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<br>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.

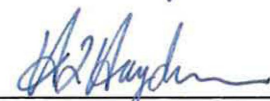
**93 Oneida Street St. Augustine FL**

Project Address: \_\_\_\_\_

**Hunter Hayden**

Applicant's Name: \_\_\_\_\_ Applicant's Signature: 

**Hunter Hayden**

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](#)

### Summary

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



|                   |                                                                     |
|-------------------|---------------------------------------------------------------------|
| Parcel ID         | 2080100060                                                          |
| Location Address  | 93 ONEIDA ST                                                        |
| Neighborhood      | SAINT AUGUSTINE 32084-0000                                          |
| Tax Description*  | Dumas Tract with part City St Aug (622)                             |
|                   | DUMAS TRACT CITY LOT 6 BLK J OR5216/1389                            |
|                   | <i>*The Description above is not to be used on legal documents.</i> |
| Property Use Code | Single Family (0100)                                                |
| Subdivision       | Dumas Tract                                                         |
| Sec/Twp/Rng       | 19-7-30                                                             |
| District          | City of St Augustine (District 452)                                 |
| Millage Rate      | 19.3368                                                             |
| Acreage           | 0.050                                                               |
| Homestead         | N                                                                   |

### Owner Information

|                 |                                                |
|-----------------|------------------------------------------------|
| Owner Name      | <a href="#">Oasis Equity Holdings LLC</a> 100% |
| Mailing Address | 93 ONEIDA ST                                   |
|                 | SAINT AUGUSTINE, FL 32084-0000                 |



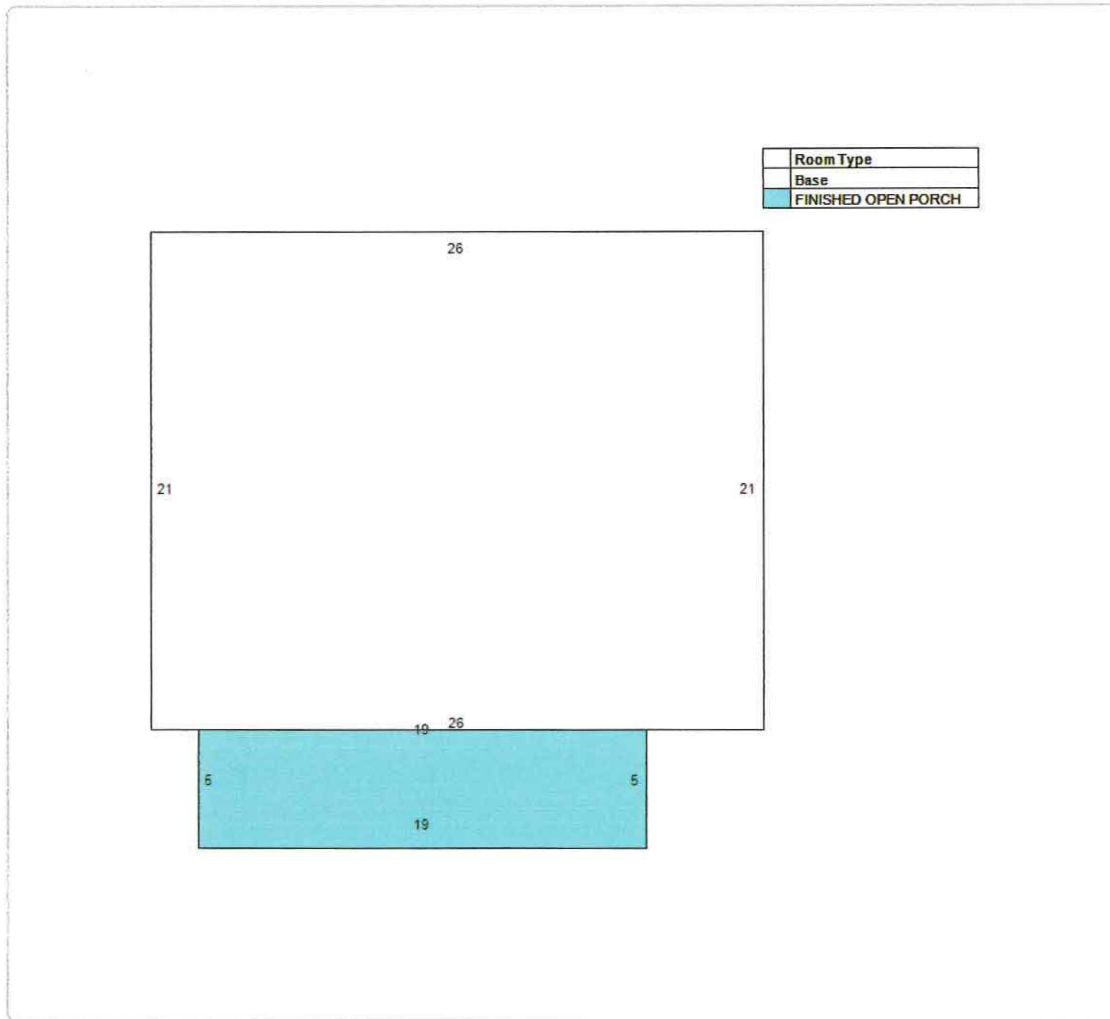
[illegible]

|                  |                         |
|------------------|-------------------------|
| Building         | 1                       |
| Year Built       | 1910                    |
| Actual Area      | 641                     |
| Conditioned Area | 546                     |
| Use              | Single Family Residence |
| Style            | 01                      |
| Class            | N                       |
| Exterior Wall    | Wood                    |

|                   |                 |
|-------------------|-----------------|
| Roof Cover        | Metal           |
| Roof Structure    | Gable Hip       |
| Interior Flooring | Minimum Plywood |
| Interior Wall     | Drywall         |
| Heating Type      | Forced Air      |
| Air Conditioning  | None            |
| Bedrooms          | 0               |
| Baths             |                 |

| Description         | Square Footage |
|---------------------|----------------|
| POINTER             | 0              |
| FINISHED OPEN PORCH | 95             |
| BASE AREA           | 546            |
| Total SqFt          | 641            |

<https://qpublic.schneidercorp.com/Application.aspx?AppID=960&LayerID=21179&PageTypeID=4&PageID=9059&Q=1870614374&KeyValue=208010> 2/3



| Room Type           |
|---------------------|
| Base                |
| FINISHED OPEN PORCH |

### Land Information

| Use Description | Front | Depth | Total Land Units | Unit Type | Land Value |
|-----------------|-------|-------|------------------|-----------|------------|
| Single Family   | 36    | 66    | 36               | EF        | \$90,090   |

### Sale Information

| Recording Date | Sale Date | Sale Price  | Instrument Type | Book                 | Page                 | Qualification | Vacant/Improved | Grantor            | Grantee                   |
|----------------|-----------|-------------|-----------------|----------------------|----------------------|---------------|-----------------|--------------------|---------------------------|
| 3/24/2021      | 3/19/2021 | \$95,000.00 | WARRANTY DEED   | <a href="#">5216</a> | <a href="#">1389</a> | Q             | I               | 91 ONEIDA LLC ETAL | OASIS EQUITY HOLDINGS LLC |

No data available for the following modules: 2021 TRIM Notice, 2020 TRIM Notice, 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.

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Last Data Upload: 6/11/2022, 12:23:27 AM

Version 2.3.200

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 Schneider  
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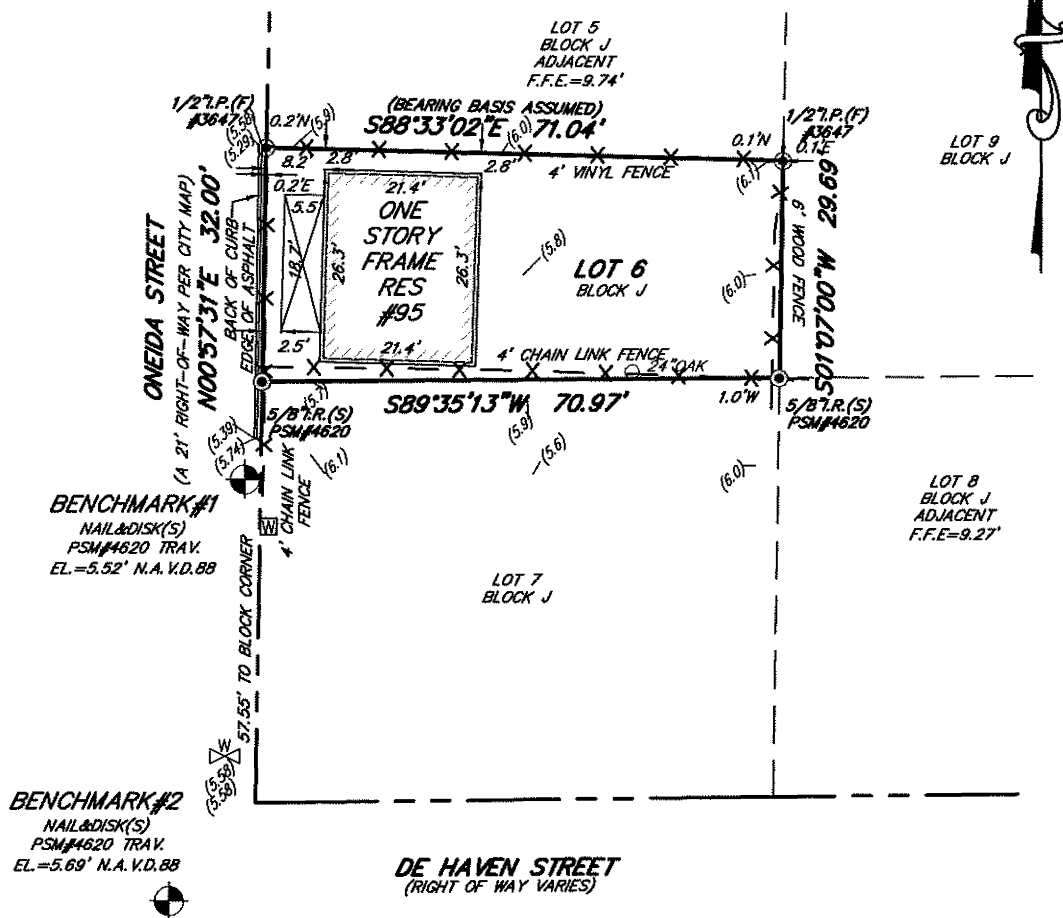
☐ **Parcels**

Developed by  **Schneider**  
GEOSPATIAL



LOT 6, BLOCK J, DUMAS TRACT, ACCORDING TO THE OFFICIAL MAP OF THE CITY OF ST. AUGUSTINE ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, ST. JOHNS COUNTY, FLORIDA.

CERTIFIED TO:  
HUNTER HAYDEN

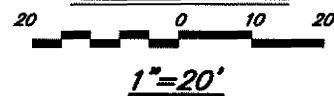


A/C - AIR CONDITIONER PAD  
ID. - IDENTIFICATION  
N.A.V.D. - NORTH AMERICAN VERTICAL DATUM  
sq. ft. - SQUARE FEET  
I.P.(F) - IRON PIPE FOUND  
I.R.(F) - IRON ROD FOUND  
I.R.(S) - 5/8" IRON ROD SET (PSM#4620)  
W. - WOOD POWER POLE  
-OHE- - OVERHEAD ELECTRIC  
CONC. - CONCRETE  
O - TREE

RES. - RESIDENCE  
CL - CENTERLINE  
DN - DENOTES NOT TO SCALE  
WM - WATER METER  
EC - EXPOSED CONCRETE  
CA - COVERED AREA  
W - WELL  
TYP. - TYPICAL  
BP - BRICK PAVERS  
WV - WATER VALVE

**AREA = 0.05 ± ACRES**  
OR 2,188 ± sq. ft.

**GRAPHIC SCALE**



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.

**GENERAL NOTES:**

- Encroachments as shown hereon are only those above ground, visible objects observed by the surveyor.
- No underground structures, utilities or foundations were located or determined by this survey.
- This survey does not reflect or determine ownership.
- 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.
- All distances, bearings or angles are as field measured. Dated or plot measurements are noted if different.
- 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 hold liable for the existence of any such claims.
- The specific rights implied by this survey are not transferable.
- The measurements for this survey were made in accordance with the United States Standard.
- For building setbacks call the appropriate county codes enforcement office.
- 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.
- No person or entity 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.
- This survey is certified to the land shown hereon.
- This surveyor's liability shall not exceed the fee as stated by this surveyor.

**NOTES:**

NOTES:

- 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 AE & B
- Base of bearing structure: REFER TO SURVEY

- Basis of elevations: **N.A.V.D. 88**

| JOB NO. | LAST FIELD DATE | SCALE:   | F.B./PAGE | CHK. BY: | DWG. BY: |
|---------|-----------------|----------|-----------|----------|----------|
| 21-0220 | 07/27/20        | 1" = 20' | 775/21    | N.H.F.   | R.J.B.   |

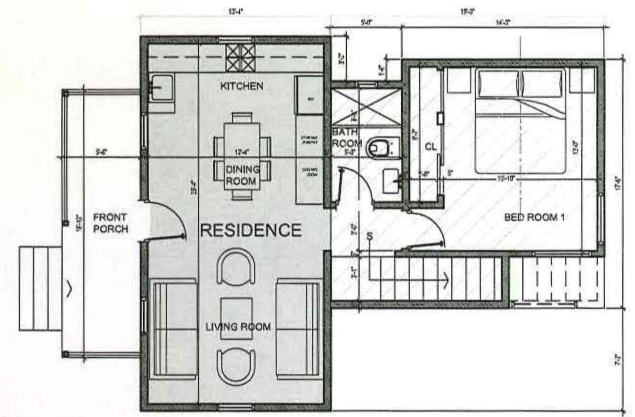
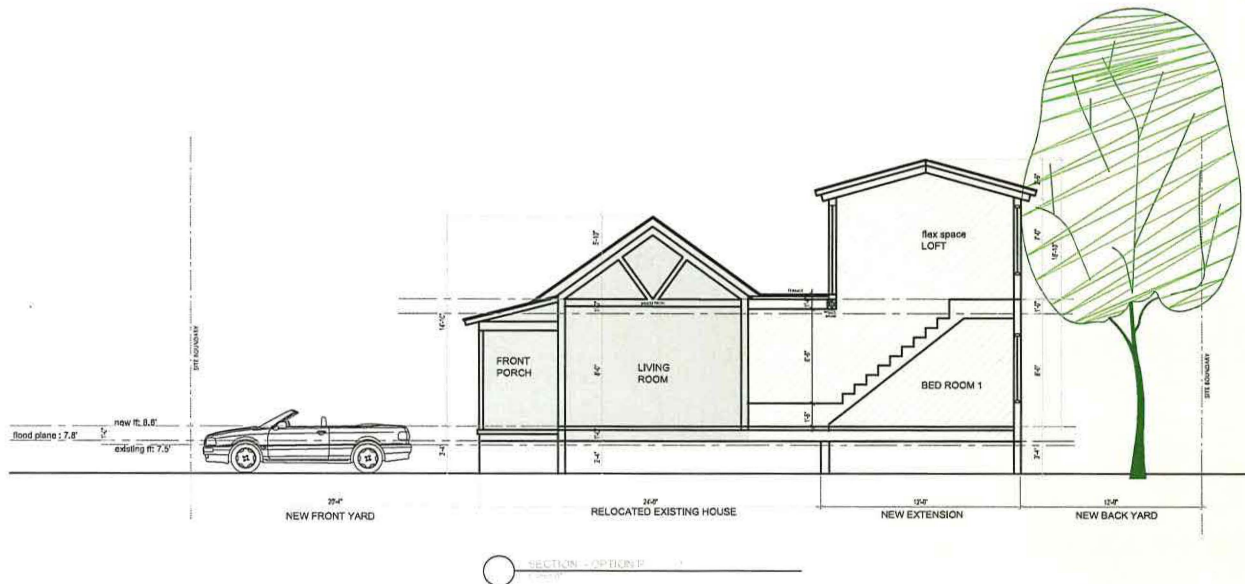
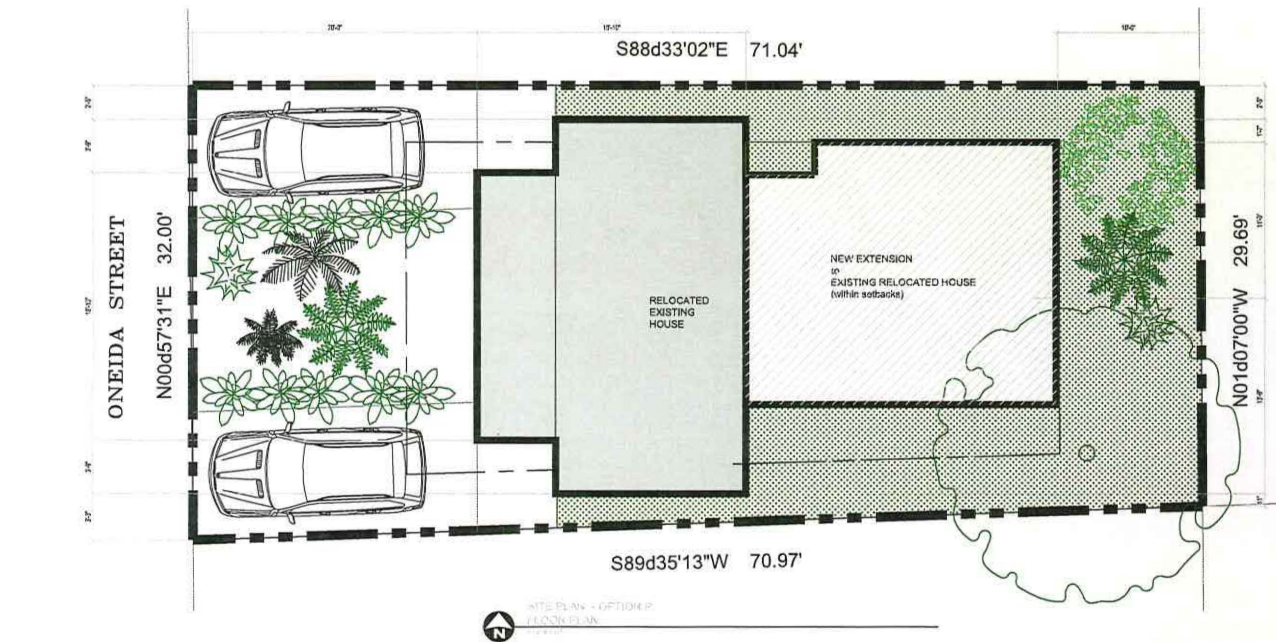
TYPE: *BOUNDARY*

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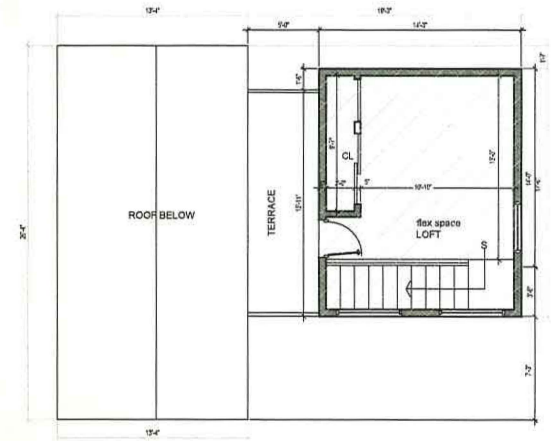
**NICHOLAS H. FRANKLIN**  
6170 A1A SOUTH #316  
ST. AUGUSTINE, FLORIDA 32086  
(904) 471-6877 FAX (904) 471-6876

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.

*Nicholas H. Franklin*  
NICHOLAS H. FRANKLIN, P.L.S. #4620  
FOR LANDTECH AND ASSOCIATES



1st FLOOR - OPTION P  
FLOOR PLAN  
1/4" = 1'-0"



2nd FLOOR - OPTION P  
FLOOR PLAN  
1/4" = 1'-0"

| SYMBOL    | DESCRIPTION                   |
|-----------|-------------------------------|
| [Pattern] | EXISTING WALL                 |
| [Pattern] | RELOCATED EXISTING HOUSE      |
| [Pattern] | NEW PROPOSED WALL & EXTENSION |
| [Pattern] | RELOCATED EXISTING WALL       |
| [Pattern] | WATER                         |
| [Pattern] | GRADE                         |

SANDRA HERRERA  
501 S. 10th Street, Suite 100  
Tampa, FL 33604  
PH: 813.244.4772  
SH@SANDRAHERRERA.COM

HAYDEN RESIDENCE

83 Oneida Street, Saint Augustine, FL

DESIGN PROPOSAL  
PLANS & SECTION

FOR REVIEW  
PLANNING  
01/11/2022

P-1

CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **VARIANCE 2022-0045**

AGENDA ITEM 5(c)

APPLICANT & OWNER Thomas Burd  
c/o Fullerwood Construction

LOCATION 28 Macaris Street / PID 153530-0000

REQUEST To reduce the rear setback from 20' to 13' on a Residential single-family-one (RS-1) lot to allow for the proposed addition to the single-family residence.

LAND USE Residential Low Density

ZONING Residential single-family-one (RS-1)

APPLICABLE CODES/ORDINANCES

**Variance** means a relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship on the land. As used in this chapter, a variance is authorized only for height, area and size of structure or sides of yards and open spaces. Establishment or expansion of uses otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district. A modification to lot requirements so as to increase the permitted density of multifamily dwellings shall not be considered a variance and is specifically prohibited.

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

**(b) Variances:**

- (1) Requirements for grant of variance. The board may grant a variance only under circumstances where practical difficulty or unnecessary hardship is so substantial, serious and compelling that relaxation of the general restrictions should be granted; provided, however, that no variance may be granted for maximum lot coverage requirements within any historic preservation districts 1, 2 and 3, except variances may be obtained for school, church and governmental agency uses. No variance shall be granted unless the applicant shall show and the board shall find that:



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

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

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

#### STAFF SUMMARY AND ANALYSIS

The applicant is requesting a variance to the rear yard setback within the Residential single-family-one (RS-1) zoning district. The applicant is proposing adding on to an existing home on the rear side of the structure.

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;

*This property does suffer a singular disadvantage in that it is a non-conforming RS-1 zoned lot with a home that was built in 1925, according to St. Johns County Property Appraiser information. Imposing suburban setbacks on a non-suburban property creates the disadvantage of not being able to add-on to the existing home and conform to the RS-1 setbacks.*

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

*The disadvantage of the undersized lot and existing location of the home is that an addition on the rear of the house proves difficult without a variance to the setback requirements.*

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

*This lot was created, and the home was built before the current owner purchased the property.*

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

*Granting a variance would not adversely affect neighboring properties due to the nature of the request.*

#### 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 decrease the rear yard setback at 28 Macaris Street / PID 153530-0000 from 20' to 13'.



---

Jacob Fredriksson  
Senior Planner  
Planning and Building Department



# City of St. Augustine



St. Augustine, Florida  
Nation's Oldest City

Planning/Building

July 11, 2017

Thomas David and Audra Renee Burd  
28 Macaris Street  
St. Augustine, FL 32084-0000

Re: Variance – 28 Macaris Street – 2017-0087

Dear Mr. and Mrs. Burd:

On Tuesday, July 11, 2017, the Planning and Zoning Board (PZB) met and discussed your application to reduce the side and rear yard building setbacks to build an addition onto an existing single family home for property located at 28 Macaris Street.

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

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

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

Sincerely,

David Birchim, AICP  
Director, Planning & Building

DB:sp  
Attachment

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

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

---

**TYPE OF REQUEST:**

- |                                                                |                                                                |
|----------------------------------------------------------------|----------------------------------------------------------------|
| <input type="checkbox"/> Appeal                                | <input type="checkbox"/> Preliminary Subdivision Plat Approval |
| <input type="checkbox"/> Conservation Overlay Zone Development | <input type="checkbox"/> PUD Modification/Amendment            |
| One/Two/Three                                                  | <input type="checkbox"/> Rezoning                              |
| <input type="checkbox"/> Use by Exception                      | <input checked="" type="checkbox"/> Variance                   |
| <input type="checkbox"/> Final Development Plan                | <input type="checkbox"/> Other                                 |
| <input type="checkbox"/> Land Use Plan Amendment               |                                                                |

**IN THE MATTER OF:**

Case No.: 2017-0087  
Applicant: Thomas Burd  
Owner: Thomas Burd  
Address: 28 Macaris Street  
Parcel Number: 153530-0000

RE: Variance, pursuant to Section 28-29, City of St. Augustine Code, to reduce the required side and rear yard building setbacks to build an addition onto an existing single family home.

THE PLANNING AND ZONING BOARD HAS HEARD TESTIMONY AND EXAMINED EVIDENCE AT A PUBLIC HEARING HELD ON JULY 11, 2017, 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 or representative ☒ was present at the July 11, 2017 Planning and Zoning Board meeting and testified under oath, or ☐ was not present.
2. A public hearing was held, with notice given as required by law, and ☐ members of the public testified under oath, or ☒ no members of the public spoke on this issue.
3. The subject property has a land use designation of Residential Low Density and a zoning classification of Residential Single Family-One (RS-1).
4. The above-described Variance 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 reduce the required side and rear yard building setbacks to build an addition onto an existing single family home.

Subject to the following conditions:

- \_\_\_\_\_
- TO MATCH EXISTING STRUCTURE
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

DONE AND ORDERED, at a public hearing on the 11 day of July, A.D., 2017, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

2017-0087

REQUEST APPROVED / ~~DENIED~~ / ~~CONTINUED~~

Sign Name

Matthew Shaffer

Print Name

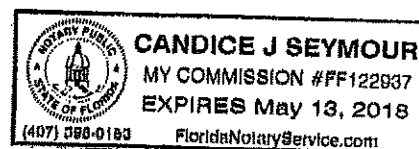
PLANNING AND ZONING BOARD  
CITY OF ST. AUGUSTINE, FLORIDA

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, Matthew Shaffer 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 11<sup>th</sup> day of July, A.D., 2017.

[Signature]  
Notary Public, State of Florida







# CITY OF ST AUGUSTINE APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$350 (plus advertising costs) Project Number: 2022-0045  
 Receipt Number: 2417719 Meeting Date: August 2, 2022  
 Advertising Costs: \$ \_\_\_\_\_ Paid On: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

1. NAME OF APPLICANT: Thomas Burd Contact Number: 724-689-5138  
 Business (if applicable): Fullerwood Construction  
 Address: 28 Macaris St City: St. Augustine State: FL Zip: 32084  
 E-Mail Address: fullerwood.construction@gmail.com

2. NAME OF PROPERTY OWNER: Thomas Burd Contact Number: 724-689-5138  
 Business (if applicable): Fullerwood Construction  
 Address: 28 Macaris St. City: St. Augustine State: FL Zip: 32084  
 E-Mail Address: fullerwood.construction@gmail.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:  
 Lot: 256 & 257 Block: 12  
 Subdivision: Fullerwood Park Parcel Number: 153530-0000

4. PROJECT STREET ADDRESS: 28 Macaris St.

5. SPECIFIC PROPOSED USE: Residence

6. ACTION REQUESTED:  
☐ Conservation Zone Development ☐ Appeal of Staff Determination  
☐ Exception ☐ Land Use Plan Amendment  
☒ Variance ☐ Rezoning  
☐ Other: 689

7. DESCRIPTION OF ACTION REQUESTED: set back in regards to adding a 15 ft addition to existing building

8. JUSTIFICATION FOR ACTION REQUESTED:  
To allow me to use and live at the property. To keep the original structure in proper historical condition while making space for proper storage to keep clean appearance for the neighborhood. To make original addition that was added in the 80s more functional.



**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: Yes. It is a double lot.

I believe the addition in the 80s makes it a non conforming lot.

- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: Yes. The existing addition in its current state limits usage. Due to layout and size, it is not big enough on the first level to function as a garage.

- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: Because the property is historical, many aspects of the property cannot be changed. The previous owner built an addition that encroaches on the 2nd lot. I would be willing to combine the two lots to one if it would help.

- (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: It will be an improvement for the neighborhood, cleaning up the property and adding value to others around it.

**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.

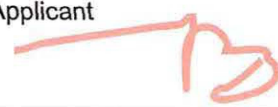
Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

**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

07

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of Property Owner

7/10/22

\_\_\_\_\_  
Date

# Burd Residence

## Two Story Addition

28 Macaris St.  
St Augustine FL 32086

Permit Set 03-29-2021

### CONSTRUCTION INTEND SUMMARY

PROJECT: BURD RESIDENCE - 2 STORY ADDITION

### Basic Design Parameters

|                             |       |
|-----------------------------|-------|
| Major and Minor (See Notes) | 04.00 |
| Minor (See Notes)           | 04.00 |
| Major (See Notes)           | 04.00 |
| Minor (See Notes)           | 04.00 |
| Major (See Notes)           | 04.00 |
| Minor (See Notes)           | 04.00 |

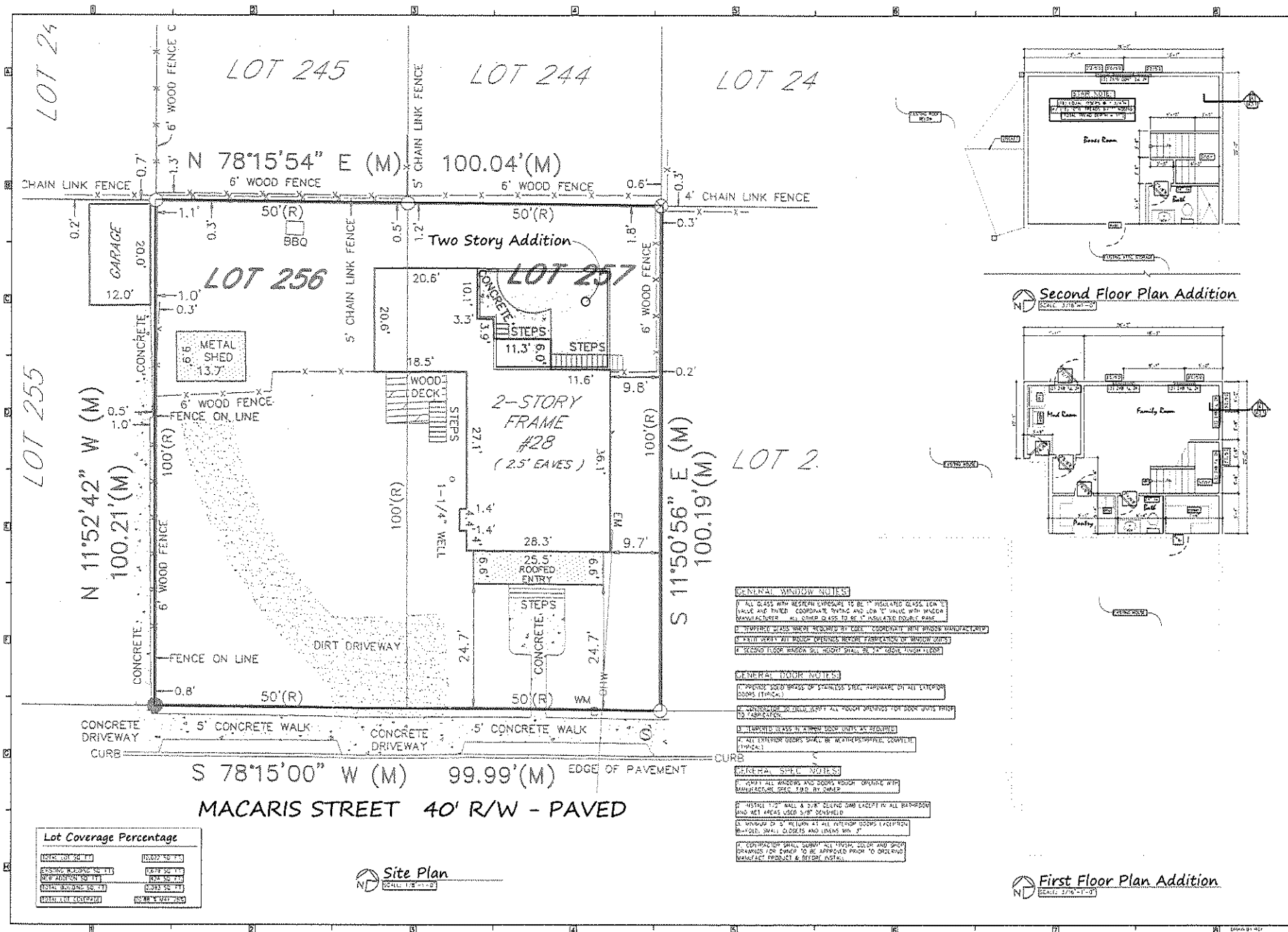
|                                     |
|-------------------------------------|
| Wind Design Data                    |
| Wind Speed: 100 mph (1-second gust) |
| Exposure: B                         |
| Importance Factor: 1.0              |
| Design Wind Speed: 100 mph          |
| Design Pressure: 10.0 psf           |
| Design Suction: -10.0 psf           |

|                                                  |
|--------------------------------------------------|
| Geotechnical Information                         |
| Design Soil: 1.5-2.0 bearing capacity (2000 psf) |

|                             |
|-----------------------------|
| Flood Design Data           |
| Design Flood: 100 Year      |
| Maximum Flood Depth: 3.0 ft |

|                                                |
|------------------------------------------------|
| Component & Cladding Design Parameters         |
| Roofing Zone 1: 20.0 psf max, 14.2 psf min     |
| Roofing Zone 2: 22.2 psf max, 16.3 psf min     |
| Roofing Zone 3: 24.4 psf max, 18.5 psf min     |
| Roofing Zone 4: 26.6 psf max, 20.7 psf min     |
| Roofing Zone 5: 28.8 psf max, 22.9 psf min     |
| Roofing Zone 6: 31.0 psf max, 25.1 psf min     |
| Roofing Zone 7: 33.2 psf max, 27.3 psf min     |
| Roofing Zone 8: 35.4 psf max, 29.5 psf min     |
| Roofing Zone 9: 37.6 psf max, 31.7 psf min     |
| Roofing Zone 10: 39.8 psf max, 33.9 psf min    |
| Roofing Zone 11: 42.0 psf max, 36.1 psf min    |
| Roofing Zone 12: 44.2 psf max, 38.3 psf min    |
| Roofing Zone 13: 46.4 psf max, 40.5 psf min    |
| Roofing Zone 14: 48.6 psf max, 42.7 psf min    |
| Roofing Zone 15: 50.8 psf max, 44.9 psf min    |
| Roofing Zone 16: 53.0 psf max, 47.1 psf min    |
| Roofing Zone 17: 55.2 psf max, 49.3 psf min    |
| Roofing Zone 18: 57.4 psf max, 51.5 psf min    |
| Roofing Zone 19: 59.6 psf max, 53.7 psf min    |
| Roofing Zone 20: 61.8 psf max, 55.9 psf min    |
| Roofing Zone 21: 64.0 psf max, 58.1 psf min    |
| Roofing Zone 22: 66.2 psf max, 60.3 psf min    |
| Roofing Zone 23: 68.4 psf max, 62.5 psf min    |
| Roofing Zone 24: 70.6 psf max, 64.7 psf min    |
| Roofing Zone 25: 72.8 psf max, 66.9 psf min    |
| Roofing Zone 26: 75.0 psf max, 69.1 psf min    |
| Roofing Zone 27: 77.2 psf max, 71.3 psf min    |
| Roofing Zone 28: 79.4 psf max, 73.5 psf min    |
| Roofing Zone 29: 81.6 psf max, 75.7 psf min    |
| Roofing Zone 30: 83.8 psf max, 77.9 psf min    |
| Roofing Zone 31: 86.0 psf max, 80.1 psf min    |
| Roofing Zone 32: 88.2 psf max, 82.3 psf min    |
| Roofing Zone 33: 90.4 psf max, 84.5 psf min    |
| Roofing Zone 34: 92.6 psf max, 86.7 psf min    |
| Roofing Zone 35: 94.8 psf max, 88.9 psf min    |
| Roofing Zone 36: 97.0 psf max, 91.1 psf min    |
| Roofing Zone 37: 99.2 psf max, 93.3 psf min    |
| Roofing Zone 38: 101.4 psf max, 95.5 psf min   |
| Roofing Zone 39: 103.6 psf max, 97.7 psf min   |
| Roofing Zone 40: 105.8 psf max, 99.9 psf min   |
| Roofing Zone 41: 108.0 psf max, 102.1 psf min  |
| Roofing Zone 42: 110.2 psf max, 104.3 psf min  |
| Roofing Zone 43: 112.4 psf max, 106.5 psf min  |
| Roofing Zone 44: 114.6 psf max, 108.7 psf min  |
| Roofing Zone 45: 116.8 psf max, 110.9 psf min  |
| Roofing Zone 46: 119.0 psf max, 113.1 psf min  |
| Roofing Zone 47: 121.2 psf max, 115.3 psf min  |
| Roofing Zone 48: 123.4 psf max, 117.5 psf min  |
| Roofing Zone 49: 125.6 psf max, 119.7 psf min  |
| Roofing Zone 50: 127.8 psf max, 121.9 psf min  |
| Roofing Zone 51: 130.0 psf max, 124.1 psf min  |
| Roofing Zone 52: 132.2 psf max, 126.3 psf min  |
| Roofing Zone 53: 134.4 psf max, 128.5 psf min  |
| Roofing Zone 54: 136.6 psf max, 130.7 psf min  |
| Roofing Zone 55: 138.8 psf max, 132.9 psf min  |
| Roofing Zone 56: 141.0 psf max, 135.1 psf min  |
| Roofing Zone 57: 143.2 psf max, 137.3 psf min  |
| Roofing Zone 58: 145.4 psf max, 139.5 psf min  |
| Roofing Zone 59: 147.6 psf max, 141.7 psf min  |
| Roofing Zone 60: 149.8 psf max, 143.9 psf min  |
| Roofing Zone 61: 152.0 psf max, 146.1 psf min  |
| Roofing Zone 62: 154.2 psf max, 148.3 psf min  |
| Roofing Zone 63: 156.4 psf max, 150.5 psf min  |
| Roofing Zone 64: 158.6 psf max, 152.7 psf min  |
| Roofing Zone 65: 160.8 psf max, 154.9 psf min  |
| Roofing Zone 66: 163.0 psf max, 157.1 psf min  |
| Roofing Zone 67: 165.2 psf max, 159.3 psf min  |
| Roofing Zone 68: 167.4 psf max, 161.5 psf min  |
| Roofing Zone 69: 169.6 psf max, 163.7 psf min  |
| Roofing Zone 70: 171.8 psf max, 165.9 psf min  |
| Roofing Zone 71: 174.0 psf max, 168.1 psf min  |
| Roofing Zone 72: 176.2 psf max, 170.3 psf min  |
| Roofing Zone 73: 178.4 psf max, 172.5 psf min  |
| Roofing Zone 74: 180.6 psf max, 174.7 psf min  |
| Roofing Zone 75: 182.8 psf max, 176.9 psf min  |
| Roofing Zone 76: 185.0 psf max, 179.1 psf min  |
| Roofing Zone 77: 187.2 psf max, 181.3 psf min  |
| Roofing Zone 78: 189.4 psf max, 183.5 psf min  |
| Roofing Zone 79: 191.6 psf max, 185.7 psf min  |
| Roofing Zone 80: 193.8 psf max, 187.9 psf min  |
| Roofing Zone 81: 196.0 psf max, 190.1 psf min  |
| Roofing Zone 82: 198.2 psf max, 192.3 psf min  |
| Roofing Zone 83: 200.4 psf max, 194.5 psf min  |
| Roofing Zone 84: 202.6 psf max, 196.7 psf min  |
| Roofing Zone 85: 204.8 psf max, 198.9 psf min  |
| Roofing Zone 86: 207.0 psf max, 201.1 psf min  |
| Roofing Zone 87: 209.2 psf max, 203.3 psf min  |
| Roofing Zone 88: 211.4 psf max, 205.5 psf min  |
| Roofing Zone 89: 213.6 psf max, 207.7 psf min  |
| Roofing Zone 90: 215.8 psf max, 209.9 psf min  |
| Roofing Zone 91: 218.0 psf max, 212.1 psf min  |
| Roofing Zone 92: 220.2 psf max, 214.3 psf min  |
| Roofing Zone 93: 222.4 psf max, 216.5 psf min  |
| Roofing Zone 94: 224.6 psf max, 218.7 psf min  |
| Roofing Zone 95: 226.8 psf max, 220.9 psf min  |
| Roofing Zone 96: 229.0 psf max, 223.1 psf min  |
| Roofing Zone 97: 231.2 psf max, 225.3 psf min  |
| Roofing Zone 98: 233.4 psf max, 227.5 psf min  |
| Roofing Zone 99: 235.6 psf max, 229.7 psf min  |
| Roofing Zone 100: 237.8 psf max, 231.9 psf min |
| Roofing Zone 101: 240.0 psf max, 234.1 psf min |
| Roofing Zone 102: 242.2 psf max, 236.3 psf min |
| Roofing Zone 103: 244.4 psf max, 238.5 psf min |
| Roofing Zone 104: 246.6 psf max, 240.7 psf min |
| Roofing Zone 105: 248.8 psf max, 242.9 psf min |
| Roofing Zone 106: 251.0 psf max, 245.1 psf min |
| Roofing Zone 107: 253.2 psf max, 247.3 psf min |
| Roofing Zone 108: 255.4 psf max, 249.5 psf min |
| Roofing Zone 109: 257.6 psf max, 251.7 psf min |
| Roofing Zone 110: 259.8 psf max, 253.9 psf min |
| Roofing Zone 111: 262.0 psf max, 256.1 psf min |
| Roofing Zone 112: 264.2 psf max, 258.3 psf min |
| Roofing Zone 113: 266.4 psf max, 260.5 psf min |
| Roofing Zone 114: 268.6 psf max, 262.7 psf min |
| Roofing Zone 115: 270.8 psf max, 264.9 psf min |
| Roofing Zone 116: 273.0 psf max, 267.1 psf min |
| Roofing Zone 117: 275.2 psf max, 269.3 psf min |
| Roofing Zone 118: 277.4 psf max, 271.5 psf min |
| Roofing Zone 119: 279.6 psf max, 273.7 psf min |
| Roofing Zone 120: 281.8 psf max, 275.9 psf min |
| Roofing Zone 121: 284.0 psf max, 278.1 psf min |
| Roofing Zone 122: 286.2 psf max, 280.3 psf min |
| Roofing Zone 123: 288.4 psf max, 282.5 psf min |
| Roofing Zone 124: 290.6 psf max, 284.7 psf min |
| Roofing Zone 125: 292.8 psf max, 286.9 psf min |
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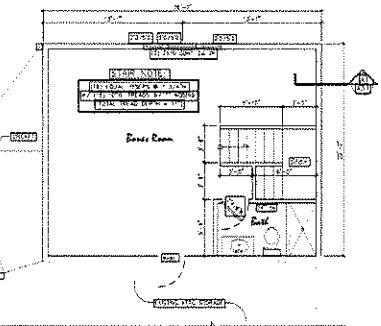


**Lot Coverage Percentage**

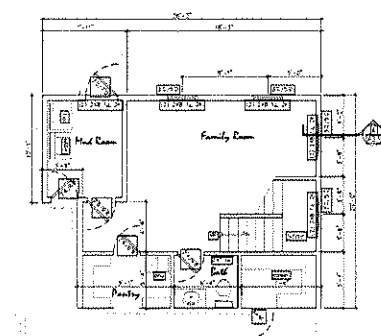
|         |         |
|---------|---------|
| LOT 245 | 100.00% |
| LOT 244 | 100.00% |
| LOT 24  | 100.00% |
| LOT 256 | 100.00% |
| LOT 257 | 100.00% |
| LOT 2   | 100.00% |

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

- GENERAL WINDOW NOTES**
- 1. ALL GLASS WITH EXTERIOR SURFACES TO BE 1" MINIMUM GLASS FOR 1" VALUE AND FINED. COORDINATE FINES AND JOINT VALUE WITH WINDOW MANUFACTURER. ALL OTHER GLASS TO BE 1" MINIMUM DOUBLE PANE.
  - 2. THERMALLY GLASS WHEN REQUIRED BY CODE. COORDINATE WITH WINDOW MANUFACTURER.
  - 3. FILL IN ALL GLASS OPENINGS BEFORE FABRICATION OF WINDOW UNITS.
  - 4. SECOND FLOOR WINDOW UNITS SHALL BE 12" DEEP FROM EXTERIOR.
- GENERAL DOOR NOTES**
- 1. EXTERIOR DOOR FRAMES OF STAINLESS STEEL FINISHABLE BY ALL EXTERIOR DOORS (TYPICAL).
  - 2. WINDOW CASE OR DOOR CASE ALL DOOR UNITS FROM EXTERIOR.
  - 3. EXTERIOR GLASS TO BE 12" MINIMUM DOUBLE PANE.
  - 4. ALL EXTERIOR DOORS SHALL BE WEATHERSTRIP, DOORSTOP (TYPICAL).
- GENERAL SILL NOTES**
- 1. GRANT ALL WINDOWS AND DOORS WITH WEATHERSTRIP AND WEATHERSTRIP SPEC. TO BE BY WINDOW MANUFACTURER.
  - 2. INSTALL 1/2" WALL & 3/4" CEILING SMO EXCEPT ALL BATHROOMS AND KITCHENS USED 3/4" CEILING.
  - 3. WINDOW TO BE 12" MINIMUM AT ALL EXTERIOR DOORS EXCEPT BATHROOMS, SHOWER, CLOSETS AND LINEN CLOSET.
  - 4. CONTRACTOR SHALL VERIFY ALL INTERIOR DOORS AND SMO OPENINGS FOR CORRECT TO BE APPROVED FROM TO ORDERING MANUFACTURER PRODUCT & REPORT INSTALLED.



**Second Floor Plan Addition**  
SCALE: 3/16" = 1'-0"



**First Floor Plan Addition**  
SCALE: 3/16" = 1'-0"

**DIXON**  
Design Studio  
ARCHITECTS

88 RIBERIA ST. SUITE 430  
ST. AUGUSTINE, FL 32084  
(904) 829-0277

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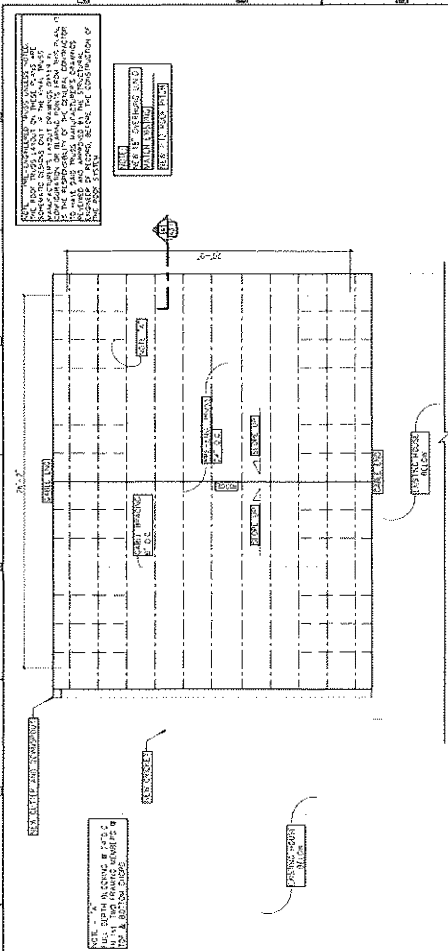
**Burd Residence Addition**  
28 Macaris St. • St. Augustine, FL 32086

|       |       |       |       |       |       |       |       |       |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|
| NO. 1 | NO. 2 | NO. 3 | NO. 4 | NO. 5 | NO. 6 | NO. 7 | NO. 8 | NO. 9 | NO. 10 | NO. 11 | NO. 12 | NO. 13 | NO. 14 | NO. 15 | NO. 16 | NO. 17 | NO. 18 | NO. 19 | NO. 20 | NO. 21 | NO. 22 | NO. 23 | NO. 24 | NO. 25 | NO. 26 | NO. 27 | NO. 28 | NO. 29 | NO. 30 | NO. 31 | NO. 32 | NO. 33 | NO. 34 | NO. 35 | NO. 36 | NO. 37 | NO. 38 | NO. 39 | NO. 40 | NO. 41 | NO. 42 | NO. 43 | NO. 44 | NO. 45 | NO. 46 | NO. 47 | NO. 48 | NO. 49 | NO. 50 | NO. 51 | NO. 52 | NO. 53 | NO. 54 | NO. 55 | NO. 56 | NO. 57 | NO. 58 | NO. 59 | NO. 60 | NO. 61 | NO. 62 | NO. 63 | NO. 64 | NO. 65 | NO. 66 | NO. 67 | NO. 68 | NO. 69 | NO. 70 | NO. 71 | NO. 72 | NO. 73 | NO. 74 | NO. 75 | NO. 76 | NO. 77 | NO. 78 | NO. 79 | NO. 80 | NO. 81 | NO. 82 | NO. 83 | NO. 84 | NO. 85 | NO. 86 | NO. 87 | NO. 88 | NO. 89 | NO. 90 | NO. 91 | NO. 92 | NO. 93 | NO. 94 | NO. 95 | NO. 96 | NO. 97 | NO. 98 | NO. 99 | NO. 100 |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|

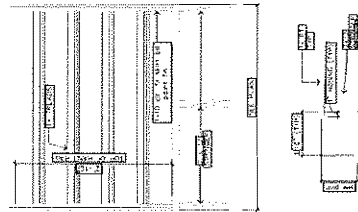
**A1.1**



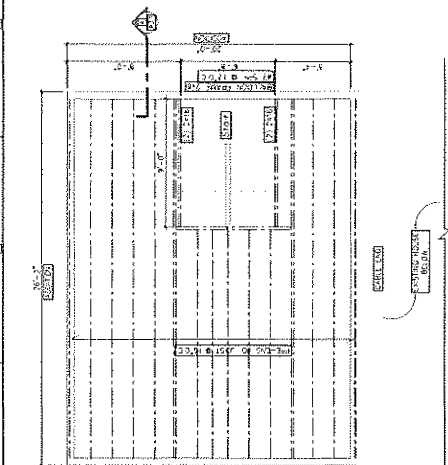




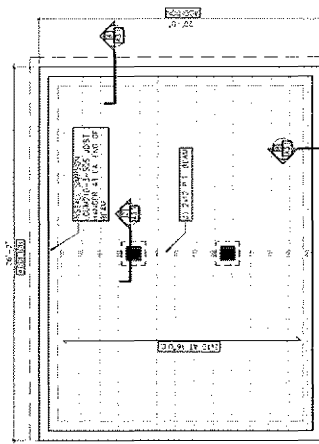
Roof Plan



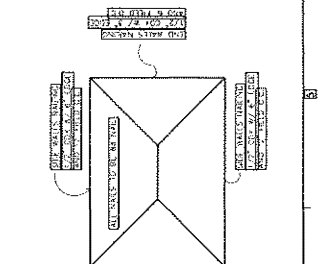
### Stair Detail



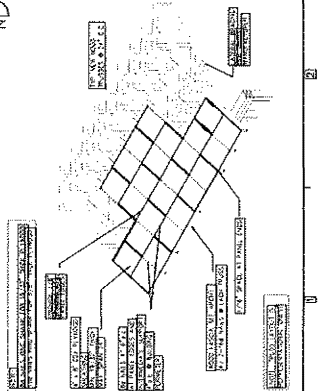
2nd. Floor Framing

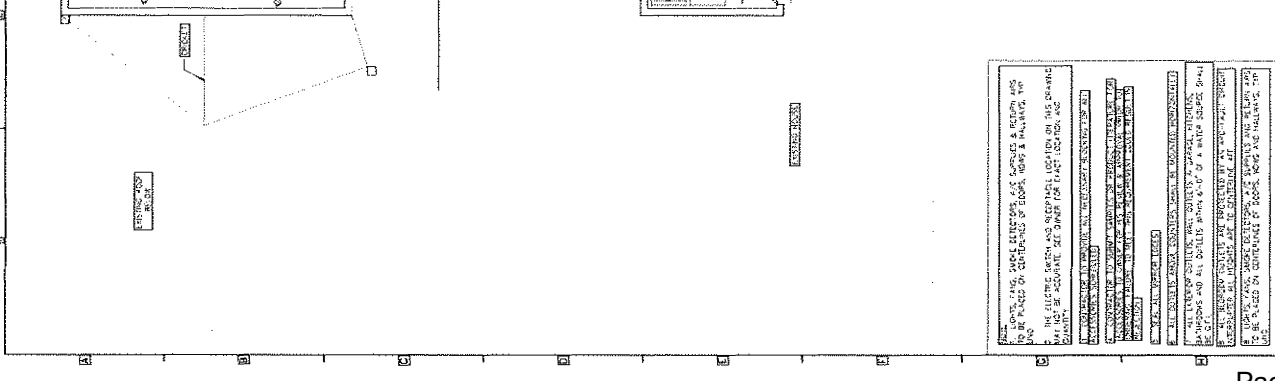
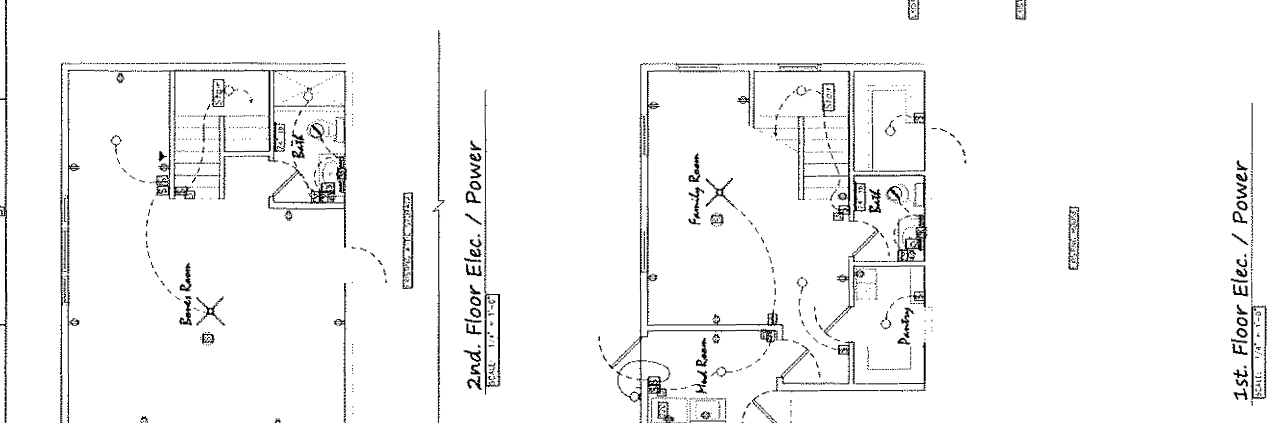
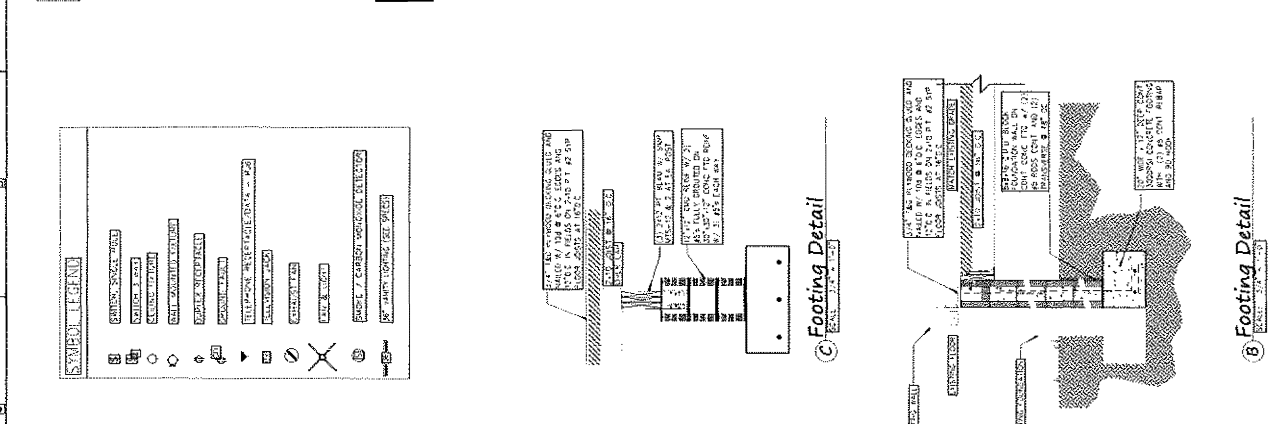
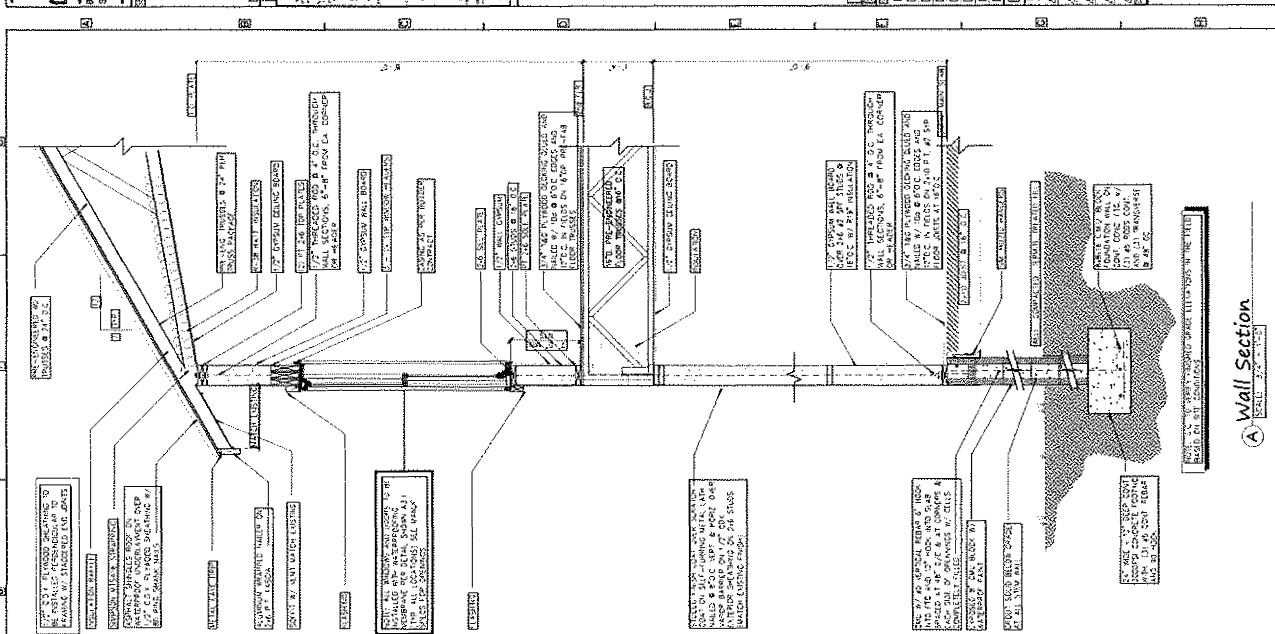


Foundation Plan



## Plywood Nailing Details

[illegible]



CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **USE BY EXCEPTION 2022-0039**

|             |                                                                              |
|-------------|------------------------------------------------------------------------------|
| AGENDA ITEM | 6(a)                                                                         |
| APPLICANT   | Judith Dembowski                                                             |
| OWNER       | St. Augustine Society Inc.                                                   |
| LOCATION    | 64 Washington Street / PID 208120-0000                                       |
| REQUEST     | To approve off-site parking within 400 feet as a permitted use by exception. |
| LAND USE    | Commercial Low Intensity                                                     |
| ZONING      | Commercial low-one (CL-1)                                                    |

APPLICABLE CODES/ORDINANCES

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

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

(a) Zoning exceptions:

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

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

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

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

**Sec. 28-347. – Supplementary regulations for certain uses.**

In addition to the permissible uses by exception listed in the schedule of district regulations, (article III), the following uses shall be permissible by exception in the districts indicated; and, unless specific provision is made otherwise in the grant of exception, such uses, whether permitted or permissible by exception, shall conform to all supplementary regulations listed under such use:

...

(3) Parking lots. Off-street parking lots shall be a permissible use by exception in all districts where such lots are within four hundred (400) feet of premises requiring off-street parking; such lots in residential districts shall also conform to the following:

- a. A six-foot solid masonry wall or fence shall be erected along all property lines adjunct to residentially zoned property.
- b. No source of illumination for such lots shall be directly visible from any window in any residence in the residential district.
- c. There shall be no movement of any vehicles on such lots between the hours of 11:00 p.m. and 7:00 a.m.
- d. There shall be no sales or service activity of any kind on such lots.
- e. Vehicles prohibited from being parked in residential districts by section 28-336 shall not be permitted to be parked on such lot.
- f. All parking lots shall be paved with erosion-resistant material in accordance with city specifications (see division 2 of this article).

**Sec. 28-371. – Location**

- (a) A required off-street parking and loading facility shall be located on the same lot or parcel of land it is intended to serve. However, an off-street parking and loading facility within four hundred (400) feet of the premises may be allowed as a permitted use by exception.
- (b) The planning and zoning board may grant an exception when practical difficulties prevent the placing of all or part of the facility on the premises they are designated to serve. The board shall review the proposal for impact upon pedestrian and vehicular traffic patterns and user safety, impact upon surrounding properties from noise, glare, visual quality, nuisance and traffic generation.

**STAFF SUMMARY AND ANALYSIS**

The building was originally built around 1910, will undergo major renovations, and does not have sufficient lot size to meet the parking requirement for the St. Francis Family Shelter. This is an emergency shelter to assist the families in exiting homelessness as soon as possible. The average length of stay for families is 90 days. Additionally, there will not be more than 20 unrelated people housed. Most of the families being served do not own vehicles. The applicant has provided a narrative of their business model which is provided in the packet.

The St. Francis Family Shelter is seeking an approval for off-street off-site parking within 400' at the parking lot on Granada Street owned by the City of St. Augustine. The Shelter organization has requested an agreement for nine (9) parking spaces with the City. There are nine (9) permanent beds proposed for the facility.

The proposed use is considered a rooming house. The property is zoned Commercial low-one (CL-1) which allows for rooming and boarding houses as a permitted use.

The definition is included below:

*Roominghouse, boardinghouse or lodginghouse* means a building other than small and large group homes, dormitory, hostel, hotel, motel, inn or motor lodge, or tourist home, and bed and breakfast, containing sleeping rooms where lodging or lodging and meals are provided for four or more unrelated persons but not more than twenty (20) unrelated persons, and containing less than ten (10) sleeping rooms, and which typically have a resident family or manager. The sleeping rooms generally do not have private bathrooms or kitchens attached thereto. The minimum length of stay in a roominghouse, boardinghouse or lodginghouse shall be a week or longer.

The parking requirement for this use is one (1) space per bed and two (2) per resident manager. It is staff's understanding that the property will not have resident manager because of the existing facility next door. The nine (9) parking space requirement is based on the provision of nine (9) permanent adult beds. Although it is staff's understanding that some children and larger families may stay at this facility depending on the need.

#### 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 off-site parking for the St. Francis Family Shelter at 64 Washington St. / PID 208120-0000



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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: 2022-0039

Receipt Number: 2398325 Meeting Date: July 5, 2022

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

1. NAME OF APPLICANT: Judith Dembowski Contact Number: 904-377-4439  
Business (if applicable): St. Augustine Society Inc  
Address: 1375 Arapaho Ave City: St. Augustine State: FL Zip: 32084  
E-Mail Address: Judith.dembowski@stfrancissshelter.org

2. NAME OF PROPERTY OWNER: \_\_\_\_\_ Contact Number: \_\_\_\_\_  
Business (if applicable): St. Augustine Society Inc  
Address: 64 Washington Street City: St. Augustine State: FL Zip: 32084  
E-Mail Address: Judith.Dembowski@stfrancissshelter.org

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:  
Lot: \_\_\_\_\_ Block: \_\_\_\_\_  
Subdivision: \_\_\_\_\_ Parcel Number: \_\_\_\_\_

4. PROJECT STREET ADDRESS: 64 Washington Street, St. Augustine, FL, 32084

5. SPECIFIC PROPOSED USE: Emergency Homeless shelter

6. ACTION REQUESTED:  
☐ Conservation Zone Development ☐ Appeal of Staff Determination  
☒ Exception ☐ Land Use Plan Amendment  
☐ Variance ☐ Rezoning  
☐ Other: 377

7. DESCRIPTION OF ACTION REQUESTED: Use by exception for off site parking via a long term lease of city parking spaces  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. JUSTIFICATION FOR ACTION REQUESTED: The historic property built in 1910 does not have sufficient open space to accommodate the minimum parking requirement  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

Variance for flood plane exemption has been submitted

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.

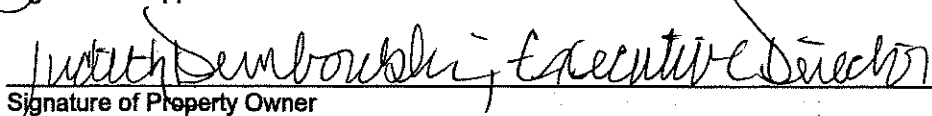
Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

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

06-9-22  
Date

  
Signature of Property Owner

6-9-22  
Date



**Owner's Authorization For Agent**

Judith Dembowski is/are hereby authorized TO ACT ON BEHALF  
OF St. Augustine Society 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:  
64 Washington street, St. Augustine, FL, 32084

BY:

Judith Dembowski  
Signature of Owner

Judith Dembowski  
Print Name of Owner

904.377.4439  
Telephone Number

State of Florida

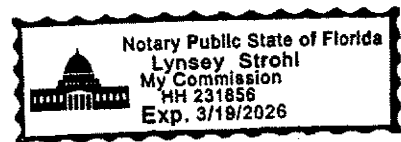
County of St. Johns

Signed and sworn before me on this 9<sup>th</sup> day of June, 2022

By Judith Dembowski

Identification verified: DL

Oath sworn: X Yes \_\_\_\_\_ No



Notary Signature: Lynsey Strohl

My Commission expires: 03/19/2026



**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.

Judith Semboush  
Print name of applicant

Judith Semboush  
Signature of applicant

6.9.22  
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<br>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.

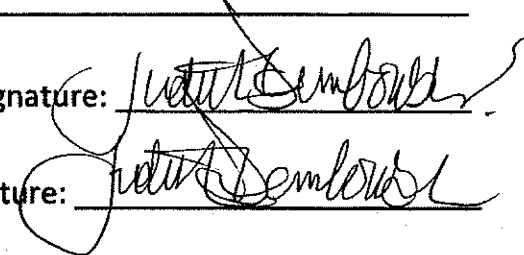
By signing below, I acknowledge responsibility for both the initial application fee and any subsequent costs associated with legal advertising and/or noticing and understand that permits associated with my application may not be issued until such fees are paid.

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.

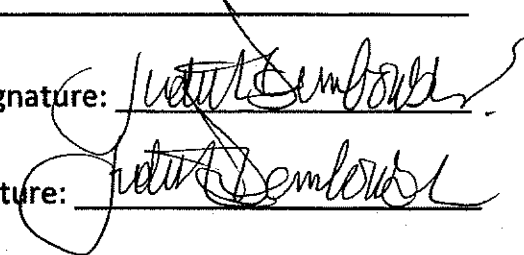
64 Washington Street, St. Augustine, FL, 32084

Project Address: \_\_\_\_\_

Judith Dembowski

Applicant's Name: \_\_\_\_\_ Applicant's Signature: 

Judith Dembowski

Owner's Name: \_\_\_\_\_ Owner's Signature: 

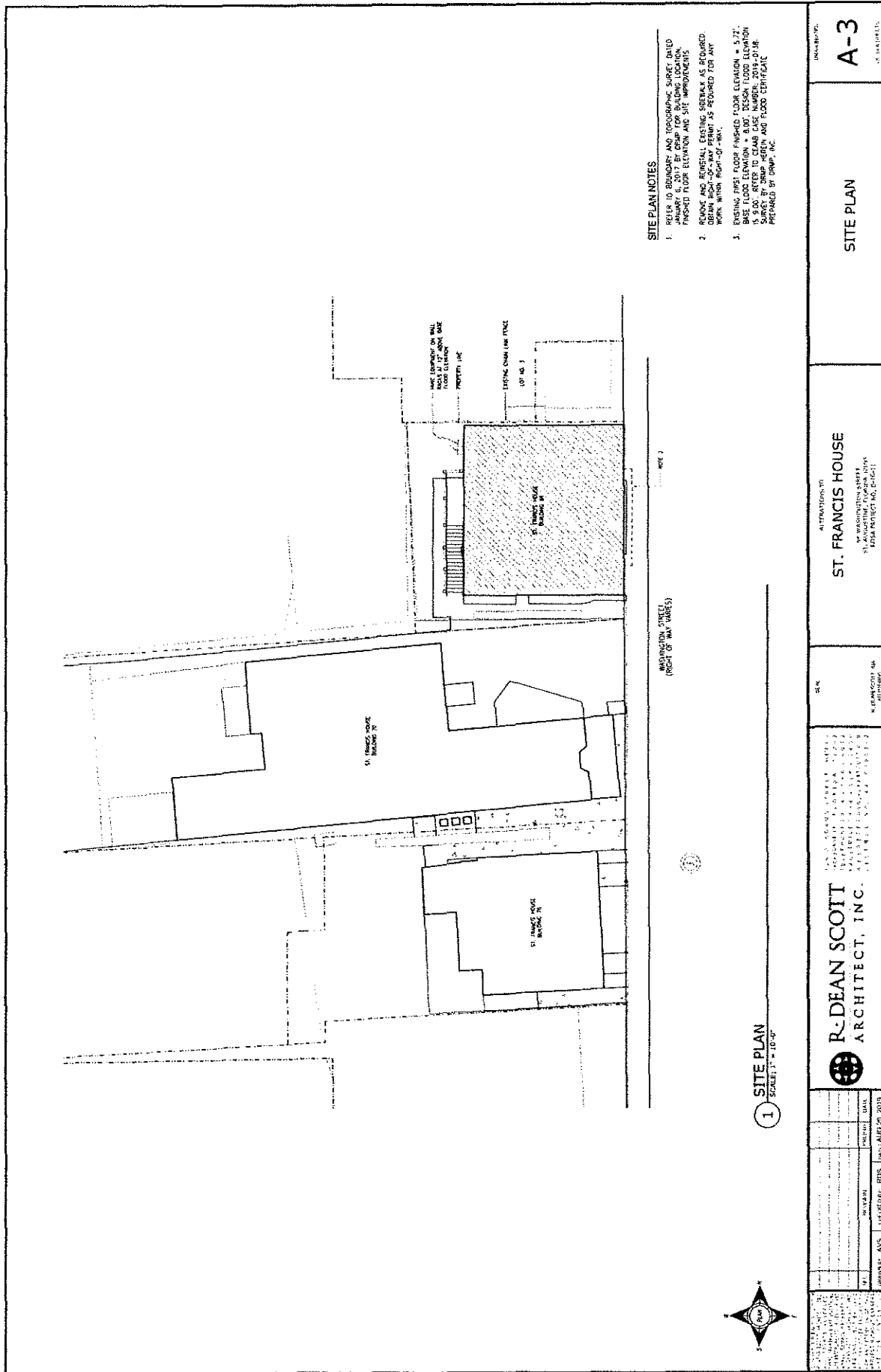


## St. Francis Housing Crisis Center—Family Shelter

St. Francis Family Shelter is located at 64 Washington Street. It is designed to be a low-barrier, emergency shelter for families with minor children. Family units that include at least one child under the age of eighteen years old will have access to immediate, safe shelter. The goal of Family Shelter is to assist clients in exiting homelessness as quickly as possible. Each family is provided a case manager that works with them to build a housing plan, identify needs, and access services that will ensure clients have the resources and support they need to obtain housing alternatives to shelter and to maintain said housing. Each family brings with them specific-to-them obstacles and assets. Because of this, the length of stay for each family is different, however, this emergency shelter is not a permanent or long-term solution. The average length of stay for families is 90 days. This space can shelter up to 39 individuals. Because this space is for family units, there will not be more than 20 unrelated people housed in this shelter at any given time. There are no fees for our shelter or other services.

The physical space will consist of four bedrooms on the bottom floor, two full bathrooms, a laundry room, and a common area with refrigerator, microwave, and other modes to warm food/snack preparation. The common room labeled “living” and “break” on the bottom floor is designed to ensure families have free access to fresh, refrigerated food as well as dry goods to meet immediate hunger needs. Full meal preparation is done through our soup kitchen at 70 Washington Street (next door) three times, daily, and is provided to all clients. The second floor will host five bedrooms and two additional full bathrooms. The plan is to accommodate both small and large families through the assignment of rooms with smaller families in one bedroom and larger families spread across rooms as needed and appropriate. Each will have access to the laundry facilities and any of the four bathrooms. The building will be equipped with a lift and all other provisions for handicapped accessibility.

The majority of our families served do not own vehicles. Staff assigned with the oversight of this project are based in our 70 Washington Street building and so do not need additional parking to oversee this program. Public parking is available on the street.



# **SITE PLAN NOTES**

1. REFER TO BOUNDARY AND TOPOGRAPHIC SURVEY DATED 10/15/19 FOR EXISTING ELEVATIONS AND FINISHED FLOOR ELEVATION AND SITE IMPROVEMENTS.
2. RECORD AND REVEAL EXISTING UTILITY AS REQUIRED. OBTAIN AND REVIEW PERMIT AS REQUIRED FOR ANY WORK WITHIN RIGHT-OF-WAY.
3. EXISTING FIRST FLOOR FINISHED FLOOR ELEVATION = 5.27; BASE FLOOR ELEVATION = 8.00; DESIGN FLOOD ELEVATION = 15.90. REFER TO CEAB CASE NUMBER: 2019-0148. SURVEY BY JUMP HEREIN AND FLOOD CERTIFICATE PREPARED BY CHMP, INC.

**1 SITE PLAN**  
SCALE: 1/8" = 10'-0"

DATE: 08/25/2020  
**A-3**  
SHEET NO.

## **SITE PLAN**

**ST. FRANCIS HOUSE**  
31 WASHINGTON STREET, SUITE 100  
ST. AUGUSTINE, FLORIDA 32084  
KISHA PETERSON, ARCHITECT

DATE: 08/25/2020  
BY: KISHA PETERSON

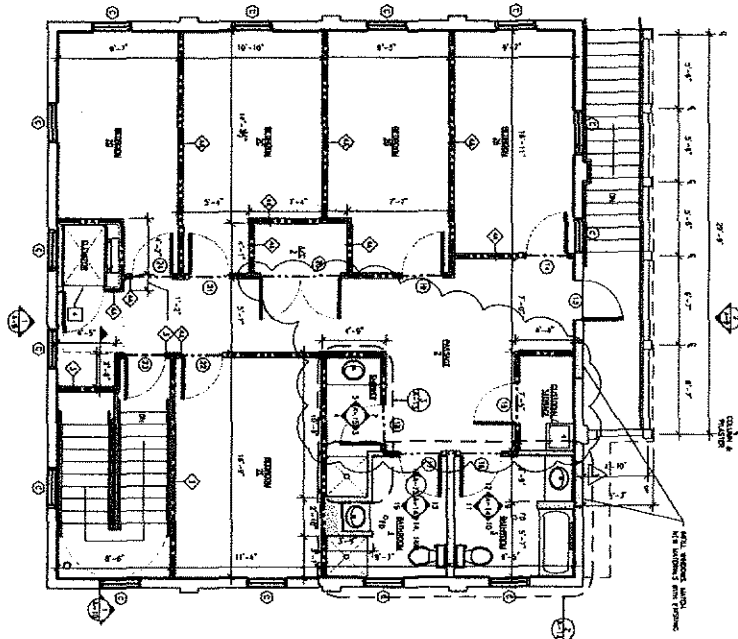
**R. DEAN SCOTT**  
ARCHITECT, INC.



| NO. | REVISION          | DATE       |
|-----|-------------------|------------|
| 1   | ISSUED FOR PERMIT | 08/25/2020 |
| 2   | REVISION          |            |
| 3   | REVISION          |            |
| 4   | REVISION          |            |
| 5   | REVISION          |            |
| 6   | REVISION          |            |
| 7   | REVISION          |            |
| 8   | REVISION          |            |
| 9   | REVISION          |            |
| 10  | REVISION          |            |

# KEY

- ① DOOR SYMBOLS - REFER TO DOOR SCHEDULE SHEET A-17.
- ② FLOOR SYMBOLS - REFER TO FLOORING SCHEDULE SHEET A-17.
- ③ FACT OF BUILDING
- ④ HANDICAPPED ACCESSIBLE ENTRANCE (HAWKIN ELEVATOR) - REFER TO HAWKIN ELEVATOR SCHEDULE SHEET A-17.
- ⑤ HAWKIN ELEVATOR - REFER TO HAWKIN ELEVATOR SCHEDULE SHEET A-17.
- ⑥ HAWKIN ELEVATOR - REFER TO HAWKIN ELEVATOR SCHEDULE SHEET A-17.
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2 SECOND FLOOR PLAN  
SCALE: 1/8" = 1'-0"

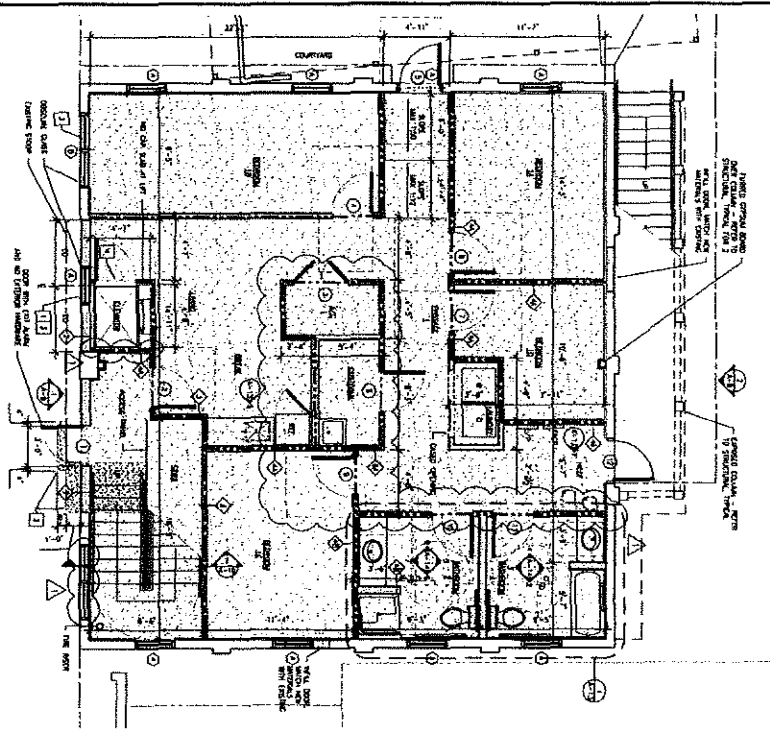
## KEY NOTES:

- ① WINDOW POSITION REQUIRED BY FLORIDA DIVISION OF HISTORICAL RESOURCES TO MAINTAIN INTEGRITY OF FACADE OF HISTORIC BUILDING.
- ② CONCRETE STOP EXTENSION PER CITY OF ST. AUGUSTINE, FLORIDA.
- ③ PROVIDE CONCRETE STOP EXTENSION PER CITY OF ST. AUGUSTINE, FLORIDA.
- ④ VERIFY ROOM-IN REQUIREMENTS WITH EQUIPMENT SELECTED. MAINTAIN ACCESSIBLE CLEARANCES TO EXIST STRUCTURALLY FEASIBLE.

1 FIRST FLOOR PLAN  
SCALE: 1/8" = 1'-0"

## FLOOR PLAN GENERAL NOTES:

- 1. DIMENSIONS ARE TO FACE OF STUD. FACE OF WINDOW, CENTERLINE OF COLUMNS UNLESS OTHERWISE NOTED.
- 2. CONTACT ARCHITECT FOR CLARIFICATION OF DIMENSIONS. DO NOT SCALE DRAWINGS.
- 3. PROVIDE ROOMS IN FINISHED OR FINISH WALLS WHERE THEY ARE INDICATED TO BE ATTACHED TO WALLS.
- 4. FIELD VERIFY ALL DIMENSIONS FOR FABRICATION AND INSTALLATION OF COLUMNS. REFER TO INTERIOR ELEVATIONS.
- 5. PROVIDE MOISTURE RESISTANT Gypsum BOARD ON WALLS OF ROOMS.
- 6. FOR ADDITIONAL DIMENSIONS REFER TO DIMENSIONED FLOOR PLANS.
- 7. PROVIDE UNFACED BUT SOUND ATTACHMENT INSULATION CONTINUOUSLY BETWEEN SECOND FLOOR FRAMING BELOW SECOND FLOOR, TYPICAL ALL AREAS.
- 8. ALL WALL TYPES ARE INDICATED ON FLOOR PLAN. DIMENSIONED PLANS ON IN WALL SECTIONS ARE OF WALL TYPE 8.



**R. DEAN SCOTT ARCHITECT, INC.**

1111 N. GULF BLVD., SUITE 100  
ST. PETERSBURG, FL 33706  
TEL: 727-325-1111  
FAX: 727-325-1112  
WWW.RDEANSCOTTARCHITECT.COM

**ST. FRANCIS HOUSE**

A TRAILBLAZER TO  
A HISTORIC TRAILBLAZER  
A HISTORIC TRAILBLAZER  
A HISTORIC TRAILBLAZER

**FLOOR PLAN**

**A-6**



## 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 2081200000  
 Location Address 64 WASHINGTON ST  
 SAINT AUGUSTINE 32084-0000  
 Neighborhood City St Aug Lincolnville Area (COM) (610.04)  
 Tax Description\* DUMAS TRACT CITY PART OF LOT 3 BLK K IN S E COR 48.5FT ON ST OR195/408 &3793/1568  
*\*The Description above is not to be used on legal documents.*  
 Property Use Code Non-Profit, Charitable & Orphanages (7500)  
 Subdivision Dumas Tract  
 Sec/Twp/Rng 18-7-30  
 District City of St Augustine (District 452)  
 Millage Rate 19.3368  
 Acreage 0.050  
 Homestead N

### Owner Information

Owner Name [St Augustine Society Inc](#) 100%  
 Mailing Address 1375 ARAPAHO AVE  
 SAINT AUGUSTINE, FL 32084-0000

### Exemption Information

| Exemption Type | Status | Amount    |
|----------------|--------|-----------|
| Non-Profit     |        | \$102,301 |

## Map



## 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 | \$32,806       | \$0                 | \$88,400         | \$0               | \$0                 | \$121,206           | \$93,001       | \$121,206    | \$0           |
| 2020 | \$320,447      | \$0                 | \$88,400         | \$0               | \$0                 | \$408,847           | \$84,546       | \$408,847    | \$0           |
| 2019 | \$97,600       | \$0                 | \$88,400         | \$0               | \$0                 | \$186,000           | \$76,860       | \$186,000    | \$0           |
| 2018 | \$95,650       | \$0                 | \$81,600         | \$0               | \$0                 | \$177,250           | \$69,873       | \$177,250    | \$0           |
| 2017 | \$0            | \$0                 | \$73,440         | \$0               | \$0                 | \$73,440            | \$63,521       | \$73,440     | \$0           |
| 2016 | \$112,007      | \$0                 | \$63,750         | \$0               | \$0                 | \$175,757           | \$159,205      | \$175,757    | \$0           |
| 2015 | \$112,007      | \$0                 | \$51,000         | \$0               | \$0                 | \$163,007           | \$144,732      | \$163,007    | \$0           |
| 2014 | \$90,775       | \$0                 | \$40,800         | \$0               | \$0                 | \$131,575           | \$131,575      | \$131,575    | \$0           |
| 2013 | \$91,437       | \$178               | \$31,620         | \$0               | \$0                 | \$123,235           | \$123,235      | \$123,235    | \$0           |
| 2012 | \$91,437       | \$178               | \$27,540         | \$0               | \$0                 | \$119,155           | \$119,155      | \$119,155    | \$0           |
| 2011 | \$92,171       | \$221               | \$30,600         | \$0               | \$0                 | \$122,992           | \$122,992      | \$122,992    | \$0           |
| 2010 | \$92,171       | \$221               | \$34,000         | \$0               | \$0                 | \$126,392           | \$126,392      | \$0          | \$126,392     |

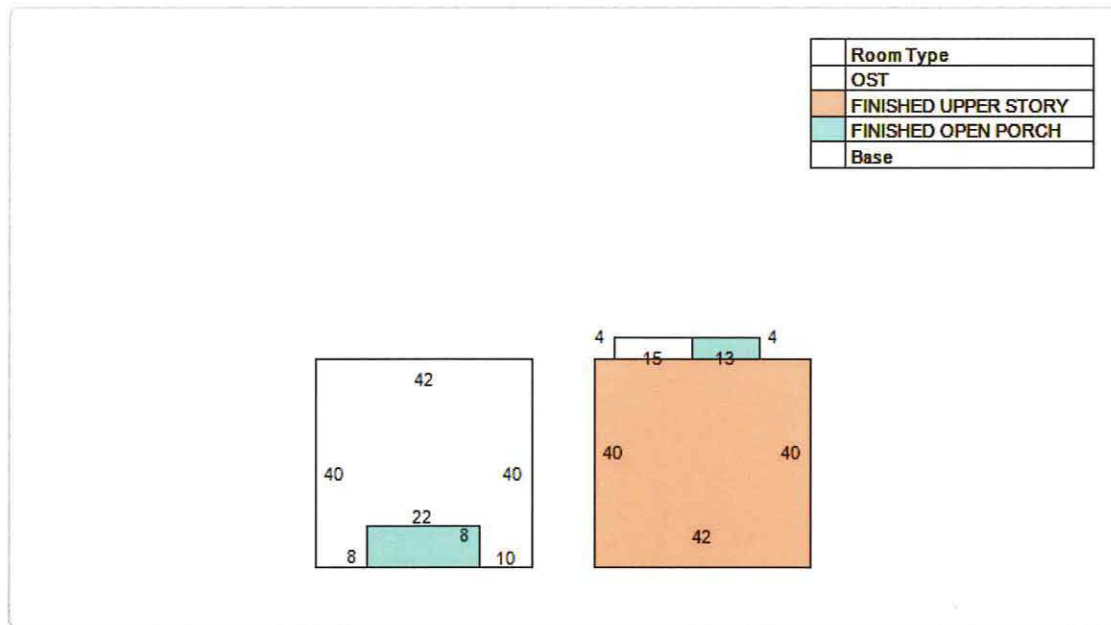
## Building Information

Building 1  
 Year Built 1947  
 Actual Area 3472  
 Conditioned Area 3184  
 Use Dormitories  
 Style 04  
 Class N  
 Exterior Wall Concrete Stucco

Roof Cover Built Up  
 Roof Structure Flat  
 Interior Flooring Pine Wood, Carpet  
 Interior Wall Drywall  
 Heating Type Air Duct  
 Air Conditioning Central  
 Bedrooms 11  
 Baths 4

| Description          | Square Footage |
|----------------------|----------------|
| BASE AREA            | 1504           |
| FINISHED OPEN PORCH  | 176            |
| FINISHED UPPER STORY | 1680           |
| FINISHED OPEN PORCH  | 52             |
| OUTSIDE STAIRS       | 60             |
| Total SqFt           | 3472           |

## Sketch Information



### Land Information

| Use Description                     | Front | Depth | Total Land Units | Unit Type | Land Value |
|-------------------------------------|-------|-------|------------------|-----------|------------|
| Non-Profit, Charitable & Orphanages | 49    | 53    | 50               | EF        | \$88,400   |

### Sale Information

| Recording Date | Sale Date | Sale Price   | Instrument Type | Book | Page | Qualification | Vacant/Improved | Grantor                                  | Grantee                                  |
|----------------|-----------|--------------|-----------------|------|------|---------------|-----------------|------------------------------------------|------------------------------------------|
| 9/24/2013      | 9/20/2013 | \$200,000.00 | WARRANTY DEED   | 3793 | 1568 | U             | I               | GREATER ST MARYS MISS BAPTIST CHURCH INC | ST AUGUSTINE SOCIETY INC                 |
| 8/15/2013      | 8/14/2013 | \$0.00       | FINAL JUDGMENT  | 3776 | 1975 | U             | I               | MARTIN ELZORA ETAL                       | GREATER ST MARYS MISS BAPTIST CHURCH INC |
| 4/12/2013      | 4/10/2013 | \$0.00       | LIS PENDENS     | 3715 | 1213 | U             | I               | GREATER ST MARYS MISS BAPTIST CHURCH     | ST MARYS MISS BAPTIST CHURCH             |
|                | 5/11/1971 | \$0.00       | WARRANTY DEED   | 195  | 408  | U             | I               | MARTIN ELZORA                            | ST MARYS MISS BAPTIST CHURCH             |

No data available for the following modules: 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.

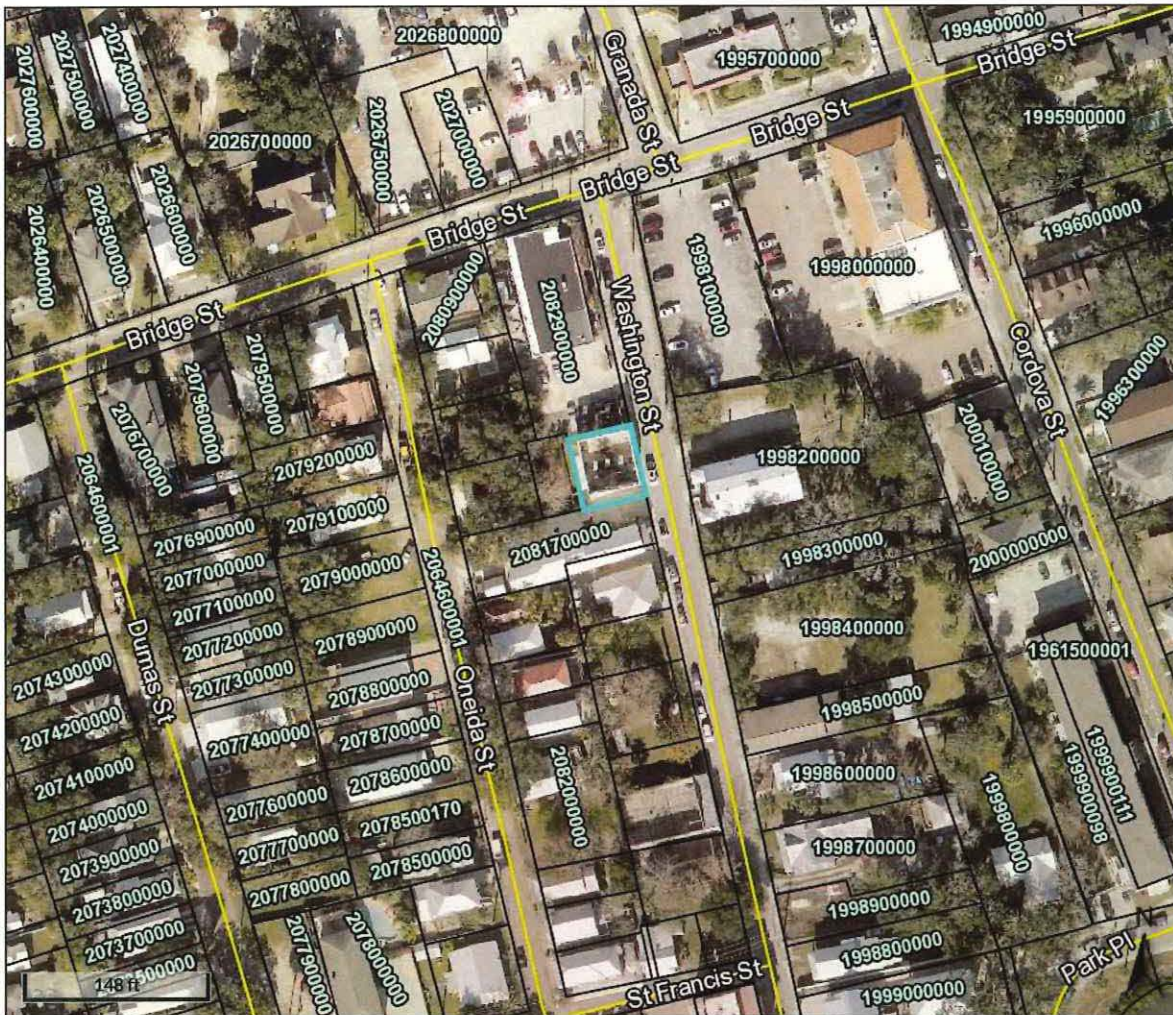
[User Privacy Policy](#)  
[GDPR Privacy Notice](#)

Last Data Upload: 6/10/2022, 1:52:09 AM

Developed by  
 Schneider  
 GEOSPATIAL

Version 2.3.200





## Overview



### Legend

- ☐
- Parcels**

|                        |                                            |                        |                          |                                |           |                     |              |               |             |
|------------------------|--------------------------------------------|------------------------|--------------------------|--------------------------------|-----------|---------------------|--------------|---------------|-------------|
| <b>Parcel ID</b>       | 2081200000                                 | <b>Physical</b>        | 64 WASHINGTON ST         | <b>Building</b>                | \$32,806  | <b>Last 2 Sales</b> |              |               |             |
| <b>Property Class</b>  | 7500 - Non-Profit, Charitable & Orphanages | <b>Address</b>         | SAINT AUGUSTINE          | <b>Value</b>                   |           | <b>Date</b>         | <b>Price</b> | <b>Reason</b> | <b>Qual</b> |
| <b>Taxing District</b> | City of St Augustine                       | <b>Mailing Address</b> | ST AUGUSTINE SOCIETY INC | <b>Extra Feature</b>           | N/A       | 9/20/2013           | \$200000     | 17            | U           |
| <b>Acres</b>           | 0.05                                       |                        | 1375 ARAPAHO AVE         | <b>Value</b>                   |           | n/a                 | 0            | n/a           | n/a         |
|                        |                                            |                        | SAINT AUGUSTINE FL       | <b>Total Land Value</b>        | \$88,400  |                     |              |               |             |
|                        |                                            |                        | 32084-0000               | <b>Just Value</b>              | \$121,206 |                     |              |               |             |
|                        |                                            |                        |                          | <b>Total</b>                   | \$18,905  |                     |              |               |             |
|                        |                                            |                        |                          | <b>Deferred Assessed Value</b> | \$102,301 |                     |              |               |             |
|                        |                                            |                        |                          | <b>Total Exemptions</b>        | \$102,301 |                     |              |               |             |
|                        |                                            |                        |                          | <b>Taxable Value</b>           | 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: 6/10/2022

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Developed by  **Schneider**  
GEOSPATIAL

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **Conservation Overlay Zone Development Agenda Item – 40 Hildreth Way**

Find attached a copy of additional information provided by the applicant on Wednesday, July 27<sup>th</sup>, 2022, regarding the above-mentioned application.

This application was originally continued at the February 1<sup>st</sup>, 2022, Planning and Zoning Board meeting with conditions to be met by the next public hearing specifically set for this item on July 5, 2022.

The conditions included:

- that the applicant provides a survey documenting the most restrictive jurisdictional wetland line;
- that an engineered impact analysis on the neighbors and adjacent properties be completed;
- the specifications on the blocks and other details of materials used be provided; and,
- that the City's seventeen-point Conservation Overlay Zone analysis is completed.

Due to the late submittal of these attachments, they have not been reviewed by staff. However, it does not appear that they meet the conditions outlined and requested by the PZB in February.

Thank you for your attention to this matter. If you have any questions, please contact me at (904) 209-4331 or [jfredriksson@citystaug.com](mailto:jfredriksson@citystaug.com).



---

Jacob Fredriksson  
Senior Planner  
Planning and Building Department

January 21, 2022

City of St. Augustine Building Department  
P.O. Box 210  
St. Augustine, FL 32085

Re: Schafer Residence, 40 Hildreth Way

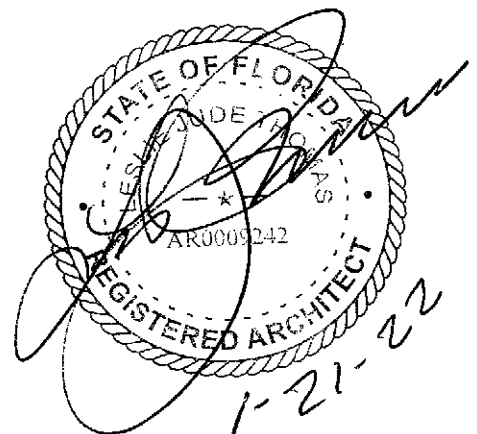
I have visited the property at 40 Hildreth Way and examined the wall in question. The wall is located on the owners property and does not touch the existing permitted rip rap. The wall is made of Tremron Blocks that are simply stacked. There is no mortar in the joints and there is no concrete footing 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



A SPECIFIC PURPOSE SURVEY OF  
LOTS 1 AND 2, HILDRETH ESTATES, AS RECORDED IN MAP BOOK  
71, PAGE(S) 21 THROUGH 22, PUBLIC RECORDS OF SAINT JOHNS  
COUNTY, FLORIDA.



- NOTES:
- 1.) THE PURPOSE OF THIS SURVEY IS TO SHOW THE LOCATION OF A LANDSCAPE WALL, TOE OF RIP RAP, AND FLAGS (SEE NOTE 7 FOR EXPLANATION) IN RELATION TO THE BOUNDARY LINES OF LOT 1 AND 2, HILDRETH ESTATES, MAP BOOK 71 PAGE(S) 21-22
  - 2.) A BEARING OF SOUTH 77°12'16" WEST ON THE NORTHERLY RIGHT OF WAY OF HILDRETH WAY AND REFERS TO MAP BOOK 71, PAGES 71-72, HILDRETH ESTATES.
  - 3.) THIS IS A SURFACE SURVEY ONLY. UNDERGROUND IMPROVEMENTS, SUCH AS FOOTERS OR UTILITIES, IF ANY, WERE NOT LOCATED.
  - 4.) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE ABSTRACT.
  - 5.) THE DESCRIPTION SHOWN HEREON WAS FOUND IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, OFFICIAL RECORD 5139, PAGE 1917 AND OFFICIAL RECORDS BOOK 4800, PAGE 418.
  - 6.) AS SCALED FROM FLOOD INSURANCE RATE MAP (FIRM) FOR ST. JOHNS COUNTY, #12109C0312 J, EFFECTIVE DATE 12/7/2018, THE PROPERTY SHOWN HEREON LIES IN ZONE AE 7 AND 8.
  - 7.) LETTER FROM JONATHAN SUMMERFIELD, PWS TO GEOMATICS CORP., RE: 40 HILDRETH DRIVE-SUPPLEMENTAL INFORMATION FOR SURVEY ST. JOHNS COUNTY, FLORIDA ERS JOB NO. 22096, DATED 23 JUNE 2022:

ENVIRONMENTAL RESOURCES SOLUTIONS (ERS), A DIVISION OF SES ENERGY SERVICES LLC, ASSESSED THE SHAFER PROPERTY, LOCATED AT 40 HILDRETH DRIVE IN ST. JOHNS COUNTY, FLORIDA, TO DETERMINE THE REGULATORY LANDWARD EXTENT OF WETLANDS AND SURFACE WATERS WITHIN THE PROPERTY. THIS ASSESSMENT WAS DONE FOR FURTHER COORDINATION WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) AS PART OF AN ON-GOING COMPLIANCE REVIEW FOR IMPROVEMENTS WITHIN THE PROPERTY.

ON 12 MAY 2022, ERS PLACED FLAGS ON-SITE TO FACILITATE DISCUSSIONS FDEP STAFF DURING AN UPCOMING MEETING. THESE FLAGS DO NOT REPRESENT THE LANDWARD EXTENT OF WETLANDS. DURING THE FDEP SITE MEETING ON 14 JUNE 2022, FDEP AND ERS DETERMINED THAT THE WETLAND LINE WAS WATERWARD OF THE CONCRETE BLOCK WALL, UNDER THE EXISTING RIP RAP. NO FLAGS WERE HUNG IN THE FIELD AS THE RIP RAP MASKED THE EXACT LOCATION OF THE WETLAND LINE.

PURSUANT TO FURTHER CONVERSATIONS WITH FDEP, A CONSENT AGREEMENT IS BEING DEVELOPED TO ALLOW THE SHAFERS TO KEEP THE RIP RAP IN PLACE. AS SUCH, ADDITIONAL DOCUMENTATION VERIFYING THE WETLAND LINE FROM FDEP WILL LIKELY NOT BE AVAILABLE UNTIL THE FINALIZATION OF THE CONSENT AGREEMENT.

LEGEND / ABBREVIATIONS

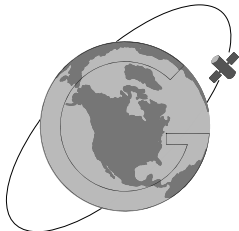
- DENOTES FOUND IRON PIPE OR IRON ROD, AS NOTED
- DENOTES FOUND CONCRETE MONUMENT
- IR DENOTES FOUND CONCRETE MONUMENT
- IP DENOTES FOUND CONCRETE MONUMENT
- ID DENOTES FOUND CONCRETE MONUMENT
- ORB DENOTES FOUND CONCRETE MONUMENT
- LB DENOTES FOUND CONCRETE MONUMENT
- △ DENOTES FOUND FLAG (SEE NOTE 7)

Terry M. Durden, Florida PSM #5261  
Not Valid Without The Digital Signature  
Of A Florida Licensed Surveyor & Mapper

GEOMATICS CORP.

SURVEYING-MAPPING-GPS  
2804 N. FIFTH STREET, UNIT 101  
ST. AUGUSTINE, FL 32084  
PHONE (904) 824-3086 FAX (904) 824-5753

LICENSED BUSINESS  
FLORIDA #6979 GEORGIA #939  
SOUTH CAROLINA #3387 ALABAMA #794  
NORTH CAROLINA COA #3752



PROJECT No: C-22-3628  
SURVEY DATE: JUNE 23, 2022  
CAD FILE: 22-3628.DWG  
CHECKED BY: T. DURDEN  
DRAWN BY: A. LAND  
FIELD WORK: A. BROWNING  
FB: 22-05 PG.: 13-14



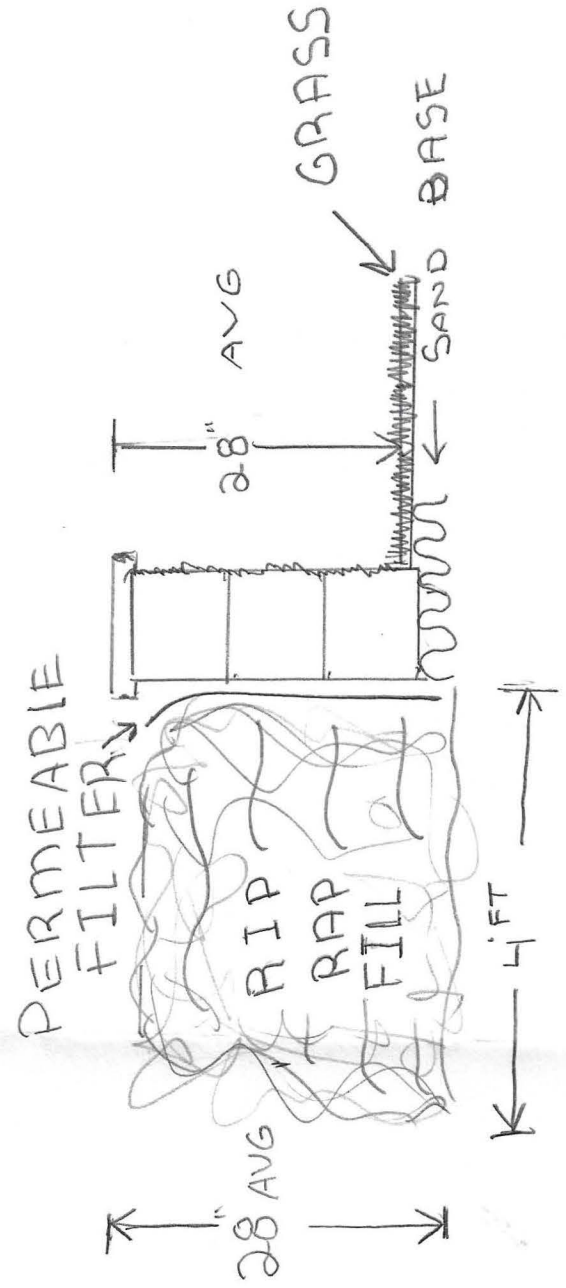
DRETH LOT I

ID 1511510010

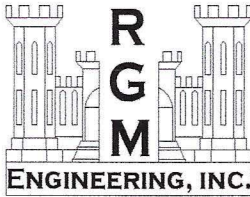
ID 1511510020

1/2" SCALE PER FOOT

"Key Stone  
Compac"



ACK  
HESIVE"  
NCRETE"  
BAR"  
ATAR"  
RIP RAP



**Land Development-Permitting-Utilities**

65 Lewis Blvd -- St. Augustine, Florida -- 32084

July 5, 2022

City of St Augustine

Reference: 40 Hildreth Dr St Augustine

To whom it may concern:

RGM Engineering, has reviewed the documentation and has made multiple site visits and has listed the finding to Parcel ID 1511510010 and 1511510020 in reference to the groundwater flow report.

Based on my study and Environmental Resource Solutions that the proposed decorative landscaping wall and rip rap will not cause an impact to the surrounding properties nor any physical disturbance of banks, soils and existing vegetation, especially trees and aquatic vegetation.

The FDEP has requested the removal of the coquina fill located on the top of the rip rap wall behind the decorative landscape wall, as this is considered to be fill and is not approved by the FDEP in this application. However, the coquina is approved by the FDEP in other applications but not in conjunction with the rip rap application.

Howard and Jessica Shafer have performed the removal of the coquina fill and from my finding, the FDEP and Environmental Resource Solutions findings they are in compliance that there will not be displacement or rise of water onto any adjacent or surrounding properties.

- The decorative landscape wall is previous
- The rip rap wall is previous
- No structural concrete footer
- Break away decorative landscape wall system
- The landscaping wall is not adhered with any cementitious product nor construction adhesive or any mechanical fasteners

If I can be of any further assistance, please feel free to contact me at 904-814-7633.

Thank you,

Robert G. Morgan Jr. P.E.  
#58118







Jessica Shafer <jessicallc.fcc@gmail.com>

---

**RE: Shafer Unauthorized Riprap Fill - WL22-094 - St. Johns County**

4 messages

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**Neumann, Jason** <Jason.Neumann@floridadep.gov>

Wed, Apr 27, 2022 at 10:49 AM

To: Jon Summerfield <jsummerfield@ses-grp.com>

Cc: Jessica Shafer <jessicallc.fcc@gmail.com>, Shane Von Shafer <shane.fcc@gmail.com>, "Harris, Matthew J." <Matthew.J.Harris@floridadep.gov>, "Sellers, Christina" <Christina.Sellers@floridadep.gov>

Hi Jonathan,

That sounds like a decent plan. If the unauthorized fill can be removed to an appropriate upland location, I can recommend compliance without enforcement. In order to recommend no penalty, the removal should be timely and ideally should occur in the next 30-days. Just keep us advised if timelines are tight. Please use BMP's, like silt fencing, should it appear like erosion/sedimentation is occurring in the removal-restabilization period.

Also as a reminder, The Department will need to verify the wetland-upland line established for documentation purposes via the required #62-340 Data Forms (PDF attached). I can do that upon the verification inspection when ready. My medical light duty ends May 22. I am able to start booking field inspections after that. My best field days are Tuesday-Thursday usually as a heads up when ready for verification.

Thanks so much for working with the Department.

Respectfully,

---

**Jason Neumann, MS, PWS, CWE, *Environmental Specialist III***

**FDEP – NED: SLERP 404 Compliance Assurance**

**Direct Phone: 904-256-1532**

**E-mail: [Jason.Neumann@FloridaDEP.gov](mailto:Jason.Neumann@FloridaDEP.gov)**

**PLEASE NOTE:** Florida has a very broad public records law. Electronic communications regarding state business are public records available upon request. Your e-mail communications may therefore be subject to public disclosure.

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**From:** Jon Summerfield <jsummerfield@ses-grp.com>

**Sent:** Wednesday, April 27, 2022 9:05 AM

**PLEASE NOTE:** Florida has a very broad public records law. Electronic communications regarding state business are public records available upon request. Your e-mail communications may therefore be subject to public disclosure.

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**From:** Jon Summerfield <[jsummerfield@ses-grp.com](mailto:jsummerfield@ses-grp.com)>  
**Sent:** Tuesday, June 28, 2022 3:37 PM  
**To:** Neumann, Jason <[Jason.Neumann@FloridaDEP.gov](mailto:Jason.Neumann@FloridaDEP.gov)>  
**Cc:** Sellers, Christina <[Christina.Sellers@FloridaDEP.gov](mailto:Christina.Sellers@FloridaDEP.gov)>; Shane Von Shafer <[shane.fcc@gmail.com](mailto:shane.fcc@gmail.com)>; Jessica Shafer <[jessicallc.fcc@gmail.com](mailto:jessicallc.fcc@gmail.com)>  
**Subject:** Shafer Lot

**EXTERNAL MESSAGE**

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Jason,

I know you are swamped, but I just wanted to follow-up on the Shafer lot at [40 Hildreth Drive](#). Based on our site meeting on May 25, 2022, we agreed that the landscape wall was located within uplands and that the jurisdictional wetland boundary was under the rip rap. We agreed that the coquina sand and filter material that had been placed on top of the rip rap needed to be removed and that FDEP would work on a consent agreement to allow the rip rap to remain in place.

Please let me know if I missed anything and let me know if you need any additional information for the preparation of the consent agreement.

Thank You,

**Jonathan Summerfield, PWS | Senior Environmental Scientist**

**Environmental Resource Solutions**

**A Division of SES Energy Services LLC**

[3550 St. Johns Bluff Road South, Jacksonville, FL 32224](#)

Office: [904.285.1397](tel:904.285.1397) | Cell: [904.210.8837](tel:904.210.8837)

*A member of the SES group of companies*

SES Civil and Environmental LLC • Aerostar SES LLC

SES Energy Services LLC • SES Infrastructure Services LLC

SES Construction and Fuel Services LLC • SES Technologies LLC

SpecPro Environmental Services LLC • SES Electrical LLC

Panhandle Power Solutions LLC • SES Facility Support LLC



Jessica Shafer <jessicallc.fcc@gmail.com>

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## **SURVEY for Shafer Lots - 40 Hildreth Way, St. Augustine, FL. 32084.**

5 messages

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**Neumann, Jason** <Jason.Neumann@floridadep.gov>

Wed, Jun 29, 2022 at 1:03 PM

To: Jessica Shafer <jessicallc.fcc@gmail.com>, Shane Von Shafer <shane.fcc@gmail.com>, Jonathan Summerfield <JSummerfield@ersenvironmental.com>

Cc: "Sellers, Christina" <Christina.Sellers@floridadep.gov>, "Harris, Matthew J." <Matthew.J.Harris@floridadep.gov>

Hi Everyone,

Thanks for the survey. It looks good and addresses the situation I do believe. Once the clean-up is all done and rip-rap is ready, let me know. And just to be aware, I have several Consent Order agreements ahead of this one, but I am doing my best to get thru them. Have a great day everyone.

Thanks Again,

---

**Jason Neumann, MS, PWS, CWE, *Environmental Specialist III***

**FDEP – NED: SLERP 404 Compliance Assurance**

**Direct Phone: 904-256-1532**

**E-mail: [Jason.Neumann@FloridaDEP.gov](mailto:Jason.Neumann@FloridaDEP.gov)**

**PLEASE NOTE:** Florida has a very broad public records law. Electronic communications regarding state business are public records available upon request. Your e-mail communications may therefore be subject to public disclosure.

**From:** Jessica Shafer <jessicallc.fcc@gmail.com>

**Sent:** Wednesday, June 29, 2022 12:24 PM

**To:** Shane Von Shafer <shane.fcc@gmail.com>

**Cc:** Sellers, Christina <Christina.Sellers@FloridaDEP.gov>; Harris, Matthew J. <Matthew.J.Harris@FloridaDEP.gov>; Jon Summerfield <jsummerfield@ses-grp.com>; Neumann, Jason <Jason.Neumann@FloridaDEP.gov>

**Subject:** Re: Follow-Up @ Shafer Lots - 40 Hildreth Way, St. Augustine, FL. 32084.

**EXTERNAL MESSAGE**

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Good Afternoon,

I have attached the survey with the landscaping wall as requested.

**AS OF JULY 25<sup>TH</sup> 2022, NO ADDITIONAL INFORMATION HAS BEEN  
PROVIDED BY THE APPLICANT**

TO: Planning and Zoning Board

DATE: August 2, 2022

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

AGENDA ITEM 7(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 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 wall/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.*

#### STAFF RECOMMENDATION

Based on a review of section 11-29 staff finds that the board can **DENY** the construction of a new wall/landscape feature per the applicant within Conservation Overlay Zone 1 at 40 Hildreth Way / PID 151151-0010.

The applicant has not provided any additional information requested by the PZB in February or for clarification for staff on the permeability or distribution of water on or around the property.

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: 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

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-johns-fl/mauy>

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 (NAVD - 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 EMBOSSED WITH THE  
SIGNING 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

J. ROSSILE COLLINS, ATTORNEY AT LAW  
FIDELITY NATIONAL TITLE INSURANCE COMPANY

SUBJECT TO THE ABOVE CONDITIONS AND RESTRICTIONS I HEREBY CERTIFY  
THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE RECORD AS THE SAME  
APPEARS IN THE PUBLIC RECORDS OF THE COUNTY OF [ ] STATE OF [ ]

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 ALL APPLICABLE

DELET AND THAT THIS SURVEY CONFORMS TO SECTIONS 32-17 031,  
32-17 032 OF THE FLORIDA ADMINISTRATIVE CODE.

|         |                                               |
|---------|-----------------------------------------------|
| N/N     | = RIGHT OF WAY                                |
| LB      | = LICENSED BUSINESS                           |
| RF      | = RECORD                                      |
| RI      | = HEADRED                                     |
| POC     | = POINT OF COMMENCING                         |
| POB     | = POINT OF BEGINNING                          |
| PP      | = POWER POLE                                  |
| OWR     | = OVERHEAD WIRESS                             |
| CWA     | = CUT WIRE AND ANCHOR                         |
| WM      | = WATER METER                                 |
| EW      | = ELECTRIC METER                              |
| OPS     | = SANITARY SEWER MANHOLE                      |
| O       | = OFFICIAL RECORDS BOOK                       |
| 3/8"    | = FOUND 3/8" IRON ROD - LB # 7111             |
| 4' x 4' | = FOUND 4' x 4' CONCRETE MONUMENT - LB # 7111 |



4425 U.S. HIGHWAY No. 1 SOUTH, SUITE 401  
ST. AUGUSTINE, FLORIDA 32086  
PHONE: 804-797-9907 FAX: 804-797-8027

440 HILDRETH WAY  
ST. AUGUSTINE, FLORIDA

12/04/2018 - FINAL AS-BUILT - FD 440/42-51



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

[illegible]

LB = LICENSED BUSINESS  
 (N) = RECORD  
 (N) = MEASURED  
 POC = POINT OF COMMENCING  
 PCB = POINT OF BEGINNING  
 PP = POWER POLE  
 OHW = OVERHEAD WIRE(S)  
 CMA = CUT WIRE AND ANCHOR  
 WA = WATER METER  
 E = ELECTRIC METER  
 OPH = SANITARY SEWER MANHOLE  
 OI = OPTICAL RECORDS BOOK  
 O = FOUND 5'0" RIGHT ROAD - LB # 7111  
 O = FOUND 4' X 8" CONCRETE MONUMENT - LB # 7111



LOT 2

LOT 3

LOT 4

ORB 82, PAGE 24J

HILDREY  
DRIVE

HILDRETH WAY

0 40 80

ATLANTIC AVENUE  
40' R/W - PAVED

Box 9 (10' x 40')

ACS

**SURVEYORS • ENGINEERS  
LAND PLANNERS**

4425 U.S. HIGHWAY No. 1 SOUTH, SUITE 401  
ST. AUGUSTINE, FLORIDA 32086  
PHONE: 904-797-9987 FAX: 904-797-6027

BOUNDARY SURVEY

140 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     |

12/04/2016 - FISCAL AS - BRASL - FOL 443/43-51



## 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<br>SAINT AUGUSTINE 32084-0000                                                                                   |
| Neighborhood      | Hildreth Estates (581.04)                                                                                                       |
| Tax Description*  | 71/21-22 HILDRETH ESTATES LOT 1 OR 4723/1863 & 5139/1917<br><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

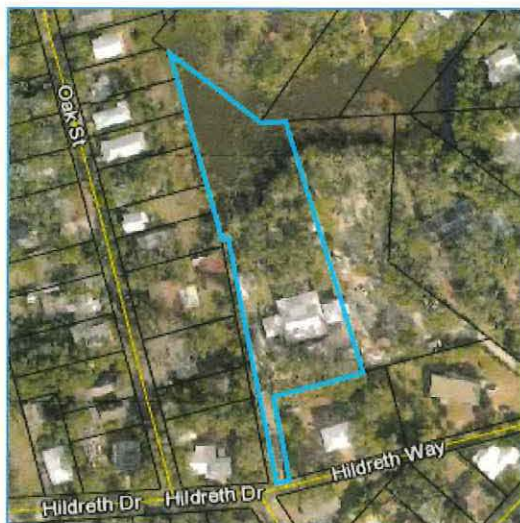
|                 |                                                                                                                             |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------|
| Owner Name      | Joint Declaration Of Trust D:12/30/2020 100%<br>Shafer Jessica Blair CO-Trustee 100%<br>Shafer Howard Shane CO-Trustee 100% |
| Mailing Address | 3501 N PONCE DE LEON BLVD UNIT 374<br>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

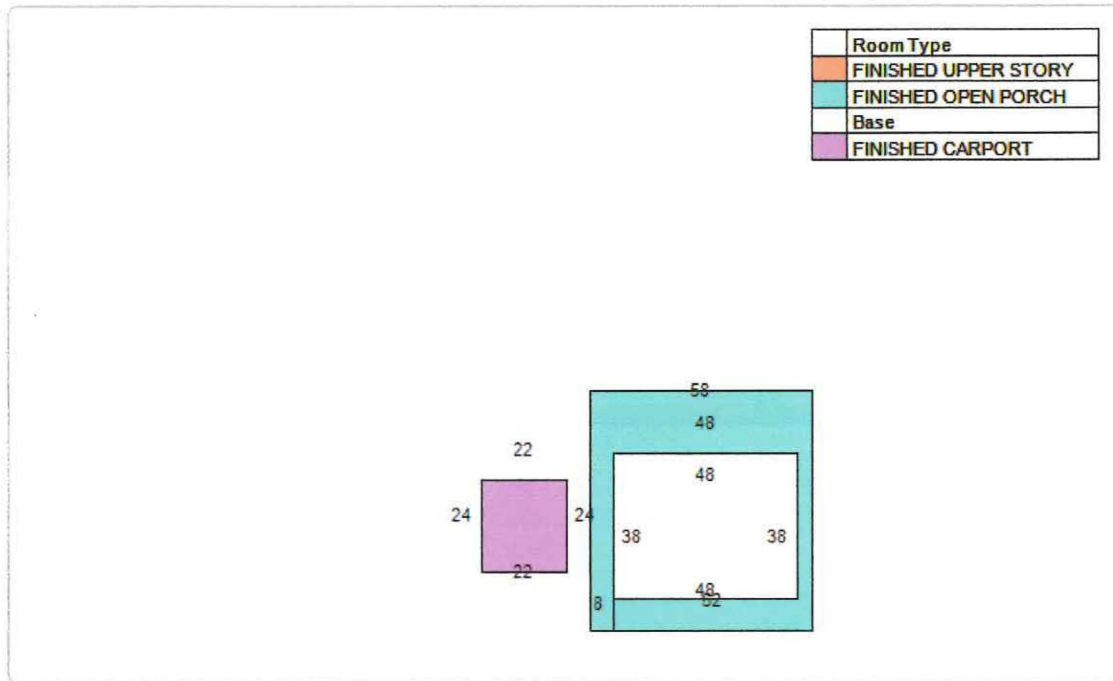
| Year | Building Value | Extra Feature Value | Total Land Value | Ag (Market) Value | Ag (Assessed) Value | Just (Market) Value | Assessed Value | Exempt Value | Taxable Value |
|------|----------------|---------------------|------------------|-------------------|---------------------|---------------------|----------------|--------------|---------------|
| 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   | <a href="#">5139</a> | <a href="#">1917</a> | U             | I               | SHAHER JESSICA BLAIR        | JOINT DECLARATION OF TRUST D:12/30/2020 |
| 5/14/2019      | 12/14/2018 | \$100.00     | WARRANTY DEED   | <a href="#">4723</a> | <a href="#">1863</a> | U             | I               | HILDRETH ESTATES LAND TRUST | SHAHER JESSICA                          |
| 7/30/2015      | 7/29/2015  | \$124,000.00 | WARRANTY DEED   | <a href="#">4064</a> | <a href="#">1138</a> | 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.

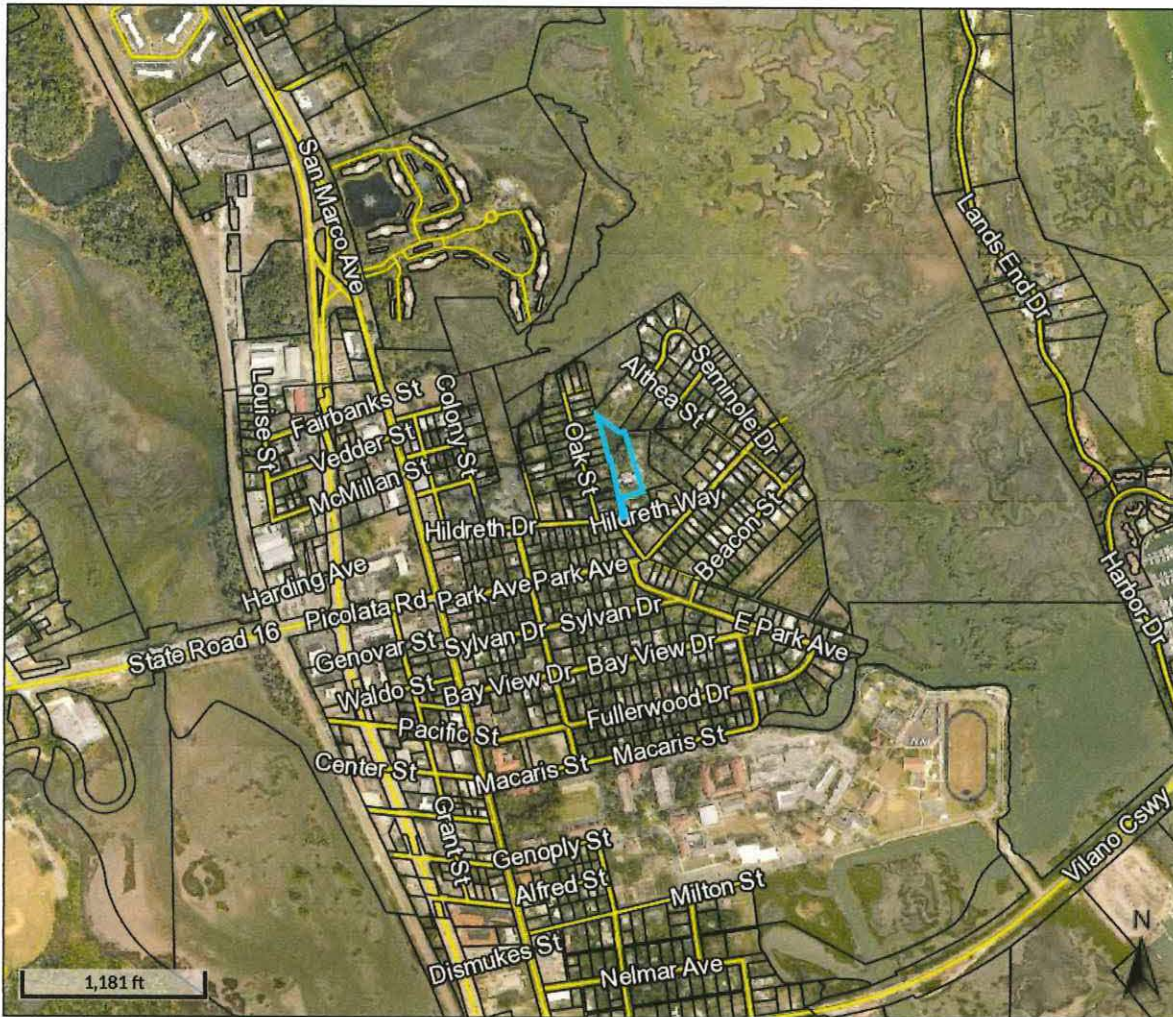
[User Privacy Policy](#)  
[GDPR Privacy Notice](#)

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

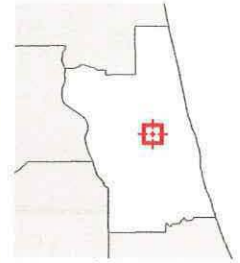
Developed by  
 Schneider  
 GEOSPATIAL

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

|                                      |           |                     |              |               |             |
|--------------------------------------|-----------|---------------------|--------------|---------------|-------------|
| <b>Building Value</b>                | \$339,395 | <b>Last 2 Sales</b> |              |               |             |
| <b>Extra Feature Value</b>           | \$14,906  | <b>Date</b>         | <b>Price</b> | <b>Reason</b> | <b>Qual</b> |
| <b>Total Land Value</b>              | \$135,000 | 7/29/2015           | \$124,000    | 11            | U           |
| <b>Just Value</b>                    | \$489,301 | n/a                 | 0            | n/a           | n/a         |
| <b>Total Deferred Assessed Value</b> | \$26,055  |                     |              |               |             |
| <b>Total Exemptions</b>              | \$463,246 |                     |              |               |             |
| <b>Taxable Value</b>                 | \$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, &amp; #29245 from 4/11/16 all for concerns about stormwater &amp; 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: **8292**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 2016****Description:**  
**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: &lt;spartin@citystaug.com&gt; 904-825-1066

Date Closed: 5/18/2016 7:02:06 PM

CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0043**

AGENDA ITEM 7(b)

APPLICANT & OWNER Jessica Shafer

LOCATION 0 Hildreth Way / PID 151151-0020

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 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 landscape feature per the applicant in their backyard to screen the view of the rip rap along the shoreline on their property. The applicant states that they have received a water flow engineered letter stating the decorative landscape wall/feature will not impact the flow of water to any of the surrounding lots. And an e-mail from the Florida Department of Environmental Protection on approval of the wall and rip rap. The approval letter from the environmental scientists is still pending according to the applicant. This is the extent of the information provided by the applicant for this 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:

*Unknown.*

- (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.*

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

*Unknown.*

- (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.

*Unknown.*

- (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 wall/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.*

#### STAFF RECOMMENDATION

Based on a review of section 11-29 staff finds that the board can **DENY** the construction of a new wall/landscape feature per the applicant within Conservation Overlay Zone 1 at 0 Hildreth Way / PID 151151-0020 based on a lack of information provided to thoroughly analyze this proposal.

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



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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: 2022-0043  
 Receipt Number: 2417688 Meeting Date: August 2, 2022  
 Advertising Costs: \$ \_\_\_\_\_ Paid On: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

1. NAME OF APPLICANT: Jessica Shafer Contact Number: 904-540-3854  
 Business (if applicable): \_\_\_\_\_  
 Address: HILDRETH DR 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: Hildreth Drive City: St. Augustine State: FL Zip: 32084  
 E-Mail Address: Jessica@fccfl.net

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:  
 Lot: Lot 2 Block: \_\_\_\_\_  
 Subdivision: Fullerwood / Hildreth Estates Parcel Number: 1511510020

4. PROJECT STREET ADDRESS: Hildreth Drive St. Augustine FL 32084

5. SPECIFIC PROPOSED USE: Decorative Landscape Wall

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

7. DESCRIPTION OF ACTION REQUESTED: Approval of the decorative landscape wall for design of the backyard living space  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

8. JUSTIFICATION FOR ACTION REQUESTED: \_\_\_\_\_  
I have received a water flow engineered letter stating the decorative landscape will not impace the flow of water to any of the surrounding lots  
Email from FDEP on approval of the wall and rip rap / waiting on approval letter  
Environmental scientists has also agreed of the plans and will be attendding the meeting on August 2nd  
 \_\_\_\_\_  
 \_\_\_\_\_

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.

This is attaching to 40 Hildreth Drive St. Augustine FL 32084

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.

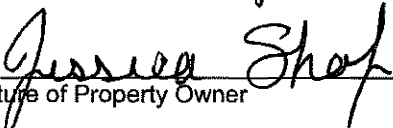
Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

**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

7

Date

  
Signature of Property Owner

7/6/2022

Date

04/18/2019

CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0031**

AGENDA ITEM 7(c)

APPLICANT Ryan Carter  
c/o Carter Environmental Services

OWNER John Andrews

LOCATION 97 Coquina Avenue / PID 223370-0000

REQUEST To approve the construction of a new 665 square foot dock and boat lift 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 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 665 square foot dock and boat lift within Conservation Overlay Zone 1.

The layout of the dock has changed since the June 7, 2022 PZB meeting. Based on the submittals from the applicant the new plans include an addition of approximately 105 square feet of new dock as well as shortening the boat lift length from 24' to 20'.

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

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

- (1) Site specific conditions:

*This property has approximately 52 feet of frontage on Quarry Creek. There is salt marsh vegetation and oyster colonies present.*

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

*The property is adjacent to other single-family homes along Coquina Avenue.*

- (3) Natural and proposed drainage patterns.

*Drainage will not be altered by the proposed works.*

- (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.

*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.

*N/A.*

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

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

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

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

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

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

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

*Effects of shading on vegetation and shellfish should be minimal.*

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

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

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

*The board walk to the dock and boat lift is five feet wide and approximately eighty feet long.*

- (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.

*N/A.*

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

*N/A.*

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

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

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

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

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

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

*Negative: None*

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

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

*Negative: extremely small loss of foraging habitat.*

- (17) 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,



CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

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.

*There are currently no proposed plans for any boathouse, roofed structure or wall within the dock with the decking being at least 5' above mean high water line. The new boat lift will be a low-profile and will not exceed a 12,000 pound capacity.*

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 665 square foot dock and boat lift within Conservation Overlay Zone 1 at 97 Coquina Avenue / PID 223370-0000.

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



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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: 2022-0631

Receipt Number: 2371264 Meeting Date: June 7, 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: John Andrews Contact Number: 703-309-0489  
Business (if applicable): \_\_\_\_\_  
Address: 18931 Canoe Landing Ct City: Lessburg State: VA Zip: 20176  
E-Mail Address: jordandim@aol.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:  
Lot: 5 Block: BLK 61 OR5280/1891  
Subdivision: Davis Shores Ocean View Parcel Number: 2233700000

4. PROJECT STREET ADDRESS: 97 Coquina Ave

5. SPECIFIC PROPOSED USE: Proposed Dock

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

7. DESCRIPTION OF ACTION REQUESTED: Conservation Overlay Zone Approval  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. JUSTIFICATION FOR ACTION REQUESTED: See Overlay Zone Development Supplement  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

3-14-22

Date

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

4-18-22

\_\_\_\_\_  
Date



### Owner's Authorization For Agent

Carter Environmental Services is/are hereby authorized TO ACT ON BEHALF OF John A Andrews II, 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: 97 COQUINA AVE

BY [Signature]  
Signature of Owner  
John A Andrews II  
Print Name of Owner  
703 508 3619  
Telephone Number

State of Virginia  
County of Loudoun

Signed and sworn before me on this 25<sup>th</sup> day of April, 2022  
By John A. Andrews II

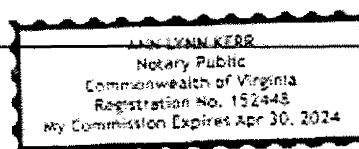
Identification verified:

Oath sworn: ☒ Yes ☐ No

Notary Signature:

[Signature]

My Commission expires:







## 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         | 2233700000                                                                                                         |
| Location Address  | 97 COQUINA AVE<br>SAINT AUGUSTINE 32080-0000                                                                       |
| Neighborhood      | Davis Shores (ICWFR) (590.05)                                                                                      |
| Tax Description*  | 3-102 DAVIS SHORES LOT 5 BLK 61 OR5280/1891<br><i>*The Description above is not to be used on legal documents.</i> |
| Property Use Code | Vacant Residential (0000)                                                                                          |
| Subdivision       | Davis Shores Ocean View Section                                                                                    |
| Sec/Twp/Rng       | 20-7-30                                                                                                            |
| District          | City of St Augustine (District 452)                                                                                |
| Millage Rate      | 19.3368                                                                                                            |
| Acreage           | 0.170                                                                                                              |
| Homestead         | N                                                                                                                  |

### Owner Information

|                 |                                                   |
|-----------------|---------------------------------------------------|
| Owner Name      | <a href="#">Andrews John II</a> 100%              |
| Mailing Address | 18931 CANOE LANDING CT<br>LESSBURG, VA 20176-0000 |

## Map



## Valuation Information

|                               | 2022      |
|-------------------------------|-----------|
| Building Value                | \$0       |
| Extra Features Value          | \$0       |
| Total Land Value              | \$150,000 |
| Agricultural (Assessed) Value | \$0       |
| Agricultural (Market) Value   | \$0       |
| Just (Market) Value           | \$150,000 |
| Total Deferred                | \$0       |
| Assessed Value                | \$150,000 |
| Total Exemptions              | \$0       |
| Taxable Value                 | \$150,000 |

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            | \$1,250             | \$150,000        | \$0               | \$0                 | \$151,250           | \$151,250      | \$0          | \$151,250     |
| 2020 | \$0            | \$3,770             | \$140,625        | \$0               | \$0                 | \$144,395           | \$144,395      | \$0          | \$144,395     |
| 2019 | \$0            | \$2,975             | \$140,625        | \$0               | \$0                 | \$143,600           | \$143,600      | \$0          | \$143,600     |
| 2018 | \$0            | \$2,975             | \$138,750        | \$0               | \$0                 | \$141,725           | \$141,725      | \$0          | \$141,725     |
| 2017 | \$0            | \$2,975             | \$138,750        | \$0               | \$0                 | \$141,725           | \$141,725      | \$0          | \$141,725     |
| 2016 | \$0            | \$1,728             | \$138,750        | \$0               | \$0                 | \$140,478           | \$140,478      | \$0          | \$140,478     |
| 2015 | \$0            | \$1,728             | \$138,750        | \$0               | \$0                 | \$140,478           | \$140,478      | \$0          | \$140,478     |
| 2014 | \$0            | \$1,728             | \$138,750        | \$0               | \$0                 | \$140,478           | \$140,478      | \$0          | \$140,478     |
| 2013 | \$0            | \$1,729             | \$138,750        | \$0               | \$0                 | \$140,479           | \$140,479      | \$0          | \$140,479     |
| 2012 | \$0            | \$2,047             | \$138,750        | \$0               | \$0                 | \$140,797           | \$140,797      | \$0          | \$140,797     |
| 2011 | \$0            | \$7,745             | \$162,000        | \$0               | \$0                 | \$169,745           | \$169,745      | \$0          | \$169,745     |
| 2010 | \$0            | \$7,991             | \$180,000        | \$0               | \$0                 | \$187,991           | \$187,991      | \$0          | \$187,991     |

## Extra Feature Information

| Code Description | Status | Value |
|------------------|--------|-------|
| Bulkhead (Low)   |        | 0     |
| Boat Dock (Low)  |        | 0     |

## Land Information

| Use Description    | Front | Depth | Total Land Units | Unit Type | Land Value |
|--------------------|-------|-------|------------------|-----------|------------|
| Vacant Residential | 50    | 120   | 50               | FF        | \$150,000  |

## Sale Information

| Recording Date | Sale Date | Sale Price   | Instrument Type | Book | Page | Qualification | Vacant/Improved | Grantor          | Grantee         |
|----------------|-----------|--------------|-----------------|------|------|---------------|-----------------|------------------|-----------------|
| 6/2/2021       | 6/2/2021  | \$520,000.00 | WARRANTY DEED   | 5280 | 1891 | Q             | V               | DIAZ LARRY ET AL | ANDREWS JOHN II |

| Recording Date | Sale Date  | Sale Price   | Instrument Type | Book                 | Page                 | Qualification | Vacant/Improved | Grantor                        | Grantee                    |
|----------------|------------|--------------|-----------------|----------------------|----------------------|---------------|-----------------|--------------------------------|----------------------------|
| 11/15/2019     | 11/15/2019 | \$375,000.00 | WARRANTY DEED   | <a href="#">4832</a> | <a href="#">407</a>  | Q             | V               | AKRAS ALFRED,TERESA            | DIAZ LARRY ET AL           |
| 9/8/2011       | 9/7/2011   | \$100.00     | WARRANTY DEED   | <a href="#">3472</a> | <a href="#">644</a>  | U             | V               | CREATIVE HOME CONCEPTS LLC     | AKRAS ALFRED,TERESA        |
| 9/8/2011       | 9/7/2011   | \$135,000.00 | WARRANTY DEED   | <a href="#">3472</a> | <a href="#">642</a>  | U             | V               | CREATIVE HOME CONCEPTS LLC     | AKRAS ALFRED,TERESA        |
| 4/21/2011      | 4/19/2011  | \$0.00       | LIS PENDENS     | <a href="#">3429</a> | <a href="#">1724</a> | U             | V               | BRANCH BANKING & TRUST COMPANY | CREATIVE HOME CONCEPTS LLC |
|                | 8/10/2005  | \$450,000.00 | WARRANTY DEED   | <a href="#">2506</a> | <a href="#">1202</a> | Q             | I               | REIGLE CHARLU TRUSTEE          | CREATIVE HOME CONCEPTS LLC |
|                | 5/17/2004  | \$554,000.00 | WARRANTY DEED   | <a href="#">2202</a> | <a href="#">1028</a> | Q             | I               | GIL DE RUBIO ELSIE TRUSTEE     | REIGLE CHARLU TRUSTEE      |
|                | 3/3/1997   | \$100.00     | WARRANTY DEED   | <a href="#">1225</a> | <a href="#">958</a>  | U             | I               | GIL DE RUBIO ELSIE             | GIL DE RUBIO ELSIE TRUSTEE |
|                | 10/17/1996 | \$100.00     | TRUSTEES DEED   | <a href="#">1209</a> | <a href="#">1388</a> | U             | I               | GIL DE RUBIO ELSIE TRUSTEE     | GIL DE RUBIO ELSIE         |
|                | 1/4/1994   | \$100.00     | WARRANTY DEED   | <a href="#">1038</a> | <a href="#">882</a>  | U             | I               | GIL DE RUBIO ELSIE             | GIL DE RUBIO               |
|                | 3/1/1982   | \$70,000.00  |                 | <a href="#">531</a>  | <a href="#">771</a>  | U             | I               |                                | GIL DE RUBIO ELSIE         |

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

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Version 2.3.177

**Attachment 1**  
**Overlay Zone Application Narrative**

**97 Coquina Ave.  
Overlay Zone Development Application Supplement  
April 18th, 2022**

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a proposed dock and boat lift at 97 Coquina Ave. The proposed dock will allow the owners access to Quarry Creek. Total dock and lift area over open water/salt marsh will be approximately 665 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 is a private dock. Public benefits may be economically-related through construction activities and marine/boating related purchases.**

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

**There is a small strip of salt marsh vegetation between the uplands and open water (approx. 25 ft.). The dock will be constructed 5' above mean high water, high enough as to not over shade any vegetation.**

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

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

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

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

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

1. *Site specific conditions.*

**This property has approximately 52 feet of river frontage. There is salt marsh vegetation and oyster colonies present.**

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

**The property is adjacent to other single-family homes along Coquina Ave.**

3. *Natural and proposed drainage patterns.*

**Drainage will not be altered by the proposed works.**

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

**Point and non-point discharge will not be altered.**

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

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

6. *Impact on floodplain.*

**There is no impact on floodplains associated with this application.**

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

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

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

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

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

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



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

**Effects of shading on vegetation and shellfish should be minimal.**

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

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

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

**Not applicable.**

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

**Not applicable.**

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

**Not applicable.**

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

**Not applicable.**

15. *Impact of development on water quality.*

**Not applicable.**

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

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

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

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

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

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

**Negative:** None

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

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

**Negative:** Extremely small loss of foraging habitat.

17. Dock specifications:

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

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

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

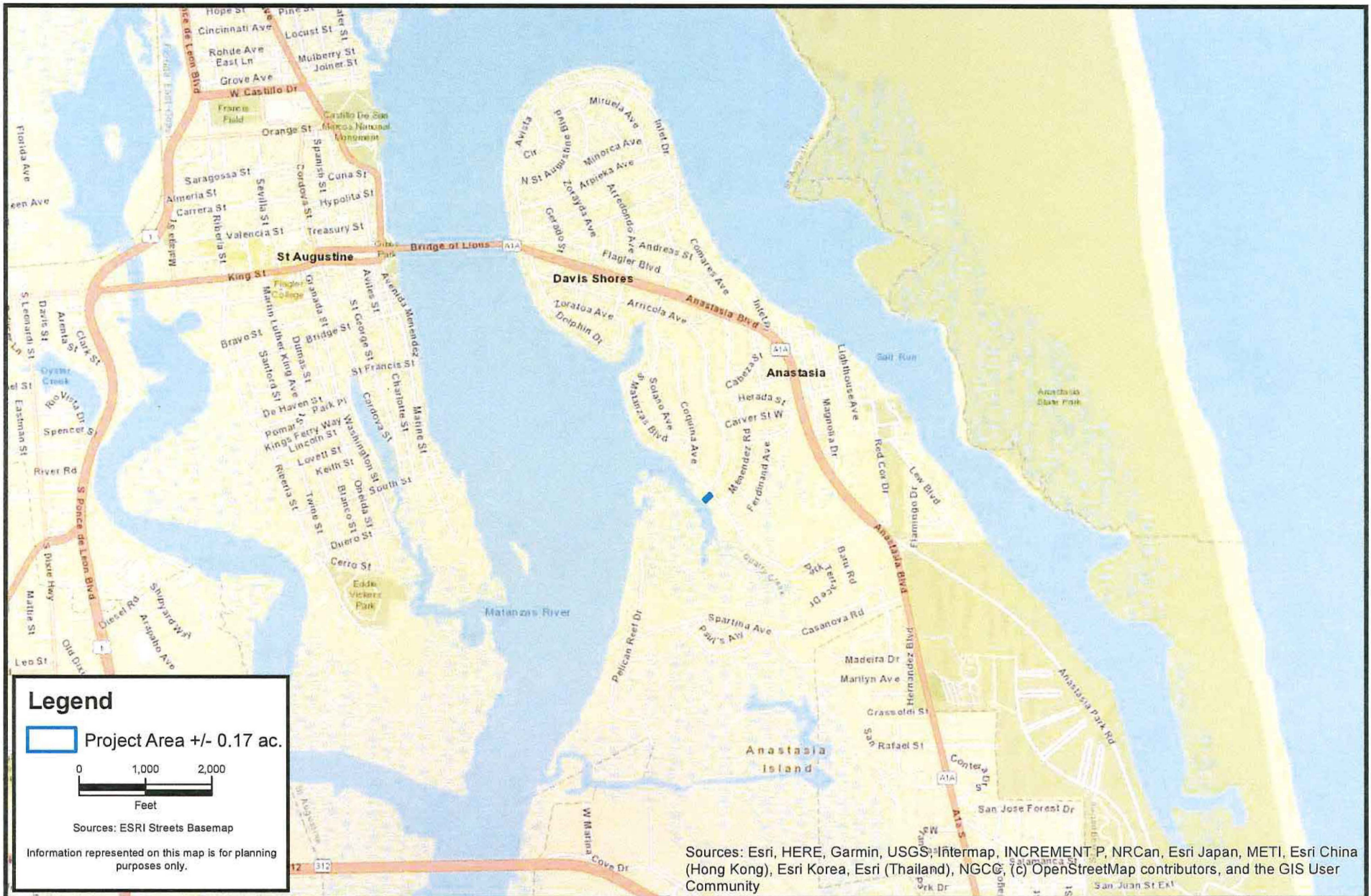
**The deck will exceed 5' above MHW.**

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

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

## **Attachment 2**

### **Overlay Zone Application Graphics**



**CARTER ENVIRONMENTAL SERVICES, INC.**

**CES**

42 Masters Drive  
St. Augustine, FL 32084  
904-540-1786  
www.carterenv.com

Location Map  
**97 Coquina Ave.**

Project: 5.22009 St. Augustine, FL Date: Mar 03 2022

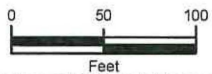
Figure: 1





# Legend

Project Area +/- 0.17 ac.



Sources: ESRI Streets 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

CARTER ENVIRONMENTAL  
SERVICES, INC.

**CES**

42 Masters Drive  
St. Augustine, FL 32084  
904-540-1786

[www.carterenv.com](http://www.carterenv.com)

Aerial Map

**97 Coquina Ave.**

Project: 5.22009

St. Augustine, FL

Date: Mar 03 2022

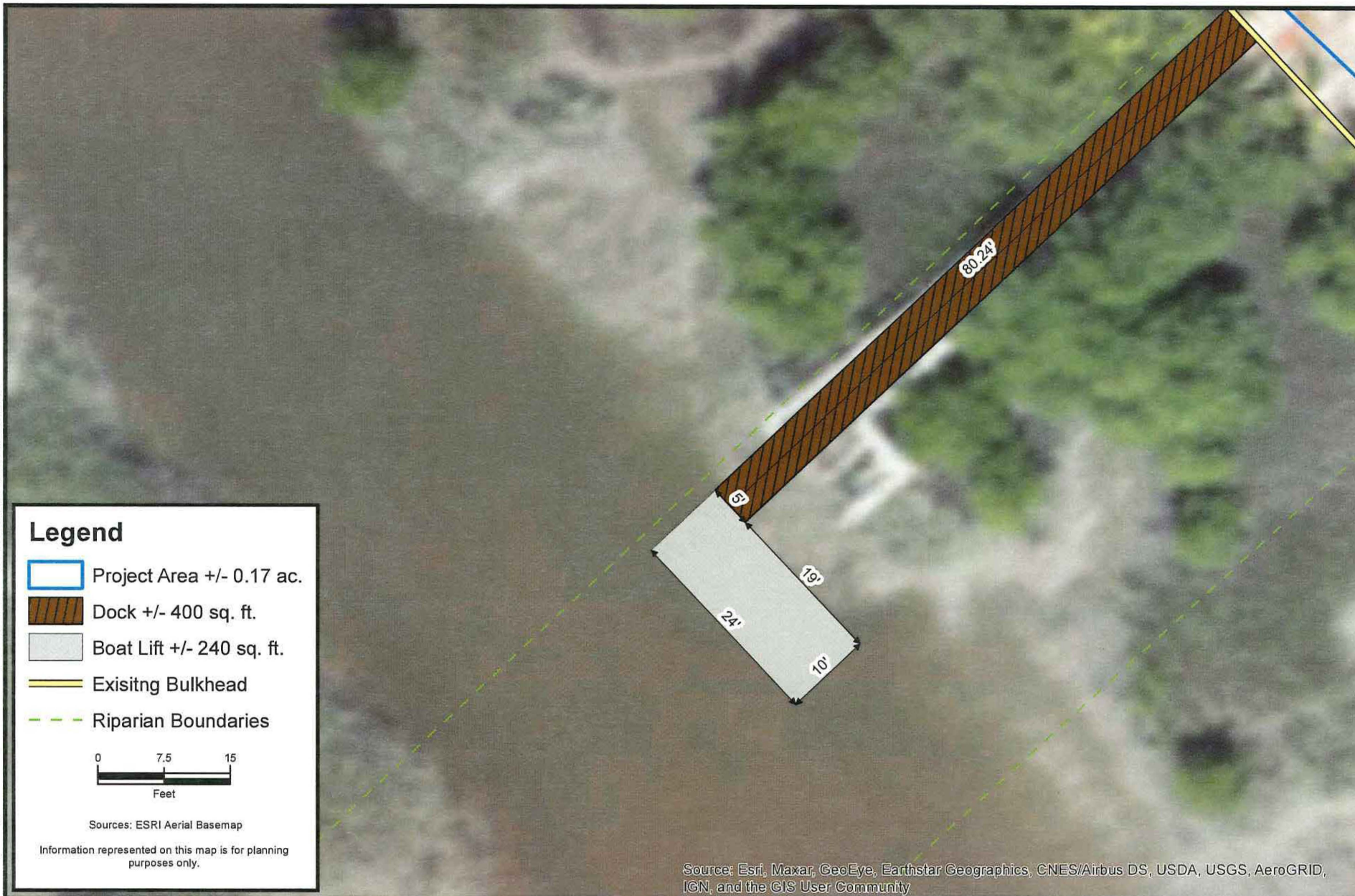
Figure:

2



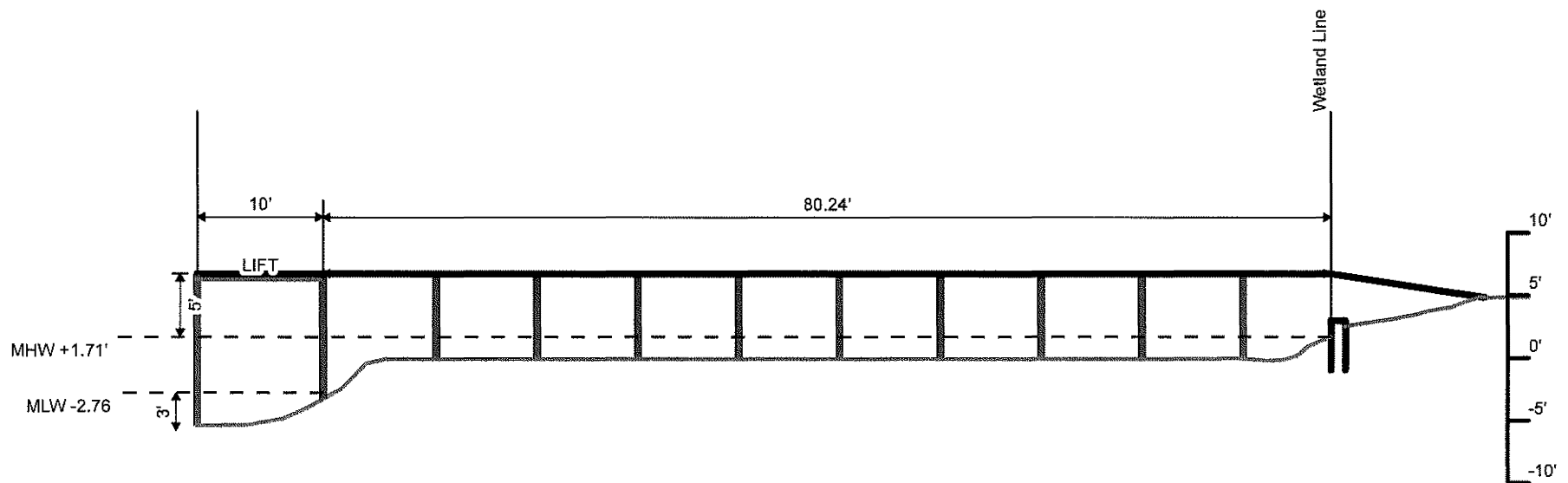


F:\CES Projects\Project Files\Active\Projects\Project Files\2022\5.22009 Andrews Coquina Docks\97 Coquina Dimensions.mxd



|                                                                                                                                                                              |                                                       |                   |                   |             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-------------------|-------------------|-------------|
| <div>CARTER ENVIRONMENTAL SERVICES, INC.</div> <div><div>CES</div><div>42 Masters Drive<br/>St. Augustine, FL 32084<br/>904-540-1786</div><div>www.carterenv.com</div></div> | <div>Dock Dimensions</div> <div>97 Coquina Ave.</div> |                   |                   | <div></div> |
| Project:                                                                                                                                                                     | 5.22009                                               | St. Augustine, FL | Date: Mar 07 2022 | Figure: 3   |





Information represented on this map is for planning purposes only.

CARTER ENVIRONMENTAL SERVICES, INC.

**CES**

42 Masters Drive  
St. Augustine, FL 32084  
904-540-1786

www.carterenv.com

### Proposed Dock Profile 97 Coquina Ave.

Project: 5.22009

St. Augustine, FL

Date: Mar 07 2022

Figure:

4



CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0032**

|             |                                                                                                             |
|-------------|-------------------------------------------------------------------------------------------------------------|
| AGENDA ITEM | 7(d)                                                                                                        |
| APPLICANT   | Ryan Carter<br>c/o Carter Environmental Services                                                            |
| OWNER       | John Andrews                                                                                                |
| LOCATION    | 99 Coquina Avenue / PID 223370-0060                                                                         |
| REQUEST     | To approve the construction of a new 665 square foot dock and boat lift 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 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 665 square foot dock and boat lift within Conservation Overlay Zone 1.

The layout of the dock has changed since the June 7, 2022 PZB meeting. Based on the submittals from the applicant the new plans include an addition of approximately 105 square feet of new dock as well as shortening the boat lift length from 24' to 20'.

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

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

- (1) Site specific conditions:

*This property has approximately 49 feet of frontage on Quarry Creek. There is salt marsh vegetation and oyster colonies present.*

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

*The property is adjacent to other single-family homes along Coquina Avenue.*

- (3) Natural and proposed drainage patterns.

*Drainage will not be altered by the proposed works.*

- (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.

*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.

*N/A.*



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

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

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

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

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

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

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

*Effects of shading on vegetation and shellfish should be minimal.*

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

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

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

*The board walk to the dock and boat lift is five feet wide and approximately eighty-four feet long.*

- (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.

N/A.

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

N/A.

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

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

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

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

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

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

*Negative: None*

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

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

*Negative: extremely small loss of foraging habitat.*

- (17) 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

CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

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.

*There are currently no proposed plans for any boathouse, roofed structure or wall within the dock with the decking being at least 5' above mean high water line. The new boat lift will be a low-profile and will not exceed a 12,000 pound capacity.*

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 665 square foot dock and boat lift within Conservation Overlay Zone 1 at 99 Coquina Avenue / PID 223370-0060.

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: 2022-0032  
Receipt Number: 2371264 Meeting Date: June 7, 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: John Andrews Contact Number: 703-309-0489  
Business (if applicable): \_\_\_\_\_  
Address: 18931 Canoe Landing Ct City: Lessburg State: VA Zip: 20176  
E-Mail Address: jordandim@gmail.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:  
Lot: 6 Block: BLK 61 OR5280/1891  
Subdivision: Davis Shores Ocean View Parcel Number: 2233700060

4. PROJECT STREET ADDRESS: 99 Coquina Ave

5. SPECIFIC PROPOSED USE: Proposed Dock

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

7. DESCRIPTION OF ACTION REQUESTED: Conservation Overlay Zone Approval  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. JUSTIFICATION FOR ACTION REQUESTED: See Overlay Zone Development Supplement  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Signature of Property Owner

4-18-22

Date

4/18/22  
Date

04/18/2019





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

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

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

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

Ryan Carter

\_\_\_\_\_  
Print name of applicant

Handwritten signature of Ryan Carter in black ink.

\_\_\_\_\_  
Signature of applicant

4-18-22

\_\_\_\_\_  
Date



### Owner's Authorization For Agent

Carter Environmental Services is/are hereby authorized TO ACT ON BEHALF OF John A. Andrews II, 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: 97 COQUINA AVE

BY [Signature]  
Signature of Owner  
John A. Andrews II  
Print Name of Owner  
703 508 3619  
Telephone Number

State of Virginia

County of Lauderdale

Signed and sworn before me on this 25<sup>th</sup> day of April, 2022

By John A. Andrews II

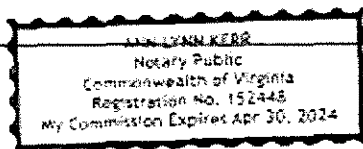
Identification verified:

Oath sworn: X Yes        No

Notary Signature:

[Signature]

My Commission expires:





## 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*

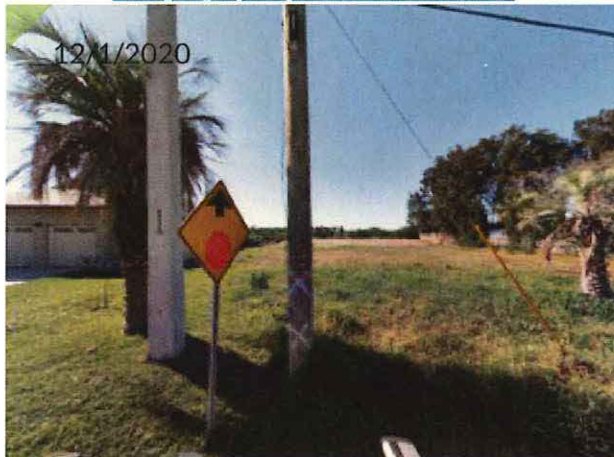
[Sales Questionnaire](#)

### 2021 TRIM Notice

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

### Summary

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



|                   |                                                                                                                    |
|-------------------|--------------------------------------------------------------------------------------------------------------------|
| Parcel ID         | 2233700060                                                                                                         |
| Location Address  | 99 COQUINA AVE<br>SAINT AUGUSTINE 32080-0000                                                                       |
| Neighborhood      | Davis Shores (ICWFR) (590.05)                                                                                      |
| Tax Description*  | 3-102 DAVIS SHORES LOT 6 BLK 61 OR5280/1891<br><i>*The Description above is not to be used on legal documents.</i> |
| Property Use Code | Vacant Residential (0000)                                                                                          |
| Subdivision       | Davis Shores Ocean View Section                                                                                    |
| Sec/Twp/Rng       | 20-7-30                                                                                                            |
| District          | City of St Augustine (District 452)                                                                                |
| Millage Rate      | 19.3368                                                                                                            |
| Acreage           | 0.160                                                                                                              |
| Homestead         | N                                                                                                                  |

### Owner Information

|                 |                                                   |
|-----------------|---------------------------------------------------|
| Owner Name      | <a href="#">Andrews John II</a> 100%              |
| Mailing Address | 18931 CANOE LANDING CT<br>LESSBURG, VA 20176-0000 |

## Map



## Valuation Information

|                               |           |
|-------------------------------|-----------|
|                               | 2022      |
| Building Value                | \$0       |
| Extra Features Value          | \$1,250   |
| Total Land Value              | \$150,000 |
| Agricultural (Assessed) Value | \$0       |
| Agricultural (Market) Value   | \$0       |
| Just (Market) Value           | \$151,250 |
| Total Deferred                | \$0       |
| Assessed Value                | \$151,250 |
| Total Exemptions              | \$0       |
| Taxable Value                 | \$151,250 |

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            | \$1,250             | \$150,000        | \$0               | \$0                 | \$151,250           | \$151,250      | \$0          | \$151,250     |
| 2020 | \$0            | \$1,250             | \$140,625        | \$0               | \$0                 | \$141,875           | \$141,875      | \$0          | \$141,875     |
| 2019 | \$0            | \$770               | \$140,625        | \$0               | \$0                 | \$141,395           | \$141,395      | \$0          | \$141,395     |
| 2018 | \$0            | \$770               | \$138,750        | \$0               | \$0                 | \$139,520           | \$139,520      | \$0          | \$139,520     |
| 2017 | \$0            | \$770               | \$138,750        | \$0               | \$0                 | \$139,520           | \$139,520      | \$0          | \$139,520     |
| 2016 | \$0            | \$770               | \$138,750        | \$0               | \$0                 | \$139,520           | \$139,520      | \$0          | \$139,520     |
| 2015 | \$0            | \$770               | \$138,750        | \$0               | \$0                 | \$139,520           | \$139,520      | \$0          | \$139,520     |
| 2014 | \$0            | \$770               | \$138,750        | \$0               | \$0                 | \$139,520           | \$139,520      | \$0          | \$139,520     |
| 2013 | \$0            | \$770               | \$138,750        | \$0               | \$0                 | \$139,520           | \$139,520      | \$0          | \$139,520     |
| 2012 | \$0            | \$770               | \$138,750        | \$0               | \$0                 | \$139,520           | \$139,520      | \$0          | \$139,520     |
| 2011 | \$0            | \$770               | \$162,000        | \$0               | \$0                 | \$162,770           | \$162,770      | \$0          | \$162,770     |
| 2010 | \$0            | \$770               | \$180,000        | \$0               | \$0                 | \$180,770           | \$180,770      | \$0          | \$180,770     |

## Extra Feature Information

| Code Description | Status | Value |
|------------------|--------|-------|
| Bulkhead (Low)   |        | 1250  |

## Land Information

| Use Description    | Front | Depth | Total Land Units | Unit Type | Land Value |
|--------------------|-------|-------|------------------|-----------|------------|
| Vacant Residential | 50    | 120   | 50               | FF        | \$150,000  |

## Sale Information

| Recording Date | Sale Date  | Sale Price   | Instrument Type | Book                 | Page                 | Qualification | Vacant/Improved | Grantor               | Grantee          |
|----------------|------------|--------------|-----------------|----------------------|----------------------|---------------|-----------------|-----------------------|------------------|
| 6/2/2021       | 6/2/2021   | \$520,000.00 | WARRANTY DEED   | <a href="#">5280</a> | <a href="#">1891</a> | Q             | V               | DIAZ LARRY ET AL      | ANDREWS JOHN II  |
| 11/15/2019     | 11/15/2019 | \$375,000.00 | WARRANTY DEED   | <a href="#">4832</a> | <a href="#">407</a>  | Q             | V               | AKRAS ALFRED,TERESA M | DIAZ LARRY ET AL |

| Recording Date | Sale Date  | Sale Price   | Instrument Type | Book                 | Page                 | Qualification | Vacant/Improved | Grantor                                        | Grantee                          |
|----------------|------------|--------------|-----------------|----------------------|----------------------|---------------|-----------------|------------------------------------------------|----------------------------------|
| 10/29/2009     | 10/20/2009 | \$125,000.00 | WARRANTY DEED   | <a href="#">3253</a> | <a href="#">1146</a> | U             | V               | BRANCH BANKING AND TRUST COMPANY               | AKRAS ALFRED, TERESA M           |
| 4/28/2009      | 3/6/2009   | \$293,200.00 | WARRANTY DEED   | <a href="#">3187</a> | <a href="#">1789</a> | U             | V               | REIGLE CHARLU TRUST/BY TRUSTEE CHARLU L REIGLE | BRANCH BANKING AND TRUST COMPANY |
|                | 3/6/2009   | \$100.00     | WARRANTY DEED   | <a href="#">3187</a> | <a href="#">1794</a> | U             | V               | REIGLE CHARLU (INDIV)                          | BRANCH BANKING AND TRUST COMPANY |
|                | 10/24/2005 | \$100.00     | QUIT CLAIM DEED | <a href="#">2568</a> | <a href="#">584</a>  | U             | I               | REIGLE CHARLU                                  | REIGLE CHARLU TRUSTEE            |
|                | 3/30/2005  | \$100.00     | QUIT CLAIM DEED | <a href="#">2404</a> | <a href="#">1204</a> | U             | I               | REIGLE CHARLU TRUSTEE                          | REIGLE CHARLU (SEE NOTE)         |
|                | 5/17/2004  | \$554,000.00 | WARRANTY DEED   | <a href="#">2202</a> | <a href="#">1028</a> | Q             | I               | GIL DE RUBIO ELSIE TRUSTEE                     | REIGLE CHARLU TRUSTEE            |
|                | 3/3/1997   | \$100.00     | WARRANTY DEED   | <a href="#">1225</a> | <a href="#">958</a>  | U             | I               | GIL DE RUBIO ELSIE                             | GIL DE RUBIO ELSIE TRUSTEE       |
|                | 10/17/1996 | \$100.00     | TRUSTEES DEED   | <a href="#">1209</a> | <a href="#">1388</a> | U             | I               | GIL DE RUBIO ELSIE TRUSTEE                     | GIL DE RUBIO ELSIE               |
|                | 1/4/1994   | \$100.00     | WARRANTY DEED   | <a href="#">1038</a> | <a href="#">882</a>  | U             | I               | GIL DE RUBIO ELSIE                             | GIL DE RUBIO                     |
|                | 3/1/1982   | \$70,000.00  |                 | <a href="#">531</a>  | <a href="#">771</a>  | U             | I               |                                                | GIL DE RUBIO ELSIE               |

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

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

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 GEOSPATIAL

Version 2.3.177



**Attachment 1**  
**Overlay Zone Application Narrative**

**99 Coquina Ave.  
Overlay Zone Development Application Supplement  
April 18th, 2022**

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a proposed dock and boat lift at 99 Coquina Ave. The proposed dock will allow the owners access to Quarry Creek. Total dock and lift area over open water/salt marsh will be approximately 665 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 is a private dock. Public benefits may be economically-related through construction activities and marine/boating related purchases.**

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

**There is a small strip of salt marsh vegetation that currently is growing over the existing dock. The existing dock will be removed & replaced with the proposed design. The dock will be constructed 5' above mean high water, high enough as to not over shade any vegetation.**

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

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

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

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

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

1. *Site specific conditions.*

**This property has approximately 49.6 feet of river frontage. There is salt marsh vegetation and oyster colonies present.**

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

**The property is adjacent to other single-family homes along Coquina Ave.**

3. *Natural and proposed drainage patterns.*

**Drainage will not be altered by the proposed works.**

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

**Point and non-point discharge will not be altered.**

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

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

6. *Impact on floodplain.*

**There is no impact on floodplains associated with this application.**

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

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

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

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

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

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

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

**Effects of shading on vegetation and shellfish should be minimal.**

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

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

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

**Not applicable.**

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

**Not applicable.**

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

**Not applicable.**

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

**Not applicable.**

15. *Impact of development on water quality.*

**Not applicable.**

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

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

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

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

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

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

**Negative:** None

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

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

**Negative:** Extremely small loss of foraging habitat.

17. Dock specifications:

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

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

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

**The deck will exceed 5' above MHW.**

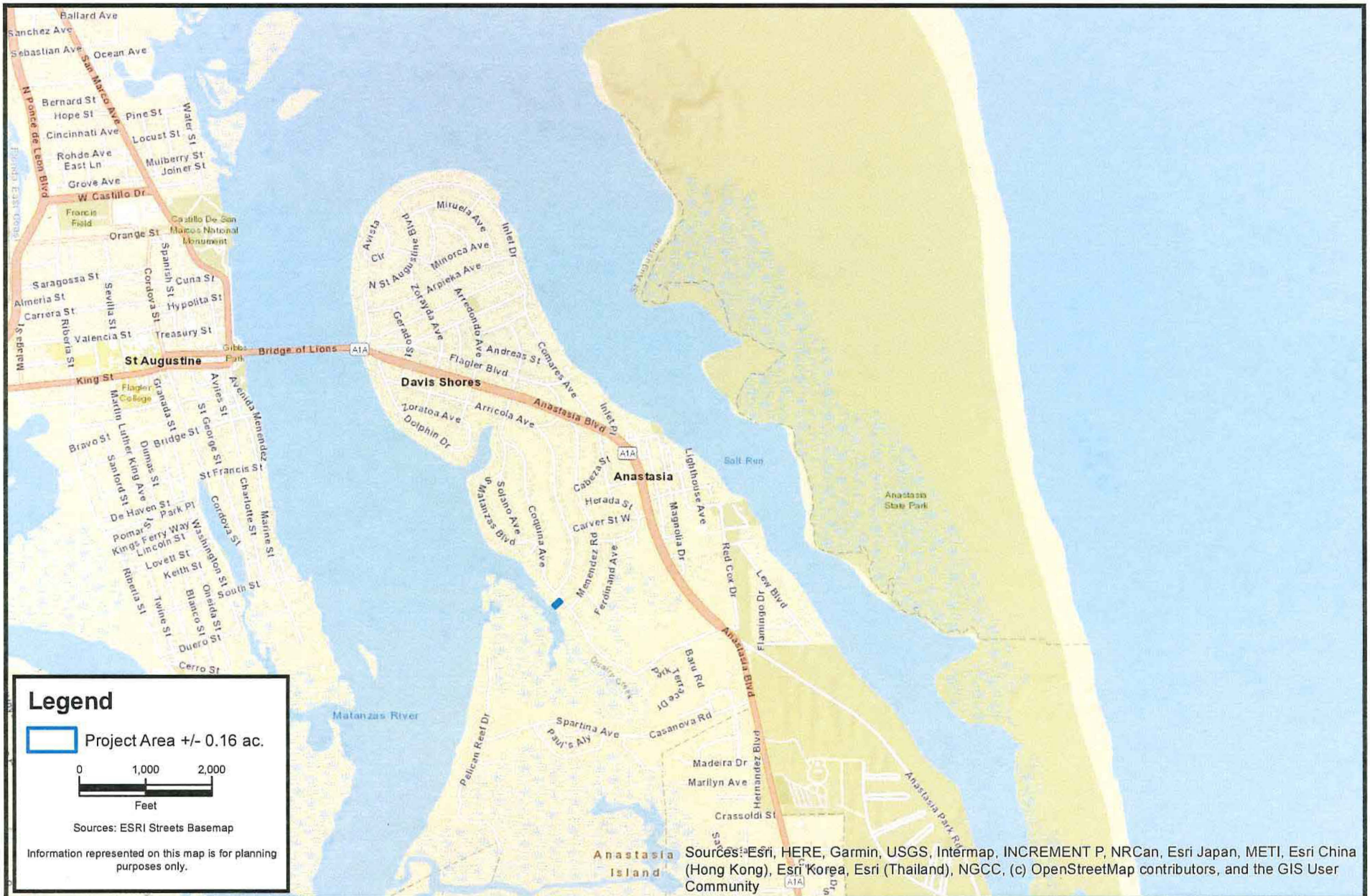
- c) *Boatlifts shall have a maximum capacity of 12,000 pounds and shall be low-profile or no-profile.*

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



## **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 99 Coquina Ave.

Project: 5.22009

St. Augustine, FL

Date: Mar 07 2022

Figure:

1







|                                                                                                                                                                              |                                                  |                   |                   |                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|-------------------|-------------------|--------------------------------------------------------------------------------------------------|
| <div>CARTER ENVIRONMENTAL SERVICES, INC.</div> <div><div>CES</div><div>42 Masters Drive<br/>St. Augustine, FL 32084<br/>904-540-1786</div><div>www.carterenv.com</div></div> | <div>Aerial Map</div> <div>99 Coquina Ave.</div> |                   |                   | <div></div> |
| Project:                                                                                                                                                                     | 5.22009                                          | St. Augustine, FL | Date: Mar 03 2022 | Figure: 2                                                                                        |



F:\CES Projects\Project Files\Active\Project Files\022009 Andrews Coquina Dredging\099 Coquina Dimensions.mxd



**CARTER ENVIRONMENTAL  
SERVICES, INC.**



42 Masters Drive  
St. Augustine, FL 32084  
904-540-1786

[www.carterenv.com](http://www.carterenv.com)

## Dock Dimensions 99 Coquina Ave.

Project: 5.22009

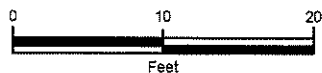
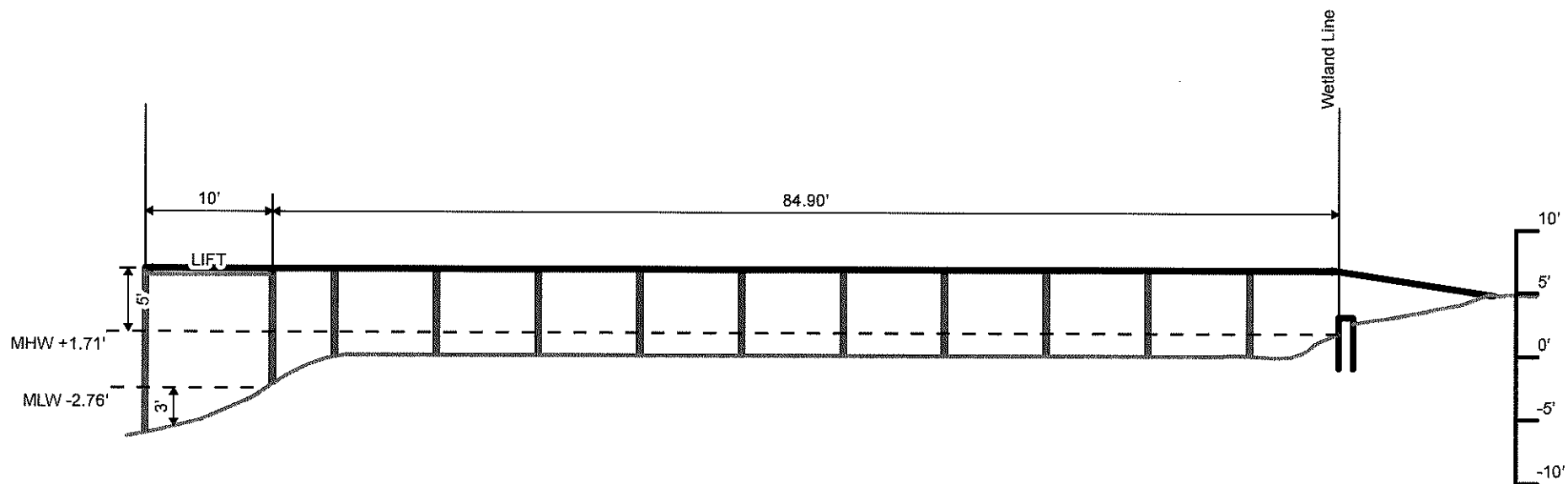
St. Augustine, FL

Date: Mar 07 2022

Figure:

3





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](http://www.carterenv.com)

Proposed Dock Profile  
**99 Coquina Ave.**

Project: 5.22009

St. Augustine, FL

Date: Mar 03 2022



Figure:

4

CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0042**

|             |                                                                                                                                        |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------|
| AGENDA ITEM | 7(e)                                                                                                                                   |
| APPLICANT   | Jennifer White Conner                                                                                                                  |
| OWNER       | White's Wharf                                                                                                                          |
| LOCATION    | 135 Avenida Menendez / PID 196210-0000                                                                                                 |
| REQUEST     | To approve the modification of the walkway/access boardwalk to White's Wharf from Avenida Menendez within Conservation Overlay Zone 1. |
| LAND USE    | Open Land                                                                                                                              |
| ZONING      | Open Lands District (OL)                                                                                                               |

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 the entrance to White's Wharf from Avenida Menendez to make the walkway/access boardwalk a straight path to ease mobility issues that would come with a walkway that has multiple sharp turns as it currently does.

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

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

- (1) Site specific conditions:

*The site is located on the Matanzas River and its primary access point is along the downtown promenade.*

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

*The site is built on top of the Matanzas River and squarely in Conservation Overlay Zone 1.*

- (3) Natural and proposed drainage patterns.

*Drainage will not be altered by the proposed works.*

- (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.

*The proposed site activity does not require the need of soil and erosional BMP's.*

- (6) Impact on floodplain.

*N/A.*

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

*Changing is shading patterns could be a shock to existing vegetative and animals' communities but may not be significant given the extent of the request.*

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

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

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

*Effects of shading on vegetation and shellfish should be minimal.*

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

*The area is a no wake zone and should have minimal interaction with the water below it.*

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

*This request is a change of an access point so there will be a net zero change in linear feet of the site being developed.*

- (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.

*N/A.*

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

*N/A.*

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

*Changing of the access point to White's Wharf should have minimal impact.*

- (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.

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



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 to White's Wharf walkway entrance at 135 Avenida Menedez / PID 196210-0000.

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



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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: \_\_\_\_\_  
 Receipt Number: 2398718 Meeting Date: July 5, 2022  
 Advertising Costs: \$ \_\_\_\_\_ Paid On: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

1. NAME OF APPLICANT: Jennifer White Conner/White's Wharf Contact Number: 9043775943  
 Business (if applicable): \_\_\_\_\_  
 Address: 135 Avenida Menendez City: St. Augustine State: FL Zip: 32084  
 E-Mail Address: events@ocwhiteroom.com

2. NAME OF PROPERTY OWNER: White's Wharf Contact Number: \_\_\_\_\_  
 Business (if applicable): \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 E-Mail Address: same as above

3. LEGAL DESCRIPTION OF PROJECT PROPERTY: (7) CITY OF ST AUG CORBETTS DOCK WATER LOT LYING E OF BAY ST ON W  
(7) CITY OF ST AUG CORBETTS DOCK WATER LOT LYING E OF BAY ST ON W  
SHORE OF MATANZAS BAY OR 4004/1509  
 Lot: \_\_\_\_\_ Block: \_\_\_\_\_  
 Subdivision: \_\_\_\_\_ Parcel Number: 1962100000

4. PROJECT STREET ADDRESS: 135 Avenida Menendez

5. SPECIFIC PROPOSED USE: \_\_\_\_\_

RECEIVED

6. ACTION REQUESTED:

JUN 10 2022

Planning/Building Dept.

- ☒ Conservation Zone Development ☐ Appeal of Staff Determination  
☐ Exception ☐ Land Use Plan Amendment  
☐ Variance ☐ Rezoning  
☒ Other: Approval to move entrance straight from promenade to walkway/gangway

7. DESCRIPTION OF ACTION REQUESTED: Currently there is a wooden dog leg entrance to  
the walkway leading to the The Wharf. We are requesting to have a connection and entry at the required elevation 7 requirement from the  
straight to the walkway leading to The Wharf. We would make sure to slope the walkway to the promenade to meet ADA Compliance and adjust  
handrails to match. We would also use the same concrete to match as we know who completed the promenade.

8. JUSTIFICATION FOR ACTION REQUESTED: Entrance for liability would be on our property

Instead of the City. The entry straight from the promenade would be more aestically attractive instead of crooked and half wood to concrete.

It would allow for a fire hose if needed to come straight to the building instead of through a dog leg and bend 3 times. It would also allow for deliveries  
deliveries to be quicker and get trucks in and out of the loading zone faster.

Harb has approved  
the look of moving entrance and pathway straight to  
promenade on Avenida menendez.

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.

 \_\_\_\_\_ 6/9/22  
Signature of Applicant Date

 \_\_\_\_\_ 6/9/22  
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.

Jennifer White Conner

Print name of applicant

Jennifer White Conner

Signature of applicant

6/9/22

Date



## 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](#)



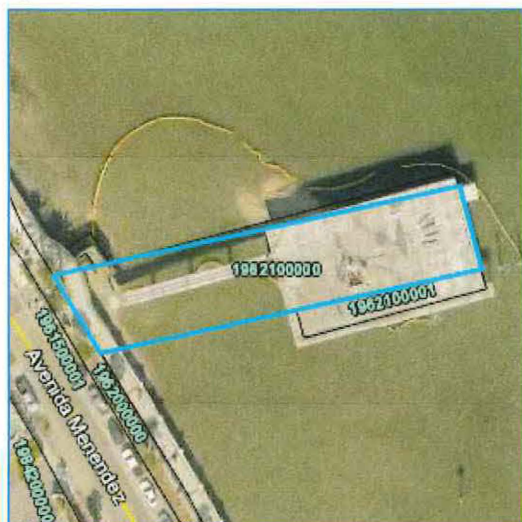
|                   |                                                                                                     |
|-------------------|-----------------------------------------------------------------------------------------------------|
| Parcel ID         | 1962100000                                                                                          |
| Location Address  | 135 AVENIDA MENENDEZ                                                                                |
|                   | SAINT AUGUSTINE 32084-0000                                                                          |
| Neighborhood      | Restaurants Stand Alone Historic (COM) (610.02)                                                     |
| Tax Description*  | (7) CITY OF ST AUG CORBETTS DOCK WATER LOT LYING E OF BAY ST ON W SHORE OF MATANZAS BAY OR4004/1509 |
|                   | <i>*The Description above is not to be used on legal documents.</i>                                 |
| Property Use Code | Vacant Commercial (1000)                                                                            |
| Subdivision       | City of St Augustine                                                                                |
| Sec/Twp/Rng       | 17-7-30                                                                                             |
| District          | City of St Augustine (District 452)                                                                 |
| Millage Rate      | 19.3368                                                                                             |
| Acreage           | 0.380                                                                                               |
| Homestead         | N                                                                                                   |

### Owner Information

|                 |                                        |
|-----------------|----------------------------------------|
| Owner Name      | <a href="#">White's Wharf LLC</a> 100% |
| Mailing Address | 118 AVENIDA MENENDEZ                   |
|                 | SAINT AUGUSTINE, FL 32084-0000         |



## Map



## 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                 | \$1,066,650      | \$0               | \$0                 | \$1,066,650         | \$1,066,650    | \$0          | \$1,066,650   |
| 2020 | \$0            | \$29,280            | \$1,066,650      | \$0               | \$0                 | \$1,095,930         | \$1,095,930    | \$0          | \$1,095,930   |
| 2019 | \$0            | \$26,980            | \$1,066,650      | \$0               | \$0                 | \$1,093,630         | \$1,093,630    | \$0          | \$1,093,630   |
| 2018 | \$0            | \$26,980            | \$1,066,650      | \$0               | \$0                 | \$1,093,630         | \$1,093,630    | \$0          | \$1,093,630   |
| 2017 | \$0            | \$10,963            | \$1,066,650      | \$0               | \$0                 | \$1,077,613         | \$1,077,613    | \$0          | \$1,077,613   |
| 2016 | \$546,412      | \$20,544            | \$1,066,650      | \$0               | \$0                 | \$1,633,606         | \$1,633,606    | \$0          | \$1,633,606   |
| 2015 | \$342,065      | \$20,544            | \$1,066,650      | \$0               | \$0                 | \$1,429,259         | \$434,025      | \$995,234    | \$434,025     |
| 2014 | \$215,587      | \$20,544            | \$158,437        | \$0               | \$0                 | \$394,568           | \$394,568      | \$0          | \$394,568     |
| 2013 | \$227,564      | \$20,544            | \$158,437        | \$0               | \$0                 | \$406,545           | \$406,545      | \$0          | \$406,545     |
| 2012 | \$239,541      | \$20,544            | \$158,437        | \$0               | \$0                 | \$418,522           | \$418,522      | \$0          | \$418,522     |
| 2011 | \$215,587      | \$22,269            | \$180,000        | \$0               | \$0                 | \$417,856           | \$413,132      | \$4,724      | \$413,132     |
| 2010 | \$153,306      | \$22,269            | \$200,000        | \$0               | \$0                 | \$375,575           | \$375,575      | \$0          | \$375,575     |

## Land Information

| Use Description   | Front | Depth | Total Land Units | Unit Type | Land Value  |
|-------------------|-------|-------|------------------|-----------|-------------|
| Vacant Commercial | 0     | 0     | 16410            | SF        | \$1,066,650 |

## Sale Information

| Recording Date | Sale Date  | Sale Price     | Instrument Type   | Book                 | Page                 | Qualification | Vacant/Improved | Grantor                                         | Grantee                                          |
|----------------|------------|----------------|-------------------|----------------------|----------------------|---------------|-----------------|-------------------------------------------------|--------------------------------------------------|
| 3/27/2015      | 3/26/2015  | \$2,300,000.00 | WARRANTY DEED     | <a href="#">4004</a> | <a href="#">1509</a> | Q             | I               | CARLITO CORPORATION                             | WHITE'S WHARF LLC                                |
| 2/28/2012      | 2/21/2012  | \$0.00         | EASEMENT          | <a href="#">3530</a> | <a href="#">446</a>  | U             | I               | CARLITO CORPORATION                             | CITY OF ST AUGUSTINE                             |
| 2/28/2012      | 2/21/2012  | \$0.00         | EASEMENT          | <a href="#">3530</a> | <a href="#">435</a>  | U             | I               | CARLITO CORPORATION                             | CITY OF ST AUGUSTINE                             |
|                | 10/8/2003  | \$100.00       | WARRANTY DEED     | <a href="#">2117</a> | <a href="#">1706</a> | U             | I               | CONNELL CARL                                    | CARLITO CORPORATION                              |
|                | 10/24/2001 | \$0.00         | DEATH CERTIFICATE | <a href="#">2117</a> | <a href="#">1705</a> | U             | I               | HYACINTH CORP ***<br>(CONNELL MARGUERITE DEC'D) | CONNELL CARL WAYNE                               |
|                | 10/1/1990  | \$0.00         |                   | <a href="#">883</a>  | <a href="#">1682</a> | U             | I               | CONNELL MARGUERITE S<br>*** (HER L/E ONLY)      | HYACINTH CORPORATION<br>***                      |
|                | 2/27/1978  | \$100.00       | LIFE ESTATE       | <a href="#">365</a>  | <a href="#">411</a>  | U             | I               | CONNELL MARGUERITE S                            | CONNELL MARGUERITE S<br>*** (REM CARL W CONNELL) |

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

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Version 2.3.200



Overview



Legend

□ Parcels

|           |                      |          |                      |                |             |              |           |        |      |
|-----------|----------------------|----------|----------------------|----------------|-------------|--------------|-----------|--------|------|
| Parcel ID | 1962100000           | Physical | 135 AVENIDA MENENDEZ | Building Value | N/A         | Last 2 Sales |           |        |      |
| Property  | 1000 - Vacant        | Address  | SAINT AUGUSTINE      | Extra Feature  | N/A         | Date         | Price     | Reason | Qual |
| Class     | Commercial           | Mailing  | WHITE'S WHARF LLC    | Value          |             | 3/26/2015    | \$2300000 | 03     | Q    |
| Taxing    | City of St Augustine | Address  | 118 AVENIDA MENENDEZ | Total Land     | \$1,066,650 | n/a          | 0         | n/a    | n/a  |
| District  |                      |          | SAINT AUGUSTINE FL   | Value          |             |              |           |        |      |
| Acres     | 0.38                 |          | 32084-0000           | Just Value     | \$1,066,650 |              |           |        |      |
|           |                      |          |                      | Total Deferred | N/A         |              |           |        |      |
|           |                      |          |                      | Assessed       | \$1,066,650 |              |           |        |      |
|           |                      |          |                      | Value          |             |              |           |        |      |
|           |                      |          |                      | Total          | N/A         |              |           |        |      |
|           |                      |          |                      | Exemptions     |             |              |           |        |      |
|           |                      |          |                      | Taxable Value  | \$1,066,650 |              |           |        |      |

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 PRIOR TO ANY REVISIONS OR CORRECTIONS

**CRONK DUCH**  
 ARCHITECTURE

1000 N. W. 10th Ave., Suite 200, Ft. Lauderdale, FL 33304  
 Phone: 954.363.2000 Fax: 954.363.2001  
 Email: info@cronkduch.com Website: www.cronkduch.com

SURVEY  
 STRUCTURAL

| NO. | DESCRIPTION | DATE |
|-----|-------------|------|
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DATE OF PREPARED DRAWING: \_\_\_\_\_

DATE OF FIELD WORK: \_\_\_\_\_

DATE OF REVIEW: \_\_\_\_\_

DATE OF APPROVAL: \_\_\_\_\_

NAME OF PROJECT: \_\_\_\_\_

NAME OF CLIENT: \_\_\_\_\_

NAME OF ARCHITECT: \_\_\_\_\_

NAME OF ENGINEER: \_\_\_\_\_

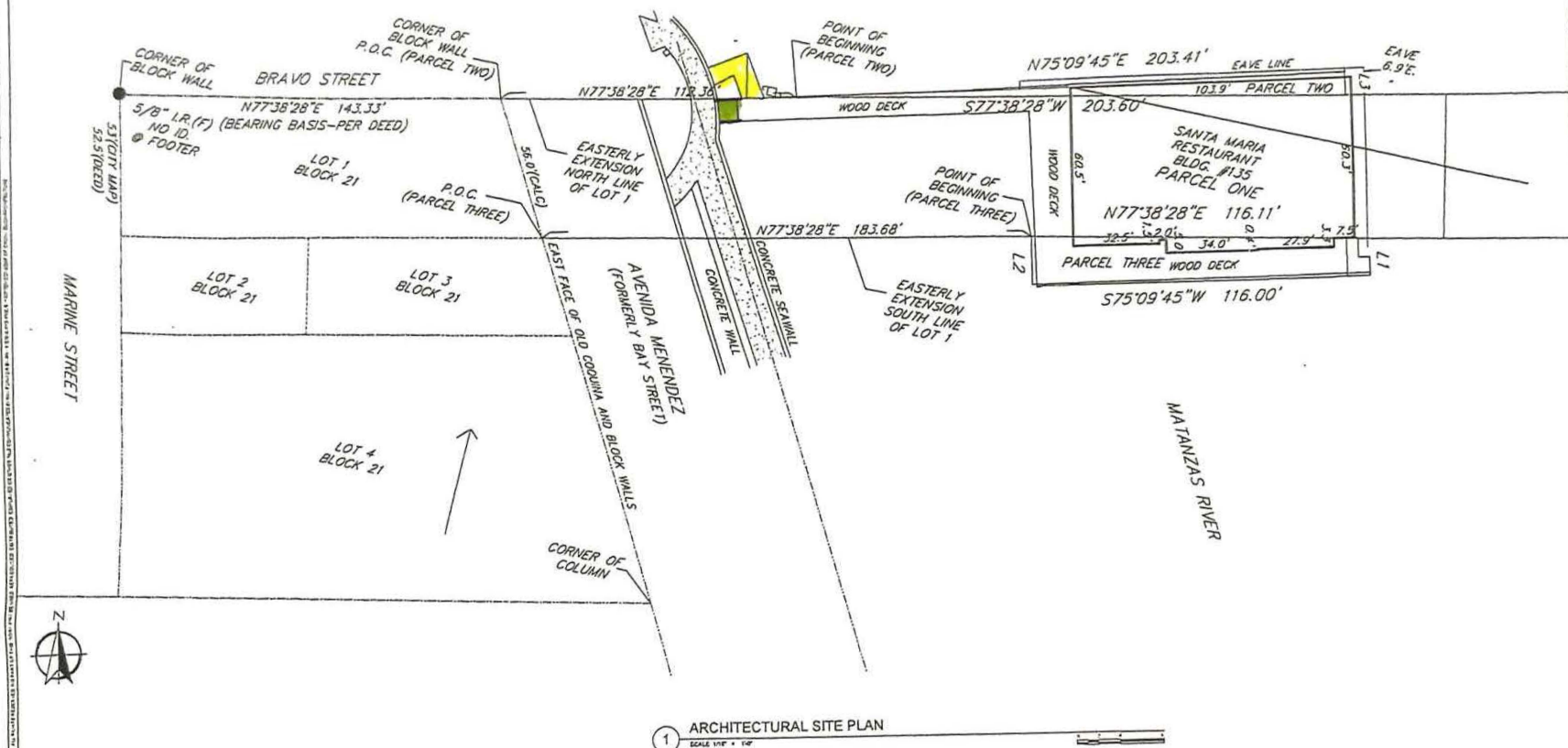
NAME OF SURVEYOR: \_\_\_\_\_

NEW PROJECT

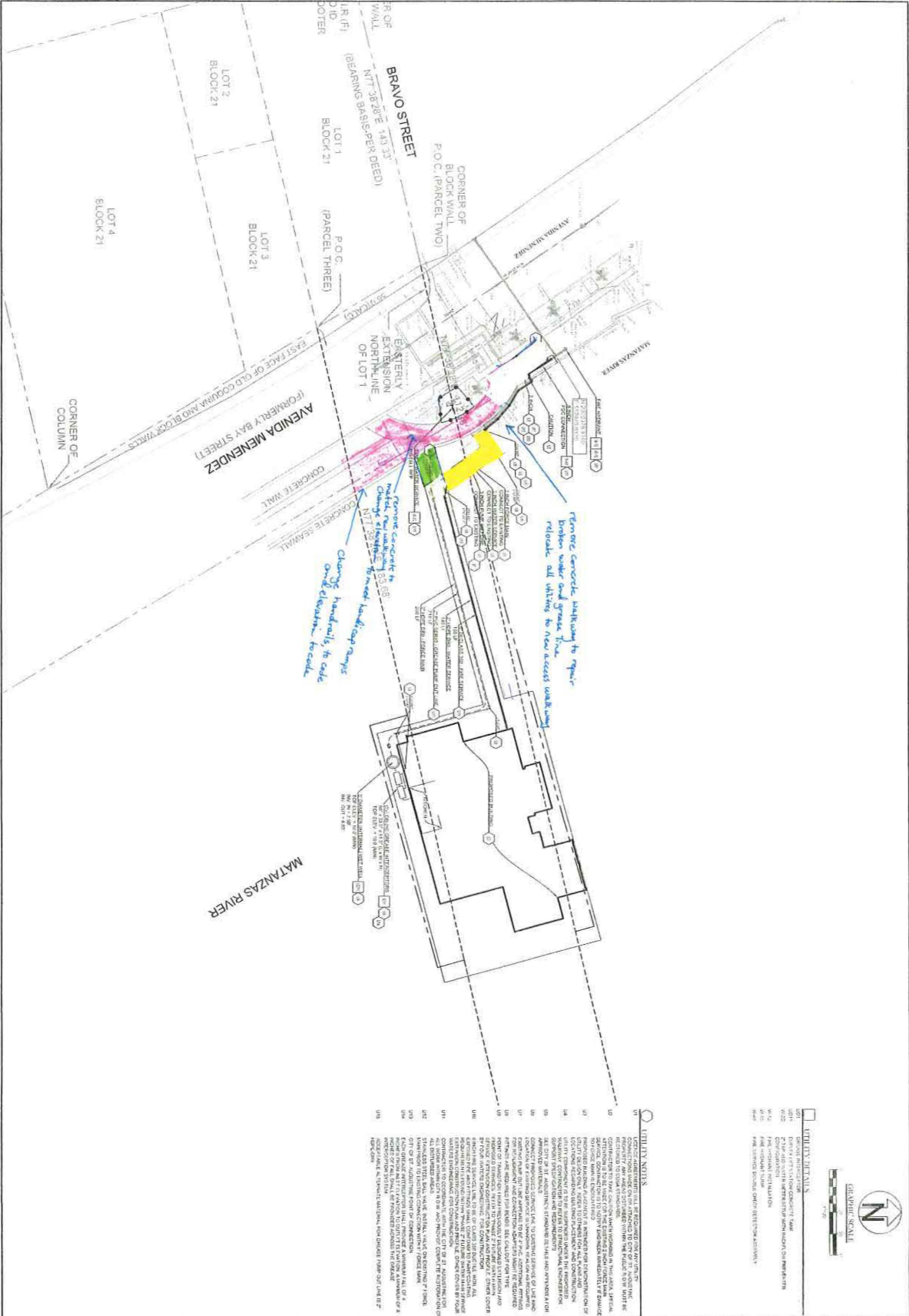
SANTA MARIA RESTAURANT

ARCHITECTURAL SITE PLAN

AS1.10



**RECEIVED**  
 DEC 21 2015  
 Planning/Building Dept



**UTILITY PLAN**  
 PROJECT: WHITE'S WHARF  
 SHEET: 2 OF 2  
 DATE: 03-21-2017  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 APPROVED BY: [Signature]

**LEGEND**  
 1. WATER MAIN  
 2. SEWER MAIN  
 3. GAS MAIN  
 4. ELECTRIC MAIN  
 5. TELEPHONE MAIN  
 6. CABLE TV MAIN  
 7. FIBER OPTIC MAIN  
 8. RAILROAD TRACK  
 9. HIGHWAY  
 10. AIRPORT  
 11. PARKING LOT  
 12. BUILDING  
 13. FENCE  
 14. DRIVEWAY  
 15. WALKWAY  
 16. CURB  
 17. STREET LIGHT  
 18. SIGN  
 19. TREE  
 20. LANDSCAPE

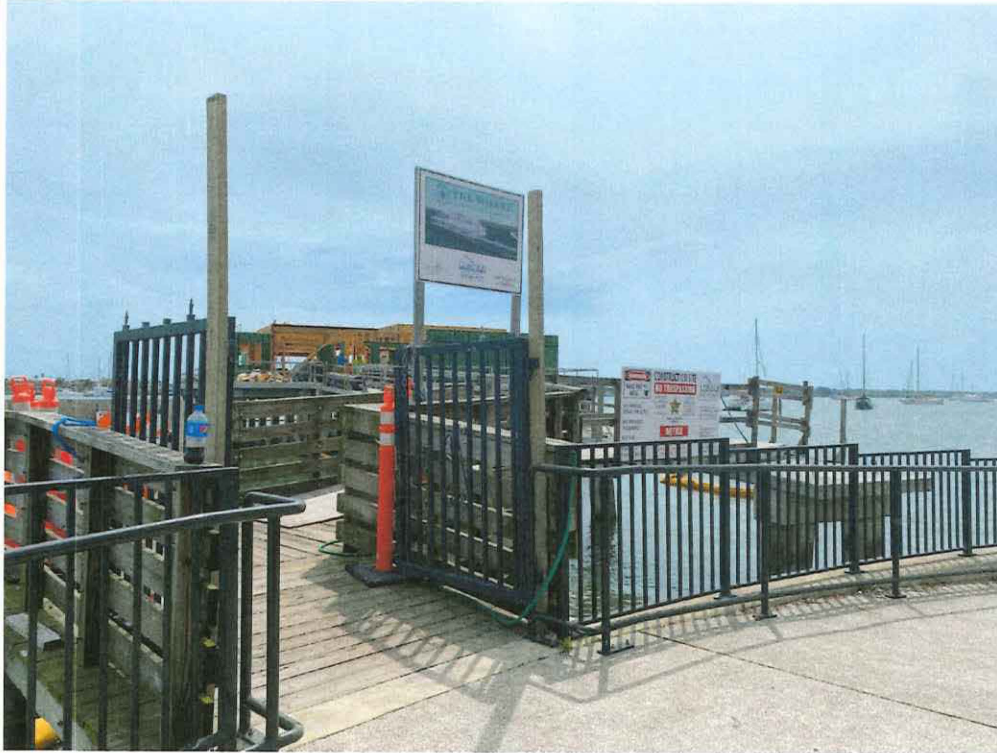
**UTILITY PLAN**  
 WHITE'S WHARF

**MATTHEWS DESIGN GROUP, INC.**  
 P.O. BOX 3126, 7 WALDO STREET  
 ST. AUGUSTINE, FLORIDA 32084  
 PHONE: 904.879.1134  
 FAX: 904.879.1135  
 INFO@MATTHEWSDESIGN.NET

| NO. | DATE       | DESCRIPTION |
|-----|------------|-------------|
| 1   | 03-21-2017 | 17017       |

## STAFF PHOTOGRAPHS

### 135 Avenida Menendez





## STAFF PHOTOGRAPHS

### 135 Avenida Menendez



CITY OF ST. AUGUSTINE  
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **CONSERVATION OVERLAY ZONE 3 DEVELOPMENT 2022-0037**

AGENDA ITEM 7(f)

APPLICANT Kevin Marks  
c/o Shoreland Home Builders

OWNER Paul Thompson

LOCATION 0 Pelican Reef Drive / PID 158573-0100

REQUEST To approve the removal of significant trees within Conservation Overlay Zone 3 to allow for the construction of a single-family residence.

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 significant trees including eighteen (18) Cedar trees and six (6) Oak trees to allow for the construction of a single-family residence. An arborist report was not submitted with the application. Therefore, the tree removal application is unclear regarding the condition of the trees with respect to disease or safety. The site plan does indicate that eighteen (18) cedars and four (4) Oak trees will be preserved on the site.

**Because Pelican Reef is a gated community, please contact the applicant Kevin Marks at 904-347-7652 directly for information about visiting the site.**

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 removal of eighteen (18) Cedar and six (6) Oak trees within Conservation Overlay Zone 3 at 0 Pelican Reef Drive / PID 158573-0100.

A handwritten signature in cursive script, appearing to read "J. Fredriksson".

---

Jacob Fredriksson  
Senior Planner  
Planning and Building Department





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

RECEIVED

MAY 25 2022

Planning/Building Dept.

Application Fee: \$165 (plus advertising costs) Project Number: 2022-0037  
Receipt Number: 2386945 Meeting Date: July 5, 2022  
Advertising Costs: \$ \_\_\_\_\_ Paid On: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

1. NAME OF APPLICANT: Kevin Marks Contact Number: 9043477652  
Business (if applicable): Shoreland Home Builders  
Address: 794 Cypress Rd City: St Augustine State: FL Zip: 32086  
E-Mail Address: kevin@shorelandhomebuilders.com

2. NAME OF PROPERTY OWNER: Paul Thompson Contact Number: 9045402904  
Business (if applicable): \_\_\_\_\_  
Address: PO Box 70 City: St Augustine State: FL Zip: 32084  
E-Mail Address: paul@thompsonrealty.org

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:  
Lot: 10 Block: 12  
Subdivision: Pelican Reef Parcel Number: 1585730100

4. PROJECT STREET ADDRESS: 210 Pelican Reef Drive

5. SPECIFIC PROPOSED USE: Residential - Single Family

6. ACTION REQUESTED:

- ☐ Conservation Zone Development ☐ Appeal of Staff Determination  
☐ Exception ☐ Land Use Plan Amendment  
☐ Variance ☐ Rezoning  
☒ Other: Significant tree removal

7. DESCRIPTION OF ACTION REQUESTED: We are requesting tree removal in the areas affected by the new home.  
The request is for removal of trees that will be inside of the proposed footprint, drive / walkway and immediate adjoining areas,  
potentially affecting the proposed foundation. All other trees to remain.

8. JUSTIFICATION FOR ACTION REQUESTED: The trees, as marked on the site plan / tree survey,  
directly affect the placement of the new single family residence.

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

5.23.22

Date

Signature of Property Owner

5.23.22

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.

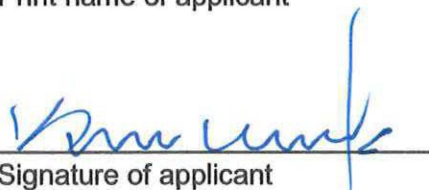
The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling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

Kevin Marks

---

Print name of applicant



Signature of applicant

5.23.22

---

Date





### Owner's Authorization For Agent

KEVIN MARKS is/are hereby authorized TO ACT ON BEHALF  
OF PAUL THOMPSON, 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: Paul J. Thompson for Pelican Reef of St. Augustine, LLC  
Signature of Owner  
Paul J. Thompson  
Print Name of Owner  
904-540-2904  
Telephone Number

State of FLORIDA

County of ST. JOHNS

Signed and sworn before me on this 23<sup>rd</sup> day of May, 2022

By PAUL J. THOMPSON

Identification verified:

Oath sworn: ☒ Yes ☐ No

Notary Signature: Hazel Joyce Fitzsimmons

My Commission expires: JAN. 25, 2026



# 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.

**210 Pelican Reef Drive**

Project Address: \_\_\_\_\_

**Kevin Marks**

Applicant's Name: \_\_\_\_\_

**Paul Thompson**

Applicant's Signature: \_\_\_\_\_

*[Handwritten signature of Paul Thompson]*

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](#)

### Summary

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



|                   |                                                                                                                       |
|-------------------|-----------------------------------------------------------------------------------------------------------------------|
| Parcel ID         | 1585730100                                                                                                            |
| Location Address  | PELICAN REEF DR<br>SAINT AUGUSTINE 32080-0000                                                                         |
| Neighborhood      | Pelican Reef (628)                                                                                                    |
| Tax Description*  | 111/57-61 PELICAN REEF BLOCK 12 PHASE 6 LOT 10<br><i>*The Description above is not to be used on legal documents.</i> |
| Property Use Code | Vacant Residential (0000)                                                                                             |
| Subdivision       | PELICAN REEF BLOCK 12 PHASE 6                                                                                         |
| Sec/Twp/Rng       | 29-7-30                                                                                                               |
| District          | City of St Augustine (District 452)                                                                                   |
| Millage Rate      | 19.3368                                                                                                               |
| Acreage           | 0.560                                                                                                                 |
| Homestead         | N                                                                                                                     |

### Owner Information

|                 |                                                       |
|-----------------|-------------------------------------------------------|
| Owner Name      | <a href="#">Pelican Reef Of St Augustine LLC</a> 100% |
| Mailing Address | PO DRAWER 70<br>SAINT AUGUSTINE, FL 32085-0000        |

## Map



## Land Information

| Use Description    | Front | Depth | Total Land Units | Unit Type | Land Value |
|--------------------|-------|-------|------------------|-----------|------------|
| Vacant Residential | 0     | 0     | 1                | UT        | \$280,000  |

No data available for the following modules: 2021 TRIM Notice, 2020 TRIM Notice, Exemption Information, Historical Assessment Information, Building Information, Sketch Information, Extra Feature Information, Sale Information.

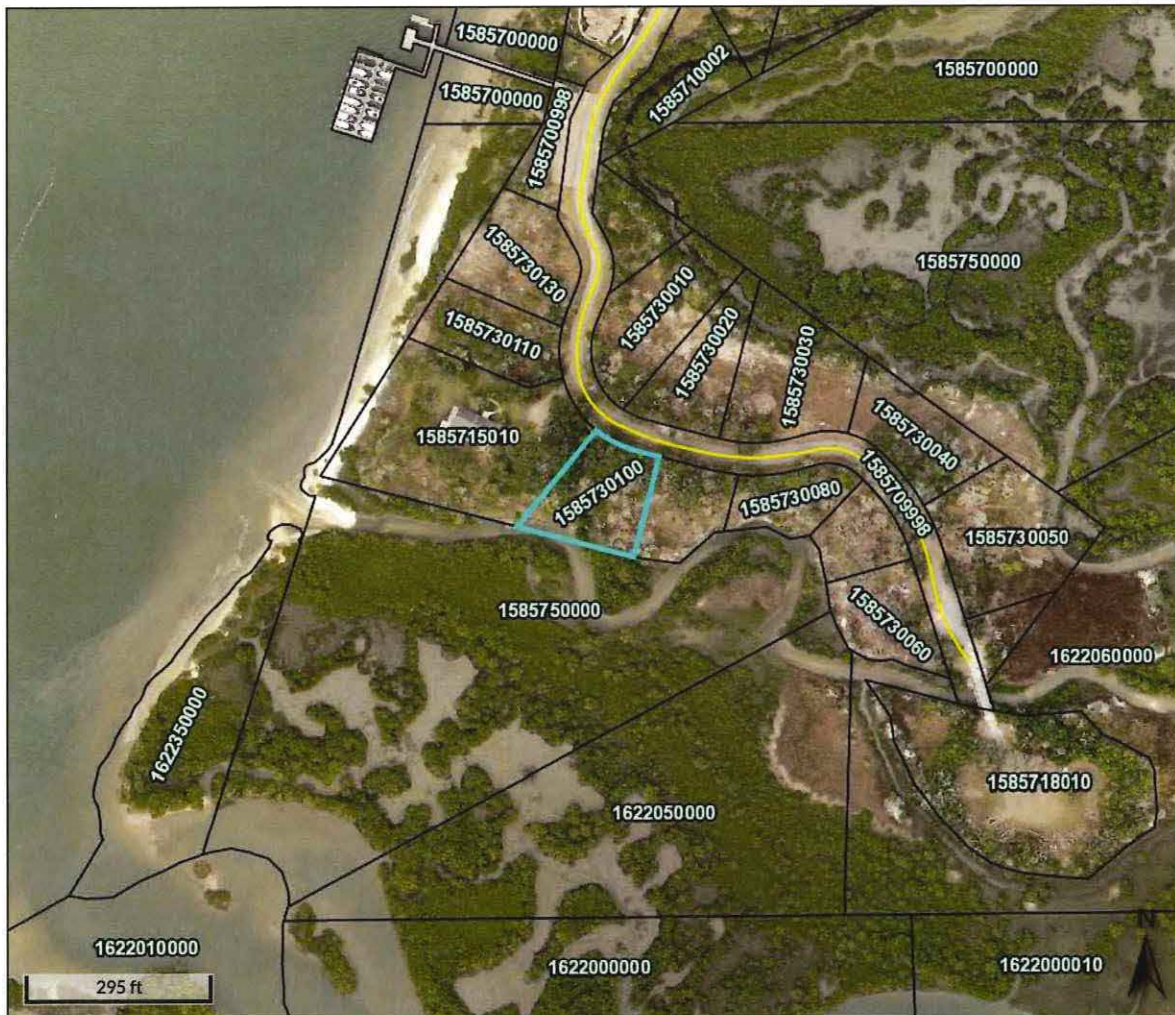
The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

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

Last Data Upload: 6/8/2022, 1:20:17 AM

Developed by  
 Schneider  
GEOSPATIAL

Version 2.3.198



Overview



Legend

□ Parcels

|           |                      |          |                               |                  |           |              |       |        |      |
|-----------|----------------------|----------|-------------------------------|------------------|-----------|--------------|-------|--------|------|
| Parcel ID | 1585730100           | Physical | PELICAN REEF DR               | Building Value   | N/A       | Last 2 Sales |       |        |      |
| Property  | 0000 - Vacant        | Address  | SAINT AUGUSTINE               | Extra Feature    | N/A       | Date         | Price | Reason | Qual |
| Class     | Residential          | Mailing  | PELICAN REEF OF ST            | Value            |           | n/a          | 0     | n/a    | n/a  |
| Taxing    | City of St Augustine | Address  | AUGUSTINE LLC                 | Total Land Value | \$280,000 | n/a          | 0     | n/a    | n/a  |
| District  |                      |          | PO DRAWER 70                  | Just Value       | \$280,000 |              |       |        |      |
| Acres     | 0.56                 |          | SAINT AUGUSTINE FL 32085-0000 | Total Deferred   | N/A       |              |       |        |      |
|           |                      |          |                               | Assessed Value   | \$280,000 |              |       |        |      |
|           |                      |          |                               | Total Exemptions | N/A       |              |       |        |      |
|           |                      |          |                               | Taxable Value    | \$280,000 |              |       |        |      |

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: 6/8/2022

Last Data Uploaded: 6/8/2022 1:20:17 AM

Developed by  Schneider  
GEOSPATIAL



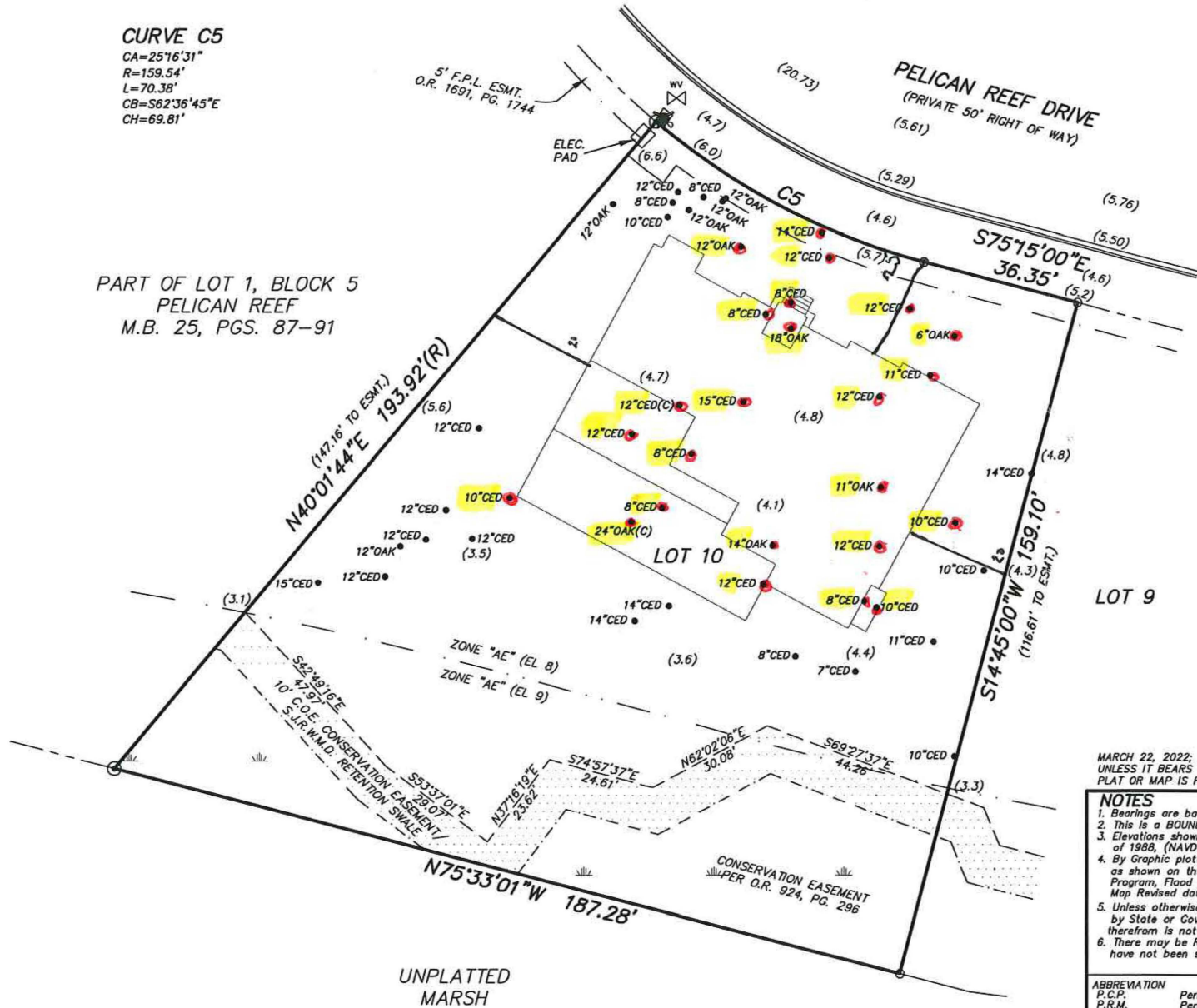
MAP SHOWING SURVEY OF

LOT 10, PELICAN REEF - BLOCK 12, PHASE 6, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 111, PAGES 57 THROUGH 61 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

lot 24.393  
House 4,268  
17%

CURVE C5  
CA=25°16'31"  
R=159.54'  
L=70.38'  
CB=S62°36'45"E  
CH=69.81'

PART OF LOT 1, BLOCK 5  
PELICAN REEF  
M.B. 25, PGS. 87-91



TREE NOTES:  
THE SURVEYOR CERTIFIES ONLY TO THE SIZE AND LOCATION OF ALL TREES SHOWN HEREON. HOWEVER, THE SURVEYOR DOES NOT CERTIFY TO THE EXACT SPECIES OF ANY TREE SHOWN HEREON AS THIS IS OUTSIDE THE SURVEYOR'S AREA OF EXPERTISE.

TREE DETAIL  
SPECIES (SEE TREE NOTES)  
DIAMETER BREAST  
HEIGHT  
ACTUAL LOCATION

TREE LEGEND:  
ASH = ASH  
BAY = BAY  
BIR = BIRCH  
CED = CEDAR  
CHE = CHERRY  
CYP = CYPRESS  
ELM = ELM  
HAC = HACKBERRY  
HIC = HICKORY  
HOL = HOLLY  
LLP = LONGLEAF PINE  
L OAK = LIVE OAK  
MAG = MAGNOLIA  
MAP = MAPLE  
OAK = OAK  
PAL = PALM  
PEC = PECAN  
PIN = PINE  
SWE = SWEETGUM  
SYC = SYCAMORE  
UNK = UNIDENTIFIED TREE  
WIL = WILLOW

MARCH 22, 2022; BOUNDARY, TOPOGRAPHIC, & TREE SURVEY (2021-502-2) DEW  
UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY, AND IS NOT VALID.

NOTES  
1. Bearings are based on the RECORD PLAT.  
2. This is a BOUNDARY SURVEY.  
3. Elevations shown thus (15.0) refer to North American Vertical Datum of 1988, (NAVD 88).  
4. By Graphic plotting only, the property shown hereon lies within Zone: "AE" (EL 8) as shown on the Federal Emergency Management Agency (F.E.M.A.), National Flood Insurance Program, Flood Insurance Rate Map (F.I.R.M.) Community-Panel Number 12109C 0381 J Map Revised date: 12-7-18  
5. Unless otherwise noted, any portion of the parcel that may be deemed as Wetlands by State or Governmental Agencies, has not been determined and any liability resulting therefrom is not the responsibility of the undersigned.  
6. There may be Restrictions or Easements of Record evidenced by title examination that have not been shown hereon.

| ABBREVIATION | DEFINITION                   | ABBREVIATION | DEFINITION                      |
|--------------|------------------------------|--------------|---------------------------------|
| P.C.P.       | Permanent Control Point      | L.B.         | Licensed Business               |
| P.R.M.       | Permanent Reference Monument | R.L.S.       | Registered Land Surveyor        |
| P.O.B.       | Point of Beginning           | J.E.A.       | Jacksonville Electric Authority |
| P.C.         | Point of Curvature           | EQUIP        | Equipment                       |
| P.T.         | Point of Tangency            | A/C          | Air Conditioner                 |
| P.R.C.       | Point of Reverse Curvature   | C.A.T.V.     | Cable Television                |
| P.I.         | Point of Intersection        | OHL          | Overhead Lines                  |
| R/W          | Right of Way                 | F.M.         | Field Measured                  |
| O.R.V.       | Official Records Volume      | R=           | Radius equals                   |
| D.B.         | Deed Book                    | L=           | Arc Length equals               |
| Pg.          | page                         | Ch=          | Chord Bearing & Distance equals |
| B.R.L.       | Building Restriction Line    | Δ=           | Delta or Central Angle equals   |
| Esm't        | Easement                     | I.P.         | Iron Pipe                       |
|              |                              | Conc.        | Concrete                        |

LEGEND  
⊙ DENOTES CONCRETE MONUMENT  
X-X DENOTES FENCE  
○ DENOTES 1/2" IRON PIPE SET WITH CAP, LB 8295  
● DENOTES IRON PIPE FOUND (NOTED)

DATE 12-17-21  
SCALE 1"=30'  
JOB No. 2021-502  
F.B.  
page  
Comp. File 21-502.dwg  
Drawn by WJM

MELROSE SURVEYING AND MAPPING, INC.  
PROFESSIONAL LAND SURVEYORS  
11437 CENTRAL PARKWAY, SUITE 107 L.B. No. 8295  
JACKSONVILLE, FLORIDA 32224 Tel. (904) 721-1226

THIS IS TO CERTIFY THAT THIS SURVEY IS A TRUE REPRESENTATION OF AN ACTUAL FIELD SURVEY, MADE UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS AS OUTLINED AND SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS, IN CHAPTER 55-17, (formerly CHAPTER 4107-8), FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.022, FLORIDA STATUTES.

BY: WILLIAM J. MELROSE, STATE OF FLORIDA, REGISTERED LAND SURVEYOR, CERTIFICATE No. 5843

1. THESE PLANS ARE A PROFESSIONAL SERVICE PROVIDED BY ISP. THE USER OF THESE PLANS IS RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.
2. THE USER OF THESE PLANS IS RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.
3. THE USER OF THESE PLANS IS RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.
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9. THE USER OF THESE PLANS IS RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.
10. THE USER OF THESE PLANS IS RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.



**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"

| INDEX OF SHEETS |                 |
|-----------------|-----------------|
| SHEET A-01      | COVER SHEET     |
| SHEET A-02      | SLAB PLAN       |
| SHEET A-03      | NOTE PLAN       |
| SHEET A-04      | DIMENSION PLAN  |
| SHEET A-05      | ROOF PLAN       |
| SHEET A-06      | ELEVATION 1     |
| SHEET A-07      | ELEVATION 2     |
| SHEET A-08      | SECTON          |
| SHEET E-01      | ELECTRICAL PLAN |

RESIDENCE OF  
SHORELAND HOME  
BUILDERS

SUBMITTAL LIST :

PLOT DATE : 2021-12-22  
SCALE : AS NOTED  
SHEET TITLE : COVER SHEET

SHEET NO.:  
**A-01**



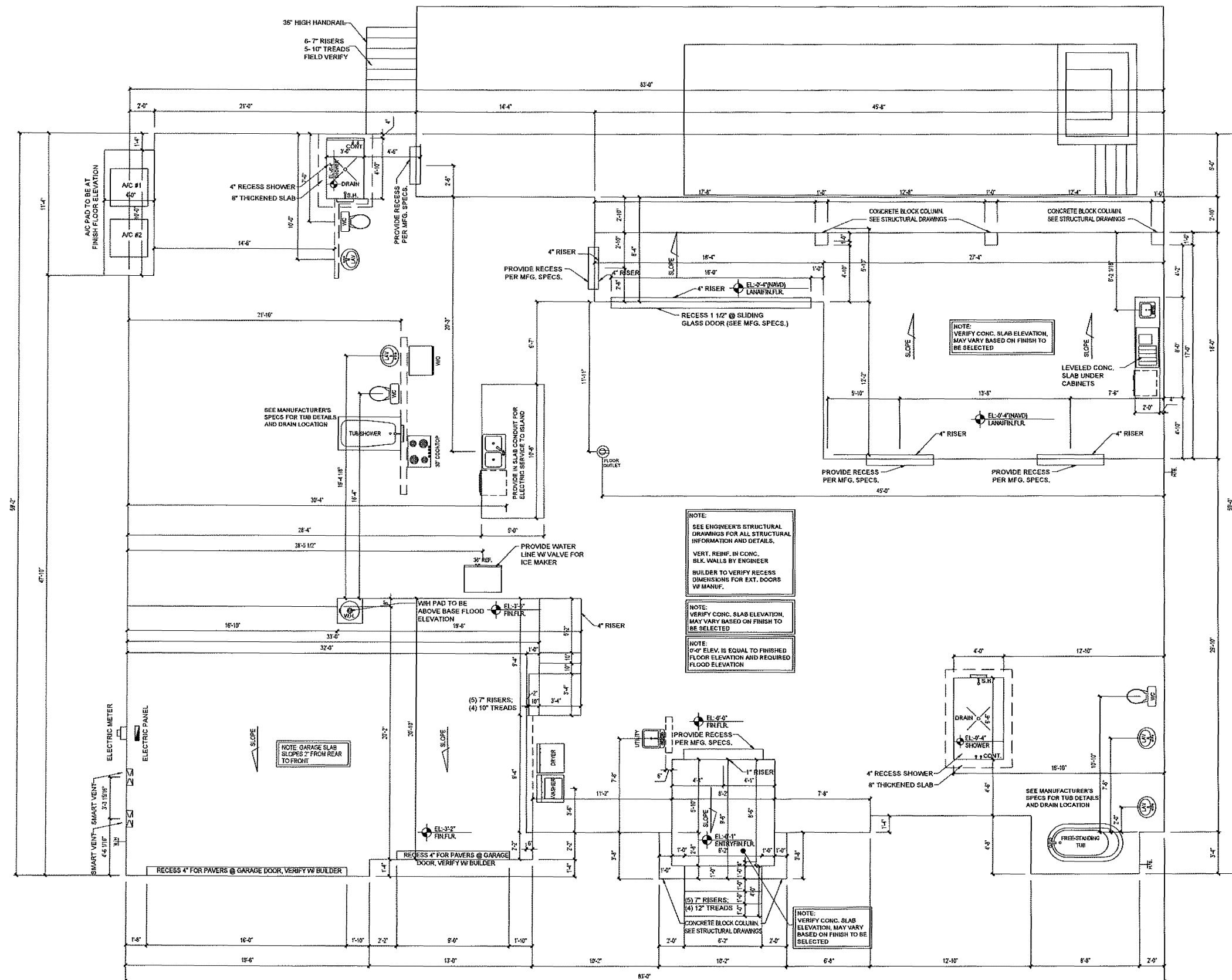
RESIDENCE OF  
 SHORELAND HOME  
 BUILDERS

SUBMITTAL LIST:

PLOT DATE: 2021-12-22  
 SCALE: AS NOTED  
 SHEET TITLE: SLAB PLAN

SHEET NO.:

A-02



SLAB PLAN

SCALE: 1/4\" = 1'-0"

NOTE:  
 ALL STRUCTURAL ASPECTS OF THIS PLAN ARE DESIGNED FOR A SPECIFIC SITE FOR WHICH THIS ORIGINAL PLAN WAS CONSTRUCTED. THEREFORE IT IS NECESSARY FOR THE BUYER OF THIS PLAN TO HIRE AN ARCHITECT OR STRUCTURAL ENGINEER LICENSED IN THE STATE WHICH THE PLAN IS TO BE CONSTRUCTED TO PROVIDE STRUCTURAL DESIGN DRAWINGS TO ADDRESS AND SPECIFY ALL STRUCTURAL ASPECTS AND COMPONENTS REQUIRED FOR PERMIT AND CONSTRUCTION THESE PLANS. THE CERTIFIED STRUCTURAL DRAWINGS ARE TO ACCOMPANY THIS PLAN DURING CONSTRUCTION AND OTHER USES.

NOTE:  
 ALL STAIR RISERS, TREAD, BEAM HEIGHTS, AND DIMENSIONS TO BE COORDINATED WITH ENGINEERED DRAWINGS. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF AHMEDIC DESIGN FOR REVIEW PRIOR TO CONSTRUCTION.

TREADS AND RISERS MAY VARY DUE TO FIELD CONDITIONS. BUILDER TO VERIFY ALL EXTERIOR STAIR WITH SITE CONDITIONS BEFORE START OF CONSTRUCTION.

FOUNDATION TO BE ENGINEERED

1. THESE PLANS ARE BASED ON THE ASSUMPTION THAT THE FOUNDATION AND STRUCTURE WILL BE DESIGNED BY A LICENSED PROFESSIONAL ENGINEER.
2. THE DESIGNER IS NOT RESPONSIBLE FOR THE DESIGN OF THE FOUNDATION AND STRUCTURE.
3. THE DESIGNER IS NOT RESPONSIBLE FOR THE DESIGN OF THE MECHANICAL, ELECTRICAL, AND PLUMBING SYSTEMS.
4. THE DESIGNER IS NOT RESPONSIBLE FOR THE DESIGN OF THE INTERIORS.
5. THE DESIGNER IS NOT RESPONSIBLE FOR THE DESIGN OF THE EXTERIORS.
6. THE DESIGNER IS NOT RESPONSIBLE FOR THE DESIGN OF THE LANDSCAPE.
7. THE DESIGNER IS NOT RESPONSIBLE FOR THE DESIGN OF THE FURNITURE.
8. THE DESIGNER IS NOT RESPONSIBLE FOR THE DESIGN OF THE APPLIANCES.
9. THE DESIGNER IS NOT RESPONSIBLE FOR THE DESIGN OF THE LIGHTING.
10. THE DESIGNER IS NOT RESPONSIBLE FOR THE DESIGN OF THE SOUNDING.

RESIDENCE OF  
SHORELAND HOME  
BUILDERS

AREA SUMMARY

|                 |           |
|-----------------|-----------|
| MAIN LIVING A/C | 2905 S.F. |
| COVERED ENTRY   | 80 S.F.   |
| OUTDOOR LIVING  | 593 S.F.  |
| 3 CAR GARAGE    | 690 S.F.  |
| GRAND TOTAL     | 4268 S.F. |

NOTE:  
GENERAL CONTRACTOR/ BUILDER IS RESPONSIBLE  
TO ENSURE THAT ALUM. SCREEN ENCLOSURE  
MEETS OR EXCEEDS THE RESIDENTIAL SWIMMING  
POOL SAFETY ACT

NOTE:  
ELECTRICAL CONTRACTOR AND OR SECURITY  
SYSTEM CONTRACTOR SHALL BE RESPONSIBLE TO  
ENSURE THAT ALL DOORS AND WINDOWS  
PROVIDING DIRECT ACCESS FROM THE HOME TO  
THE POOL WILL BE EQUIPPED WITH AN EXIT ALARM  
THAT HAS A MINIMUM SOUND PRESSURE RATING OF  
85 DECIBELS AT 10 FEET

NOTE:  
ALL WINDOWS AND DOORS TO BE BY PGT (SEE  
BUILDER FOR DETAILS)  
COORDINATION OF CONSTRUCTION, INCLUDING  
VERIFICATION OF DIMENSIONS & FIELD  
CONDITIONS, IS THE RESPONSIBILITY OF THE  
CONTRACTOR. ANY DISCREPANCIES SHALL BE  
BROUGHT TO THE ATTENTION OF THE DESIGN FIRM  
PRIOR TO START OF CONSTRUCTION.

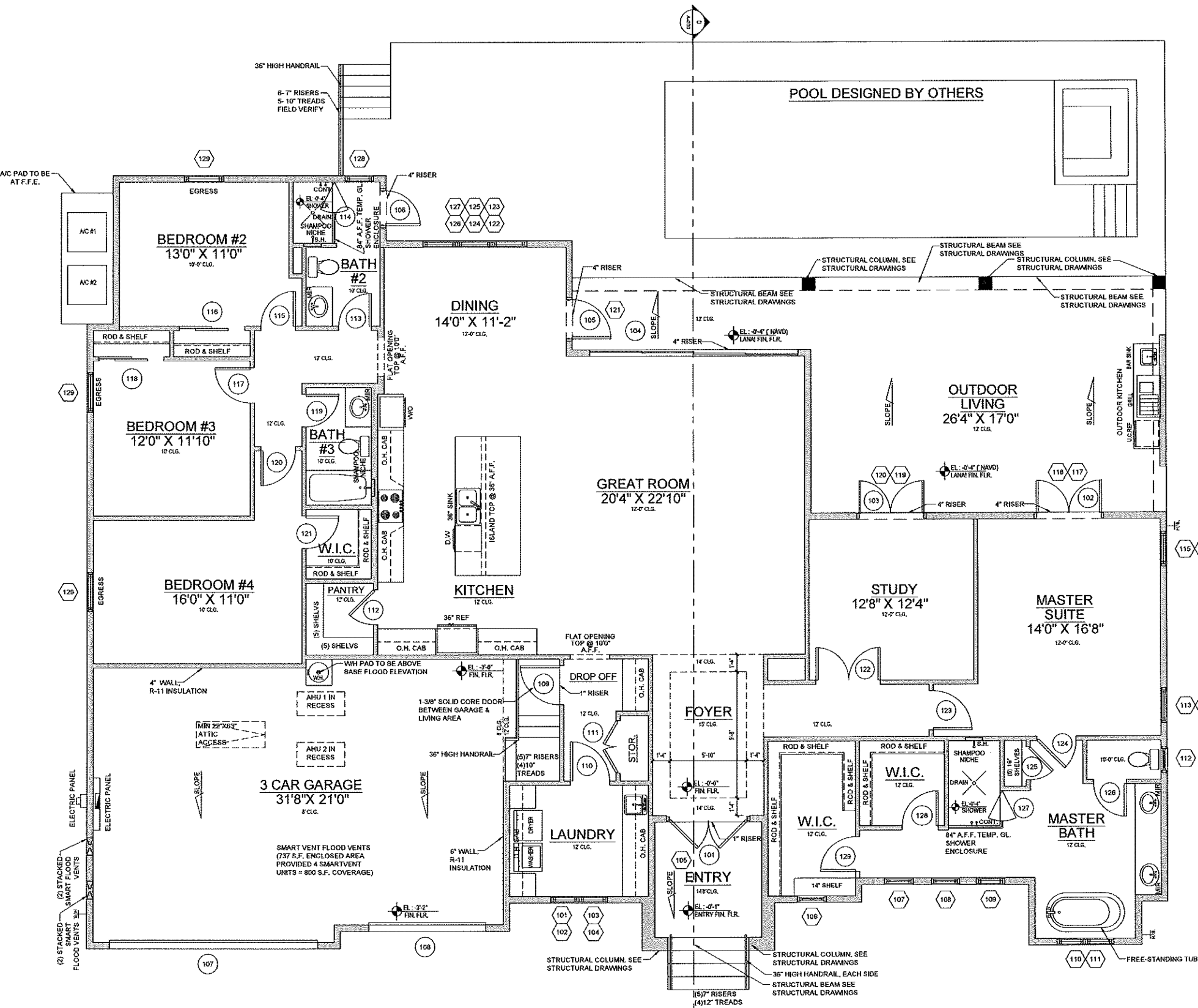
NOTED PLAN

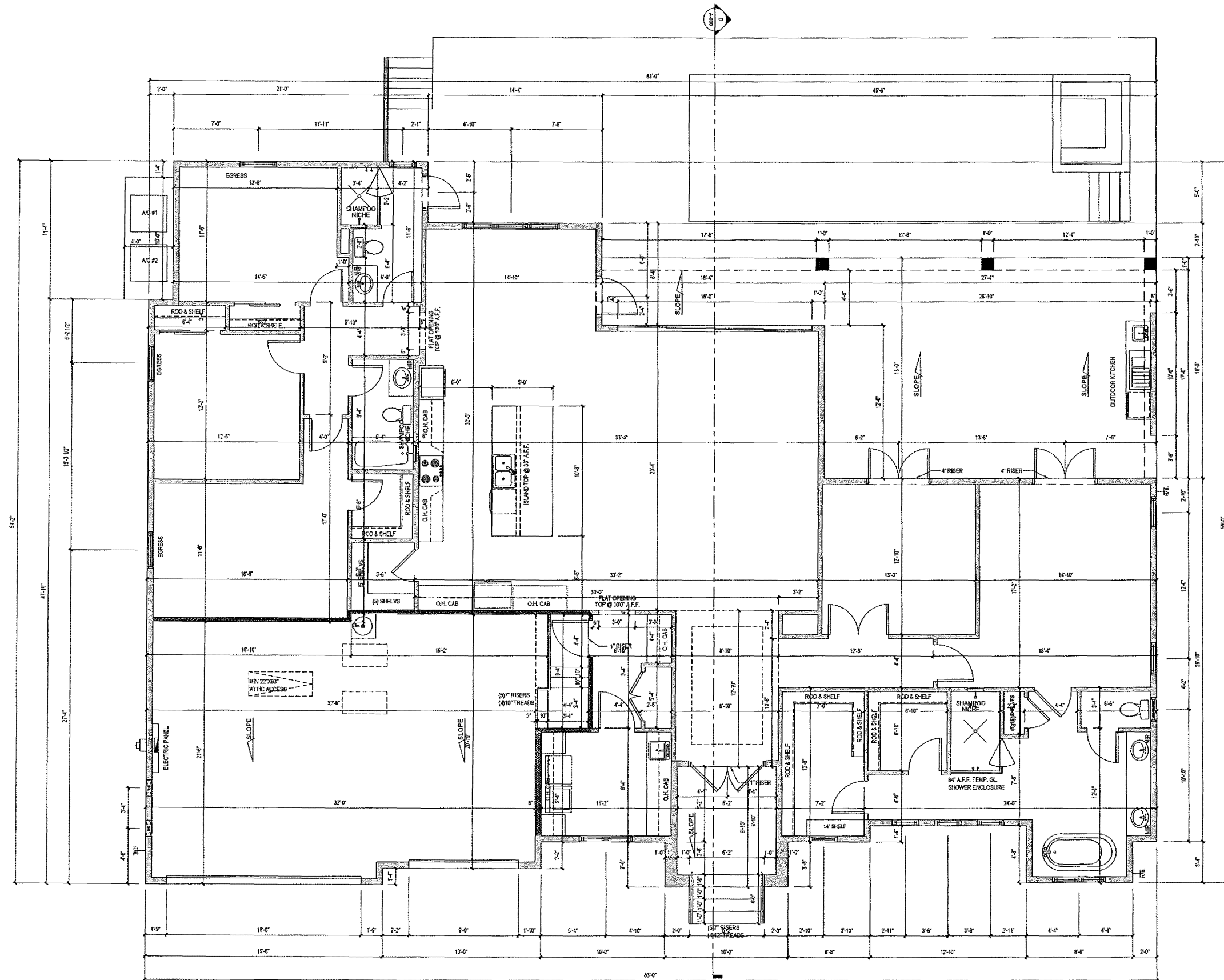
SCALE: 1/4" = 1'-0"

SUBMITTAL LIST :

PLOT DATE : 2021-12-22  
SCALE : AS NOTED  
SHEET TITLE : NOTES PLAN

SHEET NO.:  
**A-03**





**DIMENSION PLAN**  
SCALE: 1/4" = 1'-0"

1. THIS PLAN IS A PROFESSIONAL DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.
2. THE DESIGNER IS NOT RESPONSIBLE FOR ANY CHANGES OR MODIFICATIONS TO THE PLAN AFTER IT HAS BEEN ISSUED.
3. THE DESIGNER IS NOT RESPONSIBLE FOR ANY CHANGES OR MODIFICATIONS TO THE PLAN AFTER IT HAS BEEN ISSUED.
4. THE DESIGNER IS NOT RESPONSIBLE FOR ANY CHANGES OR MODIFICATIONS TO THE PLAN AFTER IT HAS BEEN ISSUED.
5. THE DESIGNER IS NOT RESPONSIBLE FOR ANY CHANGES OR MODIFICATIONS TO THE PLAN AFTER IT HAS BEEN ISSUED.

**RESIDENCE OF  
SHORELAND HOME  
BUILDERS**

SUBMITTAL LIST:

PLOT DATE: 2021-12-22  
SCALE: AS NOTED  
SHEET TITLE: DIMENSION PLAN

SHEET NO.:  
**A-04**

1. THE DESIGNER IS NOT RESPONSIBLE FOR THE CONSTRUCTION OF THE HOUSE.  
2. THE DESIGNER IS NOT RESPONSIBLE FOR THE CONSTRUCTION OF THE HOUSE.  
3. THE DESIGNER IS NOT RESPONSIBLE FOR THE CONSTRUCTION OF THE HOUSE.  
4. THE DESIGNER IS NOT RESPONSIBLE FOR THE CONSTRUCTION OF THE HOUSE.  
5. THE DESIGNER IS NOT RESPONSIBLE FOR THE CONSTRUCTION OF THE HOUSE.

RESIDENCE OF  
SHORELAND HOME  
BUILDERS

SUBMITTAL LIST:

PLOT DATE: 2021-12-22  
SCALE: AS NOTED  
SHEET TITLE: ROOF PLAN

SHEET NO:  
**A-05**

BEARING HEIGHTS  
LEGEND

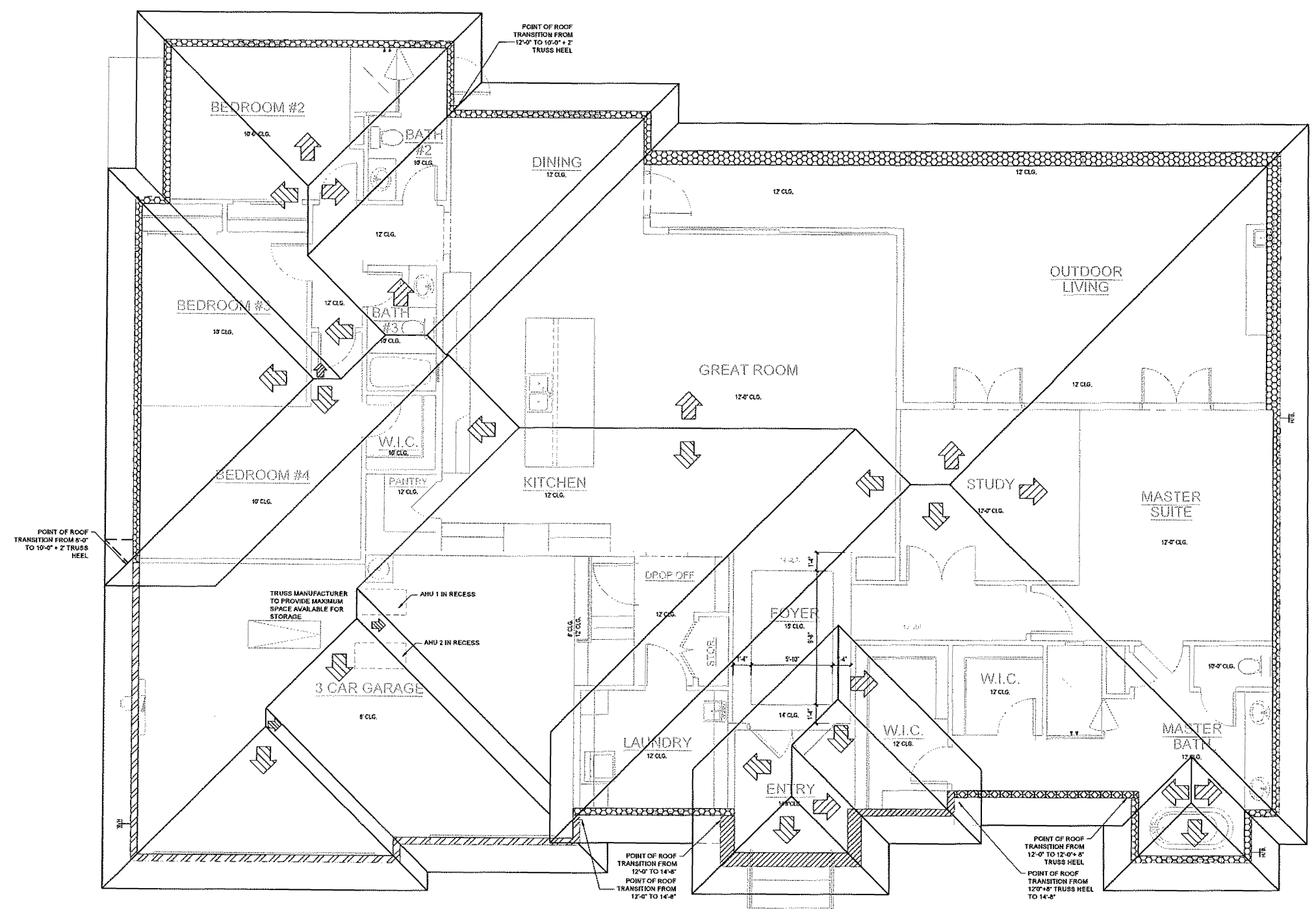
- 8'-0" FROM 1ST. LIV. FIN. FL.
- 10'-0" FROM 1ST. LIV. FIN. FL. + 2'-0" TRUSS HEEL
- 12'-0" FROM 1ST. LIV. FIN. FL.
- 12'-0" FROM 1ST. LIV. FIN. FL. + 8" TRUSS HEEL
- 14'-8" FROM 1ST. LIV. FIN. FL.

ROOF NOTES:

- 1) PRE-ENGINEERED WOOD ROOF TRUSSES @ 24" O.C.
- 2) TYPICAL 6:12 PITCH UNLESS NOTED OTHERWISE. (SEE MFG. TRUSS PLANS).
- 3) 2'-0" ROOF OVERHANGS UNLESS NOTED OTHERWISE.
- 4) TRUSS MANUFACTURER TO SUBMIT ENGINEERED TRUSS DRAWINGS FOR APPROVAL.
- 5) COORDINATION OF CONSTRUCTION INCLUDING VERIFICATION OF DIMENSIONS AND FIELD CONDITIONS, IS THE RESPONSIBILITY OF THE CONTRACTOR. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGN FIRM PRIOR TO CONSTRUCTION.
- 6) PROVIDE ATTIC VENTILATION AS REQUIRED BY LOCAL BUILDING CODE RESIDENTIAL.
- 7) ROOF PLAN FOR DESIGN PURPOSES ONLY. TRUSS MANUFACTURER TO SUBMIT ENGINEERED TRUSS DRAWINGS FOR APPROVAL.

ROOF PLAN

SCALE: 1/4" = 1'-0"



### SUBMITTAL LIST:

PLOT DATE : 2021-12-22  
SCALE : AS NOTED  
SHEET TITLE : ELEVATION #01

SHEET NO.

A-06



SCALE: 1/4" = 1'-0"



SCALE: 1/4" = 1'-0"

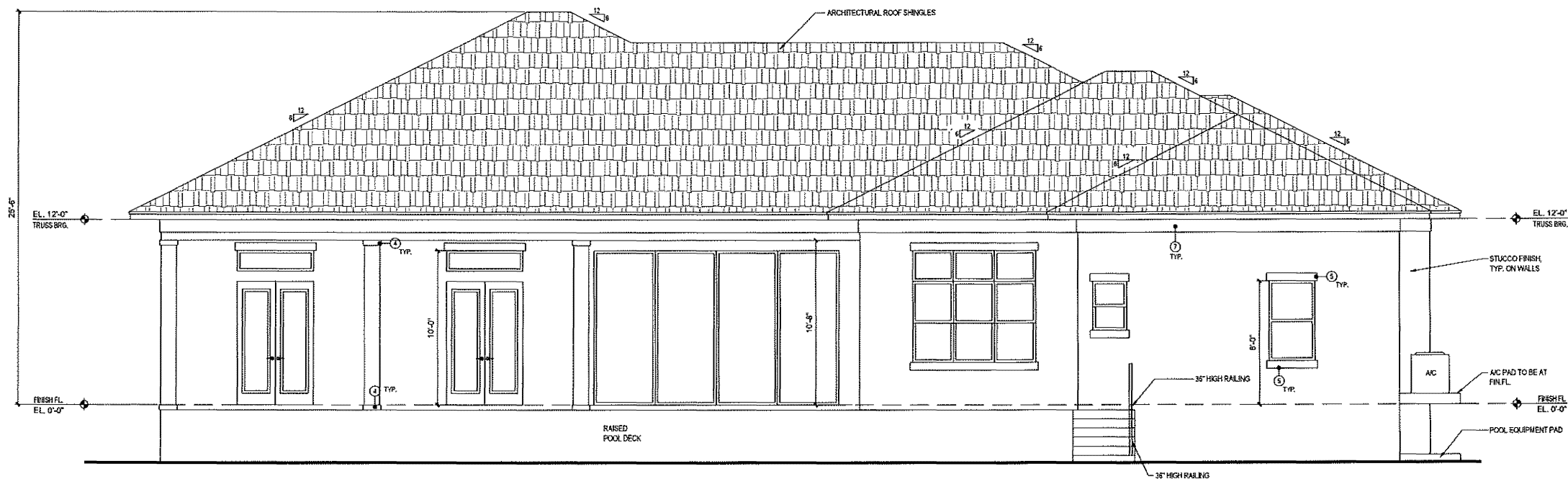


SCALE: NTS



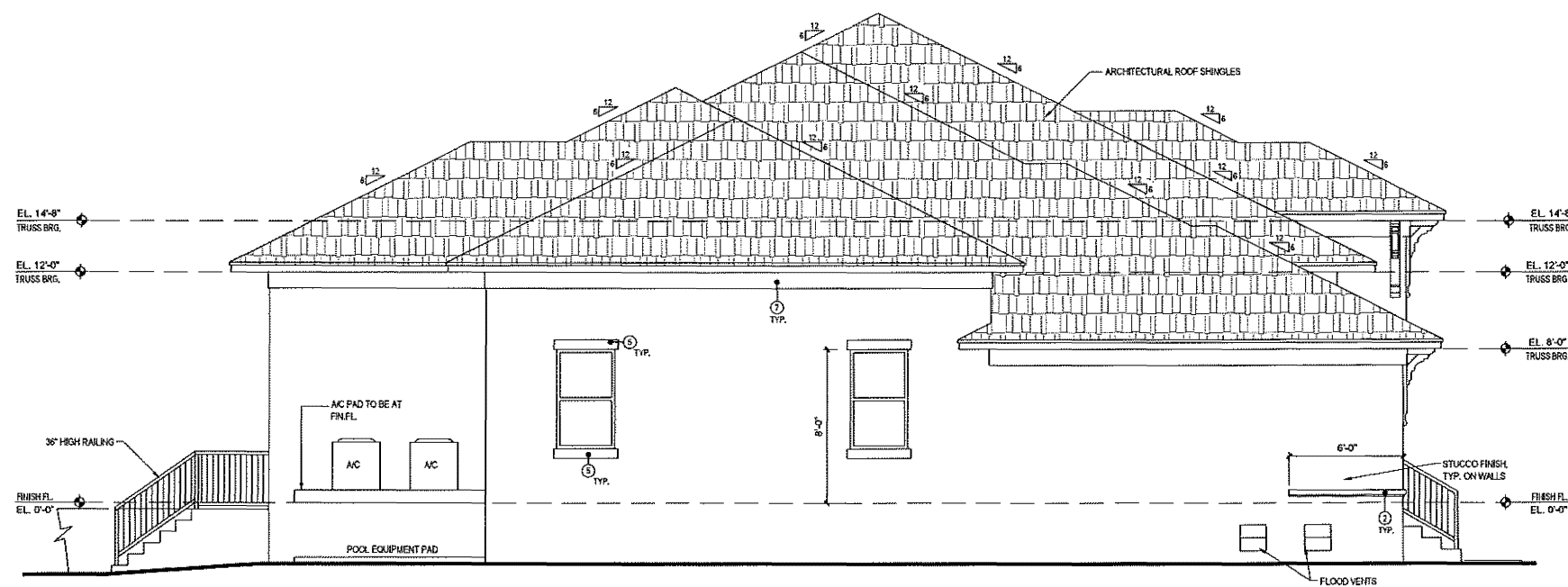
1. ARCHITECTURAL ROOF SHINGLES
2. STUCCO FINISH TYP. ON WALLS
3. AC PAD TO BE AT FIN.FL.
4. POOL EQUIPMENT PAD
5. 36" HIGH RAILING
6. DECORATIVE ALUM. SHADE
7. CEMENTITIOUS BAND
8. DECORATIVE ALUM. SHUTTER

RESIDENCE OF  
SHORELAND HOME  
BUILDERS



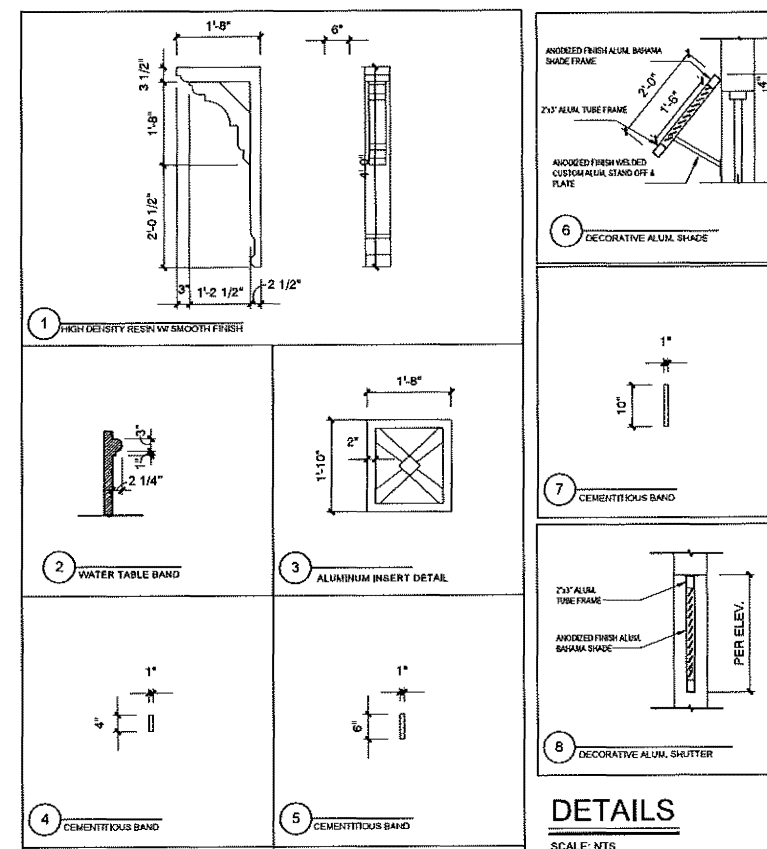
REAR ELEVATION

SCALE: 1/4" = 1'-0"



LEFT-SIDE ELEVATION

SCALE: 1/4" = 1'-0"



DETAILS

SCALE: NTS

SUBMITTAL LIST:

PLOT DATE: 2021-12-22  
SCALE: AS NOTED  
SHEET TITLE: ELEVATION #02

SHEET NO.:

A-07

1. THIS CHANGE IS BEING MADE TO THE ORIGINAL SET OF PLANS FOR THE PROJECT DUE TO THE FOLLOWING REASONS:  
A. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
B. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
C. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
D. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
E. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
F. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
G. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
H. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
I. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
J. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
K. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
L. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
M. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
N. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
O. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
P. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
Q. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
R. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
S. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
T. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
U. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
V. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
W. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
X. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
Y. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.  
Z. THE ORIGINAL SET OF PLANS WAS PREPARED BY AN ARCHITECT WHOSE FIRM IS NO LONGER IN BUSINESS.

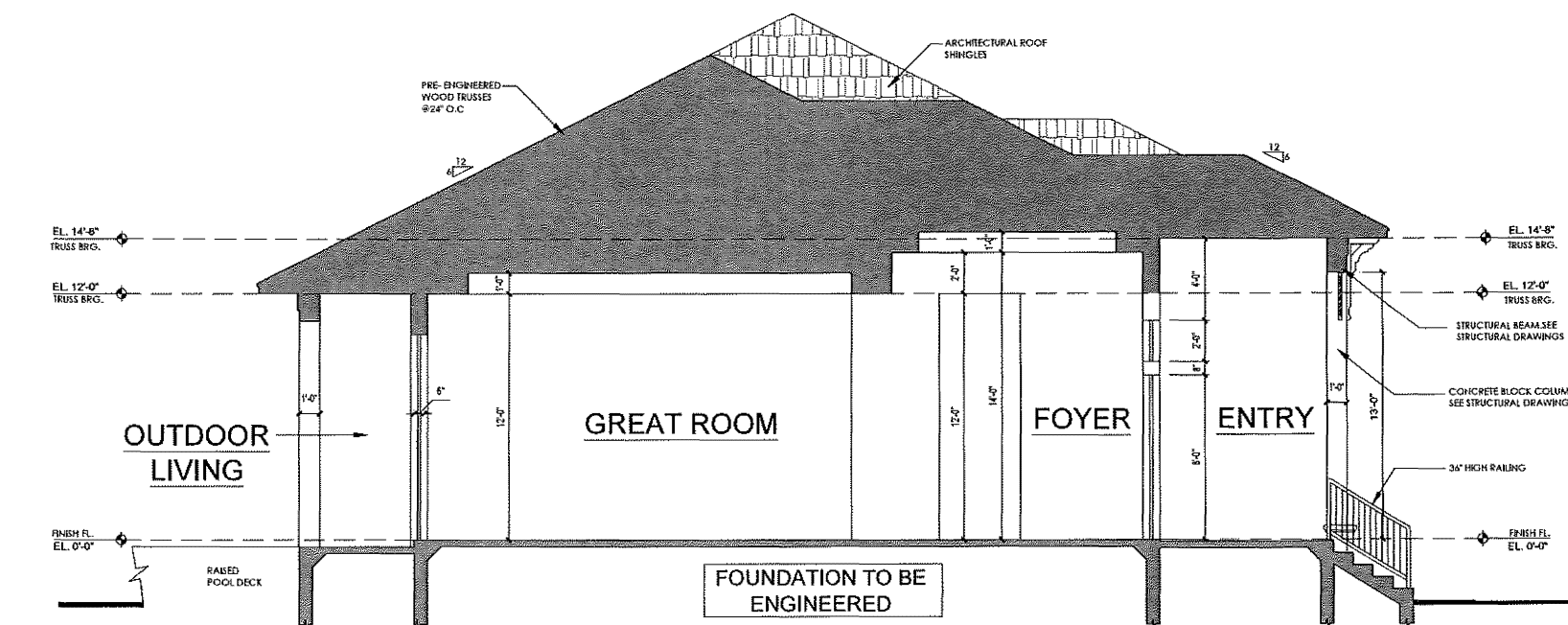
RESIDENCE OF  
SHORELAND HOME  
BUILDERS

SUBMITTAL LIST:

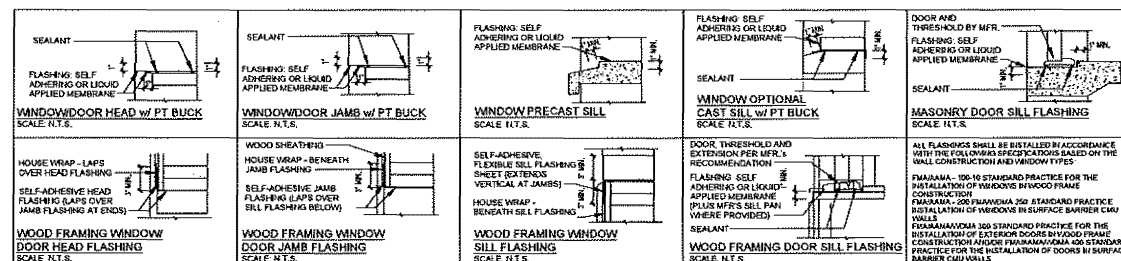
PLOT DATE: 2021-12-22  
SCALE: AS NOTED  
SHEET TITLE: SECTIONS & DETAILS

SHEET NO.:

A-08



**1 BUILDING SECTION**  
SCALE: 1/4\"/>



**DOOR AND WINDOW FLASHING DETAILS**  
SCALE: N.T.S.

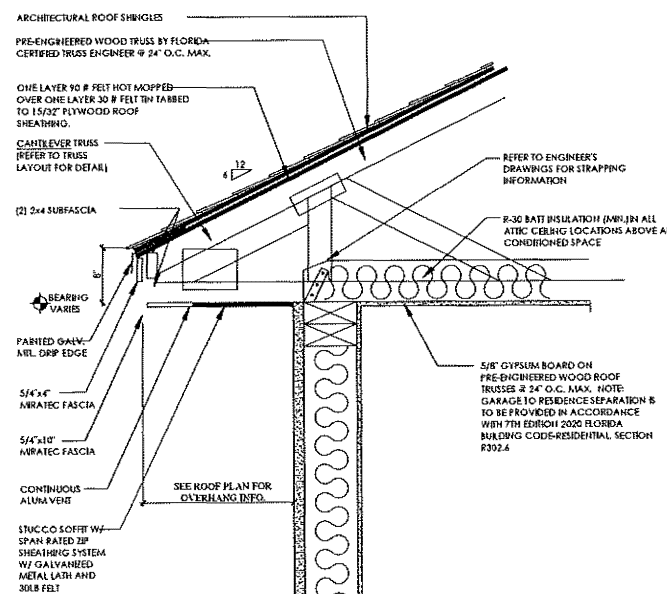


**SHAMPOO NICHE @ 42\"/>**

| FIRST FLOOR WINDOW SCHEDULE |             |       |        |            |        |          |                                |
|-----------------------------|-------------|-------|--------|------------|--------|----------|--------------------------------|
| NO.                         | STYLE       | SIZE  |        | PROTECTION |        | MATERIAL | REMARKS                        |
|                             |             | WIDTH | HEIGHT | SHUTTER    | IMPACT |          |                                |
| 101                         | SINGLE HUNG | 2'-2" | 5'-3"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 102                         | FIXED GLASS | 2'-2" | 2'-0"  | YES        | YES    | ALUM.    | PGT TRANSOM                    |
| 103                         | SINGLE HUNG | 2'-2" | 5'-3"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 104                         | FIXED GLASS | 2'-2" | 2'-0"  | YES        | YES    | ALUM.    | PGT TRANSOM                    |
| 105                         | FIXED GLASS | 8'-0" | 2'-0"  | YES        | YES    | ALUM.    | PGT SEE ELEV. FOR LOCATION     |
| 106                         | FIXED GLASS | 2'-2" | 4'-2"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 107                         | SINGLE HUNG | 2'-2" | 4'-2"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 108                         | SINGLE HUNG | 2'-2" | 4'-2"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 109                         | SINGLE HUNG | 2'-2" | 4'-2"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 110                         | SINGLE HUNG | 2'-2" | 5'-3"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 111                         | SINGLE HUNG | 2'-2" | 5'-3"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 112                         | FIXED GLASS | 2'-0" | 2'-0"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 113                         | SINGLE HUNG | 2'-4" | 5'-3"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 114                         | FIXED GLASS | 2'-4" | 2'-0"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 115                         | SINGLE HUNG | 2'-4" | 5'-3"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 116                         | FIXED GLASS | 2'-4" | 2'-0"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 117                         | FIXED GLASS | 2'-4" | 1'-4"  | YES        | YES    | ALUM.    | PGT TRANSOM                    |
| 118                         | FIXED GLASS | 2'-4" | 1'-4"  | YES        | YES    | ALUM.    | PGT TRANSOM                    |
| 119                         | FIXED GLASS | 2'-4" | 1'-4"  | YES        | YES    | ALUM.    | PGT TRANSOM                    |
| 120                         | FIXED GLASS | 2'-4" | 1'-4"  | YES        | YES    | ALUM.    | PGT TRANSOM                    |
| 121                         | FIXED GLASS | 3'-0" | 1'-4"  | YES        | YES    | ALUM.    | PGT TRANSOM                    |
| 122                         | SINGLE HUNG | 2'-4" | 5'-3"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 123                         | FIXED GLASS | 2'-4" | 2'-0"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 124                         | SINGLE HUNG | 2'-4" | 5'-3"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 125                         | FIXED GLASS | 2'-4" | 2'-0"  | YES        | YES    | ALUM.    | PGT TRANSOM                    |
| 126                         | SINGLE HUNG | 2'-4" | 5'-3"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F.            |
| 127                         | FIXED GLASS | 2'-4" | 2'-0"  | YES        | YES    | ALUM.    | PGT TRANSOM                    |
| 128                         | SINGLE HUNG | 2'-2" | 3'-2"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F., TEMP. GL. |
| 129                         | SINGLE HUNG | 3'-0" | 5'-2"  | YES        | YES    | ALUM.    | PGT TOP @ 8' A.F.F., EGRESS    |

| FIRST FLOOR DOOR SCHEDULE |                 |          |        |            |        |            |                                  |
|---------------------------|-----------------|----------|--------|------------|--------|------------|----------------------------------|
| NO.                       | STYLE           | SIZE     |        | PROTECTION |        | MATERIAL   | REMARKS                          |
|                           |                 | WIDTH    | HEIGHT | SHUTTER    | IMPACT |            |                                  |
| 101                       | SWING-DBL-EXT   | PR 3'-0" | 10'-0" | YES        | YES    | FIBERGLASS | PLASTPRO                         |
| 102                       | DBL-EXT-FRENCH  | PR 2'-6" | 8'-0"  | YES        | YES    | FIBERGLASS | PLASTPRO                         |
| 103                       | DBL-EXT-FRENCH  | PR 2'-6" | 8'-0"  | YES        | YES    | FIBERGLASS | PLASTPRO                         |
| 104                       | SLIDER 4 PANEL  | 16'-0"   | 10'-0" | YES        | YES    | ALUM.      | PGT                              |
| 105                       | EXTERIOR FRENCH | 2'-4"    | 8'-0"  | YES        | YES    | FIBERGLASS | PLASTPRO                         |
| 106                       | EXTERIOR FRENCH | 2'-4"    | 10'-0" | YES        | YES    | FIBERGLASS | PLASTPRO                         |
| 107                       | OVERHEAD DOOR   | 16'-0"   | 8'-0"  | YES        | YES    | METAL      | CLOPAY                           |
| 108                       | OVERHEAD DOOR   | 8'-0"    | 8'-0"  | YES        | YES    | METAL      | CLOPAY                           |
| 109                       | SWING GARAGE    | 3'-0"    | 8'-0"  |            |        | METAL      | FIRE RATED W/SELF CLOSING DEVICE |
| 110                       | SWING           | 3'-0"    | 8'-0"  |            |        | WOOD       |                                  |
| 111                       | SWING-DBL       | PR 2'-0" | 8'-0"  |            |        | WOOD       |                                  |
| 112                       | SWING           | 2'-4"    | 8'-0"  |            |        | WOOD       |                                  |
| 113                       | SWING           | 2'-4"    | 8'-0"  |            |        | WOOD       |                                  |
| 114                       | SHOWER SWING    | 2'-4"    | 7'-0"  |            |        | GLASS      | TEMP. GL.                        |
| 115                       | SWING           | 2'-4"    | 8'-0"  |            |        | WOOD       |                                  |
| 116                       | BYPASS-DBL      | PR 2'-6" | 8'-0"  |            |        | WOOD       |                                  |
| 117                       | SWING           | 2'-4"    | 8'-0"  |            |        | WOOD       |                                  |
| 118                       | BYPASS-DBL      | PR 2'-6" | 8'-0"  |            |        | WOOD       |                                  |
| 119                       | SWING           | 2'-4"    | 8'-0"  |            |        | WOOD       |                                  |
| 120                       | SWING           | 2'-4"    | 8'-0"  |            |        | WOOD       |                                  |
| 121                       | SWING           | 2'-4"    | 8'-0"  |            |        | WOOD       |                                  |
| 122                       | SWING-DBL       | PR 2'-6" | 8'-0"  |            |        | WOOD       |                                  |
| 123                       | SWING           | 2'-0"    | 8'-0"  |            |        | WOOD       |                                  |
| 124                       | SWING           | 2'-0"    | 8'-0"  |            |        | WOOD       |                                  |
| 125                       | SWING           | 2'-4"    | 8'-0"  |            |        | WOOD       |                                  |
| 126                       | SWING           | 2'-4"    | 8'-0"  |            |        | WOOD       |                                  |
| 127                       | SHOWER SWING    | 2'-4"    | 7'-0"  |            |        | GLASS      | TEMP. GL.                        |
| 128                       | SWING           | 2'-4"    | 8'-0"  |            |        | WOOD       |                                  |
| 129                       | SWING           | 2'-4"    | 8'-0"  |            |        | WOOD       |                                  |

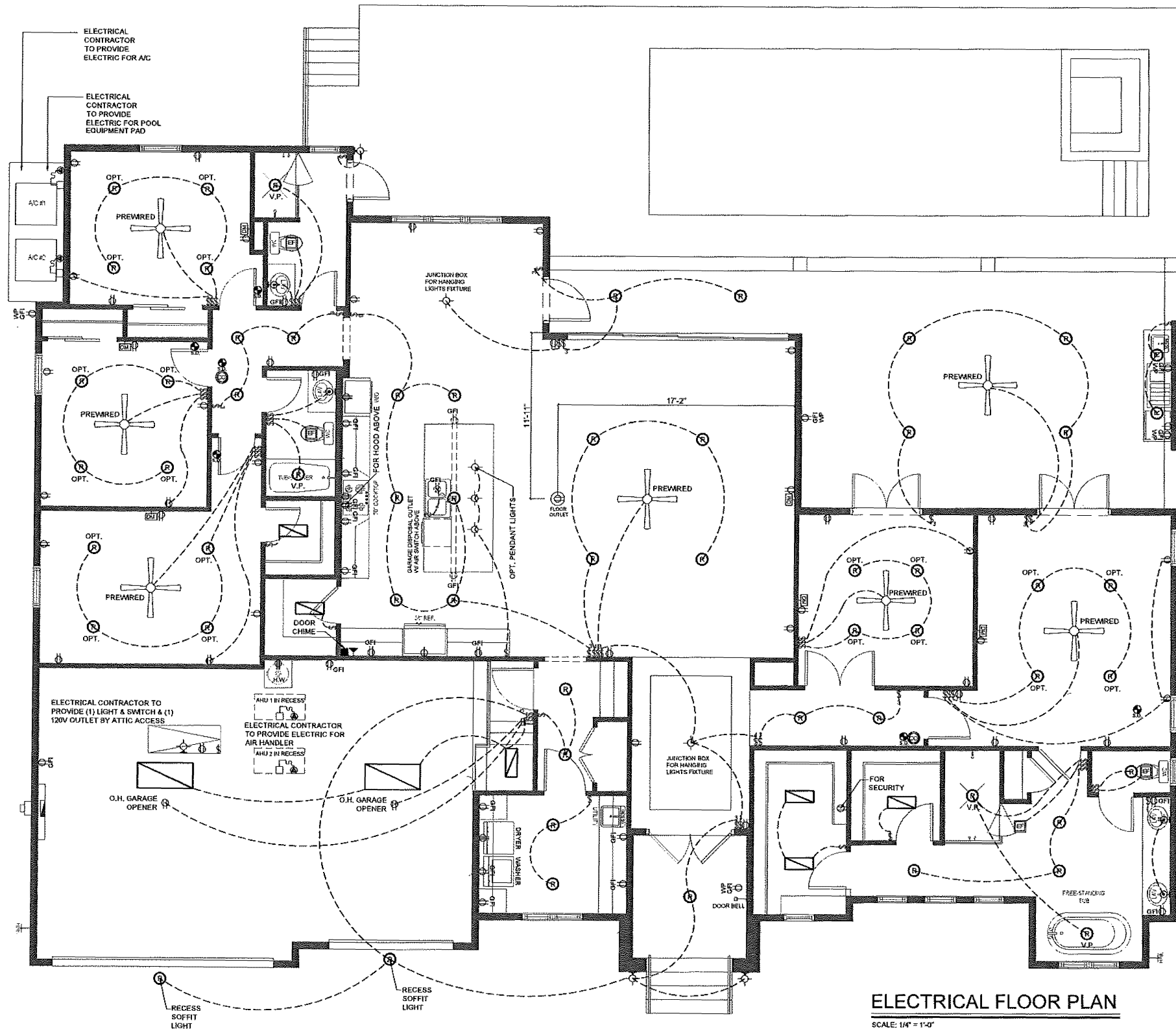
| OPTIONAL FIRST FLOOR DOOR SCHEDULE |                |           |        |            |        |       |             |
|------------------------------------|----------------|-----------|--------|------------|--------|-------|-------------|
| NO.                                | STYLE          | SIZE      |        | PROTECTION |        | MFR.  | REMARKS     |
|                                    |                | WIDTH     | HEIGHT | SHUTTER    | IMPACT |       |             |
| 128                                | SLIDER 4 PANEL | 16'-0"    | 10'-0" |            | YES    | ALUM. | PGT         |
| 129                                | SLIDER TRIPLE  | 3 @ 3'-0" | 10'-0" |            | YES    | ALUM. | PGT         |
| 130                                | SHOWER-BYPASS  | PR 2'-4"  | 7'-0"  |            |        | GLASS | TEMP. GLASS |
| 131                                | SHOWER-BYPASS  | PR 2'-4"  | 7'-0"  |            |        | GLASS | TEMP. GLASS |



**TYPICAL WALL SECTION**  
SCALE: NTS  
NOTE: FIRE RATED SOFFIT DETAIL TO BE USED AS NEEDED

1. PREWIRE IS REQUIRED FOR COORDINATE WITH ALL LOCAL BUILDING CODES AND ORDINANCES.  
2. PREWIRE FOR ALL ELECTRICAL WORK TO BE DONE BY THE BUILDER. THE BUILDER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL PREWIRED DEVICES AND FIXTURES.  
3. PREWIRE IS NOT TO BE USED FOR ANY OTHER PURPOSES.  
4. PREWIRE IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL LOCAL ORDINANCES.  
5. PREWIRE IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) AND ALL LOCAL ORDINANCES.  
6. PREWIRE IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL ASSOCIATION OF HOME BUILDERS (NAHB) AND ALL LOCAL ORDINANCES.  
7. PREWIRE IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL ASSOCIATION OF REALTORS (NAR) AND ALL LOCAL ORDINANCES.  
8. PREWIRE IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL ASSOCIATION OF ARCHITECTS (AIA) AND ALL LOCAL ORDINANCES.  
9. PREWIRE IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL ASSOCIATION OF ENGINEERS (ASCE) AND ALL LOCAL ORDINANCES.  
10. PREWIRE IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL ASSOCIATION OF SCIENTISTS (ASA) AND ALL LOCAL ORDINANCES.

RESIDENCE OF  
SHORELAND HOME  
BUILDERS



| ELECTRICAL LEGEND |                                         |
|-------------------|-----------------------------------------|
|                   | CEILING FAN                             |
|                   | 24" X 48" FLOOR, FIX.                   |
|                   | 12" X 48" FLOOR, FIXTURE                |
|                   | FLOOR STRIP                             |
|                   | UNDERCOUNTER LIGHT                      |
|                   | BASE CABINET FOOT LIGHTING              |
|                   | BARISCONIC LIGHTING                     |
|                   | ROPE LIGHTING                           |
|                   | H-99 RECESS                             |
|                   | EYE BALL RECESSED                       |
|                   | 4" RECESS LIGHTING                      |
|                   | 6" RECESS LIGHTING                      |
|                   | CEILING MOUNTED LIGHT                   |
|                   | HANGING LIGHT FIXTURE                   |
|                   | WALL SCONCE LIGHTING                    |
|                   | WALL MOUNT LIGHTING                     |
|                   | SPOT LIGHTS                             |
|                   | PENDANT LIGHT                           |
|                   | EXHAUST FAN W/ LIGHT                    |
|                   | EXHAUST FAN                             |
|                   | TYP. SWITCH                             |
|                   | DIMMER SWITCH                           |
|                   | 3-WAY SWITCH                            |
|                   | 4-WAY SWITCH                            |
|                   | SINGLE 110 OUTLET                       |
|                   | UNDER COUNTER 110 OUTLET                |
|                   | 110 OUTLET                              |
|                   | HALF HOT DUPLEX 110 OUTLET              |
|                   | 220 OUTLET                              |
|                   | 110 G.F.I.                              |
|                   | 110 G.F.I. W.P. OUTLET                  |
|                   | A/C DISCONNECT                          |
|                   | PUSH BUTTON                             |
|                   | CABLE T.V.                              |
|                   | PHONE                                   |
|                   | SMOKE DETECTOR                          |
|                   | DOOR CHIME                              |
|                   | JUNCTION BOX                            |
|                   | STRUCTURED WIRE (2 COAX-2 CAT5)         |
|                   | CARBON MONOXIDE DETECTOR                |
|                   | DUAL MEDIA OUTLET (DATA, PH, TV, ELEC.) |

ELECTRICAL NOTES

- NOTE:  
ALL ELECTRICAL DEVICES AND FIXTURES IN ALL LIVING QUARTERS TO BE PROTECTED WITH A.F.I. BREAKER.
1. PREWIRE FOR SECURITY SYSTEM AND INTERCOM SYSTEM.  
2. INSTALL RG-6 COAXIAL CABLE AND CAT-6 TWISTED PAIR WIRE (SEE BUILDER FOR DETAILS).  
3. SEE SMOKE DETECTOR AND POOL ALARM NOTES BELOW.  
4. ALL ELECTRICAL SHALL BE IN ACCORDANCE TO MEET OR EXCEED -NEC 2017.
- SMOKE DETECTOR'S POWERED BY HOUSE ELECTRIC W/ BATTERY BACKUP & INTERCONNECTED, INSTALLED IN EACH SLEEPING ROOM & IN HALL OR AREA IMMEDIATELY OUTSIDE EACH ROOM & AT HIGHEST POINT OF EACH STORY OF RESIDENCE.
- NOTE:  
ELECTRICAL CONTRACTOR AND/OR SECURITY SYSTEM CONTRACTOR SHALL BE RESPONSIBLE TO ENSURE THAT ALL DOORS AND WINDOWS PROVIDING DIRECT ACCESS FROM THE HOME TO THE POOL WILL BE EQUIPPED WITH AN EXIT ALARM THAT HAS A MINIMUM SOUND PRESSURE RATING OF 85 DECIBELS AT 10 FEET.
- NOTE:  
CARBON MONOXIDE PROTECTION SHALL BE PROVIDED WITHIN 10 FEET OF EACH ROOM USED FOR SLEEPING PURPOSES.

SUBMITTAL LIST :

PLOT DATE : 2021-12-22  
SCALE : AS NOTED  
SHEET TITLE : ELECTRICAL PLAN

SHEET NO.:  
**E-01**

ELECTRICAL FLOOR PLAN  
SCALE: 1/4" = 1'-0"

## **REQUEST FOR CONTINUANCE TO A FUTURE PLANNING AND ZONING BOARD MEETING**

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0027**

AGENDA ITEM 7(g)

APPLICANT Jason Stancil  
c/o Colour Homes, LLC

OWNER Darden Claire Harting Trust

LOCATION 0 Seminole Drive / PID 151370-0000

REQUEST To approve construction of a new single-family home within Conservation Overlay Zone 2.

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 2** includes all property one hundred (100) feet landward from the most restrictive boundary line establishing Conservation Overlay Zone 1. Zone 2 is the transition zone or buffer area between Zone 1 and Zone 3, and may include areas recognized as habitat for species considered endangered, threatened, of special concern, or unique by federal state and local agencies. The primary purpose of Zone 2 is to protect the functional integrity of Zone 1, and to protect Zone 3 from extreme high water conditions.

## **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 for a new 867 square foot single-family residence at 0 Seminole Drive.

The proposed single-family residence in Conservation Overlay Zone 2 is proposed to use a stemwall slab on grade foundation as opposed to a pier and pile type above flood level. The applicant may want to consider potential flooding issues in this area related to type of construction.

As for the size of the home and amount of the property being developed it is reduced compared to previous proposals of development at 0 Seminole Drive. The site plan shows the use of a coquina shell driveway compared to concrete or other impervious surfaces which are typically used for driveways which may have a reduced impact on existing flooding issues.

#### 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 single-family residence within Conservation Overlay Zone 2 at 0 Seminole Drive / PID 151370-0000 given the size of the house, appropriate buffers from jurisdictional wetland lines and adjacent development.



---

Jacob Fredriksson  
Senior Planner  
Planning and Building Department



June 7, 2022

Jason Stancil c/o Colour Homes LLC  
34 Cordova Street  
St Augustine, FL 32084

Re: Conservation Overlay Zone Development – 0 Seminole Drive – Case Number  
2022-0027

Dear Applicant:

On Tuesday, June 7, 2022, the Planning and Zoning Board (PZB) met and discussed your application to approve the construction of a new single-family home within Conservation Overlay Zone 2.

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

Please contact the Planning and Building Department at 904-825-1065 for questions you may have regarding this matter.

Sincerely,

Amy McClure Skinner, AICP  
Director, Planning & Building

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

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

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**TYPE OF REQUEST:**

- |                                                                           |                                                                |
|---------------------------------------------------------------------------|----------------------------------------------------------------|
| <input type="checkbox"/> Appeal                                           | <input type="checkbox"/> Preliminary Subdivision Plat Approval |
| <input checked="" type="checkbox"/> Conservation Overlay Zone Development | <input type="checkbox"/> PUD Modification/Amendment            |
| <input type="checkbox"/> Use by Exception                                 | <input type="checkbox"/> Rezoning                              |
| <input type="checkbox"/> Final Development Plan                           | <input type="checkbox"/> Variance                              |
| <input type="checkbox"/> Land Use Plan Amendment                          | <input type="checkbox"/> Other Click here to enter text.       |

**IN THE MATTER OF:**

Case No.: 2022-0027  
Applicant: Jason Stancil c/o Colour Homes, LLC  
Owner: Darden Claire Harting Trust  
Address: 0 Seminole Drive / PID 151370-0000  
Parcel Number: 151370-0000

RE: Request to approve the construction of a new single-family home within Conservation Overlay Zone 2.

THE PLANNING AND ZONING BOARD HAS HEARD TESTIMONY AND EXAMINED EVIDENCE AT A PUBLIC HEARING HELD ON JUNE 7, 2022, 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 June 7, 2022 Planning and Zoning Board meeting and testified under oath, or ☐ was not present.
2. A public hearing was held, with notice given as required by law, and ☐ members of the public testified under oath, or ☒ no members of the public spoke on this issue.
3. The subject property has a land use designation of Residential Low Density and a zoning classification of Residential Single Family two (RS-2).
4. The above-described Conservation Overlay Zone 2 Development is subject to Section 28-29 of the Code of the City of St. Augustine.

**ORDER:**

Based upon the evidence presented, the Planning and Zoning Board determined that the requested action **MEETS / DOES NOT MEET** the requirements of Section 28-29, City of St. Augustine Code, and **APPROVES / DENIES / CONTINUES** the Applicant's request to approve the construction of a new single-family home within Conservation Overlay Zone 2.

Subject to the following conditions:

- 
- 
- 
- 
- 
- 
- 
- 

Continue to August 2, 2022

DONE AND ORDERED, at a public hearing on the 7 day of June, A.D., 2022, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

2022-0027

REQUEST APPROVED / DENIED / CONTINUED

Sign Name

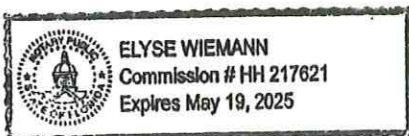
Print Name

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, Michael Davis, by means of ☒ physical presence or ☐ online notarization, 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 7th day of June, A.D., 2022.



Elyse Wiemann  
Notary Public, State of Florida



## Jacob Fredriksson

---

**From:** Jason Stancil <jason@colour-homes.com>  
**Sent:** Monday, June 6, 2022 3:29 AM  
**To:** Jacob Fredriksson  
**Cc:** Tracey Mullins  
**Subject:** Re: June 7th 2022 Planning and Zoning Board Meeting

**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.

Good morning. Please withdraw us and this item from the PZB meeting on June 7th. We would like to reschedule the meeting to August.

Jason Stancil  
Colour Homes  
Cell: 904-704-3354

On Jun 2, 2022, at 2:25 PM, Jacob Fredriksson <jfredriksson@citystaug.com> wrote:

Yes, an email requesting to be continued to the July 5<sup>th</sup>, 2022 PZB meeting would suffice. Thank you.

**Jacob Fredriksson**  
Senior Planner  
City of St. Augustine | Planning and Building Department  
P.O. Box 210 | St. Augustine, FL 32085  
Office: 75 King Street, Lobby B | Phone: 904.209.4331

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*Please Note:* Florida has a very broad Public Records Law. Unless specifically exempt by state law, written communications to city officials or staff regarding official city business are public records available to the public and media upon request. If your email communication is related to official government business, it may therefore be subject to public disclosure.

---

**From:** Jason Stancil <jason@colour-homes.com>  
**Sent:** Thursday, June 2, 2022 1:06 PM  
**To:** Jacob Fredriksson <jfredriksson@citystaug.com>  
**Cc:** Tracey Mullins <tmullins@citystaug.com>  
**Subject:** Re: June 7th 2022 Planning and Zoning Board Meeting

**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.

Hey Jacob,  
I'm going to withdraw from this meeting. Let me know if this email will suffice for the withdraw.



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

Application Fee: \$165 (plus advertising costs) Project Number: 2022-0027

Receipt Number: 2355481 Meeting Date: May 3, 2022

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

1. NAME OF APPLICANT: Jason Stancil Contact Number: 904-704-3354

Business (if applicable): Colour Homes, LLC

Address: 34 Cordova Street City: Jacksonville State: FL Zip: 32084

E-Mail Address: jason@colour-homes.com

2. NAME OF PROPERTY OWNER: Darden Claire Harting Trust Contact Number: \_\_\_\_\_

Business (if applicable): \_\_\_\_\_

Address: 1155 Granito Road City: Laramie State: WY Zip: 82072

E-Mail Address: \_\_\_\_\_

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 48 + 49

Block: OR 383/1946

Subdivision: Lewis Subdivision

Parcel Number: 1513700000

4. PROJECT STREET ADDRESS: 0 Seminole Drive

5. SPECIFIC PROPOSED USE: Residential Home

6. ACTION REQUESTED:

☒ Conservation Zone Development ☐ Appeal of Staff Determination

☐ Exception ☐ Land Use Plan Amendment

☐ Variance ☐ Rezoning

☐ Other: 704

7. DESCRIPTION OF ACTION REQUESTED: Build Single Family Residence

8. JUSTIFICATION FOR ACTION REQUESTED: \_\_\_\_\_

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.

12/7/2021 Denied. Different applicant wanted to install bulkhead and larger home.

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.

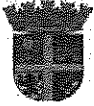
  
\_\_\_\_\_  
Signature of Applicant

4/4/22  
\_\_\_\_\_  
Date

Claire H Schaefer aka Claire H  
Darden  
\_\_\_\_\_  
Signature of Property Owner

4/4/22  
\_\_\_\_\_  
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.

Jason Stancil

Print name of applicant

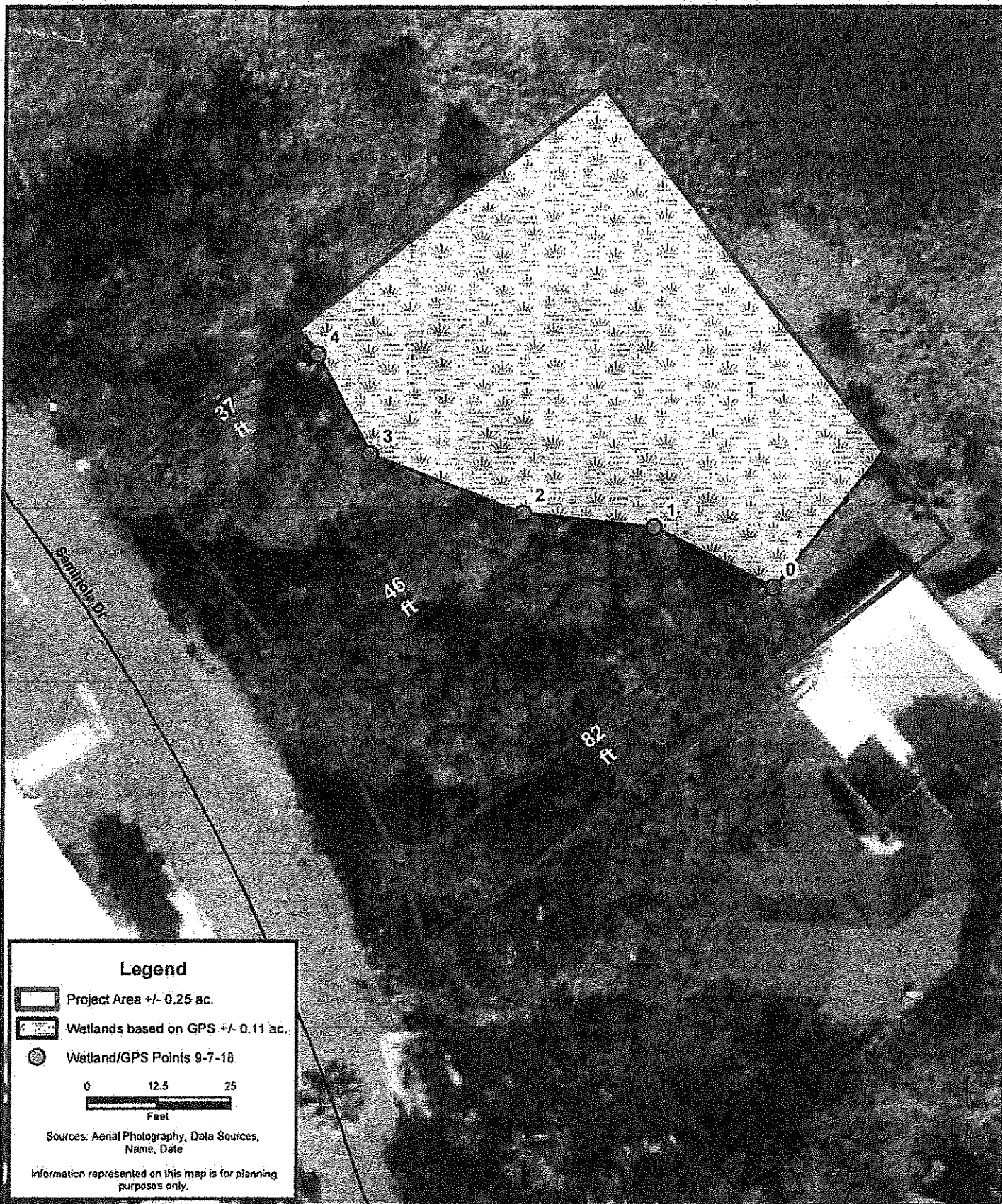
JS

Signature of applicant

9-4-22

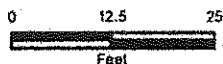
Date

\\F:\CES\Projects\Project Files\2018\5.18270 Schaefer Seminole\GIS\Wetland\Schaefer\_Seminole\_Deline\_0-7-18.mxd



### Legend

-  Project Area +/- 0.25 ac.
-  Wetlands based on GPS +/- 0.11 ac.
-  Wetland/GPS Points 9-7-18



Sources: Aerial Photography, Data Sources,  
Name, Date

Information represented on this map is for planning  
purposes only.

**CARTER ENVIRONMENTAL  
SERVICES, INC.**



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

[www.carterenv.com](http://www.carterenv.com)

Wetland Delineation Assessment Map

**Schaefer Seminole**

Project: 5.18270

St. Augustine, FL

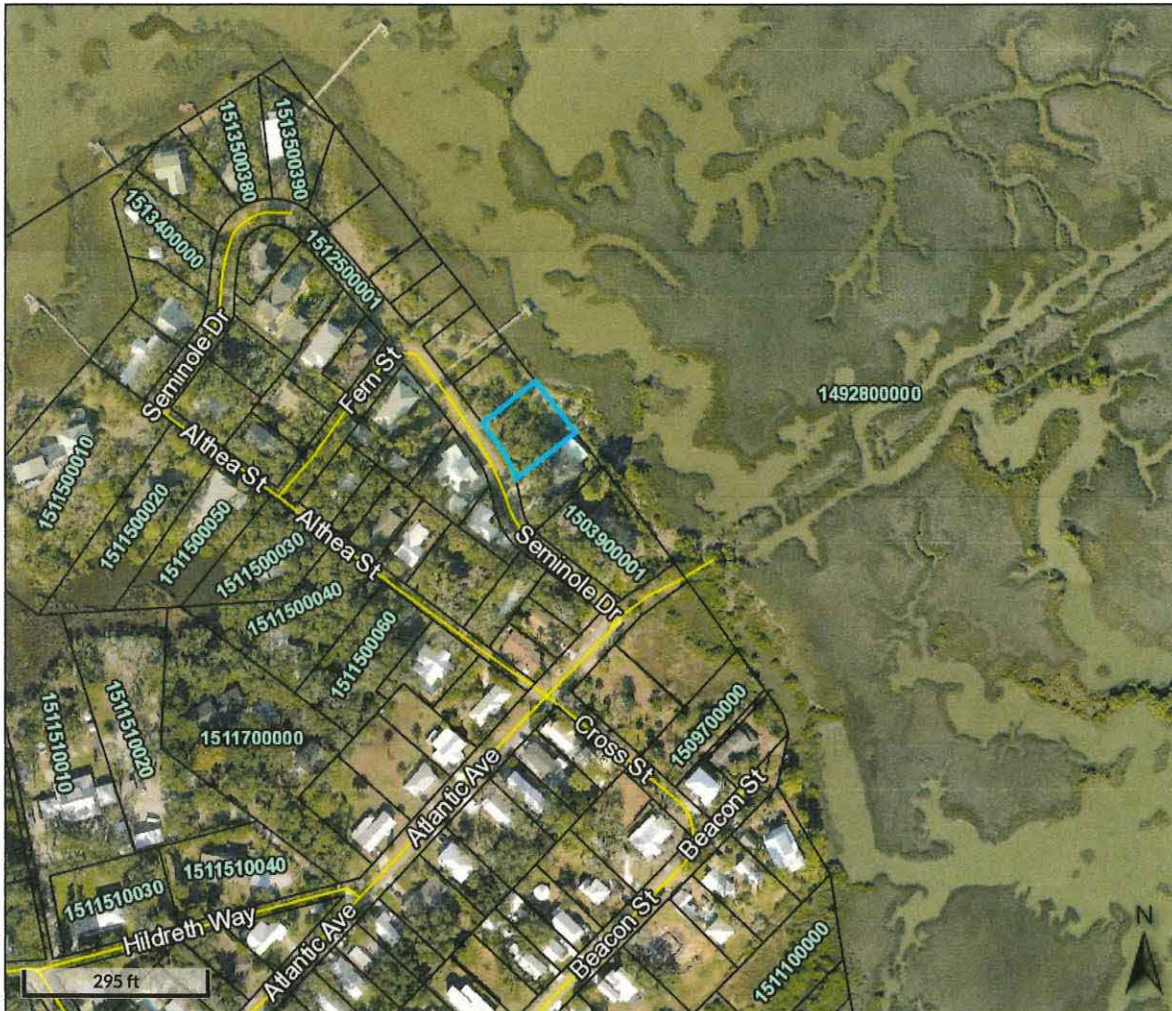
Date: Sep 07 2018

Figure:

1







Overview



Legend

□ Parcels

|                 |                      |                  |                       |                     |          |              |       |        |      |
|-----------------|----------------------|------------------|-----------------------|---------------------|----------|--------------|-------|--------|------|
| Parcel ID       | 1513700000           | Physical Address | SEMINOLE DR           | Building Value      | N/A      | Last 2 Sales |       |        |      |
| Property Class  | 0000 - Vacant        | Mailing Address  | SAINT AUGUSTINE       | Extra Feature Value | N/A      | Date         | Price | Reason | Qual |
| Taxing District | City of St Augustine | Address          | DARDEN CLAIRE HARTUNG | Total Land Value    | \$16,000 | n/a          | 0     | n/a    | n/a  |
| Acres           | 0.25                 |                  | ETAL                  | Just Value          | \$16,000 | n/a          | 0     | n/a    | n/a  |
|                 |                      |                  | 1155 GRANITO DR       | Total Deferred      | \$2,932  |              |       |        |      |
|                 |                      |                  | LARAMIE WY 82072-0000 | Assessed Value      | \$13,068 |              |       |        |      |
|                 |                      |                  |                       | Total Exemptions    | N/A      |              |       |        |      |
|                 |                      |                  |                       | Taxable Value       | \$13,068 |              |       |        |      |

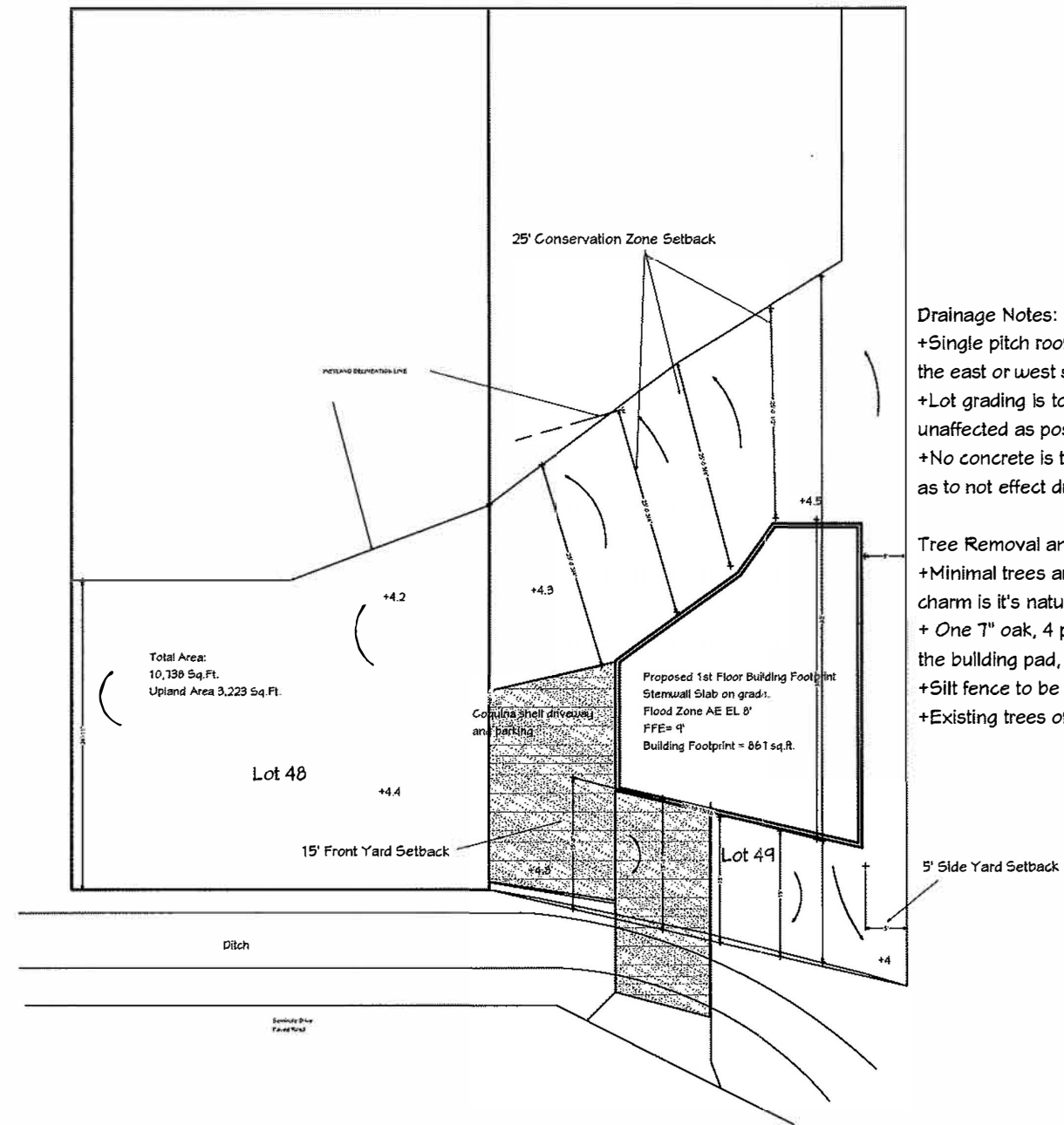
The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Date created: 4/12/2022

Last Data Uploaded: 4/12/2022 12:52:09 AM

Developed by  Schneider  
GEOSPATIAL

0 Seminole Drive  
Parcel ID# 1513700000  
Lots 48 and 49 of Lewis Subdivision



Drainage Notes:

- +Single pitch roof systems with gutters will divert water to either the east or west side of the property. To be determined by COSA.
- +Lot grading is to remain the same so that storm drainage flow is unaffected as possible.
- +No concrete is to be poured for the driveway or parking area so as to not effect drainage.

Tree Removal and Clearing Notes:

- +Minimal trees and branches to be removed. This properties charm is it's natural foliage.
- + One 7" oak, 4 palmettos, and small brush will be cleared from the building pad, parking, and driveway area.
- +Silt fence to be install around the construction area
- +Existing trees offset tree mitigation

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **Other Business Item Number 8(a): Discussion to Consider Recommending a change to the Zoning Code to allow Not-for-profit clubs as a permitted use or a permitted use by exception in Historic Preservation District-three (HP-3)**

At a previous Planning and Zoning Board (PZB) meeting, the Board heard a request by a citizen to add Not-for-profit clubs as either a permitted use or a permitted use by exception into the Historic Preservation-three (HP-3) zoning district. The PZB requested additional information including a map illustrating the distribution of businesses previously approved for a license to sell/serve alcohol.

Not-for-profit clubs are defined in the zoning code as: “*Not-for-profit club* means an association or organization of a fraternal or social character, not operated or maintained for profit.”

This use is currently allowed as a permitted use by exception in the Historic Preservation-two (HP-2) and the Open Land (OL) zoning districts.

Private clubs are also defined in the zoning code, but are not listed as an allowed use in any zoning district: “*Club, private*, means an association or organization for a fraternal or social character, not operated or maintained for profit. The term “private club” shall not include casinos, nightclubs, bottle clubs or other establishments operated or maintained for profit.”

Included as attachments are the specific Historic Preservation Districts outlined so that the PZB can review the distribution of uses among them, a map showing the location of the Historic Preservation Zoning Districts in the city, and a map illustrating the locations of establishments that had previously been approved for an alcohol license. It is important to note that staff does not know the current status of the business or the alcohol license at any of these locations. It is simply a map illustrating a record over time of the distribution of licenses in the downtown area.

Staff would like direction from the PZB regarding this request. Thank you for your attention to this matter. If you have any questions or require additional information, please call me at (904) 209-4320 or email at [askinner@citystaug.com](mailto:askinner@citystaug.com).

---

Amy McClure Skinner, AICP  
Director, Planning and Building Department

## **DIVISION 4. - HISTORIC PRESERVATION DISTRICTS<sup>[5]</sup>**

### **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. 28-183. - Historic preservation district: HP-1.**

*Intent.* This district is intended to provide primarily residential uses that will encourage the preservation and restoration of historic structures in the district.

(1) *Boundaries.* This district is bounded as follows:

- a. North. Easterly along a line running parallel to and sixty-five (65) feet north of Palm Row for a distance of one hundred ninety (190) feet; thence northerly along a line running parallel to St. George Street for seventy (70) feet; thence easterly to St. George Street; thence southerly along St. George Street to Cadiz Street; thence easterly along Cadiz Street to Aviles Street; thence southerly along Aviles Street to Bridge Street; thence easterly along Bridge Street to the Matanzas River or Bay.
- b. East. Matanzas River or Bay.
- c. South. Cemetery Lane westerly to Charlotte Street; thence southerly to San Salvador Street; thence westerly to St. George Street and continuing a westerly projection line to Cordova Street.
- d. West. Cordova Street between a projection line of San Salvadore Street to Palm Row.

(2) *Permitted uses and structures:*

- a. Single-family. Owner occupied or rental dwelling unit. If a rental dwelling unit, rentals on a monthly or greater period of time.



- b. Accessory apartments, apartments and duplexes, rental dwellings being rented on a monthly or greater period of time.

(3) *Permitted uses by exception:*

- a. Public administrative and service facilities with structures and uses limited to business offices, museums and housing for employees.
- b. Churches.
- c. Schools.
- d. Nonprofit museums relating to the history of St. Augustine and the State of Florida.
- e. Nonprofit libraries relating to the history of St. Augustine and the State of Florida.

**Sec. 28-184. - Historic preservation district: HP-2.**

*Intent.* This district is intended to provide a mix of commercial and residential uses that will encourage the restoration and reproduction of historic structures and maintain the historic and pedestrian scale of the neighborhood.

(1) *Boundaries.* This district is bounded as follows:

- a. *North.* 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.
- b. *East.* Matanzas River or Bay.
- c. *South.* Easterly along a line running parallel to and sixty-five (65) feet north of Palm Row for a distance of one hundred ninety (190) feet; thence northerly along a line running parallel to St. George Street for seventy (70) feet; thence easterly to St. George Street; thence southerly along St. George Street to Cadiz Street; thence easterly along Cadiz Street to Aviles Street; thence southerly along Aviles Street to Bridge Street; thence easterly along Bridge Street to Matanzas River or Bay.
- d. *West.* Cordova Street between Palm Row and Hypolita Street.

(2) *Permitted uses and structures:*

- a. Single-family.
- b. Multifamily.
- c. Tourist homes and bed and breakfast inns.
- d. Professional and business offices.
- e. Rooming and boarding houses.
- f. Banks and other financial institutions.
- g. Retail sales (excluding rental of motorized vehicles):
  - 1. New.
  - 2. Antique.
  - 3. Souvenir.
  - 4. Gift.
  - 5. Craft, such as specialty food stores (including beer and wine but not supermarkets), clothing, toy and hobby shops, bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, cameras, florist or gift shop,



sundries and notions, business office supplies, records and tapes, furniture, art supplies and similar uses.

h. Service:

1. Barbershop or beauty shop.
2. Shoe repair.
3. Restaurant (but not drive-in).
4. Interior decorator.
5. Photographic, art, craft, dance or music studios, indoor theatres, tailoring, catering and clothing rental.

i. Museums.

j. Housing for the elderly.

k. Home office, private.

(3) *Permitted uses by exception:*

**a. Not-for-profit clubs.**

b. Churches.

c. Cocktail lounges/taverns.

d. Hotels/motels/inns.

e. Drive-up windows for banks and financial institutions.

f. Home occupations.

g. Special event venue as per [section 28-347\(8\)](#).

h. Hostels.

i. Craft alcohol industry and its retail sales, but not wholesale storage and distribution or alcohol for sale and consumption on the premises.

**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.
- c. Home occupations.
- d. Hotels/motels/inns.
- e. Special event venue as per [section 28-347\(8\)](#).
- f. Hostels.
- g. Craft alcohol industry and its retail sales, but not wholesale storage and distribution or alcohol for sale and consumption on the premises.

**Sec. 28-186. - Historic preservation district: HP-4.**

*Intent.* This district is intended to apply to significant, large-scale Flagler-era development adjacent to the Colonial City and provides for such uses that encourage the maintenance and use of these structures.

(1) *Boundaries.* This district is bounded as follows:

- a. *North.* Valencia Street, between Sevilla Street and Cordova Street.
- b. *East.* Cordova Street, between Valencia Street and Bridge Street.
- c. *South.* Bridge Street, between Cordova Street and Granada Street.
- d. *West.* Sevilla Street, between Valencia Street and King Street; thence easterly on King Street to Granada Street; thence southerly on Granada Street to Bridge Street.

(2) *Permitted uses and structures:*

- a. Museums.
- b. Colleges, schools and universities.
- c. Professional and business offices.
- d. Retail sales (excluding rental of motorized vehicles):
  - 1. New.
  - 2. Antique.
  - 3. Souvenir.
  - 4. Gift.
  - 5. Craft.
- e. Service:
  - 1. Barbershop and beauty shop.
  - 2. Shoe repair.
  - 3. Restaurants (but not drive-in).

(3) *Permitted uses by exception:*

- a. Motel/hotel.
- b. Special event venue as per [section 28-347](#)(8).

**Sec. 28-187. - Historic preservation district: HP-5.**

*Intent.* This district is intended to provide a mix of residential and nonresidential uses compatible with the existing historic structures and the district's relationship with surrounding neighborhoods and traffic circulation.

(1)*Created; boundaries.* There is hereby created an historical preservation district to be known as historical preservation district HP-5, the boundaries of which shall be as follows:

Begin at the intersection of U.S. Highway 1 and Grove Avenue; thence run easterly along Grove Avenue to San Marco Avenue (except those properties zoned PUD); thence southerly along San Marco Avenue to Castillo Drive; thence westerly along Castillo Drive to Riberia Street; thence southerly along Riberia Street to Orange Avenue; thence westerly along Orange Avenue to U.S. Highway 1; thence northerly along U.S. Highway 1 to Grove Avenue.

(2) *Permitted uses and structures:*

- a. Single-family.
- b. Professional and business offices.
- c. Banks and other financial institutions.
- d. Museums that relate to the history of St. Augustine.
- e. Housing for the elderly.
- f. Home office, private.
- g. Hair salons, beauty shops and barber shops.
- h. Tattoo parlor or studio.

(3) *Permitted uses by exception:*

- a. Restaurants, including taverns and lounges, operated as a part thereof.
- b. Multifamily dwellings.
- c. Drive-up windows for banks and other financial institutions.
- d. Home occupations.
- e. Motion picture theatre facilities within completely enclosed buildings.

(4) *Additional requirements.* Manufacturing, repair and mechanical work is prohibited. Provided, further, that all of the above permitted uses except single-family dwellings and multifamily dwellings shall meet the following additional requirements:

- a. Any such use which is adjacent to residential property shall have constructed along such adjacent property a six-foot-high solid masonry wall.
- b. All air conditioning and/or heating units and garbage collection containers shall be located so as not to be visible from adjacent residential property.
- c. No traffic shall be allowed to enter or exit onto Grove Avenue except for emergency.
- d. No garbage containers of over thirty-gallon capacity shall be placed along Grove Avenue.
- e. Off-street parking and off-street loading is required in HP-5 as defined in sections [28-367](#) through [28-375](#) and [section 28-337](#).

(5) *Maximum lot coverage by all buildings and impervious surfaces:*

- a. Fifty (50) percent.
- b. Main structures, two thousand five hundred (2,500) square feet.

(6) *Additional requirements.* Lots containing single-family residential dwelling development shall not exceed an impervious surface ratio (ISR) maximum of seventy (70) percent ISR:

(7) *Maximum and minimum yard requirements:*

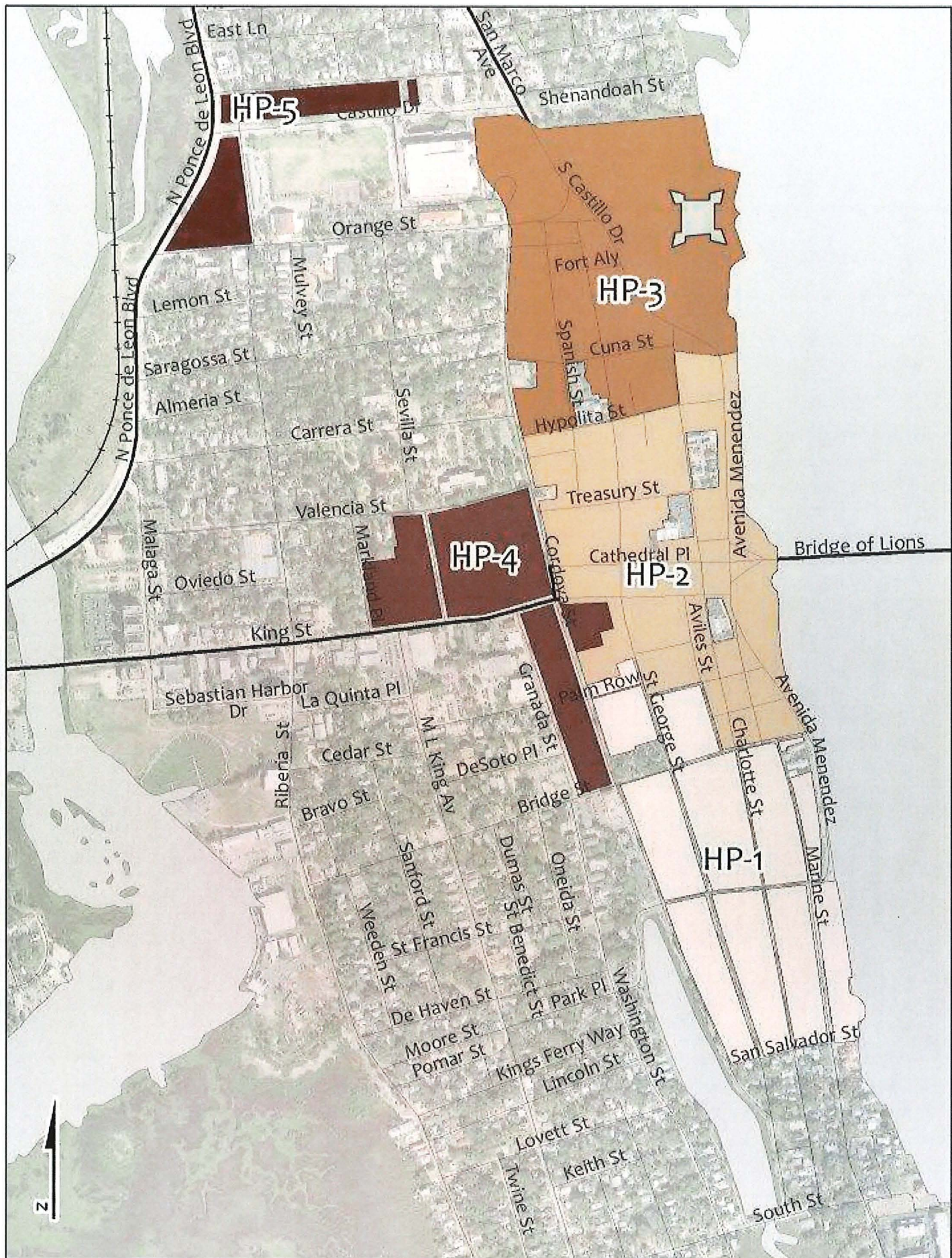
- a. Front, ten (10) feet minimum, twenty (20) feet maximum.
- b. Side, five (5) feet.
- c. Rear, twenty (20) feet.

(8) *Maximum height of structures:* Thirty-five (35) feet, two and one-half (2½) stories.

(9) *Minimum yard requirements.*

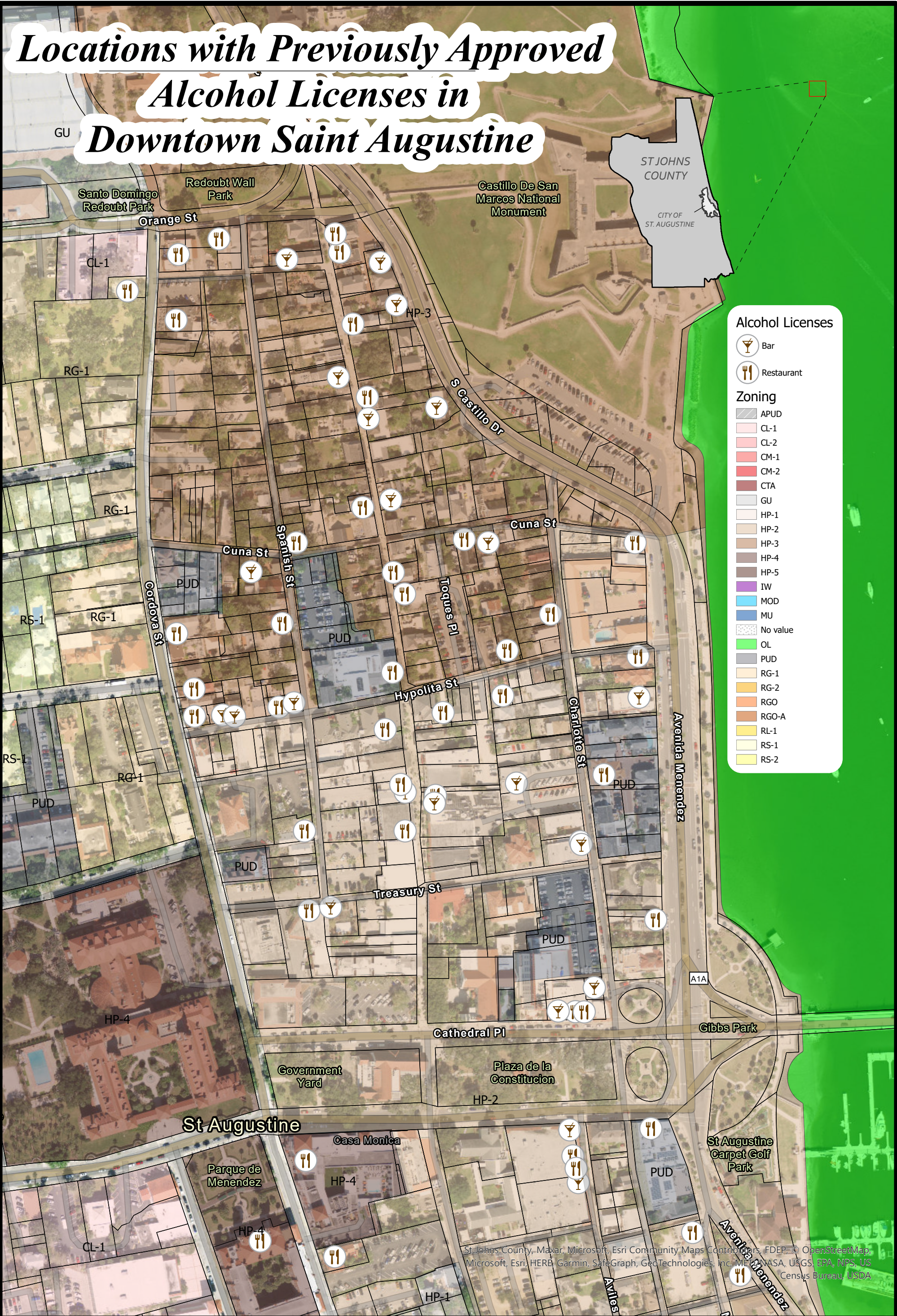
- a. Minimum lot width, fifty (50) feet.
- b. Minimum lot area, six thousand, seven hundred and fifty (6,750) square feet.







# Locations with Previously Approved Alcohol Licenses in Downtown Saint Augustine





CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **Other Business Item 8(b)**

**Planning and Zoning Board discussion related to potential code amendments  
pertaining to Historic Preservation and the issue of partial demolition.**

This Other Business item on the Agenda relates to previous discussions held by the PZB regarding the issue of “partial demolition”. This item was last discussed by the PZB in October 2021.

You may recall that the PZB had several concerns related to potentially expanding regulation of demolition, design, and material requirements outside of the City’s historic districts. As you know the city has several local historic districts comprising the core downtown area as well as several National Register Districts of historic neighborhoods surrounding the downtown area (See attached map).

In 2020 and 2021 city Historic Preservation staff worked with the HARB to develop guidance material related to demolition and partial demolition because of concerns over the potential erosion of the historic fabric of the city’s neighborhoods, which includes the gradual reduction of the historic significance of structures in these areas due to extensive demolition or removal of features and inappropriate replacement materials. It can be debated about how much material needs to be removed completely or what can be rehabilitated before proposed work is considered enough demolition to constitute review by HARB and/or what is considered a loss of historic significance. Regardless the removal of historic materials is irreplaceable.

It is with these concerns in mind that city staff proposed an update to the land development code and the adoption of an Appendix to the Architectural Guidelines for Historic Preservation (AGHP). Specific staff concerns related to the destruction of historic elements of buildings, the loss of historic integrity of actual structures, undermining of the city’s character, erosion of defining features of the neighborhood, and reducing the integrity of the city’s historic neighborhoods which could lead to reducing the justification and potentially losing the integrity of the National Register Districts.

Staff with HARB’s support, and input from the PZB proposed some parameters that more clearly define what is “character defining” where the change or removal would impact the historic nature of a structure. These elements are alterations or removal of roof, windows, exterior finishes, porches/balconies/stoops/loggias and foundations.

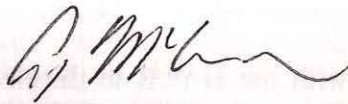
Based on the PZB feedback in October the City Attorney revised the proposed language in the land development code update (See attached). Also included attached find the proposed language related to the Five (5) Elements important to buildings as an Addendum to the AGHP.

The City Attorney referred to State legislation that has impacted regulation of historic structures in her memorandum, also find this language and clarifications attached related to the recently passed House Bill 423 (2022) for the PZB to review. The implications of which and the subsequent internal staff discussion has contributed to the delay in returning this item to the PZB.

The memorandum from the October 2021 PZB meeting is also attached for your reference. A map from 2016 reflecting the age of structures distributed around the city that illustrates the importance of the historic nature and distribution of potentially historic structures throughout the city is also attached for your reference.

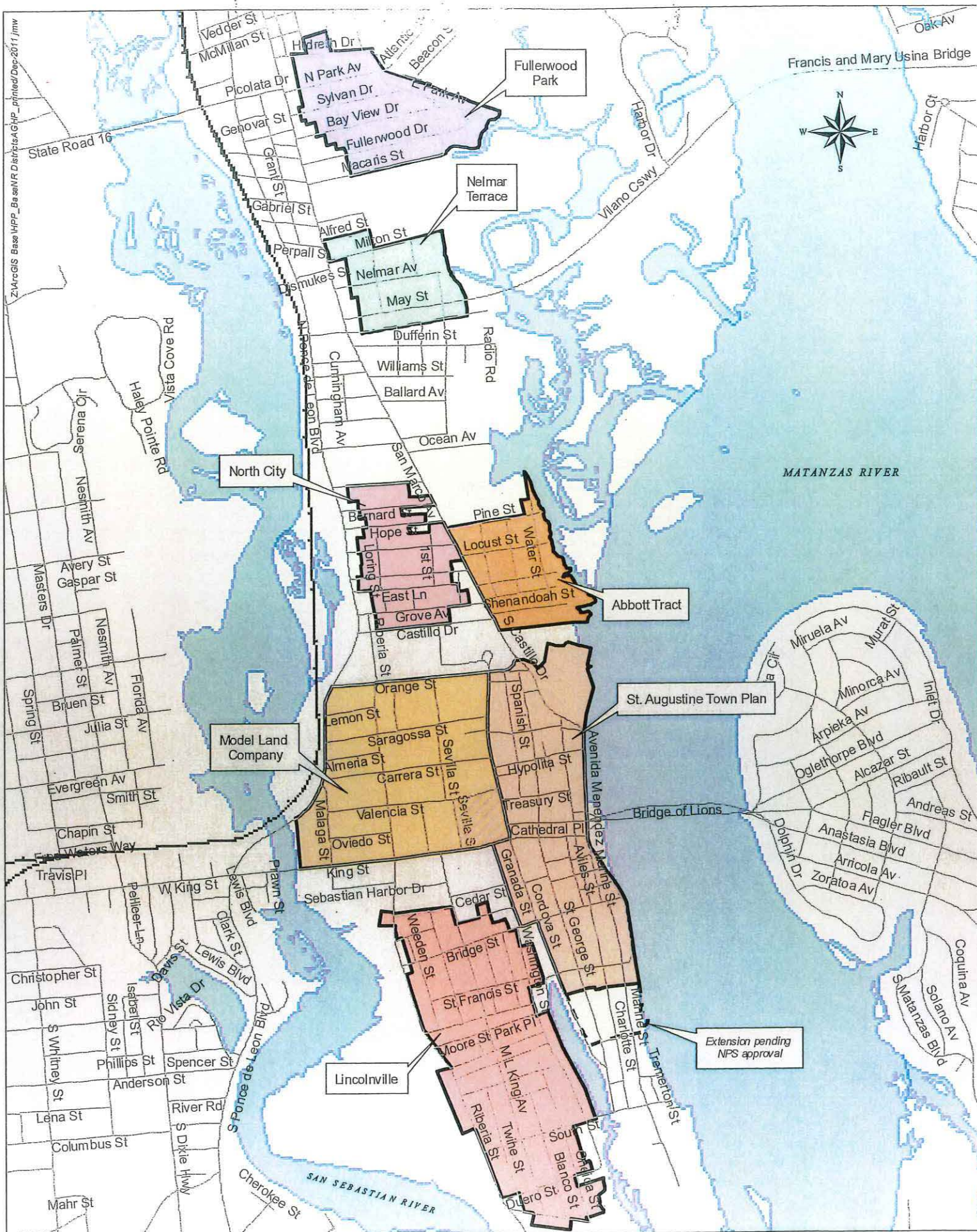
Staff would like to discuss this item with the PZB and determine whether the PZB is comfortable making a recommendation to the City Commission.

Thank you for your attention to this matter. If you have any questions, please call Julie Courtney, Historic Preservation Officer at (904) 209-4283 or email at [jcourtney@citystaug.com](mailto:jcourtney@citystaug.com) or myself at (904) 209-4320 or email at [askinner@citystaug.com](mailto:askinner@citystaug.com).



Amy McClure Skinner, AICP  
Director  
Planning and Building Department





# St. Augustine National Register Historic Districts



## CITY OF ST. AUGUSTINE

### MEMORANDUM

TO: Planning & Zoning Board

DATE: July 15, 2022

RE: PARTIAL DEMOLITION AND DESIGN REVIEW

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The attached revisions to sections of city code pertain to our ongoing review of partial demolition and design review for replacement components of certain structures outside of the HP districts. Staff received substantial comments at the Nov. 2, 2021 PZB meeting, and the City Attorney was asked to formulate a new draft based on those comments. Thereafter, a new draft was circulated to Mr. Misterly, who had the most specific comments and suggestions during the PZB meeting, for his review to gauge whether the new draft was heading in the direction that PZB wanted it to go. This past spring during the legislative session, House Bill 423 was adopted by the legislature, and staff began a series of internal meetings to better understand the reach of the new law as it may pertain to demolition criteria. In the interim, the Lincolnville CRA proceeded with a survey of architectural features in Lincolnville with an eye to potentially creating design guidelines. The attached revisions to the partial demolition ordinance attempt to encompass and address all these factors.

The highlights are:

1. Minor formatting and clarification of existing language as it pertains to HARB's review of structures in the HP districts. These are more housekeeping changes.
2. New and improved definitions for terms that are used in those sections of code. Although most terms should be familiar, it was important to have one clear definition when those terms are used in this section of code.
3. New concepts.
  - A) The key new concept is that we are creating a new category of regulated structure. These are buildings that are not in the HP districts, but throughout the City. Regulated structures are individually listed or contributing to a National Register District (think Lincolnville, Model Land, etc.), or they are a designated historic landmark (a/k/a local landmark). Age is not a triggering criterion for a regulated structure. This was a specific issue of concern to PZB board members because they did not support new regulations for partial demolition of structures simply because they were 50 years old.
  - B) If your building is a regulated structure, you then have a much more limited architectural feature review.
    - i) Administrative staff review, no need to go to HARB. If you replace your roof, windows, doors, siding, porch/balcony with materials that generally have the same shape, size, and placement as before, you are good to go with just a staff sign off. They don't have to be the exact same material; they just have to generally look similar to what was there from the street view. Colors aren't reviewed and internal mechanisms aren't reviewed.
    - ii) If you want to change the shape of your porch, or the slant of your roof, or change window styles completely, then you will have to go to HARB, but it won't be the level of review for HP.



- C) What criteria will be used? If your structure is in a National Register District that adopts design criteria, then HARB will apply those. For instance, if Lincolnville does adopt design criteria, HARB would apply those to regulated structures in Lincolnville. If you have a regulated structure in a National Register District that hasn't adopted design guidelines, then HARB will apply the architectural features relevant to your home's historic period, as established by evidence and testimony. What about structures that have had additions or modifications to them? Those will be evaluated based on whether they should be preserved or reconstructed to a more appropriate period.

A typical question may be, why does all of this just apply to partial demolition and not complete demolition? The reason is that once a structure is completely demolished, and a new structure replaces it, the new structure is no longer contributing to the historic quality of the National Register District. That doesn't mean that design criteria for brand new structures shouldn't be considered in the future, but that addresses a different community concern: mass, scale and compatible character between old and new houses, rather than preserving contributing properties to a particular National Register District.

We plan on having a follow up discussion and review of this version of the proposed ordinance at the August 2, 2022 PZB meeting, and if PZB believes that this version is ready to be recommended to City Commission, move it on to be placed on first reading at a future City Commission meeting.

Thank you.

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Isabelle C. Lopez  
City Attorney

/s/  
Attachment

ORDINANCE NO. 2022-XX

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 28, SECTION 28-2 ADDING DEFINITIONS RELATED TO ARCHITECTURAL TERMS, DEMOLITION AND RELOCATION; AMENDING CHAPTER 28, SECTION 28-87 CLARIFYING THE CRITERIA FOR HISTORIC LANDMARK AND PROVIDING FOR REVIEW OF PARTIAL DEMOLITION PERMITS; SECTION 28-89 REVISING AND CLARIFYING CRITERIA FOR THE REVIEW OF CERTIFICATE OR OPINION OF APPROPRIATENESS, RELOCATION OR DEMOLITION; AMENDING CHAPTER 28, SECTION 28-90 ADDING REFERENCE TO PARTIAL DEMOLITION; ADOPTING EXHIBIT "A" AS AN ADDENDUM TO THE ARCHITECTURAL GUIDELINES FOR HISTORIC PRESERVATION (AGHP); PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

WHEREAS, the City of St. Augustine is recognized as the Nation's Oldest City; and

WHEREAS, the intent of the City's Comprehensive Plan, Historic Preservation Master Plan, and implementing land development codes and architectural guidelines are to preserve and protect historic structures, and the nature and character of the City's historic neighborhoods; and

WHEREAS, the City Commission, the Historic Architectural Review Board, and the Planning and Zoning Board are aware that new development, code requirements, full and partial demolitions, and relocations of structures can contribute to a change in the character of the historic downtown and historic neighborhoods of the City; and

WHEREAS, the historic assets of the city contribute to the character of residential neighborhoods, quality of life, and equate to an economic value of \$2.9 billion dollars according to the 2020 publication *Resilient Heritage in the Nation's Oldest City*; and

Ordinance 2022-XX (PB)  
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**WHEREAS**, on August 2<sup>nd</sup>, 2022 the Planning and Zoning Board acting as the designated land planning agency for the City of St. Augustine recommended the included additions and revisions to Chapter 28, the Zoning Code to the City Commission; and

**WHEREAS**, the intent of the partial demolition ordinance as it relates to structures outside the designated Historic Preservation Districts is to ensure that structures are rebuilt in a way that is generally consistent with the historic visual character of the structure's key visible architectural elements and maintain the integrity of National Register Districts and their contributing structures. It is not intended that these structures be held to the same level of detailed architectural design criteria as structures in the Historic Preservation Districts; and

**WHEREAS**, during the 2022 legislative session House Bill 423 was enacted into law (codified as Chapter 553.79(25), Florida Statutes) in the context of building construction standards and the specter of recurring losses for single-family residential structures in a flood plain and constructed below FEMA finished floor elevations ("qualifying single-family residential structures"). The intent of the bill was to address complete demolitions of qualifying single-family residential structures, not to regulate partial demolitions, especially those that were needed to elevate buildings from the flood plain; and

**WHEREAS**, pursuant to the new statutory regulations these qualifying single-family residential structures must be reviewed for demolition approval by staff without a public hearing, and any replacement single-family residential structure can only be required to meet the same local regulations as apply to similarly situated vacant parcels; and

**WHEREAS**, under the new law, for example, a new structure that is built in a Historic Preservation District following the complete demolition of a qualifying single-family residential structure, must comply with AGHP architectural guidelines because these design guidelines apply equally to all similarly situated vacant parcels; and

**WHEREAS**, replacement structures for qualifying single-family complete demolitions located outside of the Historic Preservation Districts can only be required to meet design guidelines if those guidelines apply to similarly situated vacant parcels; and

**WHEREAS**, House Bill 423 (2022) does not apply to partial demolitions nor does it prohibit design guidelines for partial replacements; and

**WHEREAS**, the bill provides an exemption for all structures designated at any time on the National Register of Historic Places ("exempt structures"), and the National Park Service does not differentiate between structures that are individually listed versus those that are contributing to a National Register District, both are deemed "designated" historic in the National Register of Historic Places and therefore exempt from the regulations of this new law; and

**WHEREAS**, the bill also provides for an exemption for privately owned single-family residential structures with a local historic designation or other agency historic designation prior to January 1, 2022, or with the owner's consent thereafter; and

**WHEREAS**, the City Commission intends for its ordinances to be interpreted consistent with State of Florida law; and

**WHEREAS**, the City Commission for the City of St. Augustine finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted consistent with the requirements of Section 166.021(4), Florida Statutes.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:**

Section 1. Amendment to Chapter 28, Article I, Section 28-2. Chapter 28, Article I, Section 28-2 is hereby amended, as follows:

**"Sec. 28-2. - Definitions.**

For the purpose of this chapter, certain words and terms used herein shall be interpreted to have meanings as defined below. Where words or terms are not defined, they shall have their

Ordinance 2022-XX (PB)

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ordinarily accepted meanings or such as the context may imply. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory; the word "may" is permissive. The word "used" or "occupied" includes the words "intended, designed or arranged to be used or occupied." The word "lot" includes the word "plot" or "parcel." The word "structure" includes the word "building" as well as other things constructed or erected on the ground, attached to something having location on the ground, or requiring construction or erection on the ground. The word "land" includes the word "marsh," "water" or "swamp." The word "map" shall mean the "Zoning Maps of the City of St. Augustine, Florida" and the "city" shall mean the City of St. Augustine, Florida, a corporation of the State of Florida.

...

Archaeological preservation ordinance refers to Chapter 6 of the St. Augustine Code of Ordinances which identifies archaeological zones that require archaeological review when the threshold of ground disturbance activity is met or exceeded with development and utility permits.

...

Architectural feature includes but is not limited to the following: architectural style, scale, massing, siting, general design, and general arrangement of the exterior of the building or structure; type and texture of exterior materials; size, type, placement, and patterns of roof(s), windows, doors, and all attached appurtenances including porches, stairs and stoop features, dormers, additions, trim details, balconies and railings or other decorative attachments.

Architectural feature limited review consists of the architectural review of limited physical elements of a regulated structure to be replaced after partial demolition and does not include material type or material colors. This limited review will focus on the overall character of the key elements of the structure visible from the street. Key elements that will be reviewed will be roofs (shape, size, placement), exterior windows and doors (number and placement of openings, shape and pattern of panes or lites, and design features visible from outside the regulated structure such as the exterior muntin with a raised profile), porches, stoops, and balconies (shape, size, placement), exterior siding (vertical, horizontal, or diagonal placement of similar sized boards, siding profile and pattern). The review is for exterior elements only and does not include the interior works or features of architectural elements (for example, this does not include window latch mechanisms or counterweights). Applications that match the replacements after a partial demolition to these existing key architectural elements or use in-kind features or materials as existing will be deemed in compliance with this limited architectural review and can be approved administratively. Applicants who do not want to use in-kind features or materials as existing nor match the replacements to these key architectural elements after partial demolition will be heard at a public hearing before the HARB or other designated reviewing agency. This category of limited review does not apply to properties in the Historic Preservation Districts of the City. The criteria applied for either HARB or administrative review will be as described in Sec. 28-89(3). See *Regulated structure*.

...



Architecturally similar means having substantially the same façade design or exterior appearance using like characteristics in terms of height, mass, scale, footprint, arrangement of openings, pattern.

...

Contributing property is a building, site, structure or object which adds to the historical architectural qualities, historic associations or archaeological values for which a district is significant because (a) it was present during the period of significance of the district and possesses historic integrity reflecting its character at that time; (b) is capable of yielding important information about the period; or (c) it independently meets the National Register of Historic Places criteria for evaluation.

...

Design compatibility refers to new construction or alterations to a historic building or setting that preserves significant materials, features and form, and preserves the building's historic character. For alteration to a historic building, repairs using historic materials is preferred; however, there are circumstances where substitute materials that imitate historic materials may be used if the appearance and properties of the historic materials can be matched closely and no damage to the remaining historic fabric will result.

...

Façade includes the face of a building and is most commonly referred to as a street façade and/or visible façade.

...

Historic character refers to all visual aspects and physical features that comprise the appearance of historic properties and extends to the setting of historic properties to include a building's relationship to the environment and adjacent streets and buildings, landscape plantings, views, and the presence of accessory features.

Historic integrity is the authenticity of a property's identity, evidenced by the survival of physical characteristics that existed during the property's historic period including evaluation of any changes that may have occurred through time which could contribute to the building's later-acquired historic character and significance. An overall sense of past time and place are evident in the composite of seven qualities: location, design, setting, materials, workmanship, feeling and association.

Historic period is the primary timeline for which the historic building derived its historic association with an event, person, place, pattern of development or other context.

...

Historic structure including contributing properties as defined for demolition and partial demolition purposes is a structure that is 50 years old or older, in a locally established historic preservation district, individually listed as historic locally or nationally, a contributing property in a designated National Register District or a potentially contributing property surveyed, but not recognized or not in a designated National Register District. But see Regulated structure.

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...

In-kind features or materials means using architecturally similar material and design to convey the visual appearance of the remaining parts of the feature and finish.

...

Material deficiency refers to the inability of the building material, or a majority of building materials that comprise a feature or structure, to serve its purpose and documented as beyond repair.

...

National Register of Historic Places is the list of historic properties significant in American history, architectural, archaeology, engineering and culture maintained by the Secretary of the Interior, as established by the National Historic Preservation Act of 1966, as amended. May be significant at the local, state or federal level.

...

Partial demolition a partial demolition for purposes of proposed work on a historic structure or a regulated structure within the City of St. Augustine is considered the permanent removal of 50% of the appraised value or more of historic, individual elements of the building envelope (roof, walls, porches, windows, foundations). It also includes the removal of these historic features regardless of the percentage of the appraised value when they are on visible ~~the~~ sides of the building (visible from the street). See Architectural feature limited review.

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Preservation the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction.

...

Reconstruction the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

...



Regulated structure is a building or a part of a building that is the subject of a partial demolition and that is not located in the City's Historic Preservation Districts but meets the following criteria of a Historic structure: it is individually listed as historic locally or nationally, or it is a contributing property in a designated National Register District, or it is a designated historic landmark. See Architectural feature limited review, and see Partial demolition.

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Rehabilitation the act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, cultural and archaeological values.

...

Relocation the act of moving a building from its original location to another site, either on the same property or to another location entirely.

...

Restoration the act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of removal of later work or by the replacement of missing earlier work.

...

Routine maintenance and repair in terms of historic preservation means using the same materials in a way that matches the architectural style of the existing building.

...

Significant architectural feature is an architectural feature(s) that comprises the historic character of the structure and built near the same time as the building or added features and alterations that maintain the historic character of the building.

...

Technical requirement refers to performance mandates established by local, state or federal governments and their supporting regulatory documents.

..."

Section 2. Amendment to Chapter 28, Article II, Section 28-87. Chapter 28, Article II, Section 28-87 is hereby amended, as follows:

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**"Sec. 28-87. - Responsibilities.**

The members of the historic architectural review board herein created shall have the following responsibilities:

...

- (3) The review of all applications for demolition or or partial demolition permits for historic or regulated structures, that are fifty (50) years old or older, which are listed on the Florida Master Site File maintained by the State of Florida Division of Historic Resources, or which have been designated as an historical landmark. Also, review all applications for demolition or partial demolition permits for primary structures within historic preservation zoning districts and National Register districts for potential designation as an historic landmark, and review of partial demolition permits for regulated structures not eligible for administrative approval. Privately owned single-family residential structures that qualify for complete demolition by statute and are not otherwise exempt pursuant to Chapter 553.79(25), Florida Statutes, will be processed consistent with State law.

...

- (10) Designate historic landmarks. As utilized herein the term "historic landmark" shall mean a building, object, site, or structure of the highest historical, architectural, cultural, or archaeological importance and whose demolition, removal, relocation, or alteration would constitute an irreplaceable loss to the character and quality of the city. In the event the historic architectural review board desires not to issue a demolition or partial demolition permit for a structure that it finds could meet the criteria for a historic landmark is not fifty (50) years old, or older, the historic architectural review board shall initiate proceedings for designation of the structure as a historic landmark. In the designation of a historic landmark, the historic architectural review board shall evaluate the subject property using criteria and standards established by the National Register of Historical Places for national landmarks, or if evaluating the structure as a potential local landmark substituting the importance of the resource to the city and state rather than the nation as a whole. No property shall be designated as an historic landmark without first providing the owner of the proposed historic landmark with notice and an opportunity to be heard in the same manner as that provided for a rezoning of property. In addition, consistent with Chapter 553.79(25), Florida Statutes, a local landmark designation for a privately owned single-family residential structure that qualifies for complete demolition by statute must include the consent of its owner. Any determination of the historic architectural review board shall be subject to appeal by any affected person to the city commission without any fee being charged or levied.

...



Section 3. Amendment to Chapter 28, Article II, Section 28-89. Chapter 28, Article II, Section 28-89 is hereby amended, as follows:

“Sec. 28-89. - Criteria for certificate or opinion of appropriateness, relocation or demolition or partial demolition review.

The criteria for opinion of appropriateness, certificate of appropriateness, certificate of relocation, certificate of demolition or partial demolition review will be determined as follows:

(1) Structures within historic preservation districts. In reviewing an application for a certificate of appropriateness, the board and/or building official and/or planning director or planning and building official shall consider the design and appearance of the structure, including the interior visible from the outside, front, sides, rear and roof; materials, textures and colors; plat plan or site layout, including features such as walls, walks, terraces, plantings, accessory structures, signs, lights, awnings, canopies, and other appurtenances. The decision to approve or deny the proposed application issue or not to issue the certificate shall be based on the conformance of the proposed work to the Architectural Guidelines for Historical Preservation (AGHP) and adopted addendums or applicable entry corridor design standards of the City of St. Augustine as from time to time promulgated by the historic architectural review board and/or the city commission and approved by ordinance of the city commission, hereinafter referred to as 'AGHP,' and Albert Manucy's Houses of St. Augustine - 1565-1821, and other architectural guidelines as may be adopted from time to time. When reviewing a certificate of relocation of a structure, consideration will be given to the immediate surroundings and to the district or districts in which it is located or to be located. The board shall not exercise any control over land use, such as governed by this chapter, or over construction, such as is governed by the building code, unless such control is within the intent and scope of this chapter.

a. In the case of an opinion of appropriateness HARB shall make a determination that the general concept, preliminary construction plans, details or specifications of a project meet the architectural requirements of the AGHP, Albert Manucy's Houses of St. Augustine - 1565-1821, or other adopted architectural guidelines, but that the information may be insufficient to meet the requirements of a certificate of appropriateness or to obtain a building permit.

b. In the case of a certificate of appropriateness HARB shall make a final determination that the material details are sufficient, construction plans are complete, and architectural details and specifications for a project meet the AGHP, Albert Manucy's Houses of St. Augustine - 1565-1821, or other adopted architectural guideline requirements. A certificate of appropriateness is required before a building permit may be issued. Only those plans and details approved by HARB may be reviewed by the Building Official during the building permit review process.

c. In the case of a certificate of relocation of a structure consideration will be given to the immediate surroundings and to the district or districts in which it is located or to be located, that the relocation of the structure will not adversely impact the city's historic preservation efforts or negatively affect the streetscape. If the building will be relocated on the same site, or moved to a new site in a locally designated historic preservation zoning district, then the process and plan requirements for a certificate of appropriateness also apply to the building's new location.

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d. In the case of a certificate of demolition or partial demolition a determination is made that the demolition or partial demolition of the structure will or will not adversely impact the city's historic preservation efforts. The applicant may also be required to submit information on the structural condition of the building from an engineer or architect to justify the need for the demolition or the partial demolition of the structure, and all other requirements of this code.

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(2) Before approving the plans for any proposed structure or signs located or to be located in a historic preservation district, the board shall find:

- a. In the case of a proposed alteration or addition to an existing structure, that such alteration or addition will not materially impair the architectural or historic value of the structure.
- b. In the case of a proposed new structure, that such structure will not, in itself or by reason of its location on the site, materially impair the architectural or historic value of a structure on adjacent sites or in the immediate vicinity.
- c. In the case of a proposed new structure, that such structure will not be injurious to the general visual character of the district or districts in which it is to be located.
- d. In the case of the proposed demolition of an existing structure, or a project that constitutes partial demolition that the removal of such structure or architectural features will not be detrimental to the historic and architectural character of the city or that, balancing the interest of the city in preserving the integrity of the city and interest of the owner of the property.

1. Approval of the plans for demolition in the latter event the board may issue an order to postponing demolition for a period of not to exceed twelve (12) months after which the owner must reapply. The board may issue a second postponement with the total postponement period not to exceed two (2) twelve (12) month periods. If the board concludes that the demolition should be postponed, it shall, before issuing any final order with respect to such postponement, afford the applicant an opportunity to appear before the board to offer any evidence ~~he~~ they may desire to present concerning the proposed order. Within the period of postponement, the board shall ascertain what the city or other agency or organization may do to preserve such structure and shall make recommendations to that effect to the city commission or otherwise cause the structure to be preserved. This section shall not apply to any permit for demolition which has been applied for, in proper form, prior to the effective date of this section.

2. If the building or structure is of exceptional significance, is a contributing property to a National Register of Historic Places District or has been individually listed on the National Register of Historic Places, the board can deny the demolition if the board finds the removal of such building or structure will be detrimental to the historic and architectural character of the city and the applicant has not proven the denial will cause an undue economic hardship.

3. The demolition of colonial buildings listed on the Florida Master Site File, or colonial buildings designated Local Landmarks, or colonial buildings meeting the criteria for eligibility on the National Register of Historic Places must be approved by the city commission.



In the case of a partial demolition the board shall find that the proposed replacement materials maintain the historic character and integrity of the structure and are compatible with the historic structure's building envelope or the removal will not compromise the overall historic character and integrity of the structure.

(3) Criteria for regulated structure. Replacement elements for regulated structures as defined in this code will be reviewed consistent with the procedures for architectural feature limited review. The board will apply the adopted design criteria to the regulated structure, if any. If no design criteria have been adopted, the board will accept evidence and testimony to establish relevant architectural features. Some regulated structures may have architectural features that support its historic character and historic period, as well as modifications or additions over time. The board will accept evidence and testimony to establish whether the architectural features should meet preservation or reconstruction standards.

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*Additional application requirements:*

1. The owner shall permit access to the subject property for the purpose of inspections and/or appraisals required by the board or preservation officer.
2. Signs required. The planning and building department shall cause a sign or signs to be posted on any land upon which an application with respect to relocation or demolition or partial demolition has been made not less than seven (7) days in advance of the date of the public hearing at which such application is to be considered. Such sign shall show the date of construction of the existing building and be erected in full view of the public on each street side of such land. Where such land does not have frontage on a public street, such signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land concerning which a public hearing is scheduled. Such sign shall be posted in full view of the public and shall be maintained by the applicant until final determination has been made by the board or city commission.
3. Mailed notices. Not less than ten (10) days in advance of the date of the required public hearing(s) at which an application for a certificate of demolition or partial demolition is to be considered, the time and place of the public hearing shall be posted by United States mail by the applicant to all owners of real property within one hundred fifty (150) feet of the boundaries of the land upon which the application is made. For the purpose of notice requirements to adjoining owners within one hundred fifty (150) feet, the names and addresses shall include information obtained from the St. Johns County Property Appraiser records within ninety (90) days prior to the application date. Such list prepared for any required public hearing with the historic architectural review board, if appealed, shall also be used for a required public hearing with the city commission. A record of the date on which the list was compiled shall be provided to and maintained by the planning and building department.
4. Applications for a certificate of demolition, including partial demolition shall be presented to the historic architectural review board by the property owner or representative.
5. Applications for partial demolition of buildings listed in the National Register of Historic Places, contributing or potentially contributing to a historic district in the

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National Register of Historic Places, listed as a local landmark pursuant to this code, listed as a potential landmark identified in the Historic Preservation Element of the Comprehensive Plan, Master Plan or identified by historic preservation planning staff as culturally significant within the recent past, may apply for the demolition of additional components of the building as part of a more comprehensive rehabilitation plan. Staff may require that the application be reviewed as a full demolition with required documentation, appropriate condition assessment and a rehabilitation plan, recognizing that applicants may encounter unforeseen building damage, site conditions, flood mitigation obstacles, or other significant and demonstrable reasons justifying a more extensive partial demolition as part of the rehabilitation. As a condition of In issuing a certificate of demolition or partial demolition, the board may include approval of both the partial demolition and potential related additional demolition and its require the rehabilitated replacement design under one application be approved by the board and that no permit be issued for the demolition of said structure until This will allow the approval of drawings sufficient for a building permit and that all necessary requirements for the new construction of a new building related to the demolition or partial demolition have been are submitted for the new construction permitting review and approval by staff.

6. As a condition of issuing a certificate of demolition, including partial demolition the board may require, at the applicant's expense, salvage and preservation of significant building materials, architectural details and ornaments, fixtures, and the like for reuse in restoration of other historic properties. The board may also require at the applicant's expense the recording of the structure for archival purposes prior to demolition or partial demolition. The recording may include, but shall not be limited to, photographs and measured drawings.

7. If an owner/applicant fails to appear for three historic architectural review board meetings, the application may be considered as withdrawn.

e. In the case of any proposed new or altered sign, that the sign will not materially impair the architectural or historic value of any structure to which it is attached, nor any adjacent structure, and that such sign is consistent with the architecture of the building and the historical character of the area.

f. The board shall not have the authority to consider interior arrangements.

...”

Section 3. Amendment to Chapter 28, Article II, Section 28-90. Chapter 28, Article I, Section 28-2 is hereby amended, as follows:

“Sec. 28-90. - Administration and records.

(a) Any necessary building or demolition (full or partial) permit and/or certificate of occupancy shall not be issued unless the building official and/or the planning director or designee planning and building official reviews the application for compliance with and/or the historic architectural review board approves the application for a certificate of appropriateness. Such permit shall be subject to the terms of such approval as well as other necessary provisions of this Code.

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(b) Applications for certificates of appropriateness shall be submitted through the office of the building official and/or planning director and shall include, in duplicate, all plans, elevations and other information necessary to determine the appropriateness of the features to be passed upon.

(c) Prior to issuance or denial of a certificate of appropriateness required by the board, the board shall take such action as may reasonably be required to inform the owners of any property likely to be materially affected by the application and shall give the applicant and such owners an opportunity to be heard. The board shall hold a public hearing concerning each application.

(d) Every decision of the board and/or building official and/or planning director or designee in passing upon plans for structures or signs located or to be located in the district shall be in the form of a written order stating the finding of the board, its decisions and reasons therefor.

(e) The board shall not disapprove any plans without giving its recommendations for changes necessary to be made before the plans will be reconsidered. Such recommendations may be general in scope, and compliance with them shall qualify the plans for reconsideration by the board.

(f) An appeal may, within thirty (30) days thereafter, be taken by any aggrieved person to the city commission from the board's action in granting or denying an opinion or certificate of appropriateness, relocation or demolition or partial demolition. The appeal shall be as prescribed in section 28-29(g). Any appeal from the decision of the city commission shall be heard by the circuit court of the county, on writ of certiorari, as in the case of any other zoning decision from the city commission. All orders to approve certificates of demolition, except for partial demolition, shall become effective on the 31<sup>st</sup> day following the date of the rendered order, unless this waiting period is specifically granted a written waiver by the city commission or city manager. The owner-applicant of an order to approve a demolition certificate may request a hardship waiver to the city manager for emergency humanitarian reasons including the health and safety of the occupants of a structure in need of immediate emergency repairs, renovation or reconstruction. In the alternative, the owner-applicant of an order to approve a demolition certificate may request a waiver from the city commission if the delay in demolishing the structure would create an undue burden on the owner-applicant that would be greater than the public interest served in preserving the thirty-day waiting period. All decisions to grant or deny the waiver shall be rendered in writing within five days of the decision, mailed by standard U.S. mail to the owner-applicant and posted on the city's website. The decision of the city manager or city commission shall serve as the final administrative appeal of the waiting period.

(g) Any decision of the historic architectural review board certified by the planning director to be in conflict with a determination or decision of the planning and zoning board or of the board of adjustments and appeals; shall be reviewed by the city commission in the same manner as an appeal and the commission shall review the determination of the historic architectural review board, and the decision of the planning and zoning board or board of adjustments and appeals as to which it is certified to be in conflict and shall determine whether the decision of the historic architectural review board should be affirmed, modified or reversed and the decision of the commission shall supersede the decision reviewed. All affected persons shall be notified of the

hearing by the city commission in the same manner as that provided for appeals from decisions of the planning and zoning board. The hearing before the commission shall be de novo.”

Section 4. Adopting attached Exhibit "A". The attached Exhibit "A", "5 Critical Elements of the Historic Building Envelope" is adopted as an addendum to the Architectural Guidelines for Historic Preservation (AGHP).

Section 5. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that repealed language shall be removed and that the sections of this ordinance may be re-numbered or re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 6. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 8. Effective Date. This ordinance shall become effective ten (10) days after passage, pursuant to § 166.041(4), Florida Statutes.

**PASSED** by the City Commission of the City of St. Augustine, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
Tracy Upchurch, Mayor-Commissioner

\_\_\_\_\_  
Darlene Galambos, City Clerk  
(SEAL)



**Exhibit “A”**

The attached Exhibit A includes an Addendum to the Architectural Guidelines for Historic Preservation (AGHP) that outlines the process and defines the limits of work to a building envelope and the five (5) critical elements that relate to the defining features of an historic structure for proposed demolition and partial demolition.

This is intended to provide guidance and direction to the Historic Architectural Review Board (HARB), staff and the public as to what is considered demolition, partial demolition and what Historic Preservation Staff can approve administratively, and what needs to be reviewed by the HARB.

This is in an effort to provide a framework for consistency, and maintain the character and integrity of the City's historic neighborhoods.

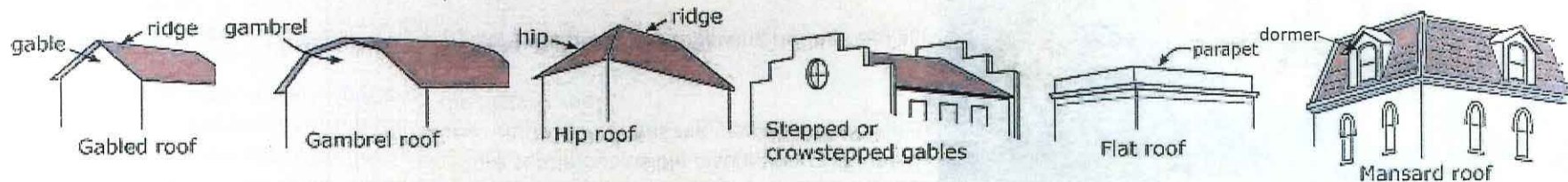
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## 5 CRITICAL ELEMENTS OF THE HISTORIC BUILDING ENVELOPE:

FOR LANDMARK, NATIONAL REGISTER, AND CONTRIBUTING BUILDINGS TO DESIGNATED NATIONAL REGISTER HISTORIC DISTRICTS

*Feature descriptions are taken from the National Park Service Technical Preservation Services publication of the Secretary of the Interior's Standards for Rehabilitation*

Roof: the form of the roof (gable, hipped, gambrel, flat, shed, mansard, etc.) is significant as are its decorative and functional features (appurtenances like cupolas, parapets, chimneys, dormers and soffit elements), roofing material, and size, color, and patterning.



When the current exterior feature has existed on the building for more than fifty years, HARB approval is required to:

- remove and change the following traditional roof coverings: clay or concrete tile, stamped metal shingle or diamond-patterned shingle systems
- remove decorative or functional features visible from a right-of-way
- change the configuration, shape and/or pitch on facades visible from a right-of-way
- and/or to remove 50% or more of the total roof structure (excluding roof sheathing)
- use a colored metal roofing material (ex: blue metal roof)

### HARB approval will based on:

- ☐ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the roof or roof feature significant enough that it should not be altered unless proven technically and/or materially required?



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Sample historic roofing materials:



Wood shingle roof



Diamond-patterned roof



Stamped metal shingle roof



Clay tile roof

- ☐ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of the historic roof still the dominant visible feature; is there subtle but visible distinction of the new roof feature/element from the historic roof feature; does the new element match the size, scale, material/pattern of the historic roof?

Historic Preservation Staff will have the ability to approve the following during regular permit review:

- ☐ routine roof and trim repairs not meeting the above thresholds
- ☐ removal of a decorative or functional feature not visible from a right-of-way
- ☐ replacement of roof sheathing up to 100% of the roofed areas for existing asphalt shingle roofs, galvalume/sheet metal type roof, and other modern roof cladding

Example: Full replacement of any asphalt shingle or metal roof with a new asphalt shingle roof or metal roof (respectively) using a traditional color will be approved administratively

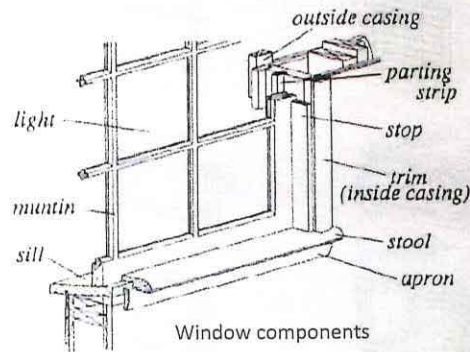


Historically this building had a clay barrel tile roof matching the barrel tile still evident on the lower parapet roof.



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Windows: window materials and how the window operates (e.g. double hung, casement, awning, or hopper) are significant as are its components (sash, muntins, pane configuration, sills, mullions, casings, or brick moulds) and related features such as historic shutters/awnings.



When such features have existed on the building for more than fifty years, HARB approval is required to:

- ☐ remove and change window materials, components, design, or change their operational direction (ex: up/down sash to swing) on facades visible from a public right-of-way
- ☐ and/or to remove 50% or more of all the building's windows (visible or not)

HARB approval will be based on:

- ☐ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the window feature or design significant enough that it should not be altered unless proven technically and/or materially required?
- ☐ Window condition assessment and consideration of replacement cost and life service of the replacement window versus the repair cost and life service of the original window (see photo caption next page)
- ☐ The design compatibility of the proposed work to ensure continuity of the building's historic value.



Example: Preferred window replacements, if required, that use characteristic exterior molding and muntin profiles may be approvable even if using different materials. Such changes may be recommended for an expedited hearing.

*The window design is described by the number of glass panes called 'lites' as shown in these examples. These patterns are not interchangeable because they are unique to the style of the building. Traditional wood, vertical sash windows:*

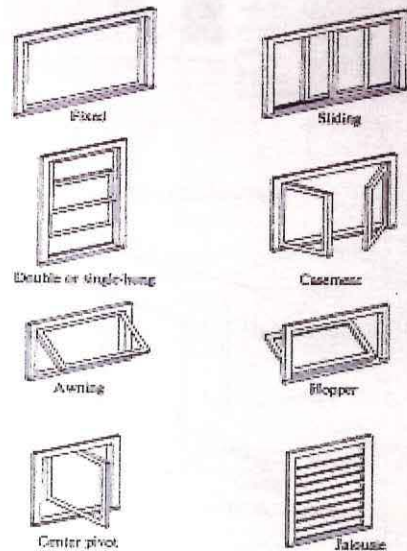
*Left is a 6/6 divided lite and right is a 2/2 divided lite*

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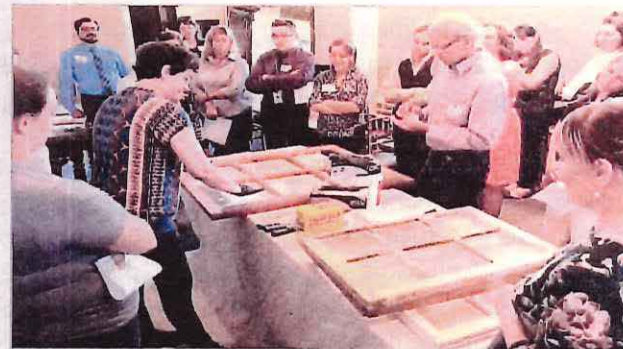
Historic Preservation Staff will have the ability to approve the following during regular permit review:

- ☐ repair and maintenance of windows not meeting the above threshold
- ☐ replacement of windows on facades not visible from a right-of-way under the 50% threshold
- ☐ replacement of non-historic windows with windows that match the design character of the building

Example: Removing a ranch-style picture window on a historic frame vernacular house and installing any vertical sash-type window will be approved by historic preservation staff



Window operation types



Hands-on training for DIY-ers

\*See <https://savingplaces.org/stories/preservation-tips-tools-retrofitting-historic-windows/#X-4YhNhKh3A> and <https://austinhistorical.com/services/residential-window-restoration/> for data and analysis.

*Historic windows can be repaired and restored to last longer than the average replacement window. Therefore, when considering the lifetime cost of a window the original will be less expensive. Prices can range from \$500 to over \$1000 for restoration, comparable to replacement windows with a negative economic and historic impact.\**

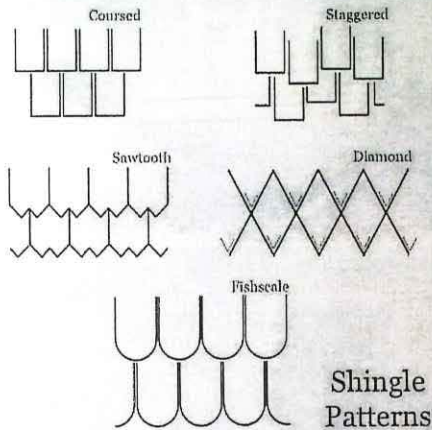


Original 3/1 and 4/1 lite vertical sash windows replaced with 1/1 across the entire building and would now require HARB approval if the building is designated historic.



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Exterior finishes: wood and masonry exterior features (walls, siding, brackets, railings, cornices, window and door surrounds, steps, and columns) and repetitive exterior detailing are important in defining the overall historic character of a building.



When the current exterior features have existed on the building for more than fifty years, HARB approval is required to:

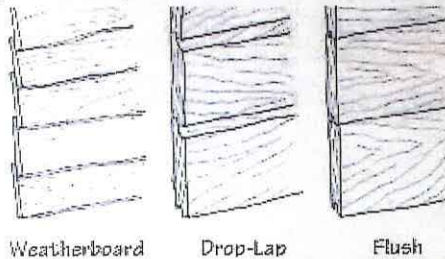
- ☐ remove and change wood and/or masonry wall finishes on facades visible from a public right-of-way
- Example: removing wood horizontal siding, brick or brick veneer, stucco, coquina/coquina concrete and changing to a different material/pattern requires HARB approval**
- ☐ and/or to remove 50% or more of these exterior features

**HARB approval will be based on:**

- ☐ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the finish material and/or design significant enough that it should not be altered unless proven technically and/or materially required?
- ☐ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of the exterior still the dominant visible feature and does it match the size, scale, material/pattern of the historic exterior?

**Example: When necessary, replacing wood horizontal siding with composite horizontal siding maintaining a similar reveal and profile may be an approvable request and may be recommended for an expedited hearing.**

*Sample wood siding profiles that contribute to the unique scale and pattern on a historic building:*



Staff will have the ability to approve the following during regular permit review:

- ☐ Repair and maintenance of wall cladding when it does not meet the above threshold
- Example: Removing singular elements/portions of the exterior finish that is deteriorated beyond repair and replacing it with the same material and design will be approved administratively.**
- ☐ Repair or replacement of features on facades not visible from a right-of-way
- ☐ Replacement of non-historic exterior features that match the design character of the building

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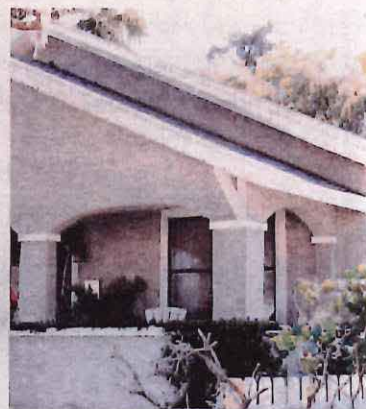
Example: Removing asbestos siding and restoring/replacing traditional horizontal siding underneath will be administratively approved if it does not compromise the structural stability of the building



*Traditional wood, coursed shingle finish. Changing the shingle pattern to a staggered design would change the character of the historic building from Shingle Style to a Bungalow or Arts and Crafts*



*Historic masonry finishes can be simple or highly detailed and have unique stucco texture*



*The siding on this building was altered (ca. 1930-50s) and shows the impact of replacement finishes that change the scale and detail of the building's historic character. Restoring the Queen Anne siding would be a staff-approvable request. Also note for reference the scale of historic horizontal siding shown on the adjacent historic building.*



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Porches, balconies, stoops, loggias: these functional and decorative features along with their materials and features (doors, transoms, pilasters, columns, balustrades, stairs, roofs, canopies) are important in defining the overall historic character of a building.



*Wrap-around porch with columns and balusters*



When such features have existed on the building for more than fifty years, HARB approval is required to:

- ☐ remove a historic porch, balcony, or stoop
- ☐ and/or to remove 50% or more of their materials and features
- ✓ *Exception: see staff approval for flood mitigation project*

## HARB approval will be based on:

- ☐ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the feature significant enough that it should not be altered unless proven technically and/or materially required?

**Example: Reconstructing a balcony or porch that is deteriorated beyond repair with matching materials and design may be approvable and recommended for an expedited hearing.**

- ☐ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of the existing porch/balcony/stoop still the dominant visible feature and do changes match the size, scale, material/pattern of the historic feature?

**Example: Removing a balcony and constructing a larger balcony that maintains scale, design, and materials of the building may be approvable.**

Historic Preservation Staff will have the ability to approve the following during regular permit review:

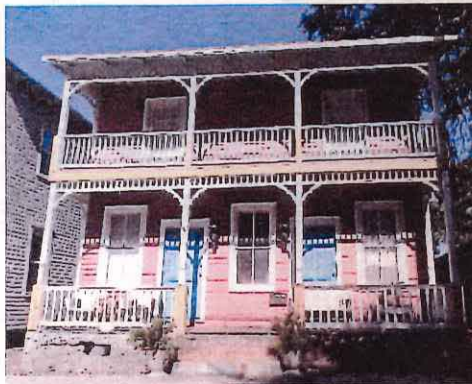
- ☐ Repair and maintenance of porches/balconies/stoops when it does not meet the above threshold
- ☐ Repair or replacement of porches/balconies/stoops facades not visible from a right-of-way



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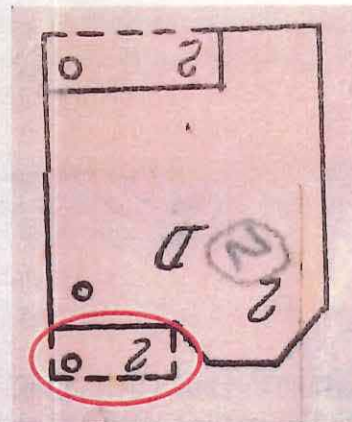
Centered porch with turned balusters and folk-style bracketed posts



Two-story front porch undergoing repairs that are in-kind with its historic character which could be approved by staff.

- ☐ Replacement of non-historic exterior features that match the design character of the building  
Example: Restoring an enclosed porch to an open/screened porch will be staff approved if using/reinforcing the historic character of the building.
- ☐ Removal of porches or stoops when necessary for a flood mitigation project if using a best-practice approach

Example: Constructing a new but similar porch at the elevated location will be staff approved if it is context-sensitive and uses compatible materials.



Evidence on the Sanborn map (left) and the building shows there used to be a historic two-story frame porch likely removed ca. 1930-1950s when asbestos siding was added. Reconstructing a compatible porch could be approved by staff.



# DRAFT

**Foundations:** structural systems and visible features of such systems are important in defining the overall historic character of a building including the materials (wood, metal, and masonry), the type of system, and its features such as posts and beams, masonry columns, above-grade stone or masonry foundation walls or piers.



*Coquina concrete block is a material unique to St. Augustine*



*A new brick pier foundation matches historic materials and scale*

When such features have existed on the building for more than fifty years, HARB approval is required to:

- ☐ Removing and changing the foundation type (ex: brick pier to stem wall) or exterior material (ex: brick to concrete masonry unit/block)
- ☐ and/or to remove 50% or more of the above-grade foundation system
- ✓ *Exception: see staff approval for flood mitigation project*

**HARB approval will be based on:**

- ☐ An evaluation of how removal of the foundation impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the original foundation significant enough that it should not be altered unless proven technically and/or materially required?
- ☐ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of historic foundation still the dominant visible feature and do changes match its size, scale, material/pattern?

**Example:** Constructing a replacement brick pier foundation that restores structural soundness and matches the original design may be approvable and may be recommended for expedited hearing.

Historic Preservation Staff will have the ability to approve the following during the regular permit review:

- ☐ Repair and maintenance of foundations that do not meet the above threshold

# DRAFT



A building elevation project revealed unique coquina stone piers (background) along with traditional brick piers (foreground)

Example: Replacing a singular, deteriorated brick pier with a matching brick pier in the same basic location will be staff approved.

- ☐ Removal of a foundation when necessary for a flood mitigation project if using a best practice approach

Example: Constructing a new but similar foundation using the same materials and scale will be approved by staff.

*NOTE: Archaeological review may be required for any work that includes ground disturbances, consult the City Archaeologist and Archaeological Preservation Ordinance for more information.*



Foundation (and porch) was removed to allow for the building to be elevated to a new floor height for a flood mitigation project.



House Bill 423 (2022):

**553.79 Permits; applications; issuance; inspections.—**

(...)

(25)(a) A local law, ordinance, or regulation may not prohibit or otherwise restrict the ability of a private property owner to obtain a building permit to demolish his or her single-family residential structure coastal high-hazard area, moderate flood zone, or special flood hazard area according to a Flood Insurance Rate Map issued by the Federal Emergency Management Agency for the purpose of participating in the National Flood Insurance Program if the lowest finished floor elevation of such structure is at or below base flood elevation as established by the Florida Building Code or a higher base flood elevation as may be required by local ordinance, whichever is higher, provided that such permit otherwise complies with all applicable Florida Building Code, Florida Fire Prevention Code, and Life Safety Code requirements, or local amendments thereto.

(b) An application for a demolition permit sought under this subsection may only be reviewed administratively for compliance with the Florida Building Code, the Florida Fire Prevention Code, and the Life Safety Code, or local amendments thereto, and any regulations applicable to a similarly situated parcel. Applications may not be subject to any additional local land development regulations or public hearings. A local government may not penalize a private property owner for a demolition that is in compliance with the demolition permit.

(c) If a single-family residential structure is demolished pursuant to a demolition permit, a local government may not impose additional regulatory or building requirements on the new single-family residential structure constructed on the site of the demolished structure which would not otherwise be applicable to a similarly situated vacant parcel.

(d) This subsection does not apply to any of the following:

1. A structure designated on the National Register of Historic Places.
2. A privately owned single-family residential structure designated historic by a local, state, or federal governmental agency on or before January 1, 2022.
3. A privately owned single-family residential structure designated historic after January 1, 2022, by a local, state, or federal governmental agency with the consent of its owner.

*Analysis of HB 423 (2022) for informational review by Planning (Amy Skinner, David Birchim), Historic Preservation Planning (Julie Courtney, Candice Seymour), Building Official (Buddy Schauland) and City Attorney:*

#### **Background**

Staff members who's positions require that they understand and apply land development regulations met over the course of two months to circulate the bill language, share analysis from the State (Ruben Acosta, Bureau of Historic Preservation, Division of Historical Resources), other Certified Local Governments (CLGs), and surveying governmental agency guidance documents including National Register Bulletin, National Park Service Cultural Resource Management Guideline, the U.S. Secretary of the Interior's Standards for Treatment of Historic Properties, FEMA Historic Structure definitions and glossary, the Florida Department of State "Florida Master Site File" guidance, and other guidance documents from historic preservation organizations such as the National Trust for Historic Preservation, and literature including "Historic Preservation: An Introduction to Its History, Principles, and Practice," Third Edition, by Normal Tyler, Hene R. Tyler and Ted J. Ligibel. Staff also reviewed the legislative



history, comment period, and voting history of House Bill 423 to discern the legislative intent in order to discharge their respective duties.

### Analysis

Legislative History. A review of the comment/question period and voting history indicates that all comment was waived in support and the bill passed its committees and final vote unanimously. The bill sponsor was Representative Chip LaMarca in the House and Senator Brodeur in the Senate. Lobbyists registered on the bill represented FAIR, Associated Industries, Associated Builders and Contractors of Florida, and Florida Roofing & Sheet Metal Association. Governor DeSantis signed the bill into law on May 25, 2022 and it has an effective date of July 1<sup>st</sup>, 2022; session laws 2022-136.

Context of Statute. House Bill 423 amends Florida Statutes Section 553.79 by adding a new subsection (25). Chapter 553 is concerned with building construction standards. A few years ago the statute was amended to limit design review of certain logo and signage elements described in subsection (24). The City and other historic preservation groups were involved in suggesting edits to the draft bill to exempt “property located in a designated historic district.”

Competing Interests. The bill’s insertion within the context of building construction standards and the specter of recurring losses for structures below FEMA finished floor elevations informs the analysis. Section 553.79 at subsection (24) balanced industry needs and the desire to preserve local character by exempting historic preservation districts. It is in this context that staff analyzed the intent and effect of the new subsection (25). The legislative intent appears to balance state-wide standards in building demolition and construction, while specifically protecting historic preservation districts and the integrity of the National Register program.

Framework of §(25). A superficial first reading of the language could lead to a misunderstanding of the intent and reach of the legislation. Staff members shared varying first impressions, and then dug deeper in a line-by-line analysis. Subsection (25) consists of a trigger, followed by a series of limiting qualifiers, a two-part rule, and ends with three separate exceptions.

- (25)(a) Trigger: a private property owner seeks to obtain a building permit to demolish his or her single-family residential structure
- (a) 1<sup>st</sup> Limiting Qualifier: applies to coastal high hazard, moderate flood zone, or special flood hazard areas according to FEMA flood maps
- (a) 2<sup>nd</sup> Limiting Qualifier: applies if lowest finished floor elevation is at or below base flood elevation
- (b) Rule: if an application meets (a), then only an administrative review is allowed, with no public hearing, to determine compliance with the following: Building Code, Fire Prevention Code, Life Safety Code, and any regulations applicable to a similarly situated parcel
- (c) Rule: if a single-family residential structure is demolished per permit, local government cannot impose additional regulatory or building requirements on the replacement home which would not be applicable to a similarly situated vacant parcel
- 1<sup>st</sup> Exception: a structure designated on the National Register of Historic Places
- 2<sup>nd</sup> Exception: a privately owned single-family residential structure designated historic by a local, state, or federal governmental agency on or before January 1, 2022
- 3<sup>rd</sup> Exception: a privately owned single-family residential structure designated historic after January 1, 2022, by a local, state, or federal governmental agency with the consent of its owner.

Similar Parcel. Rules (b) and (c) of the bill allow other local land development regulations to apply but only if they would apply to other “similarly situated parcels”. The test here is not focused on the structure but on the parcel. For instance, all parcels in the City’s Historic Preservation Districts (HP districts) are subject to the same local rules, whether vacant or not. In practical terms, this means that the demolition approval of a single-family structure within the HP districts would be reviewed using the same code criteria but at the staff level only, with no public hearing (rule “b” of the bill). The new replacement or modified single-family structure would require HARB approval at a public hearing. Rule (c) does not prohibit the public hearing process and allows the application of local regulations so long as they apply to similarly situated vacant parcels in the HP districts.

Commercial Buildings. The trigger is limited to single-family residential structures, therefore commercial buildings would not trigger subsection (25) at all.

Designated Historic. The term ‘designated’ historic perhaps caused the most pause. Unfortunately, the bill did not contain a definition, glossary, or formal cross-reference, therefore staff combed other guidance documents to come to an understanding of what constitutes a ‘designation’ in the historic preservation literature. From a National Register perspective, the National Park Service does not differentiate between a building that is ‘individually listed’ versus identified as ‘contributing’ to a National Register District. Both are deemed equally ‘designated’ or ‘listed’ in that historical preservation context. When asked, Mr. Ruben Acosta of the Bureau of Historic Preservation pointed to the definition of “historic property” in The National Historic Preservation Act (54 USC 300308) as a structure included or eligible for inclusion in the National Register. Florida Statutes (267.021(4), Fla. Stat.) defines “historic property” as any historic district or building of historical value.

National Register. National Register structures have their own separate exemption under the bill’s language. National Historic Landmarks are included in the National Register of Historic Places as they designate nationally significant structures.<sup>1</sup> In addition, there is no end date attributed to the National Register structure exemption in the bill. The fact that the legislature chose to create a standalone exemption for National Register structures and omit an effective date appears to be intentional. The other two exceptions to the rule have a set date of January 1, 2022, but the National Register exception includes no date at all. This implicitly means that any time a structure is designated on the National Register, the structure becomes exempt from subsection (25). The designation did not have to occur by January 1, 2022, but can happen at some point in the future. Current contributing structures to a National Register District are exempt, but so are future ones. Extrapolating this to a real-life scenario, this would mean that structures that are either individually listed or identified as contributing to a new or updated National Register District fall within statutory exemption number (1), and the other terms of subsection (25) do not apply to it.

Local, State, Federal. The drafters of the legislation separated out the National Register process from all other possible local, state, or federal procedures to designate as historic a single-family residential structure. Again, this appears intentional. Exception (2) and exception (3) are both phrased differently from the first exception. These two exceptions are limited to only single-family residential structures (the National Register exception uses the broader term of all ‘structures’), they are also limited in time

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<sup>1</sup> The City of St. Augustine has 6 identified National Historic Landmark designations: Cathedral of St. Augustine, Fort Mose, Gonzalez Alvarez House, Hotel Ponce de Leon, Llambias House, and the St. Augustine Town Plan.

to January 1, 2022.<sup>2</sup> Exception (2) creates a backstop to any future designations under this category of exception because those structures had to be designated historic on or before January 1, 2022. Similarly, exception (3) provides that new historic designations under this local/state/other federal category, must include the consent of the owner. The National Register program requires only that the owner not object to the designation. The legislative bill analysis points out this requirement in the National Register program and separates it from the consent requirement of the two other categories of the bill. The National Register program is not the only federal historic preservation program; other federal programs include the Historic American Buildings Survey, American Battlefield Protection Program, Historic Lighthouses and Light Stations, and Maritime Historic Landmarks. In context of the first exception, exceptions (2) and (3) of the bill limit those terms to local historic designations, state historic designation, and other than National Register federal historic designations.

Partial Demolition. The trigger only applies to a complete demolition of the single-family residential structure. From a structural construction perspective, the intent of the legislation is to lessen administrative barriers to the removal of homes currently at risk of flooding. Demolition of the structure is one means of achieving this goal, but so is raising the structure. Therefore, partial demolition of single-family residential structures does not trigger the legislation. When appropriate, raising the structure out of the flood plain, with the associated partial demolition of a staircase or porch, does not appear to be prohibited or the intended target of the bill. Partial demolition regulations and review may continue, as they do not fall within the trigger or intent of the new subsection (25).

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<sup>2</sup> The City of St. Augustine had designated 4 Local Historical Landmarks as of January 1, 2022: The Record Building, St. Augustine Waterworks, 32 Granada St., 307 Minorca Ave. On March 17, 2022, the City designated 2 Tremerton Pl. at the request of the property owner.



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: October 5, 2021

RE: **Other Business Item 8(a)**

**Discussion and recommendation regarding an Ordinance to clarify Historic Architectural Review Board (HARB) demolition and partial demolition review applicability and procedures.**

At the June 1, 2021, Planning and Zoning Board (PZB) meeting a discussion was held regarding potential impacts of demolition and partial demolition within the City's historic neighborhoods. Code updates and clarifications were discussed including potential impacts on the historic integrity of the City's National Register Districts as demolitions and partial demolitions are carried out.

The PZB requested that staff conduct additional outreach and specifically mail information letters to the over 1600 property owners that may be affected by new legislation to require design review for the new construction after demolition of contributing properties outside of the local historic districts.

Since June the City has conducted several interviews, met with the chairs of the Neighborhood Association Council, developed material posted on the city website, and conducted three (3) workshops and/or webinars related to the subject. Additionally, the city did mail information directly to over 1600 property owners. The letter and information sent is attached for your information.

Over the last few years as part of the review and adoption of the Historic Preservation Master Plan and the updated Historic Preservation Element of the Comprehensive Plan the Historic Architectural Review Board (HARB) has been discussing the issue of demolition and partial demolition. The implications of demolition on historic preservation within the community and community character also came to light after the devastating hurricanes of 2016 and 2017, and a subsequent increase in requests for demolition, partial demolition, and relocations of structures.

During the November 19, 2020 Historic Architectural Review Board (HARB) meeting the board provided direction to staff to continue articulating the proposed partial demolition review procedures focusing on critical building elements. There were five critical elements of the historic building envelope identified: roofs, windows, exterior finishes, porches/balconies/stoops, and foundations. The HARB gave feedback on which items could be considered for administrative approval and which items should require HARB approval.

The direction to staff was to include graphics and examples so that the review procedure would be clear to the public, staff, and applicants alike. The goal was to encourage historic property owners to choose the path of rehabilitation and restoration of original features first and compatible new elements second. This work culminated in the attached document which is intended to provide clarity and be adopted as an Exhibit to the attached proposed Ordinance. The information related to the five (5) important elements would be adopted as an Addendum to the existing Architectural Guidelines for Historic Preservation (AGHP).

To be enforceable, changes to the city code are also required. The proposed Ordinance includes these required changes to Chapter 28. The PZB can review the proposed changes in a redline format that shows insertions and changes, as well as, deletions to the text of Sections 28-89 and 28-90. The AGHP Addendum is also attached to the Ordinance as Exhibit "A".

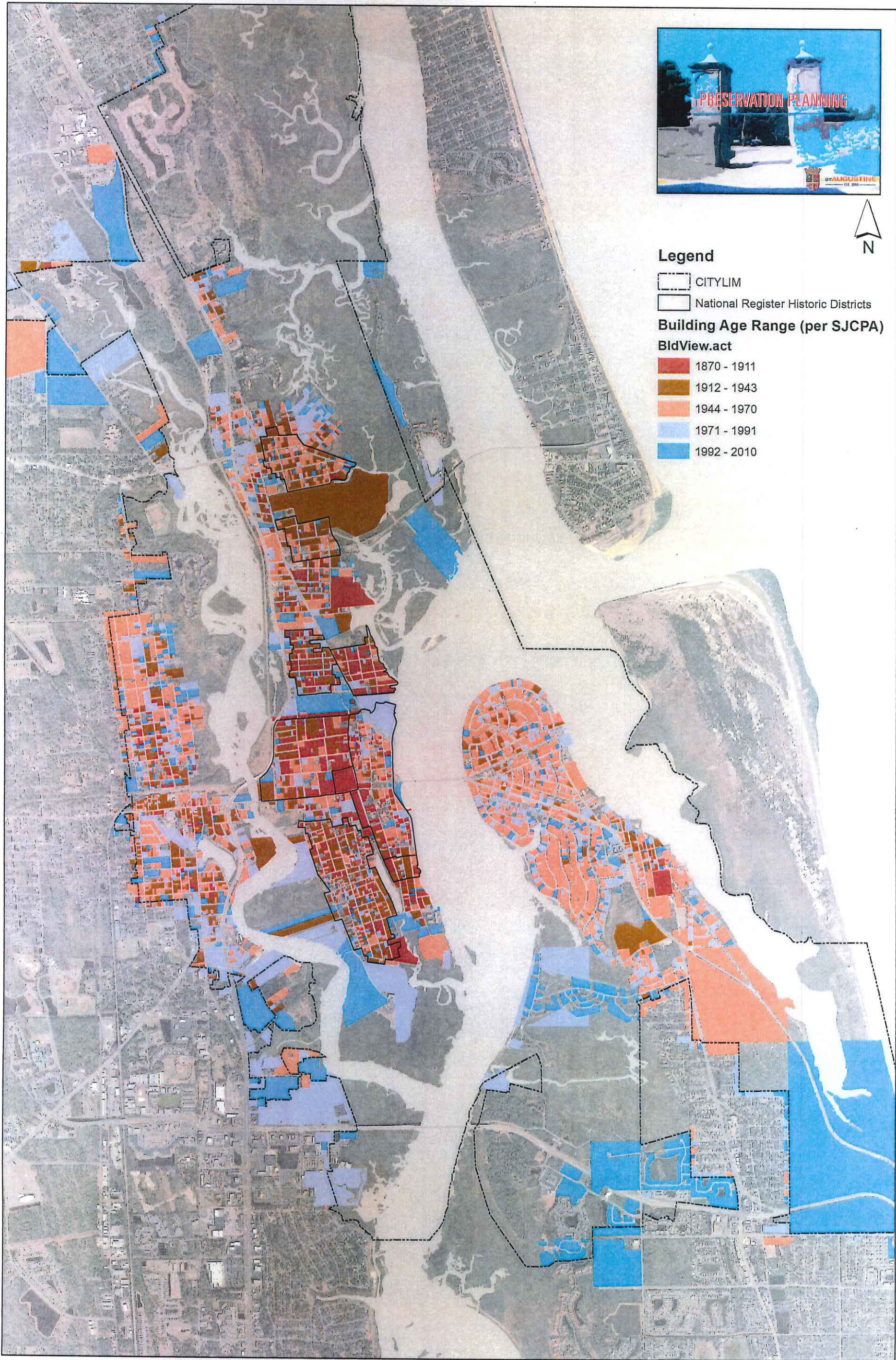
This item has been discussed extensively by HARB. The proposed revisions are based on HARB's recommendations and direction to staff. Staff respectfully requests a recommendation from the PZB to the City Commission regarding this Ordinance.

Thank you for your attention to this matter. If you have any questions, please call Jenny Wolfe, Historic Preservation Officer at (904) 209-4326 or email at [jwolfe@citystaug.com](mailto:jwolfe@citystaug.com) or myself at (904) 209-4320 or email at [askinner@citystaug.com](mailto:askinner@citystaug.com).

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Amy McClure Skinner, AICP  
Deputy Director  
Planning and Building Department





**Legend**

- CITYLIM
- National Register Historic Districts
- Building Age Range (per SJCPA)**
- BldView.act**
- 1870 - 1911
- 1912 - 1943
- 1944 - 1970
- 1971 - 1991
- 1992 - 2010

