AGENDA

Planning and Zoning Board
City of St. Augustine, Florida
Alcazar Room
Tuesday, October 4, 2022, at 2:00 p.m.

Regular Agenda

1. Roll Call

2. Election of Chair and Vice Chair

3. General Public Comments for Items Not on the Agenda

4. Approval of Minutes

a. None

5. Modification and approval of Agenda

6. Use by Exception

a. 2022-0068

Sunil and Ronita Mohanani – Applicant & Owner
39 San Marco Avenue
To approve off-site parking space(s) within 400 feet of the premises at 45 San Marco Avenue for a short-term rental as a permitted use by exception.

b. 2022-0069

James G. Whitehouse, Esq. – Applicant
c/o St. Johns Law Group
Dr. Ohmer Merlin (current)/Apryl Black (buyer) – Owner
72 Valencia Street
To approve a professional office use in the Residential General-one (RG-1) zoning district as a permitted use by exception.

7. Variance

a. 2022-0063

Sarah Ryan – Applicant
c/o Sarah Ryan Architect, LLC
John and Dana Madalon – Owner
247 S Matanzas Boulevard
To increase the maximum lot coverage from 29% to 30% and to reduce the required front yard setback from 20' to 18' to allow for an addition to the garage.

b. 2022-0065

Catherine Duncan and Jennifer Pietschker – Applicant
c/o Loci Architects, LLC
Barbara and Wayne Bish – Owner
87 Douglas Avenue
To increase the maximum lot coverage from 30% to 35% for a new sunroom addition.

c. 2022-0070

Len Weeks – Applicant
c/o Len Weeks Rental Properties
Claude L. Weeks, Jr. a.k.a. Len Weeks - Owner
63 Hypolita Street
To approve a variance to exceed twenty (20) parking spaces for a parking lot, a variance to reduce the required 25-foot distance between parking facilities located within a Historic District (HP-2), and a variance to exceed the 25% limitation on the number of compact spaces including a reduction in drive aisles.

8. Conservation Overlay Zone Development

a. 2022-0048
Continued September 6, 2022

Renato Sindicic – Owner & Applicant
73 Magnolia Avenue
To approve the construction of a new wood retaining wall and replacement of two (2) existing wood pilings within Conservation Overlay Zone 1.

b. 2022-0050
Continued September 6, 2022

Michael Carpenter – Applicant
c/o Carter Environmental Services
Thomas Hartman – Owner
7 Lighthouse Avenue
To approve the construction of a new 2,814 square foot dock and boat lift within Conservation Overlay Zone 1.

c. 2022-0054
Continued September 6, 2022

Andy Hardy – Applicant
c/o Hardy Joe Marine Company
Steve Leathers – Owner
103 Dolphin Drive
To approve an after the fact installation of dock pilings and a 240 square foot floating dock within Conservation Overlay Zone 1.

d. 2022-0057

Ryan Carter – Applicant
c/o Carter Environmental Services
San Sebastian River LLC – Owner
Florida Avenue/PID 1077900010
To approve a new bulkhead approximately 20 feet in length, review wetland impacts and approve a pile-supported dock with a floating platform totaling approximately 1,459 sf in Conservation Overlay Zone 1. To remove significant trees and tree canopy in Conservation Overlay Zone 3 for multi-family housing and recreational use.

e. 2022-0058

Ryan Carter – Applicant
c/o Carter Environmental Services
Ernest Little – Owner
5 Lighthouse Avenue
To approve a modification to an existing dock, modifying the total length of the dock and relocating the boat lift and floating dock in Conservation Overlay Zone 1.

f. 2022-0061

Karen Taylor – Applicant
c/o Karen M. Taylor Land Planner
200 Nix Boat Yard LLC – Owner
200 Nix Boat Yard Road
To approve and modify existing docks, including new floating docks, landing platforms, gangway and access ramp including dredging on City owned bottomlands within Conservation Overlay Zone 1.

g. 2022-0064

Lucille Barnhill – Applicant & Owner
217 S Matanzas Boulevard
To approve the installation of a floating dock with a gangway and low-profile boat lift using existing pilings within Conservation Overlay Zone 1.

h. 2022-0066

Ryan Carter – Applicant
c/o Carter Environmental Services
Jamie Pantling – Owner
81 Coquina Avenue
To approve an after the fact installation of some new decking material, a gangway and floating dock and to approve the construction of a new 50 foot in length boardwalk/dock that connects to an observation pier totaling approximately 2,564 sf within Conservation Overlay Zone 1.

9. Rezoning

a. 2022-0059

Ellen Avery-Smith Esq. – Applicant
c/o Rogers Towers, P.A.
Sebastian Hotel, LLC (current)/Flagler College, Inc (buyer) – Owner
333 S Ponce De Leon Boulevard
To modify the development plan for an existing Planned Unit Development (PUD) (Ord. No. 2008-02) to allow the existing buildings located on the site to be used as dormitories for Flagler College with related amenities and to retain a hotel use as an allowed use in the PUD.

10. Comprehensive Land Use Plan Amendment and Rezoning

a. 2022-0067

City of St. Augustine – Applicant & Owner
110 Carver Street E
To amend the current land use of Residential Low Density to Recreation/Open Space with site-specific condition(s), and to rezone the property from Residential Single Family-one (RS-1) to Government Use (GU).

11. Other Business

a. None

12. 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

MEMORANDUM

TO: Planning & Zoning Board

DATE: October 4, 2022

RE: USE BY EXCEPTION 2022-0068

Sunil & Ronita Mohanani – Applicant & Owner
39 San Marco Avenue
To approve an off-site parking space within 400 feet of the premises at 45 San Marco Avenue for a short-term rental as a permitted use by exception.

The applicant requested approval for a use by exception for off-site off-street parking. During staff's preparation of a report and recommendation it was discovered that there was no excess parking at 45 San Marco Avenue for 39 San Marco Avenue to make use of. This item will be administratively continued to the November 1st, 2022, Planning and Zoning Board meeting.

If you have any questions, please let me know at either 904-209-4331 or jfredriksson@citystaug.com.

Jacob Fredriksson
Senior Planner
Planning and Building Department

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: October 4, 2022

RE: **USE BY EXCEPTION 2022-0069**

AGENDA ITEM	6(b)
APPLICANT	James G. Whitehouse, Esq. c/o St. Johns Law Group
OWNER	Dr. Ohmer Merlin
LOCATION	72 Valencia Street / PID 204780-0000
REQUEST	To approve a use by exception to allow for one (1) required parking space to be located off-site and within 400 feet of the premises.
LAND USE	Residential Medium Density
ZONING	Residential General-One (RG-1)

APPLICABLE CODES/ORDINANCES

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

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

(a) Zoning exceptions:

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

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

(3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider any application for a zoning exception within not more than thirty (30) days from the date of filing of the

completed application. Notice of public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.

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

Sec. 28-163. - Residential, general-one: RG-1.

Intent. This district is intended to apply to those neighborhoods designated for multiple-family dwellings and uses, as well as those nonresidential uses compatible and complementary with medium density residential uses, so as to create and maintain a medium intensity residential character.

(1) *Permitted uses and structures:*
   a. Single-family dwellings.
   b. Multiple-family dwellings.
   c. Housing for the elderly.
   d. Roominghouses and boardinghouses.
   e. Home office, private.
   f. Tourist homes and bed and breakfast inns.
   g. Neighborhood recreational facility.
   h. Accessory apartments.

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

(3) *Permissible uses by exception:*
   a. See section 28-347, special event venue as per section 28-347(8) only allowed as an accessory use to a principal use.
   b. Hospitals and medical clinics, medical and dental offices, and intermediate care facilities.
   c. Professional offices, such as accountant, architect, attorney, engineer, land surveyor, optometrist and similar uses.
   d. Business offices, such as real estate broker, insurance agent, stockbroker, manufacturer's agent and similar uses.
   e. Radio or television broadcasting office.
   f. Marinas, including food service incident to operation of a marina.
   g. Hotels and motels with or without kitchenettes (maximum thirty (30) units).\
   h. Restaurants and/or bars in connection with hotels or motels, with a maximum of three (3) seats per hotel or motel unit.
   i. Hair salons, barbershops, interior decorators, photographic and art studios, and dance and music studios.

(4) *Minimum lot requirements:*
   a. *Single-family dwellings:*
      1. Minimum lot width, fifty (50) feet.
      2. Minimum lot area, five thousand four hundred fifty (5,450) square feet.

b. *Multiple-family dwellings:*
   1. Minimum lot width, fifty (50) feet.
   2. Minimum lot area, seven thousand two hundred fifty (7,250) square feet for the first two (2) units and one thousand seven hundred fifty (1,750) square feet for each additional unit to a maximum of sixteen (16) units per acre.

c. *Nonresidential uses:*
   1. Minimum lot width, fifty (50) feet.
   2. Minimum lot area, five thousand four hundred fifty (5,450) square feet.

(5) *Maximum lot coverage by all buildings and structures.* Thirty-five (35) percent.

(6) *Minimum yard requirements:*

a. *Residential uses:*
   1. Front, fifteen (15) feet.
   2. Side, ten (10) feet.
   3. Rear, ten (10) feet.

b. *Nonresidential uses:*
   1. Front, fifteen (15) feet.
   2. Side, ten (10) feet.
   3. Rear, ten (10) feet.

(7) *Maximum height of structures:*

a. *Single-family dwellings.* Thirty-five (35) feet.

b. *Multiple-family dwellings.* Thirty-five (35) feet.

(Code 1964, § 33-24; Ord. No. 99-42, § 2, 1-10-00; Ord. No. 03-17, § 2, 6-23-03; Ord. No. 15-02, § 1, 12-14-15)

STAFF SUMMARY AND ANALYSIS

72 Valencia Street was approved for a use by exception for a chiropractor's office in February of 1997 and then again in June of 2015 for the current use of a dental office. The current applicant is now seeking the same exception approval to continue use as an office and residential unit for Black Shack LLC.

Approval of this exception would be in the best interest of the City of Saint Augustine in continued promotion of mixed-use activities that are characteristics of a resilient and sustainable city.

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 a professional business office at 72 Valencia Street / PID 204780-000.

Jacob Fredriksson
Senior Planner
Planning and Building Department

RECEIVED

SEP 0 9 2022

Planning/Building Dept.

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: 250.00 (plus advertising costs) Project Number: 2022-0069

Receipt Number: 2459987 Meeting Date: Oct. 4, 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: Dr. Ohmer / Apryl Black (buyer) Contact Number:_____
   Business (*if applicable*): current - Dr. Ohmer (Dentist Office) ; future - Apryl Black (Professional Business Office)
   Address:_____ City:_____ State:_____ Zip:_____
   E-Mail Address:_____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 2 Block: H
   Subdivision: Model Land Parcel Number: 204780-0000

4. PROJECT STREET ADDRESS: 72 Valencia Street

5. SPECIFIC PROPOSED USE: Professional Business Office with residential unit

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

7. DESCRIPTION OF ACTION REQUESTED: Application for an allowed use by exception within an RG-1 zoning district to permit a professional business office with a residential unit for a resident or caretaker on the property. The same type of use has been on the property for many years (currently a dental office with attached residential unit) and this request merely seeks to continue this type of use of the property. The new similar office use will be for a business that does not usually have clients or customers coming to the property; thus, actually a reduction in intensity of use. Exception should be in the name of the property owner, Black Shack, LLC. (see attached showing this is Apryl Black's company)

8. JUSTIFICATION FOR ACTION REQUESTED: As stated, this property has been used for an office for many years and this new owner seeks to continue this type of office use on the property. The dentist office with additional residential unit that currently exists on the property actually had clients coming to it. The requested use as a professional business office rarely if ever has any clients or customers coming to the property. Moreover, the applicant requests the approval of this use by exception to continue a similar office use on the property with continuation of the use of the existing residential unit, as well.

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.

9/8/2022

Signature of Applicant — Date

(owner's authorization attached)

Signature of Property Owner — Date

04/18/2019

CITY OF
ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

Apryl Black / James G. Whitehouse, Esq. is/are hereby authorized TO ACT ON BEHALF OF Merlin P. Ohmer, DDS, MAGD, 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: 72 Valencia Street

BY: _____
Signature of Owner

Merlin P. Ohmer, DDS, MAGD
Print Name of Owner

904-233-3601
Telephone Number

State of Florida

County of St. Johns

Signed and sworn before me on this 29th day of August, 2022

By physical presence

Identification verified: Drivers License

Oath sworn: ✓ Yes ____ No

CAITLIN ELIZABETH KIZER
MY COMMISSION # GG 975877
EXPIRES: April 5, 2024

Notary Signature: _____

My Commission expires: 4/5/2024

Rev:022117

ATTACHMENT

City of St. Augustine

APPLICATION TO PZB FOR USE BY EXCEPTION

Current Use - **Professional Dental Office with accessory caretaker/residential unit**

Proposed Use - **Professional Business Office with accessory caretaker/residential unit**

7. DESCRIPTION OF ACTION REQUESTED :

This is an application for an allowed use by exception within the RG-1 zoning district to permit a professional business office with an accessory residential unit for a resident or caretaker on the property. This same type of use has been on this property for many years (currently a dental office with an accessory residential unit) and this request merely seeks to continue this type of use of the property. The new similar office use will be for a business that does not usually or ever have clients or customers coming to the property; thus, this requested use is actually a reduction in the intensity of use of the property.

The prospective purchaser / applicant, Apryl Black has the property under contract for purchase through her company Black Shack LLC and seeks this allowed use by exception to operate her professional business office on the property; moreover, the exception would be granted in the name of the company, Black Shack LLC.

8. JUSTIFICATION FOR ACTION REQUESTED :

As stated, this property has been used for an office for many years and this new owner seeks to continue this type of office use on the property. The dentist office with additional residential unit that currently exists on the property actually had clients/patients coming to it for many years. The requested use as a professional business office rarely if ever has any clients or customers coming to the property. In fact, it is only the employees and all business is done over the phone or on the internet. This group tour company plans trips for large student groups for all over the world. In their own words, "we create itineraries and make reservations for transportation, lodging, meals, and attractions. Our clients are teachers and school administrators from all over the United States and their students. These clients do not come to our office to plan trips, rather we communicate via phone, email and our online registration portal." In sum, it is not a business where customers come and go, rather it's a professional office where team members show up in the morning, work all day, and leave in the afternoon. Moreover, the applicant requests the approval of this use by exception to continue a similar office use of the property with continuation of the use of the existing residential unit, as well.

Sec. 28-163. - Residential, general-one: RG-1.

Intent. This district is intended to apply to those neighborhoods designated for multiple-family dwellings and uses, as well as those nonresidential uses compatible and complementary with medium density residential uses, so as to create and maintain a medium intensity residential character.

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b. Multiple-family dwellings.

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d. Roominghouses and boardinghouses.

e. Home office, private.

f. Tourist homes and bed and breakfast inns.

g. Neighborhood recreational facility.

h. Accessory apartments.

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

(3) *Permissible uses by exception:*

a. See section 28-347, special event venue as per section 28-347(8) only allowed as an accessory use to a principal use.

b. Hospitals and medical clinics, medical and dental offices, and intermediate care facilities.

c. Professional offices, such as accountant, architect, attorney, engineer, land surveyor, optometrist and similar uses.

d. Business offices, such as real estate broker, insurance agent, stockbroker, manufacturer's agent and similar uses.

e. Radio or television broadcasting office.

f. Marinas, including food service incident to operation of a marina.

g. Hotels and motels with or without kitchenettes (maximum thirty (30) units).

h. Restaurants and/or bars in connection with hotels or motels, with a maximum of three (3) seats per hotel or motel unit.

i. Hair salons, barbershops, interior decorators, photographic and art studios, and dance and music studios.

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2. Minimum lot area, five thousand four hundred fifty (5,450) square feet.

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1. Minimum lot width, fifty (50) feet.
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c. *Nonresidential uses:*

1. Minimum lot width, fifty (50) feet.
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(5) *Maximum lot coverage by all buildings and structures.* Thirty-five (35) percent.

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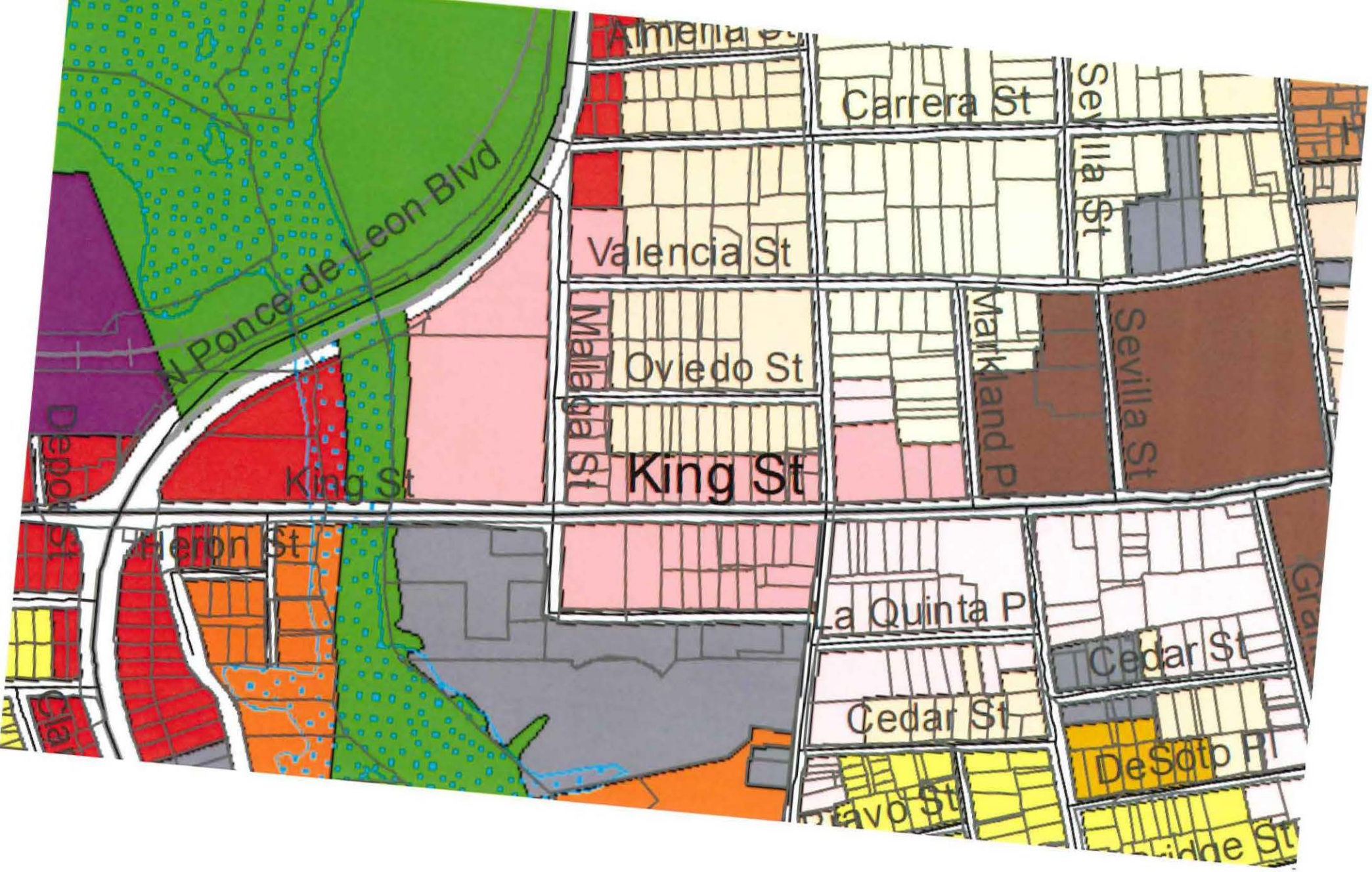
b. *Multiple-family dwellings.* Thirty-five (35) feet.

(Code 1964, § 33-24; Ord. No. 99-42, § 2, 1-10-00; Ord. No. 03-17, § 2, 6-23-03; Ord. No. 15-02, § 1, 12-14-15)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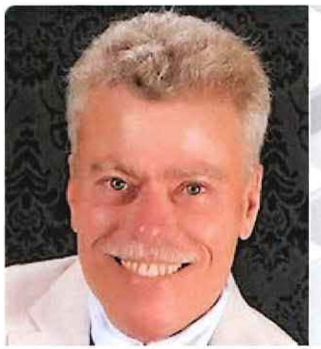
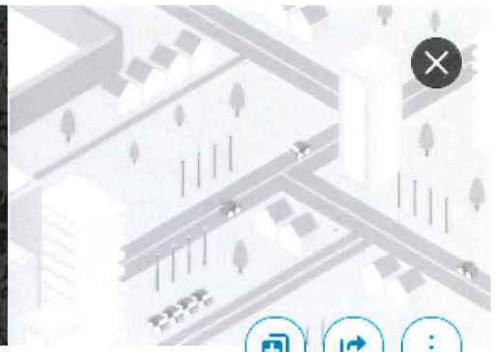




DR. MERLIN OHMER

General dentistry

Directions | Nearby

Address: 72 Valencia St, Saint Augustine, FL 32084 · ~1.1 mi

Phone: (904) 233-3601

Website: dr-sindad.com

Specializations: Dentist - Oral and Maxillofacial Surgery

Suggest an edit · Your business? Claim now

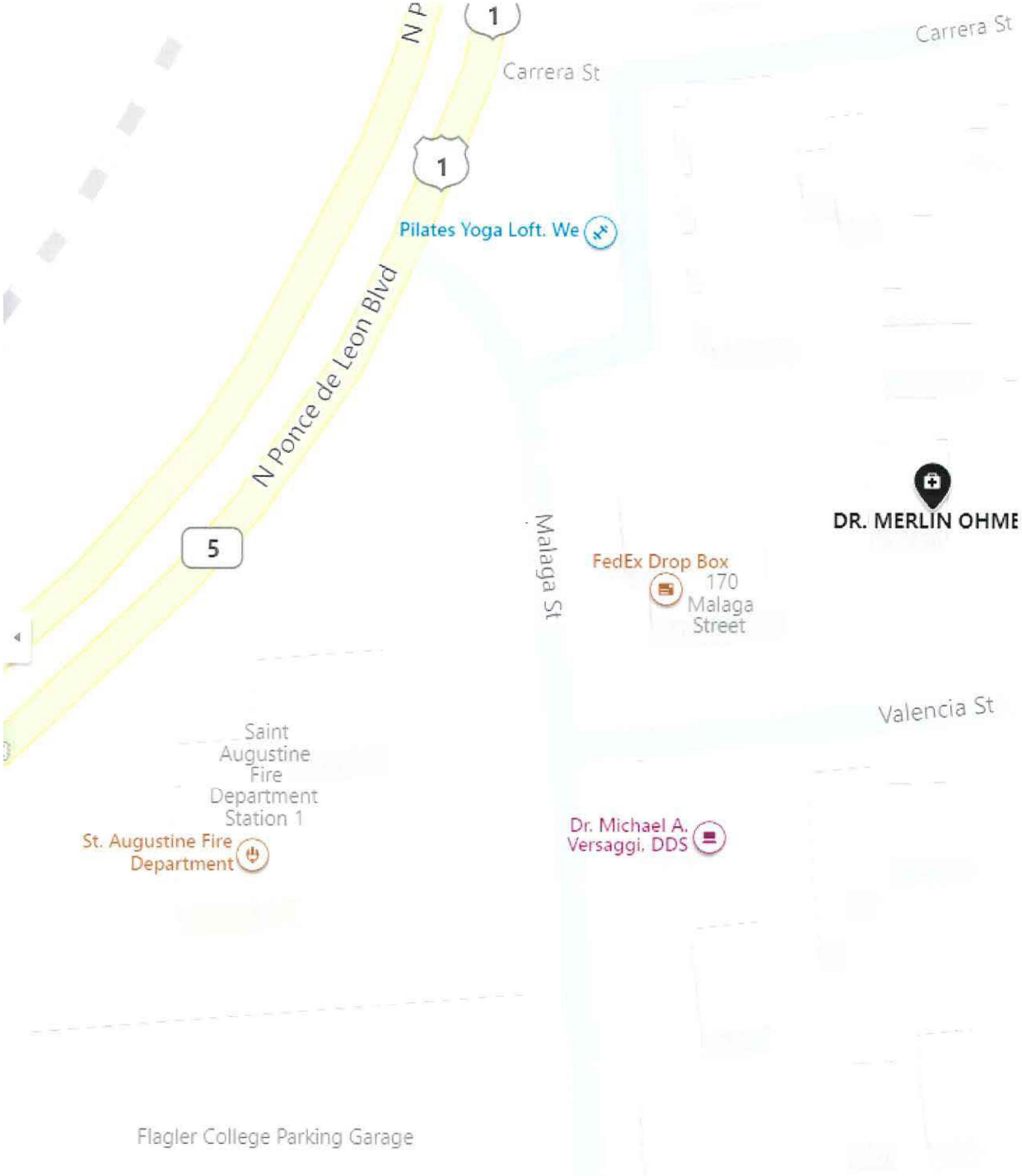
Add more information

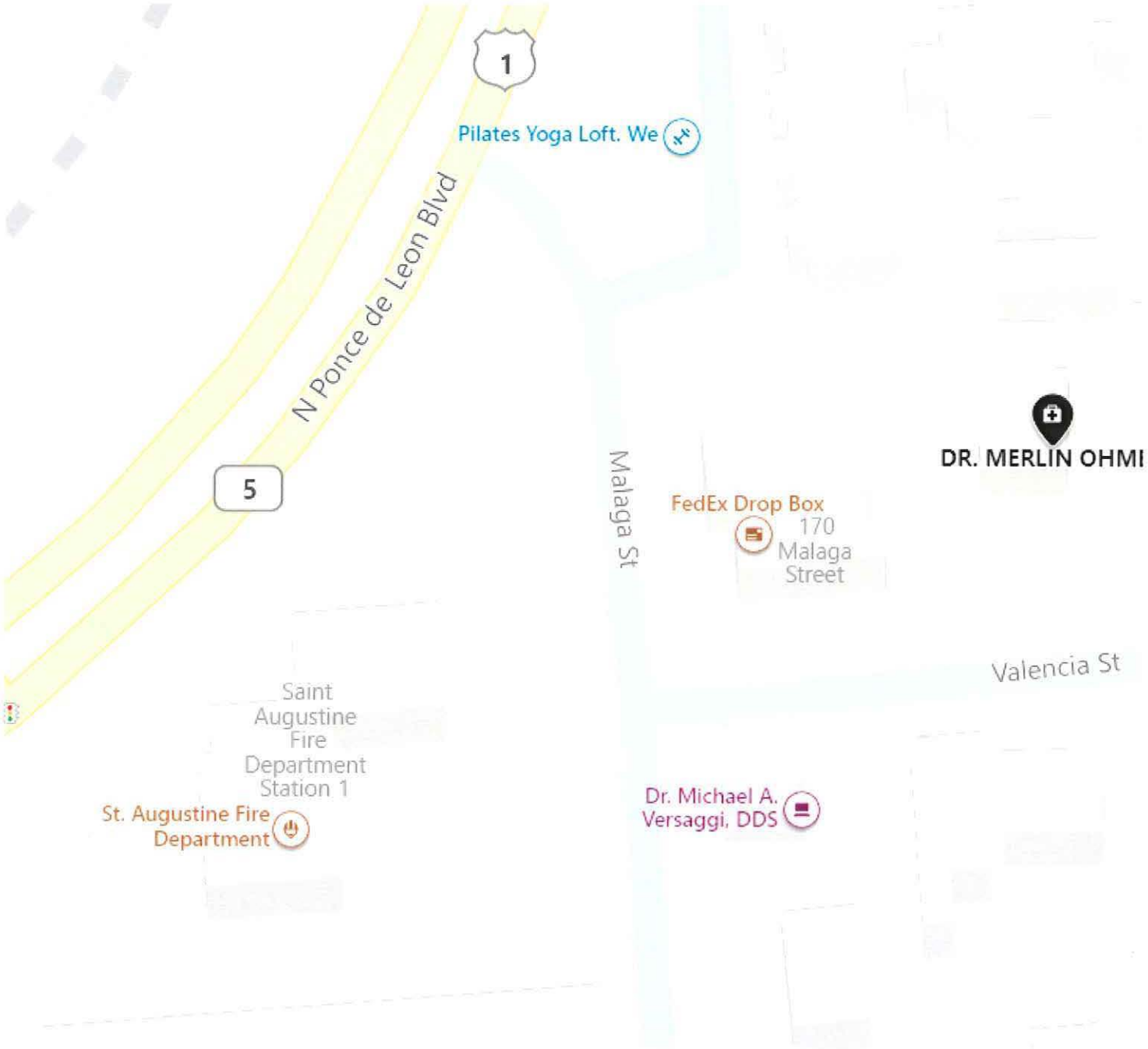
Add hours

Add photos

For the best dentist in St. Augustine, call (904) 638-7605 today to make an appointment with Dental Doctors of Florida. See more

Been here? Tell us about it




1
Pilates Yoga Loft. We
N Ponce de Leon Blvd
5
Malaga St
FedEx Drop Box
170 Malaga Street
DR. MERLIN OHMI
Valencia St
Saint Augustine Fire Department Station 1
St. Augustine Fire Department
Dr. Michael A. Versaggi, DDS

St. Johns County, FL

Apply for Exemptions

Apply for Exemptions

2022 TRIM Notice

2022 TRIM Notice (PDF)

Summary

Clicking Image Opens Cyclomedia Viewer In a New Tab

Parcel ID	2047800000
Location Address	72 VALENCIA ST SAINT AUGUSTINE 32084-0000
Neighborhood	City St Aug Model Land Area (COM) (610.05)
Tax Description*	MODEL LAND CO SUB CITY LOT 2 BLK H OR4038/1669 & 4571/1163(F/J) & 4605/1130(Q/C) *The Description above is not to be used on legal documents.
Property Use Code	Owner Occupied Mixed Use (Store/Office/Residential Combo) (1205)
Subdivision	Model Land Company Subdivision
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.450
Homestead	N

Owner Information

Owner Name	Ohmer Merlin 100%
Mailing Address	1126 N 1ST ST UNIT 201 JACKSONVILLE, FL 32250-0000

Map

Valuation Information

	2022
Building Value	$423,008
Extra Features Value	$20,256
Total Land Value	$254,644
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$697,908**
Total Deferred	$154,299
Assessed Value	**$543,609**
Total Exemptions	$0
Taxable Value	**$543,609**

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	$313,416	$15,918	$254,644	$0	$0	$583,978	$583,978	$5,000	$578,978
2020	$321,619	$16,810	$254,644	$0	$0	$593,073	$583,109	$14,964	$578,109
2019	$262,352	$13,103	$254,644	$0	$0	$530,099	$530,099	$5,000	$525,099
2018	$254,346	$5,721	$274,232	$0	$0	$534,299	$534,299	$534,299	$0
2017	$258,987	$5,923	$274,232	$0	$0	$539,142	$539,142	$539,142	$0
2016	$340,029	$6,125	$274,232	$0	$0	$620,386	$606,386	$69,000	$551,386
2015	$133,592	$6,327	$142,500	$0	$0	$282,419	$277,230	$55,189	$227,230
2014	$130,479	$7,103	$142,500	$0	$0	$280,082	$275,416	$54,666	$225,416
2013	$135,223	$7,880	$142,500	$0	$0	$285,603	$275,682	$59,921	$225,682
2012	$139,967	$5,622	$142,500	$0	$0	$288,089	$272,634	$65,455	$222,634
2011	$142,340	$6,196	$161,500	$0	$0	$310,036	$276,160	$83,876	$226,160
2010	$147,085	$6,770	$180,500	$0	$0	$334,355	$283,019	$101,336	$233,019

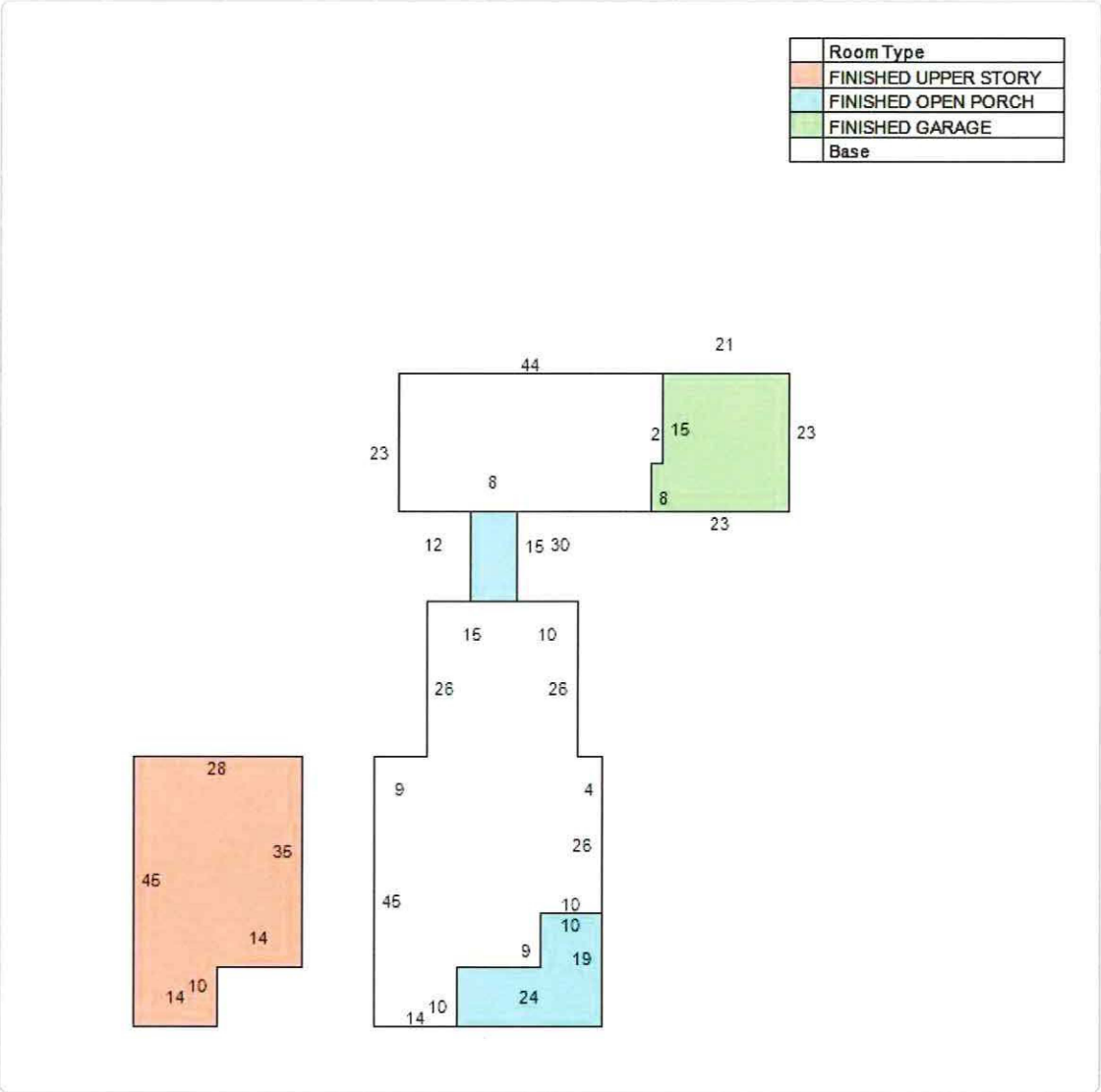
Building Information

Building	1
Year Built	1890
Actual Area	5095
Conditioned Area	4146
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Cement Fiber
Roof Cover	Modular Metal
Roof Structure	Gable Hip
Interior Flooring	Hardwood, Carpet
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	0
Baths	

Description	Square Footage
BASE AREA	996
FINISHED GARAGE	499
FINISHED OPEN PORCH	120
BASE AREA	2030
FINISHED UPPER STORY	1120
FINISHED OPEN PORCH	330

Total SqFt	5095

Sketch Information



Extra Feature Information

Code Description	Status	Value
Masonry Wall		1638
Handicap Ramp		1840
Brick Pavers (3001-9999)		7680
Concrete Paving (Commercial)		5433
Wood Fence (Commercial)		3665

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Owner Occupied Mixed Use - Store/Office/Res Combo	70	190	19588	SF	$254,644

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
8/31/2018	8/14/2018	$100.00	QUIT CLAIM DEED	4605	1130	U	I	TRUNK CHRISTINE ET AL	OHMER MERLIN
6/29/2018	6/27/2018	$0.00	FINAL JUDGMENT	4571	1163	U	I	TRUNK CHRISTINE	OHMER MERLIN
6/8/2015	5/27/2015	$920,000.00	WARRANTY DEED	4038	1669	Q	I	SINDAD GREG	TRUNK CHRISTINE & MERLIN OHMER
	2/22/1997	$0.00	CORRECTIVE DEED	1226	1047	U	I	MACFIE ROBERT LEONARD & HELEN JOYCE TRUSTEES	SINDAD GREG
	2/21/1997	$234,750.00	WARRANTY DEED	1224	837	Q	I	MAC FIE ROBERT L,H JOYCE ***	SINDAD GREG
	10/19/1994	$100.00	WARRANTY DEED	1078	817	U	I	MAC FIE ROBERT L,H JOYCE	MAC FIE ROBERT L ***
	1/1/1979	$68,000.00		418	221	U	I		MAC FIE ROBERT L,H JOYCE
	1/1/1977	$0.00		358	83	U	I		

No data available for the following modules: Sales Questionnaire Form, Exemption 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

Developed by Schneider GEOSPATIAL

Last Data Upload: 8/25/2022, 12:41:09 AM

Version 2.3.214

Instr #2018063459 BK: 4605 PG: 1130, Filed & Recorded: 8/31/2018 8:51 AM #Pgs:2
Hunter S. Conrad,Clerk of the Circuit Court St. Johns County FL Recording $18.50 Doc. D $0.70

THIS INSTRUMENT PREPARED BY:
Corrine A. Bylund, Esq.
Bylund Law, PLLC
4300 Marsh Landing Blvd., Ste. 202
Jacksonville Beach, FL 32250

RECORD AND RETURN TO:
Merlin P. Ohmer
1126 1st St. N., #201
Jacksonville Beach, FL 32250

RE PARCEL ID #: 204780-0000

THIS CONVEYANCE IS MADE PURSUANT TO AN ACTION FOR DISSOLUTION OF MARRIAGE

QUIT CLAIM DEED

THIS INDENTURE, is made, executed and delivered this 14th day of August 2018 between Christine Trunk and Merlin Ohmer, husband and wife, Grantors, to Merlin P. Ohmer, a single man, whose principal address is 72 Valencia St., Saint Augustine, Florida 32084, Grantee:

WITNESSETH: that the Grantors, for good and valuable consideration of the sum of Ten and No/100 Dollars ($10.00), in hand paid by the said Grantee, the receipt and sufficiency whereof is hereby acknowledged, by grantors, does hereby grant, bargain, sell and convey to grantee and grantee's heirs, successors and assigns forever, that certain land (the "Land") more particularly described as the following land, situate, lying and being in the County of Saint Johns, State of Florida, to wit:

LOT TWO (2), IN BLOCK "H", OF THE MODEL LAND COMPANY'S SUBDIVISION OF THE CITY OF SAINT AUGUSTINE, ACCORDING TO THE OFFICIAL MAP THEREOF DATED JANUARY 1, 1905, FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR SAINT JOHNS COUNTY, FLORIDA.

PARCEL ID NUMBER: 204780-0000

TO HAVE AND TO HOLD the same together with all and singular the tenements, hereditaments and appurtenances of Grantors thereunto belonging or in any wise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantors, either in law or equity, to the only proper use, benefit, and behoof of the said Grantee, her heirs, legal representatives, successors, and assignors forever.

Grantee, by the acceptance of this Quit-Claim Deed, acknowledges that in giving this Quit-Claim Deed Grantor makes no representations or warranties, expressed or implied, with respect to the title to the Property.

In Witness Whereof, the Grantors have hereunto set their hand and seals the day and year first above written.

Witnesses:

Signature

Sarah Spechtenhauser

Print

Signature

Tiara Golden

Print

Grantor:

Christine J. Trunk

Address: 72 Valencia St
St Augustine, FL
32084

STATE OF FLORIDA
COUNTY OF Duval

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 28 day of June, 2018, by CHRISTINE J. TRUNK, who personally known to me or who have produced FL Drivers License as identification and who did take an oath.

ELISSA KETAY
Commission # GG 098075
Expires April 26, 2021
Bonded Thru Troy Fain Insurance 800-385-7019

Notary Public:
My Commission Expires: 04/26/2021

Witnesses:

Signature

Eleanor Maria Williams

Print

Signature

Kristin Whitten

Print

Grantor:

Merlin P. Ohmer

Address:
72 Valencia St.
St. Augustine, FL
32084

STATE OF FLORIDA
COUNTY OF St. Johns

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 14th day of August, 2018, by MERLIN P. OHMER, who personally known to me or who have produced Drivers License as identification and who did take an oath.

ELEANOR MARIA WILLIAMS
Notary Public - State of Florida
Commission # GG 066456
My Comm. Expires Jul 18, 2021
Bonded through National Notary Assn.

Notary Public: Eleanor Maria Williams
My Commission Expires: 7/18/2021

Note: No title evidence was requested or furnished in connection with the preparation of this instrument and no opinion, expressed or implied, is intended by the aboved-named scrivener as to the marketability or condition of the title to or the boundaries of the property described herein.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: October 4, 2022

RE: **VARIANCE 2022-0063**

AGENDA ITEM	7(a)
APPLICANT	Sarah Ryan c/o Sarah Ryan Architect, LLC
OWNER	John & Dana Madalon
LOCATION	247 S Matanzas Boulevard / PID 221280-0000
REQUEST	To increase the maximum lot coverage from 29% to 30% and to reduce the required front yard setback from 20' to 18' to allow for an addition to the garage.
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.

Sec. 28-161. - Residential, single-family-one: RS-1.

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

(1) *Permitted uses and structures.* Single-family dwelling; home office, private.
(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, seventy-five (75) feet.
   b. Minimum lot area, one-quarter acre (10,890 square feet).
(5) *Maximum lot coverage by all buildings and structures.* Twenty-five (25) percent.
(6) *Minimum yard requirements:*
   a. Front, twenty (20) feet minimum.
   b. Side, fifteen (15) feet minimum.
   c. Rear, twenty (20) feet minimum.
(7) *Maximum height of structures.* Thirty-five (35) feet.

(Code 1964, § 33-21; Ord. No. 99-05, § 2, 2-8-99)

Sec. 28-159. - Height restrictions and maximum lot coverage on non-conforming lots of record in single-family residential districts (RS-1 and RS-2).

Notwithstanding any other provisions of this division 3, the allowable maximum height of structures of more than one story proposed for construction within single-family residential districts (RS-1 and RS-2) on a non-conforming lot of record shall be thirty (30) feet, and such structures shall have a minimum roof pitch of 5/12, with dormers limited to twenty (20) percent of the eave length per side. For the proposed structures subject to this provision**, the maximum lot coverage shall be twenty-nine (29) percent in RS-1** and thirty-five (35) percent in RS-2.

(Ord. No. 05-28, § 1, 9-12-05; Ord. No. 21-26, § 2, 10-11-21)

STAFF SUMMARY AND ANALYSIS

The applicant is requesting a variance to the maximum lot coverage allowance and front yard setback within the Residential single-family-one (RS-1) zoning district. The applicant is proposing adding on to the existing garage which will have walls within the required setback but roof overhang encroaching into it.

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 home built in 1976 on a non-conforming lot with an undersized garage for what the current owners need.

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

   The disadvantage of the size of the garage is making it unsuitable for their current vehicle.

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

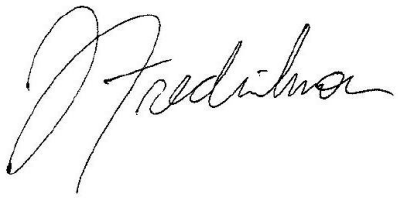
   This home was built before the current owners purchased it and part of renovation efforts and meeting present day standards they are seeking a variance.

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 increase the lot coverage to 30% and decrease the front yard setback from 20' to 18' at 247 S Matanzas Boulevard / PID 221280-0000.



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: 2022-0063

Receipt Number: 2459617 Meeting Date: Oct. 4, 2022

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

1. NAME OF APPLICANT: Sarah Ryan Contact Number: 904-547-9430
   Business (*if applicable*): Sarah Ryan Architect, LLC
   Address: 201 Owens Ave City: St Augustine State: FL Zip: 32080
   E-Mail Address: sr@sarahryanarchitect.com

2. NAME OF PROPERTY OWNER: John and Dana Madalon Contact Number:_____
   Business (*if applicable*):_____
   Address: 247 S Matanzas Blvd City: St Augustine State: FL Zip: 32080
   E-Mail Address: jmadalon@hotmail.com

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

4. PROJECT STREET ADDRESS: 247 S Matanzas Blvd

5. SPECIFIC PROPOSED USE: Single Family Residence

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

7. DESCRIPTION OF ACTION REQUESTED:
   We are proposing to extend the existing garage 2'-0" and the roof will overhang into the setback by 24".
   1. The lot coverage will also increase from 29.6% (non conforming site) to 30%.
   2. The front yard setback will be reduced from 20'-0" to 18'-0".

8. JUSTIFICATION FOR ACTION REQUESTED: The home was built in 1980.
   The homeowner is beautifully renovating the home to compliment the neighborhood.
   The garage is undersized for today's size cars and we are requesting to extend it 24" to allow more room to park in the garage.
   The garage walls will be within the setback and the roof overhangs into the setback.

04/18/2019

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

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

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: Yes, the garage is not able to park a car in it.

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: The home was built in the 1980s. The new homeowner is renovating the existing home and bringing up to current day standards.

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: The home is complimentary to the surrounding homes and granting a 24" extension to the garage will be in harmony with the spirit and intent of this variance.

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.

S Ryan — 9.9.22

Signature of Applicant — Date

9/8/2022

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.

Sarah Ryan

Print name of applicant

S Ryan

Signature of applicant

9.9.22

Date

10/31/17

PZB APPLICATION FEE SCHEDULE

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

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

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

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

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

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

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

Project Address: 247 S. Matanzas Blvd.

Applicant's Name: Sarah Ryan Applicant's Signature: S Ryan

Owner's Name: JOHN MADALON Owner's Signature:

CITY OF
ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

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

BY: _____
Signature of Owner

JOHN MADALON
Print Name of Owner

502.418.9009
Telephone Number

State of Florida

County of St. Johns

Signed and sworn before me on this 9 day of September, 2022

By _____

Identification verified:

Oath sworn: _____ Yes ____ No

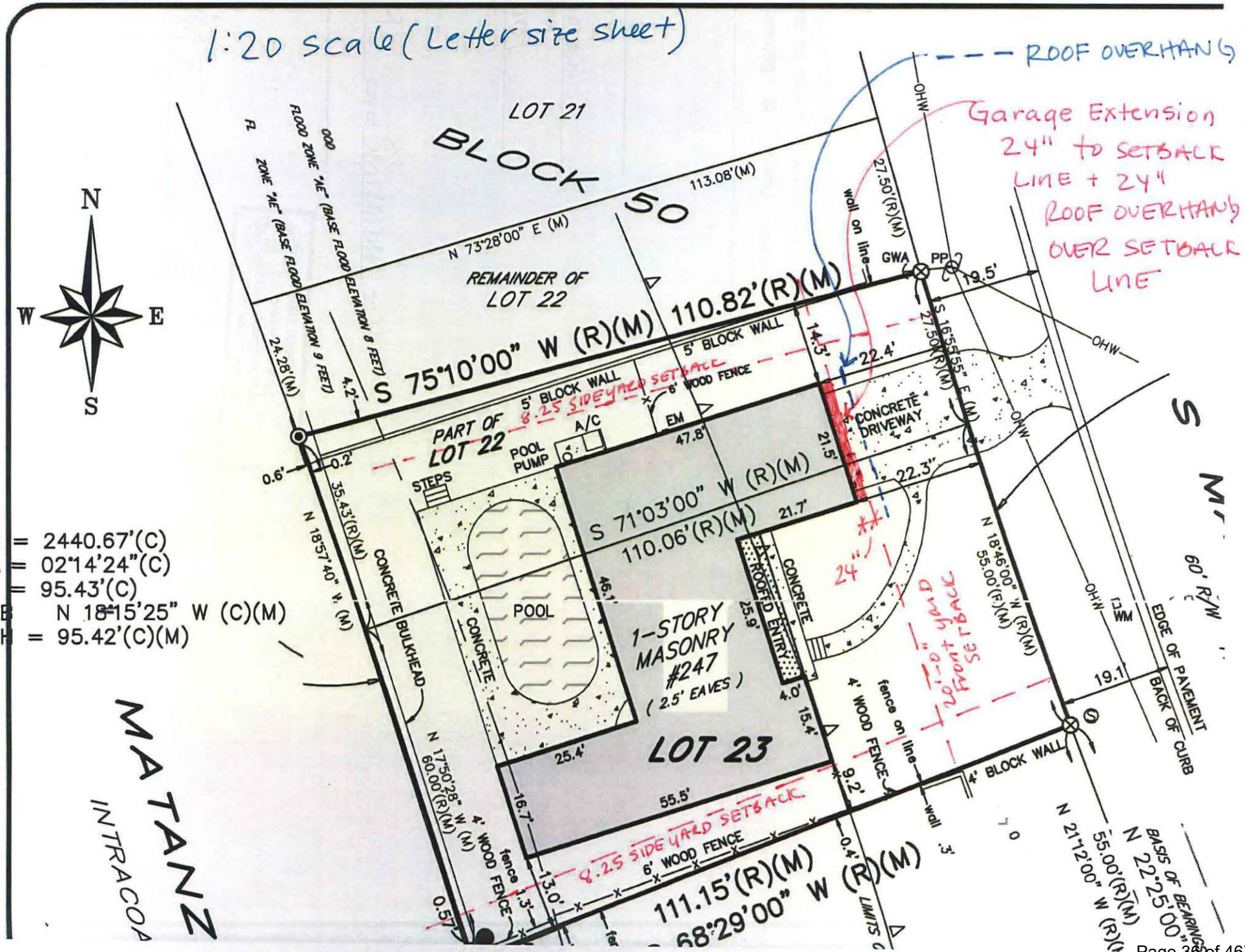
VERNA F. ROBERTS
Commission # HH 196290
Expires November 8, 2025
Bonded Thru Troy Fain Insurance 800-385-7019

Notary Signature: _____

My Commission expires: 11/8/2025

Rev:022117

1:20 scale (Letter size sheet)



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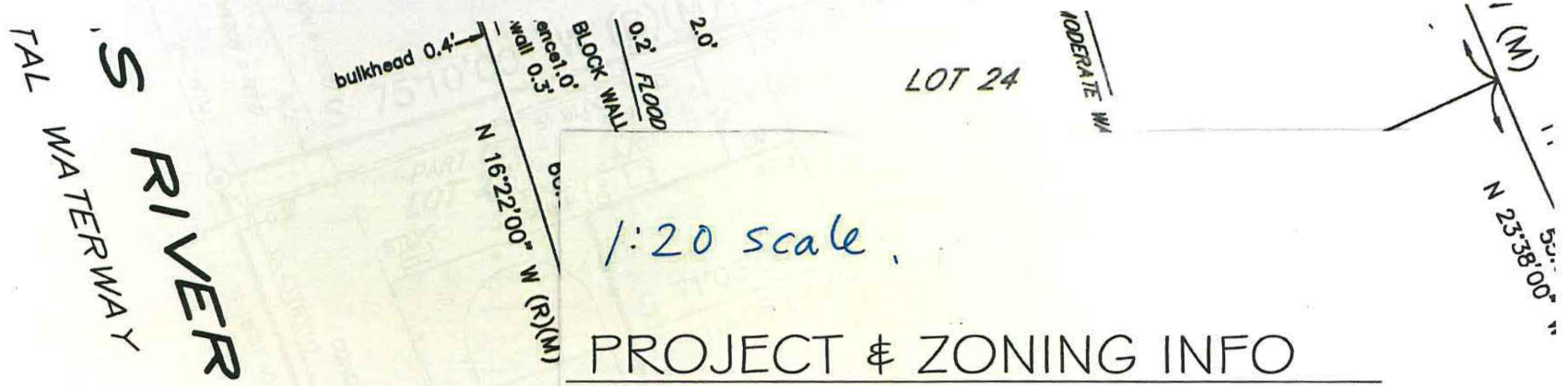
Δ = 02°14'24"(C)
L = 95.43'(C)
CB = N 18°15'25" W (C)(M)
CH = 95.42'(C)(M)



1:20 scale.

PROJECT & ZONING INFO

SITE ADDRESS:
247 S Matanzas Blvd
St Augustine FL 32080

FLOOD ZONE:	AE-8
EXISTING FFE:	7.8
ZONING:	RS-1 (NON-CONFORMING PROPERTY)
TOTAL LOT AREA:	9,306 sf
EXISTING BLDG FOOTPRINT:	2,755 sf
NEW BLDG FOOTPRINT:	2,798 sf

EXISTING LOT COVERAGE : 9,306 SF / 2,755 SF = 29.6%
PROPOSED LOT COVERAGE: 9,306 SF / 2,798 SF = 30%

EXISTING ISR: 9,306 SF / 4,510 SF = 48%
PROPOSED ISR: 9,306 SF / 5.070 SF = 54%

BUILDING HEIGHT (1-STORY) 15'-1" from grade

SETBACKS TO EAVE DRIP LINE

PROPOSED FRONT:	18'-0"
REQUIRED FRONT:	20'-0"
PROPOSED REAR AND SIDES:	EXISTING

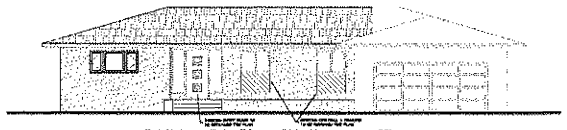
LEGEND

R/W =	RIGHT OF WAY
LB	LICENSED BUSINESS
(R)	RECORD
(M)	MEASURED
(C)	CALCULATED
Δ	CENTRAL ANGLE
R	RADIUS
L	ARC LENGTH
CH	CHORD LENGTH
CB	CHORD BEARING
PP	POWER POLE
OHW =	OVERHEAD WIRE(S)
GWA =	GUY WIRE ANCHOR
WM	WATER METER
EM	ELECTRIC METER
A/C	AIR CONDITIONER
Ⓢ	SANITARY SEWER MANHOLE
⊗	SET 5/8" IRON ROD – LB # 8177
	FOUND 1/2" IRON PIPE – NO IDENTIFICATION
	FOUND DRILL HOLE – NO IDENTIFICATION
	SET NAIL AND DISK – LB # 8177

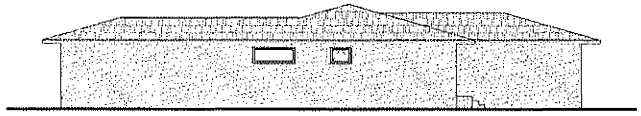
EXTERIOR FINISH LEGEND:

EXISTING ASPHALT SHINGLES TO BE REMOVED/REPLACED

EXISTING STUCCO FINISH

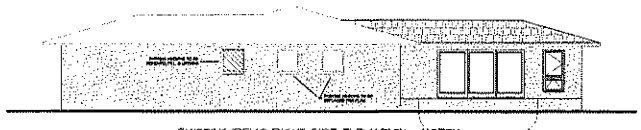


EXISTING/DEMO FRONT ELEVATION - EAST

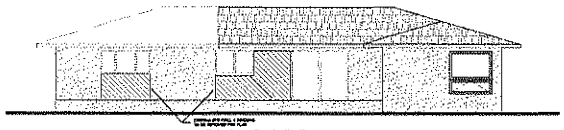


EXISTING/DEMO LEFT SIDE ELEVATION - SOUTH

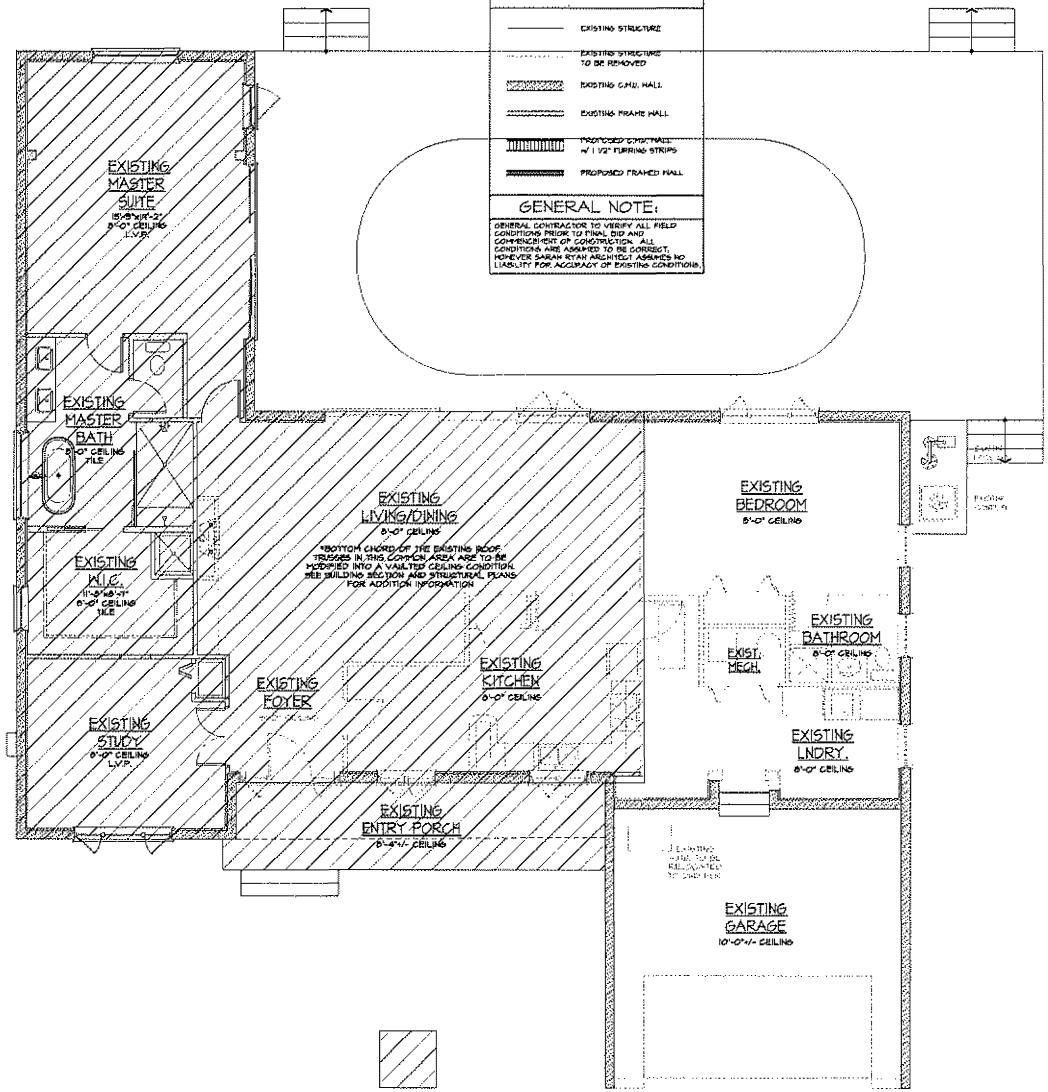
HATCHED AREA REPRESENTS C.M.U. WALL TO BE REMOVED OR FILLED IN PER PLAN



EXISTING/DEMO RIGHT SIDE ELEVATION - NORTH



EXISTING/DEMO REAR ELEVATION - WEST



LEGEND:

- EXISTING STRUCTURE
- EXISTING STRUCTURE TO BE REMOVED
- EXISTING C.M.U. WALL
- EXISTING FRAME WALL
- PROPOSED C.M.U. WALL w/ 1 1/2" FURRING STRIPS
- PROPOSED FRAMED WALL

GENERAL NOTE:

GENERAL CONTRACTOR TO VERIFY ALL FIELD CONDITIONS PRIOR TO FINAL BID AND COMMENCEMENT OF CONSTRUCTION. ALL CONDITIONS ARE ASSUMED TO BE CORRECT. HOWEVER SARAH RYAN ARCHITECT ASSUMES NO LIABILITY FOR ACCURACY OF EXISTING CONDITIONS.

Madalon Residence

PHASE 2

OWNER CONTACT

JOHN & DANA MADALON
247 S. MATANZAS BLVD.
ST AUGUSTINE, FL 32080

PROJECT LOCATION

247 S. MATANZAS BLVD.
ST AUGUSTINE, FL 32080

CONTRACTOR:

AD DAVIS
3940 LEWIS SPEEDWAY
2201
ST. AUGUSTINE FL 32084
904-824-3533

ARCHITECT:

SARAH RYAN ARCHITECT, LLC
201 OWENS AVE
ST AUGUSTINE, FL 32080
904-547-9430

STRUCTURAL ENGINEER:

SWANSON STRUCTURAL, INC.
209 BILBAO DR.
ST. AUGUSTINE, FL 32086
904-665-8806

No.	Date	Description	Revisions
1	04.18.2022	FOR PERMITTING PHASE 1 ONLY	
2	05.26.2022	PHASE 2 - 90	
3	09.8.2022	PHASE 2 - PROGRESS	

Scale

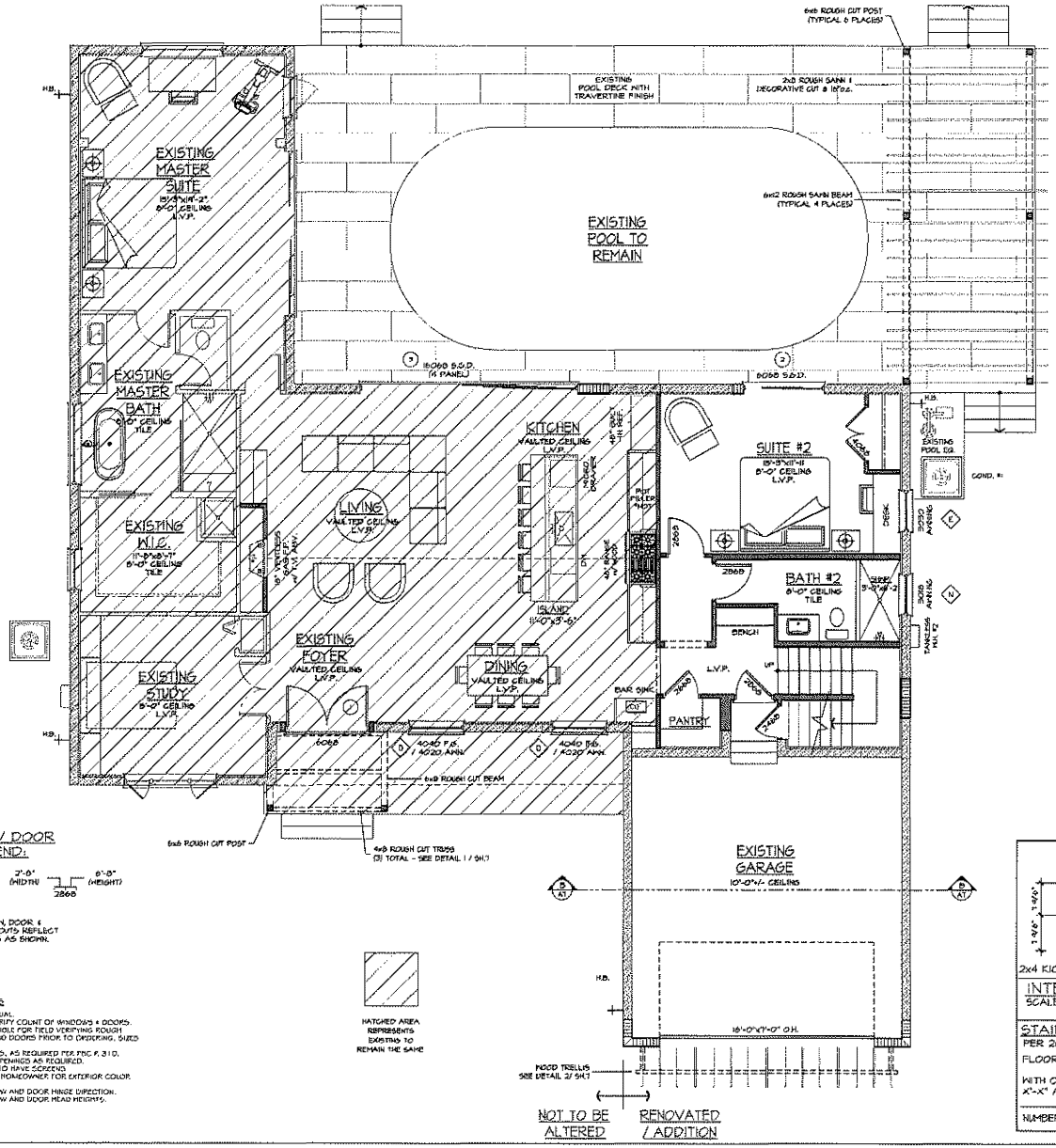
Sheet title

EXISTING / DEMO PLANS & ELEVATIONS

Sheet Number A3

THIS SET IS FOR PRICING & NOT FOR CONSTRUCTION! TRUSS DESIGNER &/OR ENGINEER TO CONTACT ARCHITECT PRIOR TO STARTING TO VERIFY LATEST SET

9/14/2022 8:52:33 AM



LEGEND:

- EXISTING STRUCTURE
- EXISTING STRUCTURE TO BE REMOVED
- EXISTING C.M.U. WALL
- EXISTING FRAME WALL
- PROPOSED C.M.U. WALL w/ 1 1/2" FURRING STRIPS
- PROPOSED FRAMED WALL

GENERAL NOTE:

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WALL LEGEND:

- 3 1/2" — 2x4 STUD WALL
- 5 1/2" — 2x6 STUD WALL
- 7 5/8" — 8" CMU WALL
- 4 5/8" — 8" CMU WALL w/ 1x3" FURRING STRIPS & RIGID INSULATION

AREA CALCULATIONS

LIVABLE AREAS:	
EXISTING A/C	2,169
PROPOSED 2nd FLOOR	150
TOTAL LIVABLE AREAS:	2,431
GARAGE/COVERED AREAS:	
EXISTING FRONT PORCH	162
EXISTING GARAGE	466
PROPOSED GARAGE EXTENSION	43
PROPOSED 2nd FLOOR BALCONY	54
TOTAL COVERED AREAS:	725
EXISTING POOL & DECK	1,412
TOTAL UNDER ROOF:	3,637

WINDOW / DOOR LEGEND:

4'-0" (WIDTH) 5'-0" (HEIGHT) 4050 F.B. 4'-0" H.H. HEAD HEIGHT

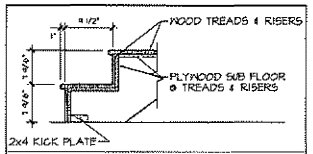
2'-8" (WIDTH) 6'-8" (HEIGHT) 2868

*ALL WINDOW, DOOR & TRANSOM CALL OUTS REFLECT FEET & INCHES AS SHOWN.

HATCHED AREA REPRESENTS EXISTING TO REMAIN THE SAME

GENERAL NOTES : WINDOWS & DOORS

1. WINDOW & DOORS: MARVIN OR EQUAL.
2. GENERAL CONTRACTOR TO FIELD VERIFY COUNT OF WINDOWS & DOORS.
3. GENERAL CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING ROUGH OPENING SIZES OF ALL WINDOWS AND DOORS PRIOR TO ORDERING. SIZES SHOWN ARE GENERIC.
4. PROVIDE WINDOWS MEETING EGRESS, AS REQUIRED PER FBC R. 310. EMERGENCY ESCAPE AND RESCUE OPENINGS AS REQUIRED.
5. ALL OPERABLE WINDOWS & DOORS TO HAVE SCREENS.
6. WHITE PRIMED INTERIOR - VERIFY w/ HOMEOWNER FOR EXTERIOR COLOR - LOW E 3 FILM
7. REFERENCE ELEVATIONS FOR WINDOW AND DOOR HINGE DIRECTION.
8. REFERENCE ELEVATIONS FOR WINDOW AND DOOR HEAD HEIGHTS.



INTERIOR STAIR DETAIL

SCALE: 3/4" = 1'-0" (MAIN FLOOR TO 2nd FLOOR)

STAIR DATA

PER 2020 FBC-311.7

FLOOR TO FLOOR HEIGHT = 9'-5 3/4"

WITH ONE LANDING - SEE PLAN

X'-X" A.F.F.

NUMBER OF RISERS (15) @ 7 5/16" EACH

Madalon Residence

PHASE 2

OWNER CONTACT

JOHN & DANA MADALON
247 S. MATANZAS BLVD.
ST AUGUSTINE, FL 32080

PROJECT LOCATION

247 S. MATANZAS BLVD.
ST AUGUSTINE, FL 32080

CONTRACTOR:

AD DAVIS
3940 LEWIS SPEEDWAY
2201
ST. AUGUSTINE FL 32084
904-824-3533

ARCHITECT:

SARAH RYAN ARCHITECT, LLC
201 OWENS AVE
ST AUGUSTINE, FL 32080
904-547-9430

STRUCTURAL ENGINEER:

SWANSON STRUCTURAL, INC.
209 BILBAO DR.
ST. AUGUSTINE, FL 32086
904-685-8806

No.	Date	Description	Revisions
1	04.18.2022	FOR PERMITTING PHASE 1 ONLY	
2	05.20.2022	PHASE 2 - 100	
3	09.14.2022	PHASE 2 - PROPOSED	

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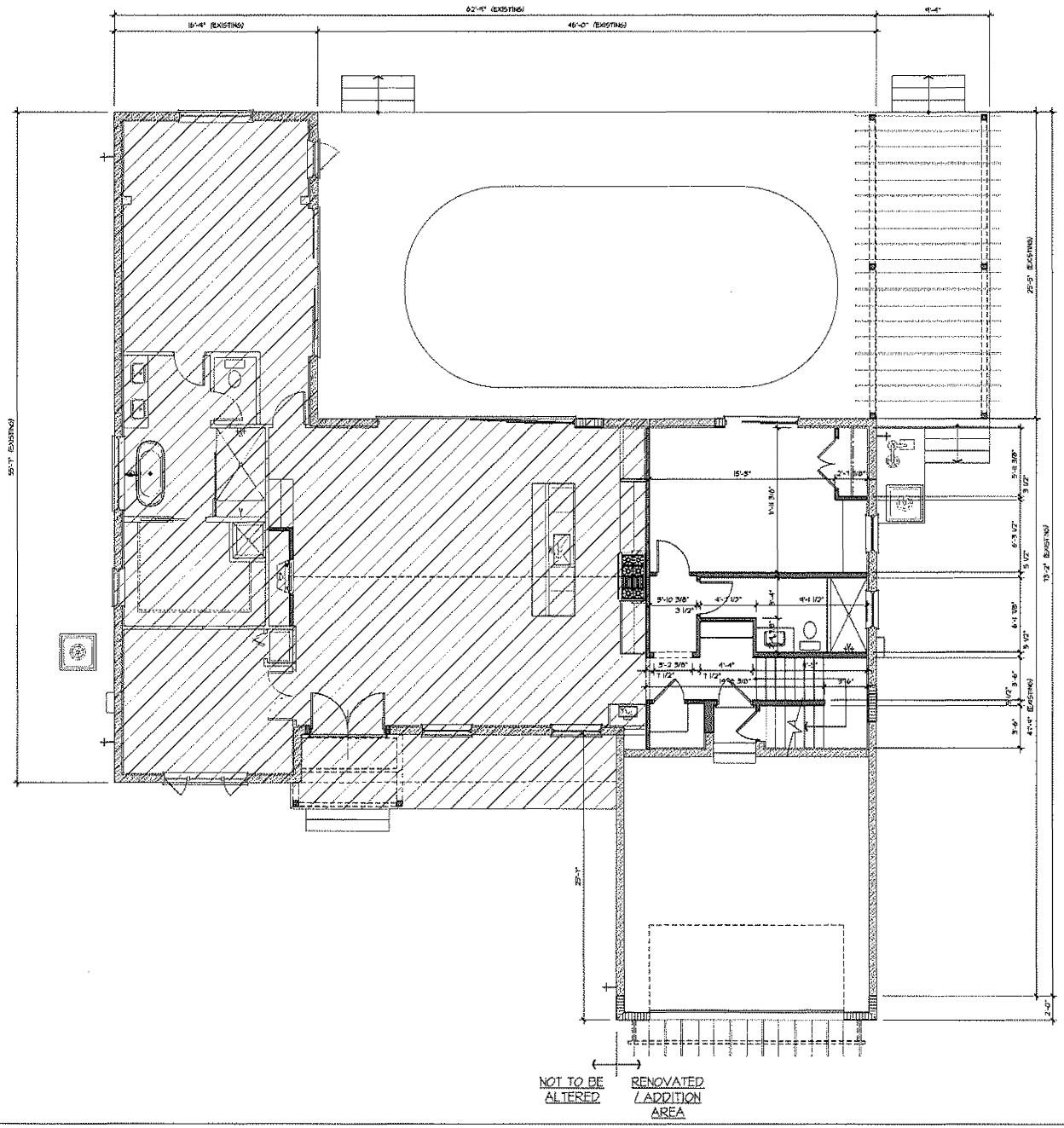
Sheet title

PROPOSED FLOOR PLAN

Sheet Number A4

THIS SET IS FOR PRICING & NOT FOR CONSTRUCTION! TRUSS DESIGNER &/OR ENGINEER TO CONTACT ARCHITECT PRIOR TO STARTING TO VERIFY LATEST SET

9/14/2022 8:52:35 AM



Madalon Residence

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ST AUGUSTINE, FL 32080

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No.	Date	Description	Remarks
1	04.10.2022	FOR PERMITTING PHASE I ONLY	
2	05.26.2022	PHASE I - CD	
3	09.8.2022	PHASE I - PROGRESS	

Scale

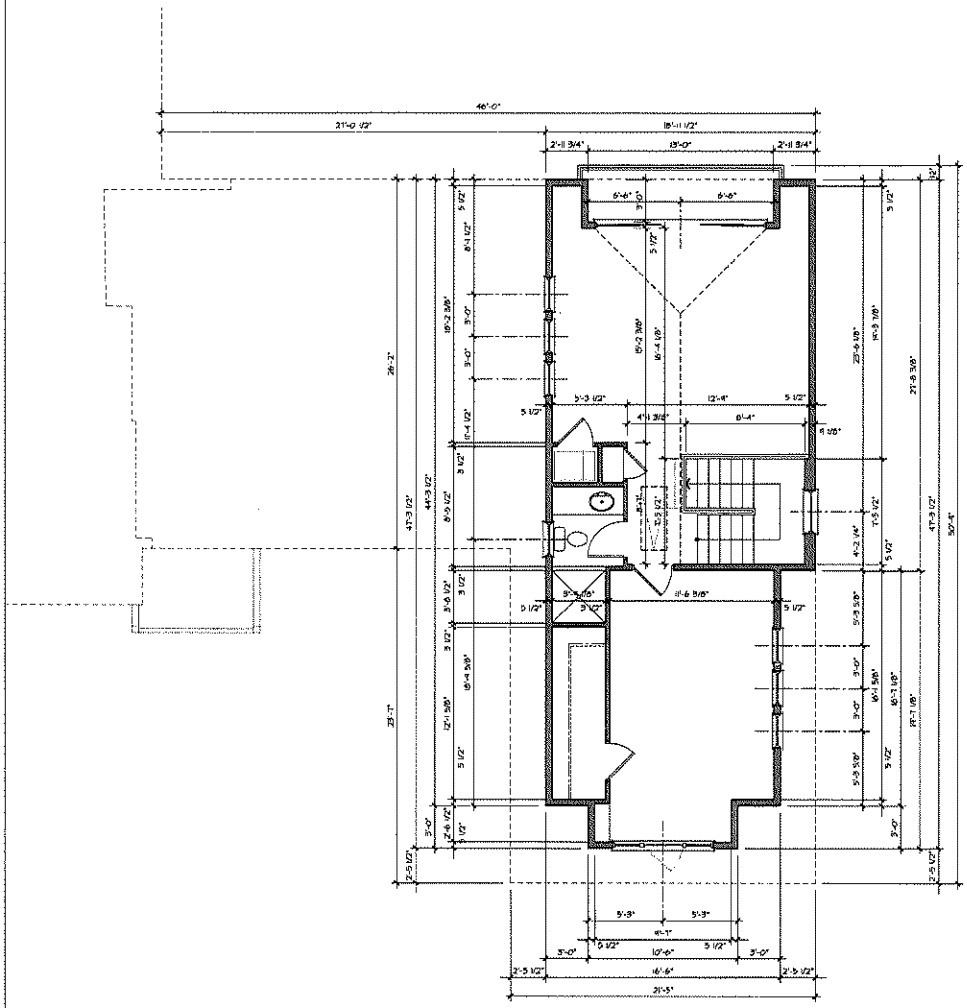
Sheet title

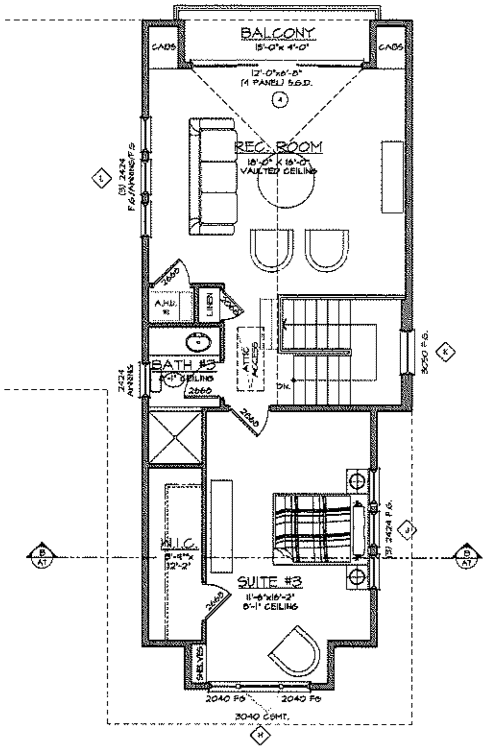
PROPOSED DIMENSION PLAN

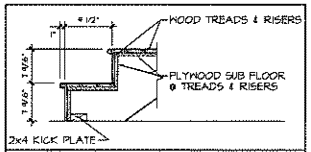
Sheet Number A4.1

THIS SET IS FOR PRICING & NOT FOR CONSTRUCTION! TRUSS DESIGNER &/OR ENGINEER TO CONTACT ARCHITECT PRIOR TO STARTING TO VERIFY LATEST SET

9/14/2022 8:52:37 AM







INTERIOR STAIR DETAIL

SCALE: 3/4" = 1'-0" (MAIN FLOOR TO 2nd FLOOR)

STAIR DATA

PER 2020 FBC-311.7

FLOOR TO FLOOR HEIGHT = 9'-5 3/4"

WITH ONE LANDING - SEE PLAN
X'-X" A.F.F.

NUMBER OF RISERS (15) @ 7 9/16" EACH

LEGEND:

- EXISTING STRUCTURE
- EXISTING STRUCTURE TO BE REMOVED
- EXISTING C.M.U. WALL
- EXISTING FRAME WALL
- PROPOSED C.M.U. WALL w/ 1 1/2" FURRING STRIPS
- PROPOSED FRAMED WALL

GENERAL NOTE:

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WALL LEGEND:

- 3 1/2" — 2x4 STUD WALL
- 5 1/2" — 2x6 STUD WALL
- 7 5/8" — 8" CMU WALL
- 9 1/8" — 8" CMU WALL w/ 1 1/2" FURRING STRIPS & RIGID INSULATION

Madalon Residence

PHASE 2

OWNER CONTACT
JOHN & DANA MADALON
247 S. MATANZAS BLVD.
ST AUGUSTINE, FL 32080

PROJECT LOCATION
247 S. MATANZAS BLVD.
ST AUGUSTINE, FL 32080

CONTRACTOR:
AD DAVIS
3940 LEWIS SPEEDWAY
2201
ST. AUGUSTINE FL 32084
904-824-0533

ARCHITECT:
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201 OWENS AVE
ST AUGUSTINE, FL 32080
904-547-9430

STRUCTURAL ENGINEER:
SWANSON STRUCTURAL INC.
209 BILBAO DR.
ST. AUGUSTINE, FL 32086
904-865-8806

No.	Date	Description	Revisions
1	04/18/2022	FOR PERMITTING PHASE 1 ONLY	
2	05/26/2022	PHASE 1 - CD	
3	08/12/2022	PHASE 2 - PROGRESS	

Scale

Sheet title

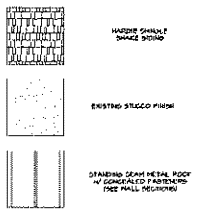
PROPOSED SECOND FLOOR ADDITION

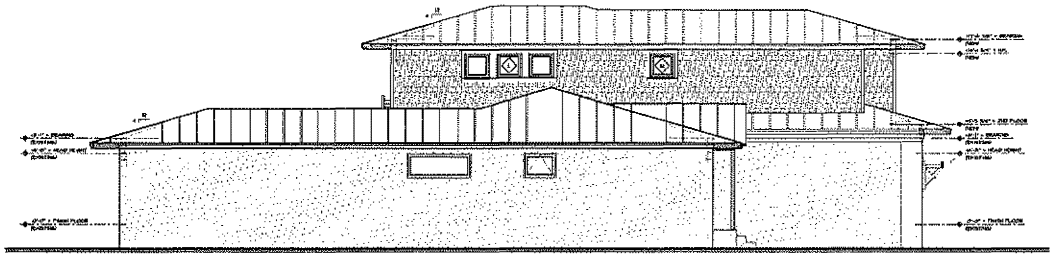
Sheet Number: A5

THIS SET IS FOR PRICING & NOT FOR CONSTRUCTION! TRUSS DESIGNER &/OR ENGINEER TO CONTACT ARCHITECT PRIOR TO STARTING TO VERIFY LATEST SET

9/14/2022 8:52:38 AM

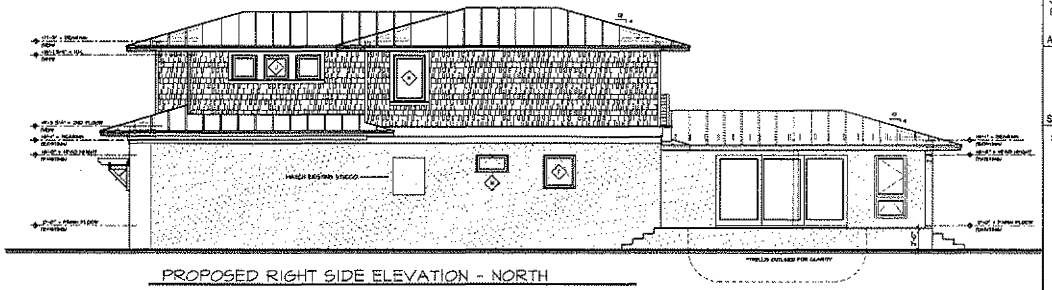
EXTERIOR FINISH LEGEND:



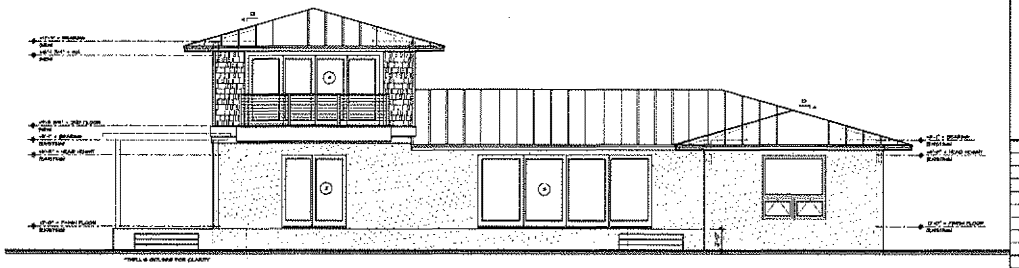


PROPOSED LEFT SIDE ELEVATION - SOUTH

SCALE: 3/16" = 1'-0"

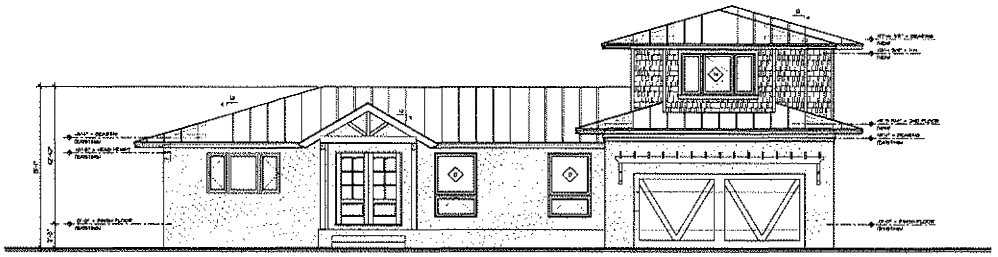


PROPOSED RIGHT SIDE ELEVATION - NORTH



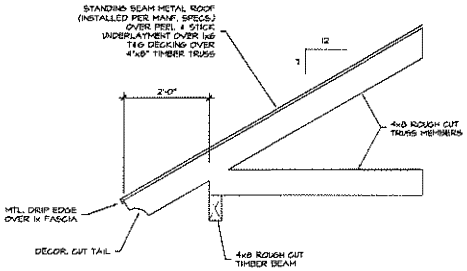
PROPOSED REAR ELEVATION - WEST

SCALE: 3/16" = 1'-0"



PROPOSED FRONT ELEVATION - EAST

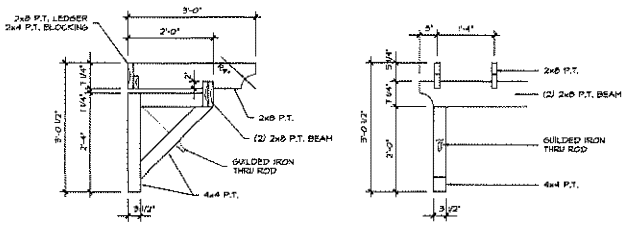
SCALE: 3/16" = 1'-0"



1 TIMBER TRUSS DETAIL

3/4" = 1'-0"

*STRUCTURAL PLANS ARE TO SUPERSEDE THESE DETAILS IF ANY DIFFERENCES



2 TYPICAL TRELLIS DETAIL

3/4" = 1'-0"

Madalon Residence

PHASE 2

OWNER CONTACT

JOHN & DANA MADALON
247 S. MATANZAS BLVD.
ST AUGUSTINE, FL 32080

PROJECT LOCATION

247 S. MATANZAS BLVD.
ST AUGUSTINE, FL 32080

CONTRACTOR:

AD DAVIS
3940 LEWIS SPEEDWAY
2201
ST. AUGUSTINE FL 32084
904-824-3533

ARCHITECT:

SARAH RYAN ARCHITECT, LLC
201 OWENS AVE
ST AUGUSTINE, FL 32080
904-547-9430

STRUCTURAL ENGINEER:

SWANSON STRUCTURAL, INC.
209 BILBAO DR.
ST. AUGUSTINE, FL 32086
904-685-8806

No.	Date	Description:	Revisions
1	04.18.2022	FOR PERMITTING PHASE 2 ONLY	
2	05.26.2022	PHASE 2 - DD	
3	09.6.2022	PHASE 2 - PROGRESS	

Scale

Sheet title

PROPOSED EXTERIOR ELEVATIONS PHASE 2

Sheet Number A6

THIS SET IS FOR PRICING & NOT FOR CONSTRUCTION! TRUSS DESIGNER &/OR ENGINEER TO CONTACT ARCHITECT PRIOR TO STARTING TO VERIFY LATEST SET

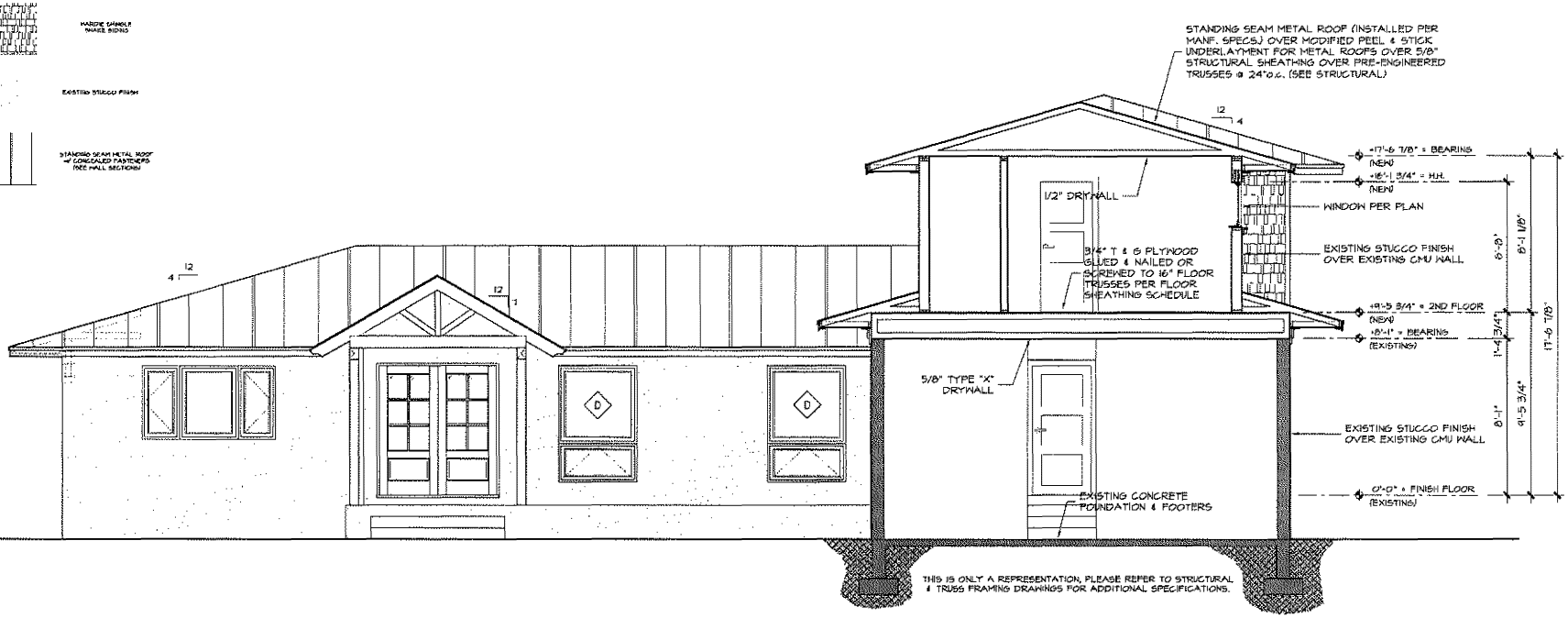
9/14/2022 8:52:39 AM

EXTERIOR FINISH LEGEND:

HARDIE SHINGLE NAKED SIDING

EXISTING STUCCO FINISH

STANDING SEAM METAL ROOF W/ CONCEALED FASTENERS (SEE WALL SECTIONS)



BUILDING SECTION "B" (PROPOSED RENOVATION) SCALE: 3/8" = 1'-0"

Madalon Residence

PHASE 2

OWNER CONTACT

JOHN & DANA MADALON
247 S. MATANZAS BLVD.
ST AUGUSTINE, FL 32080

PROJECT LOCATION

247 S. MATANZAS BLVD.
ST AUGUSTINE, FL 32080

CONTRACTOR:

AD DAVIS
3940 LEWIS SPEEDWAY
2201
ST. AUGUSTINE FL 32084
904-824-3533

ARCHITECT:

SARAH RYAN ARCHITECT, LLC
201 OWENS AVE
ST AUGUSTINE, FL 32080
904-547-9430

STRUCTURAL ENGINEER:

SWANSON STRUCTURAL, INC.
209 BILBAO DR.
ST. AUGUSTINE, FL 32086
904-685-8806

No.	Date	Description:	Revisions
1	01.13.2022	FOR PERMITTING, PHASE 1 ONLY	
2	02.24.2022	PHASE 1 - BID	
3	09.14.2022	PHASE 2 - PROPOSED	

Scale

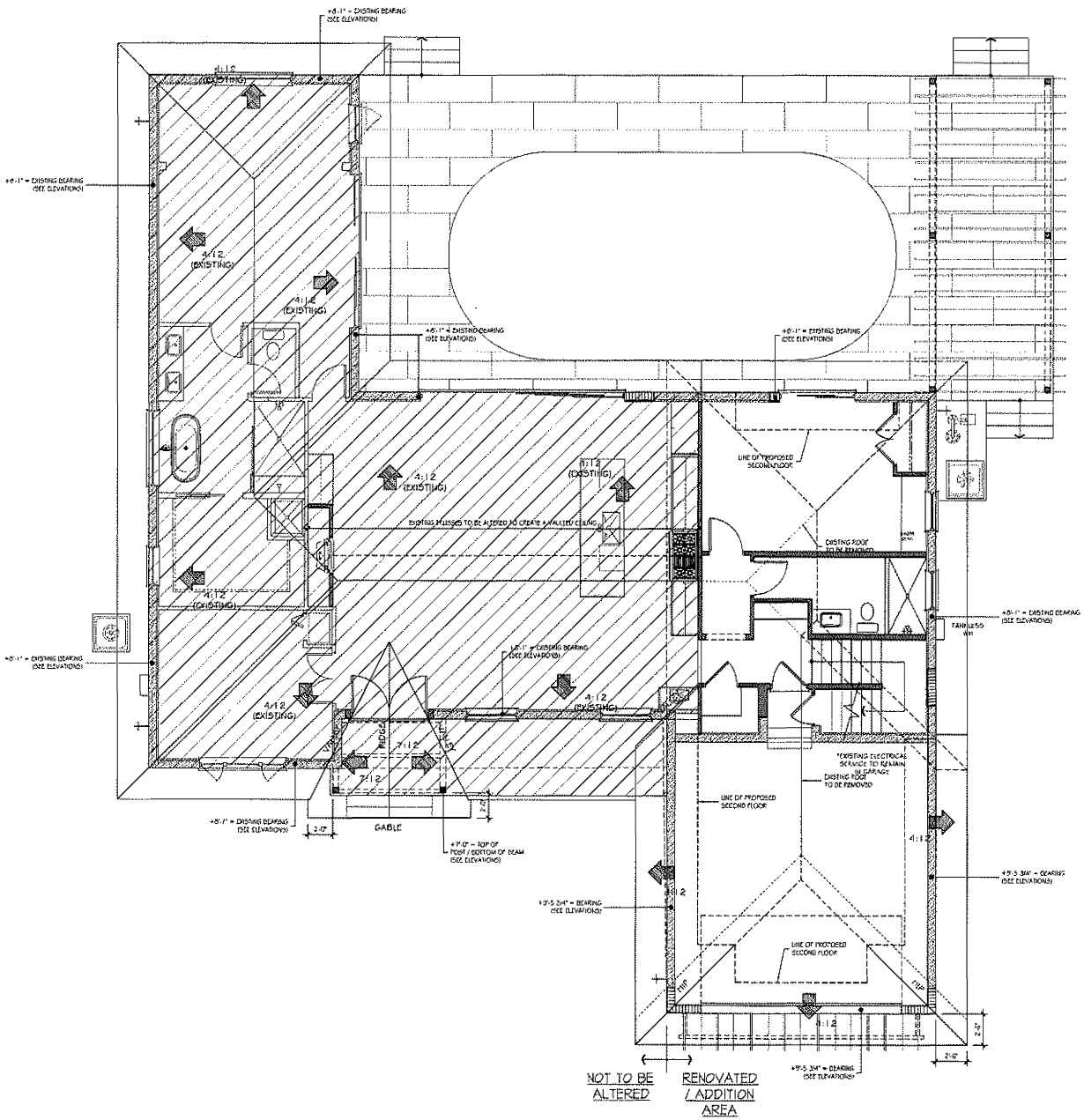
Sheet title

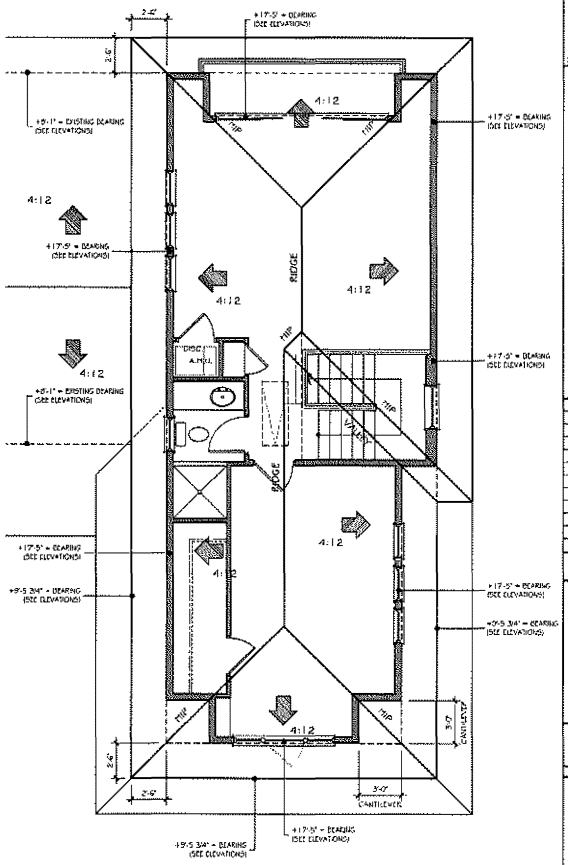
PROPOSED BUILDING SECTIONS

Sheet Number A7

THIS SET IS FOR PRICING & NOT FOR CONSTRUCTION! TRUSS DESIGNER &/OR ENGINEER TO CONTACT ARCHITECT PRIOR TO STARTING TO VERIFY LATEST SET

9/14/2022 8:52:41 AM





SECOND FLOOR ROOF PLAN

SCALE: 1/4" = 1'-0"

ROOF NOTES:

1) EXISTING ROOF FRAMING TYPES, REFERENCE TRUSS/ FRAMING PROFILES ON THE ELEVATIONS
2) HEADER SYSTEM TO BE 1'-6" IN DEPTH
3) SECOND FLOOR SHOWN TO HAVE A CHASE, NO RECESS TO SHOWN ON FLOOR PLAN
4) REQUIRED COLLECTS BY BUILDER (NOT SHOWN)
5) ALL OVERHANGS ARE TO BE 2'-0" (MATCH EXISTING), UNLESS OTHERWISE NOTED ON PLAN
6) INSTALL GUTTERS AND DOWNSPOUTS AS REQUIRED.
7) TRUSS DRAWINGS & STRUCTURAL PLANS TO SUPERSEDE ARE AND ALL INFO. ON THIS SHEET

Madalon Residence

PHASE 2

OWNER CONTACT

JOHN & DANA MADALON
247 S. MATANZAS BLVD.
ST AUGUSTINE, FL 32080

PROJECT LOCATION

247 S. MATANZAS BLVD.
ST AUGUSTINE, FL 32080

CONTRACTOR:

AD DAVIS
3940 LEWIS SPEEDWAY
2201
ST. AUGUSTINE FL 32084
904-824-3533

ARCHITECT:

SARAH RYAN ARCHITECT, LLC
301 OWENS AVE
ST AUGUSTINE, FL 32080
904-547-9430

STRUCTURAL ENGINEER:

SWANSON STRUCTURAL, INC.
209 BILBAO DR.
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904-655-8605

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1	04.14.2022	FOR PERMITTING PHASE 1 ONLY	
2	05.25.2022	PHASE 2 - 100	
3	08.8.2022	PHASE 2 - PROGRESS	

Scale

Sheet title

PROPOSED ROOF PLAN

Sheet Number A9

THIS SET IS FOR PRICING & NOT FOR CONSTRUCTION! TRUSS DESIGNER &/OR ENGINEER TO CONTACT ARCHITECT PRIOR TO STARTING TO VERIFY LATEST SET

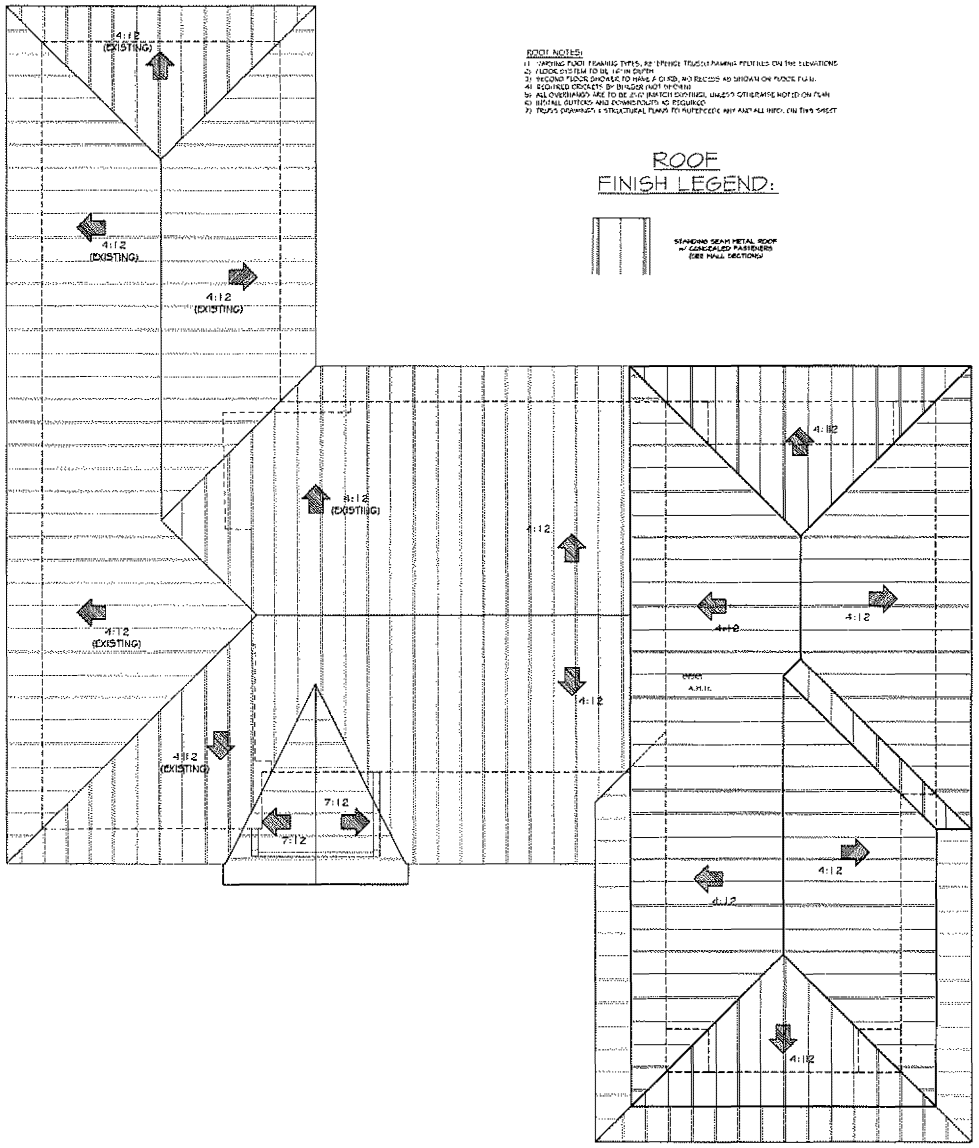
9/14/2022 8:52:47 AM

ROOF NOTES:

1) VARYING ROOF FRAMING TYPES, RE: EXPOSED TRUSSES FRAMING PLUTILES ON THE ELEVATIONS
2) GUTTER SYSTEM TO BE 14" IN DEPTH
3) SECOND FLOOR SHOWS TO HAVE A 0" RO, NO RECESS AS SHOWN ON FLOOR PLAN
4) REQUIRED CROSSETS BY BUILDER (NOT SHOWN)
5) ALL OVERHANGS ARE TO BE 24" (MATCH EXISTING), UNLESS OTHERWISE NOTED ON PLAN
6) INTERNAL GUTTERS AND DOWNSPOUTS AS REQUIRED
7) TRUSS DRAWINGS & STRUCTURAL PLANS TO SUPERSEDE ANY AND ALL INFO. ON THIS SHEET

ROOF FINISH LEGEND:

STANDING SEAM METAL ROOF w/ CONCEALED FASTENERS (SEE WALL SECTIONS)



Madalon Residence

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3	09.12.2022	PHASE 2 - PROCESS	

Scale

Sheet title

ROOF DIAGRAM PLAN

Sheet Number A9.1

THIS SET IS FOR PRICING & NOT FOR CONSTRUCTION! TRUSS DESIGNER &/OR ENGINEER TO CONTACT ARCHITECT PRIOR TO STARTING TO VERIFY LATEST SET

9/14/2022 8:52:49 AM

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: October 4, 2022

RE: **VARIANCE 2022-0065**

AGENDA ITEM	7(b)
APPLICANT	Catherine Duncan / Jennifer Pietschker c/o Loci Architects, LLC
OWNER	Barbara & Wayne Bish
LOCATION	87 Douglas Avenue / PID 151730-0000
REQUEST	To increase the maximum lot coverage from 30% to 35% for a new sunroom addition.
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. 28-162. - 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.
   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.

(Code 1964, § 33-22; Ord. No. 99-05, § 3, 2-8-99)

STAFF SUMMARY AND ANALYSIS

The applicant is requesting a variance to the maximum lot coverage allowance to allow for the addition of a sunroom on the north side of the house.

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 home built in 1955 before existing zoning limitations and before the current owners occupied the home. According to the applicant other homes in the neighborhood make use of similar sunrooms and have larger lots causing a disadvantage to this property.

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

The disadvantage of the smaller lot size excludes reasonable use of a sunroom at this property to mimic the character of the neighborhood.

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

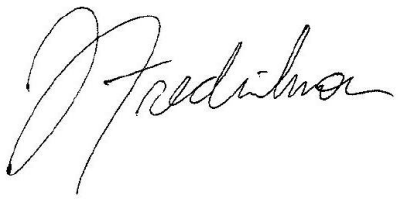
This home was built before the current owners purchased it and part of renovation efforts and matching neighboring appearances

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 and the ability to meet required setbacks.

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 increase the lot coverage to 35% at 87 Douglas Avenue / PID151730-0000.



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: 2022-0065

Receipt Number: 2459627 Meeting Date: oct. 4, 2022

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

1. NAME OF APPLICANT: Catherine Duncan / Jennifer Pietschker Contact Number: 904-377-2852 / 904-803-8301
   Business (*if applicable*): Loci Architects, LLC
   Address: 1942 Holly Oaks Lane City: Jacksonville State: FL Zip: 32225
   E-Mail Address: catherine@lociarchitects.com / jennifer@lociarchitects.com

2. NAME OF PROPERTY OWNER: Barbara and Wayne Bish Contact Number: 904-826-5111
   Business (*if applicable*):
   Address: 87 Douglas Avenue City: St. Augustine State: FL Zip: 32084
   E-Mail Address: barbarabish@gmail.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: Lot 10 and 11 Block: 1
   Subdivision: Fuller-Wood Park Parcel Number: 1517300000

4. PROJECT STREET ADDRESS: 87 Douglas Avenue, St. Augustine, FL 32084

5. SPECIFIC PROPOSED USE: Single-Family Residence

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

7. DESCRIPTION OF ACTION REQUESTED:
   A variance is requested to increase the lot coverage from 30% to 35%. The existing 1,900 square foot residence is currently at the 30% lot coverage.
   The Owner requests an increase in lot coverage to 35% to accommodate a new sunroom addition.

8. JUSTIFICATION FOR ACTION REQUESTED:
   Built in 1955, this small 1,500 square foot residence with 400 square foot attached garage is currently at 30% lot coverage. The owners wish to add a new sunroom addition to increase their living area and improve the value of their residence.
   The new sunroom addition will be located within the lot setback requirements.
   We are requesting to increase the lot coverage to 35% in order to keep the original design of the residence in place and add much needed square footage to the home.

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

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: The footprint of the existing one-story house maximizes the allowable lot coverage allowed. The existing house, built in 1955, reflects the original fabric of the neighborhood and the Owner does not wish to modify or demolish the original structure.

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: This 1955 residence has never been added on to since it was built. The owners live and work at home and would simply like to add a small 280 s.f. sunroom to their existing footprint. Most homes in the neighborhood have covered porches or sunrooms in addition to a living room.

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: The disadvantage does not exist because of conditions created by the owners or applicant. It is the original house built on the lot in 1955. Most homes in the neighborhood do not have a garage for parking that reduces the allowable living space for the home.

(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: Granting the variance will be in harmony with the spirit, intent and purpose of this Section and will enhance the neighborhood. The new addition will enhance the neighborhood and is in keeping with the design of the existing residence and keeps within the required setbacks for the property.

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.

Jennifer Pietschker — 09-07-2022
Signature of Applicant — Date

Barbara Bish — 9-8-2022
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.

Loci Architects, llc

Print name of applicant

Jennifer Pietschker

Signature of applicant

09-07-2022

Date

10/31/17

CITY OF
ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

Catherine Duncan/Jennifer Pietschker is/are hereby authorized TO ACT ON BEHALF OF Barbara and Wayne Bish, 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: 87 Douglas Avenue, St. Augustine, FL 32084

BY: Barbara Bish
Signature of Owner

Barbara Bish or Wayne Bish
Print Name of Owner

904 826 5111
Telephone Number

State of Florida

County of Saint Johns

Signed and sworn before me on this 8th day of September, 2022

By Barbara Bish

Identification verified:

Oath sworn: X Yes ___ No

Notary Signature: Madison Taylor Madison Taylor

My Commission expires: 09-09-2025

FLORIDA NOTARY ASSOCIATION SINCE 1978

MADISON TAYLOR
Notary Public
State of Florida
Comm# HH174077
Expires 9/9/2025

Rev:022117

PZB APPLICATION FEE SCHEDULE

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

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

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

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

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

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

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

Project Address: 87 Douglas Avenue, St. Augustine, FL 32084

Applicant's Name: Loci Architects, LLC Applicant's Signature: Jennifer Pistachker

Owner's Name: Barbara Bish Owner's Signature: Barbara Bish

GENERAL INFORMATION:

ADDRESS: 87 DOUGLAS AVENUE
ST. AUGUSTINE, FL 32084
PARCEL ID: 1517300000
YEAR BUILT: 1955
1 STORY
ZONING: RF-2

SETBACKS
SIDE - 10 FEET
REAR - 10 FEET
SECONDARY FRONT - 7.5 FEET
FRONT - 15 FEET

ACRES: .140 ACRES
MAX. LOT COVERAGE - 30%
(BUILDING FOOTPRINT WITHOUT ROOF)
LOT AREA: 6,407 S.F.
ALLOWABLE LOT COVERAGE: 1,922 S.F.
MAX. IMPERVIOUS SURFACE RATIO: 70%

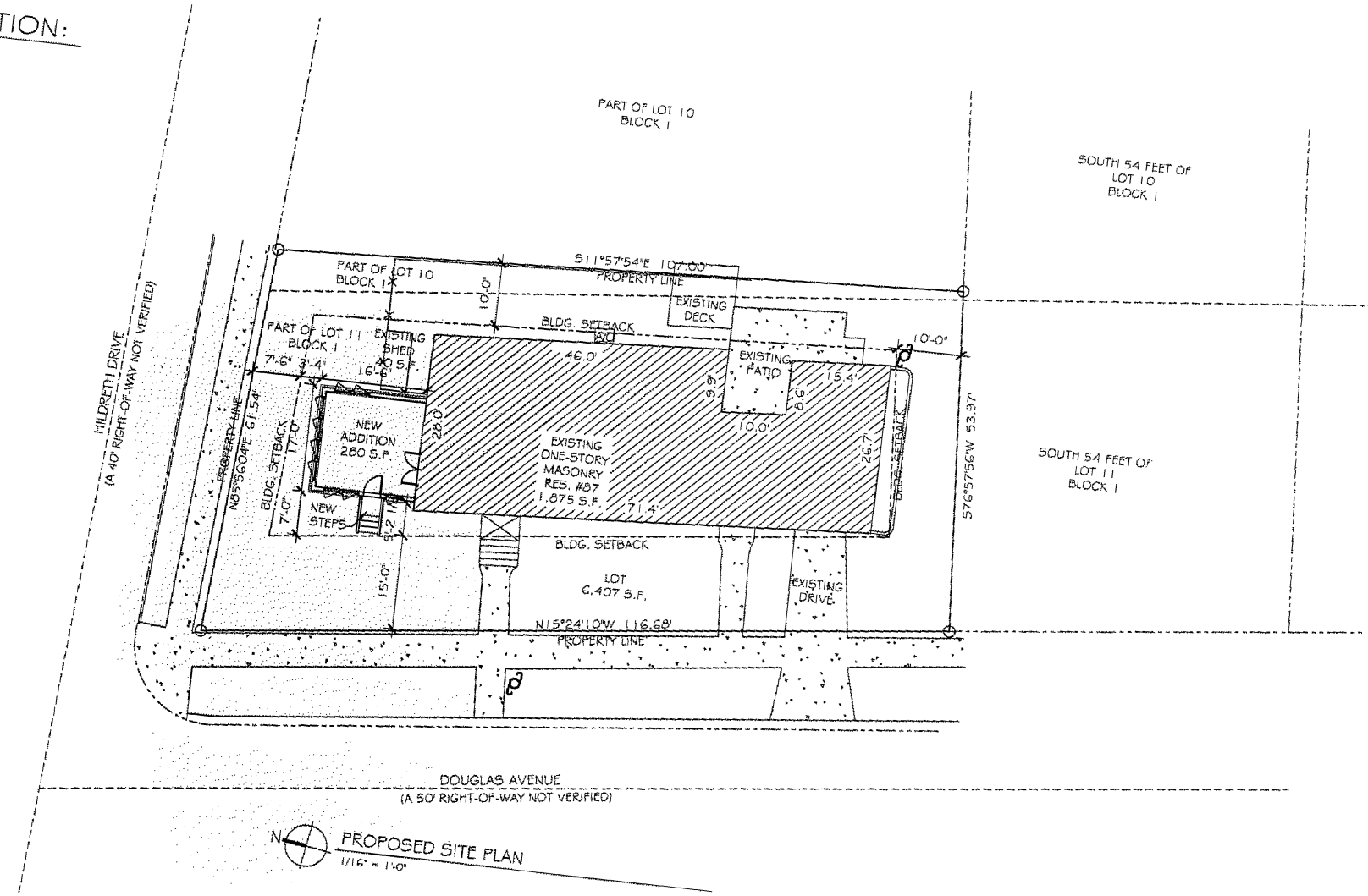
MAX BUILDING HEIGHT - 35'
TOTAL EXISTING S.F. AREA OF HOUSE: 1,875 S.F.
EXISTING SHED: 40 S.F
NEW SUNROOM ADDITION: 280 S.F.

TOTAL NEW AND EXISTING S.F. AREAS OF HOUSE: 2,195 S.F.

TOTAL PROPOSED LOT COVERAGE: 35%

IMPERVIOUS SURFACE RATIO:
EXISTING CONCRETE DRIVE, SIDEWALK AND PATIOS - 640 S.F.
NEW STEPS - 23 S.F.

TOTAL PROPOSED IMPERVIOUS SURFACE RATIO: 45%

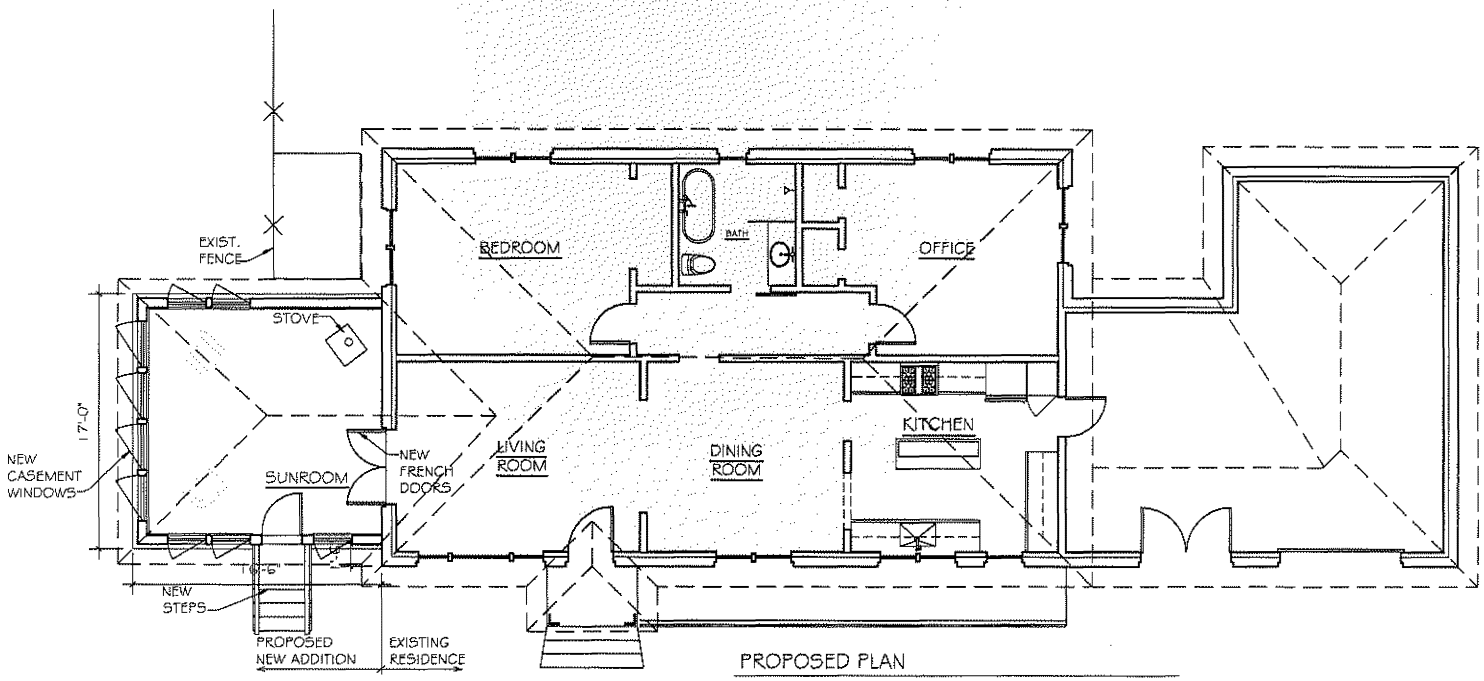


A-O SITE PLAN

NEW SUNROOM ADDITION
87 DOUGLAS AVENUE
ST AUGUSTINE, FL 32082
9.8.22

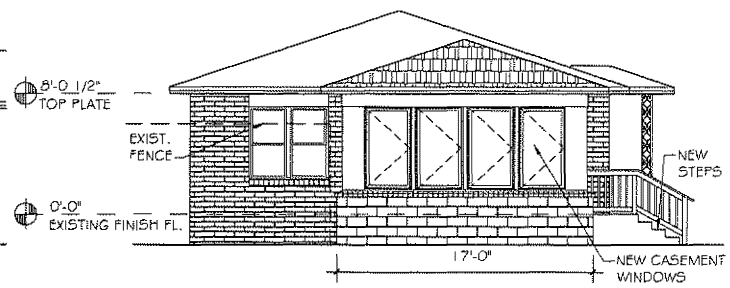
1942 HOLLY OAKS
LAKE ROAD E.
JACKSONVILLE,
FL 32225
904.377.2852

LOCI ARCHITECTS, LLC



PROPOSED PLAN
1/8" = 1'-0"

PROPOSED WEST (FRONT) ELEVATION
1/8" = 1'-0"



PROPOSED NORTH ELEVATION
1/8" = 1'-0"

A-1 PLAN AND ELEVATIONS

NEW SUNROOM ADDITION
87 DOUGLAS AVENUE
ST AUGUSTINE, FL 32082
9.8.22

1942 HOLLY OAKS
LAKE ROAD E.
JACKSONVILLE,
FL 32225
904.377.2852
LOCI ARCHITECTS, LLC

TO:	Planning and Zoning Board
DATE:	October 4, 2022
RE:	**VARIANCE 2022-0070**
AGENDA ITEM	7(c)
APPLICANT	Len Weeks c/o Len Weeks Rental Properties
OWNER	Claude L. Weeks Jr.
LOCATION	63 Hypolita Street / PID 198250-0000
REQUEST	To approve a variance to exceed twenty (20) parking spaces for a parking lot, a variance to reduce the required 25-foot distance between parking facilities located within a Historic District (HP-2), and a variance to exceed the 25% limitation on the number of compact spaces including a reduction in drive aisles.
LAND USE	Historic Preservation
ZONING	Historic Preservation District (HP-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. 28-184. - 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.

(Code 1964, § 33-33; Ord. No. 03-17, § 3, 6-23-03; Ord. No. 15-02, § 1, 12-14-15; Ord. No. 16-06, § 3, 2-8-16; Ord. No. 21-17, § 2, 10-11-21)

Sec. 28-367. - Historic preservation districts requirements.

Uses and structures located in historic preservation districts 1, 2, 3 and 4 are not required to provide off-street parking and loading. Any parking facilities within these districts shall meet the

specific requirements contained in this section. **Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of twenty (20) spaces and shall not be located within twenty-five (25) feet of another facility. All parking facilities shall have a fence or wall around the perimeter of the facility. Parking facilities located on the premises of a structure shall meet the height requirements for fences or walls established by the architectural guidelines for historic preservation as appropriate to the era of the structure. Parking facilities located off the premises shall meet the height requirements for pre-1821 construction. No parking garages shall be approved within historic preservation districts 1, 2 and 3, and any parking facility located on a corner lot shall be by exception only.**
(Code 1964, § 33-117)

STAFF SUMMARY AND ANALYSIS

REQUEST

The applicant is requesting a variance to the following parking requirements:

- Exceed the maximum allowed number of spaces.
- Have a parking facility within 25 feet of another parking facility, which was previously approved.
- Exceed the maximum allowed number of compact spaces, which is set at 25% of the total number of parking spaces.
- Reduce the drive aisle widths.
- Details of the wall and fence requirements, which previously received a variance, are unclear and if the applicant is seeking a variance to these requirements.

Overall this is a significant request. The applicant did not provide any responses to the four (4) criteria for granting a variance.

BACKGROUND INFORMATION

- The applicant purchased the property on October 22, 1991 from the State of Florida which had also obtained Historic Architectural Review Board approval the day before for demolition of a building at 61 Hypolita Street.
    - Both 61 and 63 Hypolita Street would eventually be the site of the current parking facility.
- December of 1991 was when a demolition permit for 61 and 63 Hypolita Street was approved.
    - Final inspection was completed on January 11th, 1993.
- The existing parking lot did receive Planning and Zoning Board approval in August of 1992 for the use by exception of a parking lot in HP-2 district, variance of the landscaping requirements, and a distance variance to existing parking facilities.
    - As part of the Justification for Action Requested section of the Variance Application the applicant included “old building was demolished and two new buildings are planned in the next year or two.”
    - The landscaping requirements were waived due to the argument presented by the applicant that since this would only be a temporary parking lot planting landscaping just to remove it for future development was unnecessary.
- HARB issued a Certificate of Appropriateness in November of 1992 for an after-the-fact application to construct a parking area with a cypress rail fence at 63 Hypolita Street.

  - HARB's official approval of this parking lot was that it was for "18 months, based upon applicant's statement that this is a temporary parking lot."
- December of 1992 was when a permit for a parking lot and Cypress rail fence was approved at 63 Hypolita Street.
  - Final building inspection was conducted in February of 1994.

PARKING FACILITY IN 2022

A portion of split-rail fence has been installed along Hypolita Street to cut off access to the parking facility at 63 Hypolita Street. Remaining access appears to be from the south on Calle Sita. The previously existing landscaping along Hypolita Street appears to have been removed around the time city street beautification measures were completed and all that remains is the split-rail fence which leaves the parking facility plainly visible to travelers along Hypolita Street. Based upon evidence that approvals by the PZB and HARB were predicated upon the belief that the parking lot would be a temporary feature on the property while development plans were finalized and financed, the parking area's continued use for the last thirty (30) years while decreasing required landscaping and increasing the amount of parking spaces to seventeen (17) violates both previous approvals and existing codes. Non-conforming use regulations may protect the existing parking lot as it was approved by the PZB in 1992; however, additional approvals are needed to expand the parking use.

CONSEQUENCES OF APPROVAL

While there may be a viewpoint that these limits placed on parking facilities in the Historic Downtown of the City of Saint Augustine are harsh and anti-development stances, there are indeed valid reasons which truly have been well thought out before their adoption.

Primarily these are measures intended to preserve the character and historic assets of the downtown rather than let them slip away and transform into a copy of suburban commercial development of strip malls and big box stores. The existence, and let alone expansion, of a parking facility fosters automobile dependency on residents and tourists alike. This way of using and developing land deprives them the opportunity to enjoy a truly unique place in Northeast Florida: Historic Downtown Saint Augustine, a place that the use and need of a personal automobile is not necessary.

There is no obvious benefit the city receives by approval of this list of variances and only becomes a bad example of what property owners can do when older buildings are not maintained properly. The included conceptual development plans from the applicant are what can be considered the gold standard of development within the City of Saint Augustine.

Increasing the amount of parking within downtown would further damage the cultural, economic, and environmental sustainability of the Historic Downtown. The present request of demolishing a building to make way for commercial development is not the issue at hand, the temporary use of a parking facility is what the issue is.

While parking continues to be a limited resource in downtown St. Augustine, existing Historic Preservation zoning district codes specifically promote the pedestrian scale of the districts. Architectural guidelines require the screening of parking lots to maintain the scale and colonial character of the downtown area. While proposed landscaping would be an improvement to the

existing state of the parking area, approval of a parking lot expansion on such a prominent parcel is not consistent with the intent of existing codes and architectural guidelines.

Per Sec. 28-29(b)d, 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 not suffer a singular disadvantage that would necessitate the request for increase in parking spaces, removing the distance from other parking facilities, increasing the number of compact spaces, or reducing drive aisle widths.

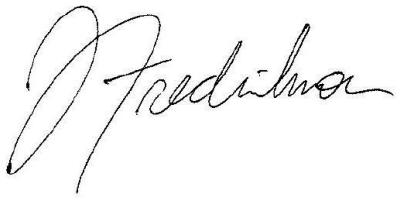
b. Because of this disadvantage, the owner is unable to make reasonable use of the affected property;
There is no disadvantage but the ability to construct new buildings for commercial or residential use does give the owner the ability to make reasonable use of the affected property.

c. This disadvantage does not exist because of conditions created by the owner or applicant;
The condition which the owner claims requires the expansion of the parking lot is the need to develop the vacant property immediately after demolition of the structure based upon the conditional Certificate of Demolition approval by the HARB that a permit application for a replacement building be submitted simultaneously with the permit application for demolition to limit the time the lot remains vacant because vacant lots are undesirable. This finding by the HARB was a direct result of the applicant's request to demolish the existing structure.

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 be contrary to the public interest of the City of Saint Augustine. The intent of the HP-2 zoning district is "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." The expansion of a non-conforming parking lot directly contradicts this section of the City's land development code. The expansion of a parking facility does not in the slightest encourage the restoration and reproduction of historic structures. As for maintaining the pedestrian scale of the HP-2 district a parking lot is contradictory towards that goal.

STAFF RECOMMENDATION

Based on a review of Section 28-29, staff finds that the Board should **DENY** variances to exceed the twenty-parking space allowance, remove the twenty-five-foot distance requirement from another parking facility, exceed the maximum number of compact parking spaces allowed, as well as a reduction in drive aisles at 63 Hypolita Street / PID 198250-0000.



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: 2022-0070

Receipt Number: 2463031 Meeting Date: Oct. 4, 2022

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

1. NAME OF APPLICANT: Len Weeks Contact Number: 904-824-1626
   Business (*if applicable*): Len Weeks Rental Properties
   Address: 62 Hypolita Street City: St. Augustine State: FL Zip: 32084
   E-Mail Address: lenweeks@LWCDD.com

2. NAME OF PROPERTY OWNER: Claude L. Weeks, Jr. a.k.a. Len Weeks Contact Number: 904-824-1626
   Business (*if applicable*):_____
   Address: 62 Hypolita Street City: St. Augustine State: FL Zip: 32084
   E-Mail Address: lenweeks@LWCDD.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 2 Block: 18
   Subdivision: City of St Augustine Parcel Number: 1982500000

4. PROJECT STREET ADDRESS: 63 Hypolita Street

5. SPECIFIC PROPOSED USE: Parking

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

7. DESCRIPTION OF ACTION REQUESTED:

   We are requesting a Variance to use the property at 63 Hypolita Street as a parking lot, please see attached site plan developed by ML+H. **This would add either (3) or (5) spaces to the existing parking lot.** The property to the east and west are both parking lots, contingent upon HARB's approval we would like to demolish the existing building and create one continuous parking area. The end-goal for this property is to develop commercial building(s). As shown in the ML+H site plan, the parking area will be an impervious material (Coquina shell) and will include a landscaping buffer. We are requesting a variance to the code that read "Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of twenty (20) spaces and shall not be located within twenty-five (25) feet of another facility."

8. JUSTIFICATION FOR ACTION REQUESTED:

   The existing building located at 63 Hypolita Street is in terrible condition and is structurally failing. See attached for engineer and architect documentation and photos showing structural issues. The building must come down and we would like to use this area to create a continuous and more attractive parking lot than is there now, see attached ML+H drawing, until we can develop commercial building(s). There are currently (17) parking spaces on the east lot and (8) parking spaces on the west lot, for a current total of (25). With this change the total number of spaces would be between (28) and (30) spaces. **For a total addition of either (3) spaces or (5) spaces.** I have spoken to Reuben Franklin RE: the spacing and sizing of these parking spaces, and each space under this new layout, will meet the current code requirements for parking sizes and spacing.

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:

N/A

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

N/A

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

N/A

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

N/A

10. PREVIOUS APPPLICATIONS:

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

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

N/A

11. AGREEMENT:

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

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

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

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

Signature of Applicant — Date: 09/08/2022

Signature of Property Owner — Date: 09/08/2022

04/18/2019

CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER

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

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

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

Len Weeks

Print name of applicant

Signature of applicant

09/08/2022

Date

10/31/17

PZB APPLICATION FEE SCHEDULE

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

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

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

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

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

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

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

Project Address: 63 Hypolita Street

Applicant's Name: Len Weeks Applicant's Signature: Len Weeks

Owner's Name: Len Weeks Owner's Signature: Len Weeks

P.O. BOX 3225
62 HYPOLITA STREET
ST. AUGUSTINE, FLORIDA 32085
PHONE 904-824-1626
FAX 904-829-1806
E-MAIL: lenweeks@LWCDD.com

Len WEEKS
CONSTRUCTION ■ DESIGN ■ DEVELOPMENT
General Contractors
CGC 011558

63-A Hypolita Street

USE BY EXCEPTION: PARKING LOT

PLANNING AND ZONING BOARD
OCTOBER 4TH, 2022 MEETING

63 Hypolita St. – Demolition Application for the HARB Meeting – 1/20/22

Dear members of the Historic Architectural Review Board,

I am going to outline my history with the building at 63-A (63 or 65) Hypolita St. and my reasons to re-request HARB's approval for a Certificate of Demolition. I am not going to include the previous HARB applications, Certificates of Demolition, or the demolition permit from 1991 in my application, as I believe that the Staff will provide this information in your packets.

I have had a business on Hypolita St. since 1980. In 1982, I purchased my current office building at 62 Hypolita St. and have been here for almost 40 years. During the past 40 years, I have purchased properties at 58 and 62 Spanish St., 58, 59, 60, 61, 62, 63 and 64 Hypolita St. I used to own 66 Hypolita St. until I sold it to Scarlett's in 2009. I also own contiguous property at 61 Cordova St. During this time, I have built, remodeled, and maintained all of these buildings. I lived at 64 Hypolita (B & C) St. for 15 years. I lease out the other commercial space and apartments to other small independent business owners.

When I purchased 61, 63 and 63-A Hypolita St. from the State of Florida in 1991, I did not own all the other properties listed above. I purchased 61-63 Hypolita St. in 1991, primarily because I lived and worked across the street from these buildings since 1980, and was tired of looking at the abandoned buildings and derelict condition they were in. They had wire fencing installed around the perimeter for years and vagrants camped out there. When the state put the property up for sale, I was the only bidder. I went to Tallahassee and told Governor Lawton Chiles and his Cabinet that I wanted to purchase the property because I had to look at them all day /every day, and that they were abandoned and an embarrassment to the State of Florida, and the citizens and visitors of St. Augustine. I purchased them in 1991.

The State, under the guidance of Dr. Susan Parker, had already received a Certificate of Demolition from HARB for 61 Hypolita St. on October 17, 1991, prior to my ownership.

During the time I was negotiating the purchase with the State, my research indicated that the other 2 buildings were also beyond repair and that 63-A Hypolita St. had no real Historical significance to the HP-2 District. It was built as a printing shop and apartment between 1925-1930 but did not fit into the colonial architecture that this area required for new construction. I applied for the demolition of the other 2 buildings at the HARB meeting of 11/17/91. I was granted a Certificate of Demolition for both 63 and 63-A Hypolita St. at that meeting.

I decided not to demolish 63-A Hypolita at this time, as I had several people who wanted to rent the store front. I knew that it would still be months away before I could start the demolition of the first 2 buildings, so I decided to rent out the front portion of the first floor of 63-A to help me pay the mortgage. The City Inspectors and fire department told me that I could not rent out the 2nd floor or the rear portion of the building, as they

were not fit for occupancy, without a tremendous amount of structural and code upgrades. I was always planning to demolish this building in the future, so they are the same today as they were in 1991. These areas have been vacant ever since.

On 11/12/91, the city inspected the front portion of the building, and I was able to have the power turned on and lease it out. I knew that it would take many months to demolish the 2 buildings by hand, and I did not yet have the plans to rebuild on the property, so this seemed like a good choice at the time.

On 12/20/91, I obtained a Demolition permit from the City to remove 2 buildings, 61 (which had been approved by HARB for the State), and 63 Hypolita, which was one of the 2 buildings for which I received a Certificate of Demolition. I had the city permits, but could not start the demolition until I had met all of the state requirements for documentation of the 3 buildings on the property.

On 12/23/91 – Letter sent to Bucky Powers, St. Johns county Appraisers Office, Letting him know about the upcoming demolitions of 61 and 63, and the limited use of the 1st floor of the building at 63-A Hypolita St.

After submitting all of the required documentation to the State of Florida, which was required for my purchase of the buildings, I was given a letter of fulfillment from David Ferro, Administrator for Architectural Preservation Services, Bureau of Historic Preservation on 2/17/92. This was the last requirement I needed to satisfy before we could begin the demolitions.

Starting in March 1992, I tore the 2 buildings down by hand myself, with the help of my crew, and we salvaged as much of the heart pine and other architectural elements that we could. Most of the wood was too far gone due to termite damage and years of neglect, but I was able to save some heart pine, sinks, tubs, light fixtures, etc.

11/19/1992 – After 61 and 63 Hypolita Street were removed, I went to HARB and the Public Works Department to get permission to place coquina on the ground and use the lot for parking. I also had permission to install a cypress rail banner between the sidewalks. See letter from Mike Griffin, Building Official, dated 9/3/92.

On 9/29/04, I purchased the property at 61 Cordova St.

TODAY – For the past 30 years, the front portion of 63-A Hypolita St. has been rented. I did not want to throw any business out of their space, so I kept postponing the demolition. Recently, I had a vacancy at 58 Hypolita St., and the tenant in 63-A Hypolita St., the Bath Junkie, agreed to move into that space.

Now I am free to continue my plans to demolish this building and make future plans for new colonial buildings on this site. During the years after the purchase of 61, 63 and 63-A Hypolita St., I have worked hard and acquired other properties adjacent to this property, which gives me the flexibility to combine various lots into a more cohesive whole.

At present, I am working on 62 Spanish St. I stopped work on this during COVID, as it is designed as a restaurant, and I did not think that restaurants were looking to expand during the past several years. I believe that the market has now changed, and we are getting ready to start work again. I feel certain that we will have a suitable tenant in the not-too-distant future. I have included a site plan of my property on Hypolita St. to show my conceptual ideas.

I was working with Jerry Dixon, Architect, on the concepts for many years, prior to his passing several years ago. The conceptual floor plans that I have included in this application are not finished yet, but give you an idea of what we hope to build in the future. I have also worked with Jeremy Marquis, Landscape Architect, on the overall design for the south side of Hypolita St. It will connect all of my properties together with a continuous pedestrian flow. I believe that the final design will compliment the street scape of Hypolita St. It will bring the street into a look of the colonial architecture that we all strive for, and be an asset to our community. This has been my vision for over 30 years.

In 1997, I worked with the city and FP&L to install underground electricity and get rid of the overhead power lines and power poles in the HP 2 and 3 districts. This required me to install a transformer on my property at 63 Hypolita St. In 2018, I had to allow FP&L to add a 2nd transformer to this property for future development of my, and other, downtown properties. All of this was done with the plan to remove the existing building at 63 Hypolita St. and build new Colonial buildings in the future.

During the Downtown Improvement Project of 2014 -15, when the brick streets and coquina tabby sidewalks were installed, I worked with Public Works and the road contractor to install all of the water, sewer and gas taps, and street lights to accommodate these future buildings.

As you can see, the current building at 63-A Hypolita St. does not fit into this vision. It has not been in this vision for over 30 years, ever since I received the Certificate of Demolition in 1991. The building has continued to decline, and today it is getting close to having major structural concerns due to termite damage and old age. I am asking for HARB's approval to once again, grant me a certificate of demolition.

The re-developments of the north and south sides of Hypolita St. have been part of my life's work for over 40 years. I take the design, planning and development of a quality project that benefits our common vision using 2nd Spanish architecture very seriously.

This takes time and patience, as conditions change, and the fact that I have to finance and build these projects myself, without any help from larger developers or institutions.

If granted, I will remove any architectural features I can salvage for future use, I.E.: Claw foot tub, windows and window glass, doors, heart pine, etc. The building has had severe termite damage, long before I purchased it in 1991, and it is questionable how

much of the wood will be able to be reclaimed and re-purposed during demolition. But as always, I will save as much as I can.

I have submitted an A-14 archeology application and will work with City staff on any archeology monitoring before, during and after demolition.

After the building is removed, and the archeology is completed, I propose to add coquina shell on the surface, as I did on the parking lots on the east and west sides of the building, and install a cypress rail fence with Hibiscus landscaping, as was previously approved by HARB on 11/19/92, to keep cars from driving through the lot. I request that this also be approved along with this demolition application.

In preparation for this HARB Application and the future demolition of this building, I have had an Asbestos Pre-Demolition Inspection completed, a Structural Inspection completed by an engineer with experience in historic properties, a local Architect, Les Thomas, and demolition contractors look at this building. They all recommend demolition of this structure. Their reports and costs estimates are attached.

As a licensed general contractor specializing in Historic Preservation in St. Augustine for over 40 years, it has been, and continues to be, my opinion that this building needs to be demolished.

If it could be restored, the cost would be over 50% of the current value. That would require bringing the entire building finish floor height up to current FEMA elevations. The building has a finished floor height of between 7'6" and 8'. The rear portion has flooded 2 times in the past 4 years. This will require the building to be brought up to the new floor heights. This is not economically feasible for a building of this condition.

I appreciate your consideration of my application. Please feel free to reach out to me for a tour of the building or so I can answer any questions you may have.

Sincerely,

904-669-1670

63-A Hypolita St. – Len's Property Ownership Timeline - HARB Meeting 1/20/2022

1991 – State of Florida solicitated bids for pre purchase of surplus land i.e.: 61, 63, 63A Hypolita Street (3 buildings). Note: some documents refer to the same 3 buildings as 61, 63 & 65 Hypolita Street.

9/19/91 – I submitted a bid to the state for $162,500. The department of State requested to the cabinet that the bid be rejected.

10/10/1991 – I attended the meeting of the board of trustees of the Internal Improvement Trust Fund, The Cabinet (Governor Lawton Chiles Presiding) and requested that they accept my offer. They asked me to return to discuss at the next cabinet meeting.

10/17/1991 - HARB granted a certificate of demolition to remove the rear garage apartment at 61 Hypolita Street to Susan Parker with the HSAPB.

10/22/1991 – I returned to the cabinet meeting and modified my previous offer. They accepted my new offer, and I purchased the property with all 3 buildings on November 15, 1991.

11/7/1991 – 63 & 63-A (65) Hypolita Street, HARB approved the demolition of the center house at 63 Hypolita Street and Standard Printing at 63-A (65) Hypolita Street. (AKA 63A Hypolita St).

11/12/1991 – City inspection to turn on the power to 63-A, so I could turn on the power and get the front downstairs portion of the building ready to rent out.

12/9/1991 – I sent the Bureau of Historic Resources documentation of 61 and 63 Hypolita as required in my purchase contract (see letter).

12/18/1991 - I sent additional documentation to the Bureau of Historic resources for 61, 63 and 65(63A) as required prior to demolition (see letter).

12/20/1991 - I obtained a demolition permit to remove 2 buildings at 61 & 63 Hypolita Street.

12/23/91 – I sent Bucky Powers and SJC Property Appraiser a letter letting him know of the demolition of 61 and 63, and the limited use of 63-A (65) Hypolita St. and that it will not be demolished at this time. I had planned to demolish 63-A (65) at the same time. However, I had interest in renting the front 1st floor portion, so I delayed the demolitions of this building.

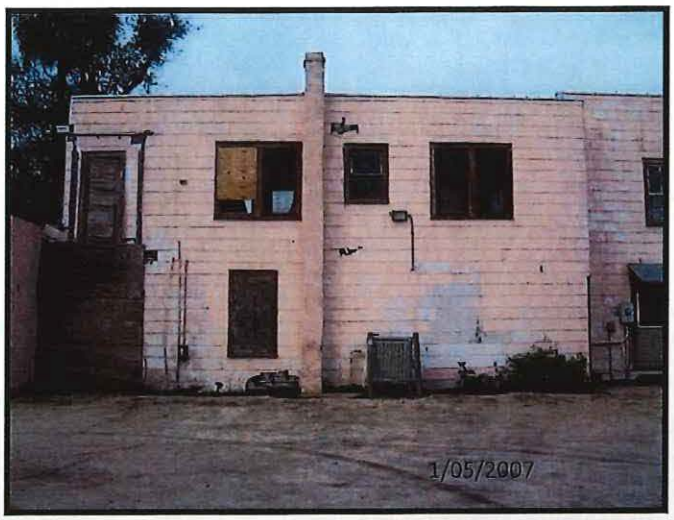
2/17/1992 - The Bureau of Historic Resources sent me a letter stating that I had fulfilled all architectural documentation requirements associated with my acquisition of 61, 63 and 63A Hypolita St. I am now clear to proceed with demolition of all 3 buildings with State and HARB approvals.

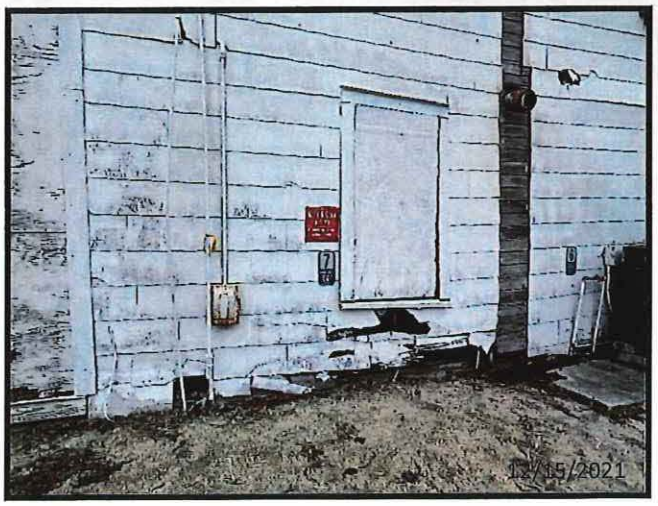
11/19/1992 – After 61 and 63 Hypolita Street were removed, I went to HARB and the Public Works Department to get permission to place coquina on the ground and use the lot for parking. I also had HARB approval to install a cypress rail banner between the sidewalks (see attached).

9/8/2014 – I applied for a demolition permit to remove the building at 63-A Hypolita Street. Unfortunately, I had to pull back the application and use the building for the next 7 years.

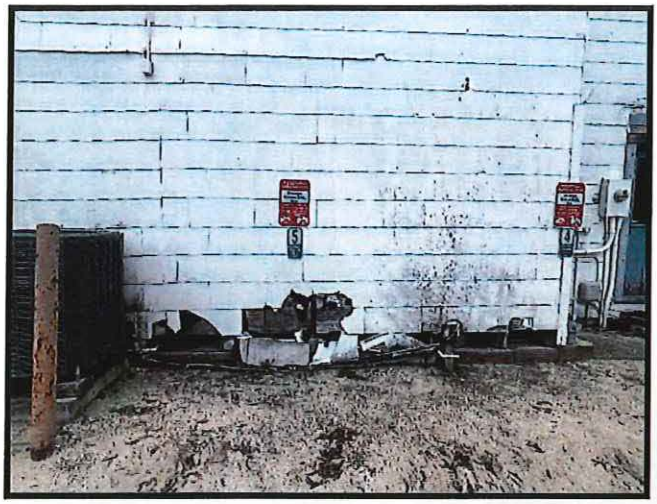
12/17/2021- 63 Hypolita Street is now vacant, and I can move forward with the demolition.

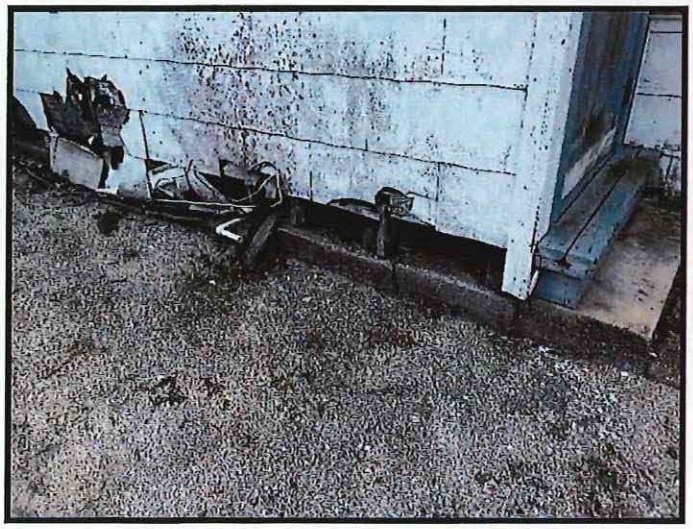
East side of building – photos from 2007 & 2021



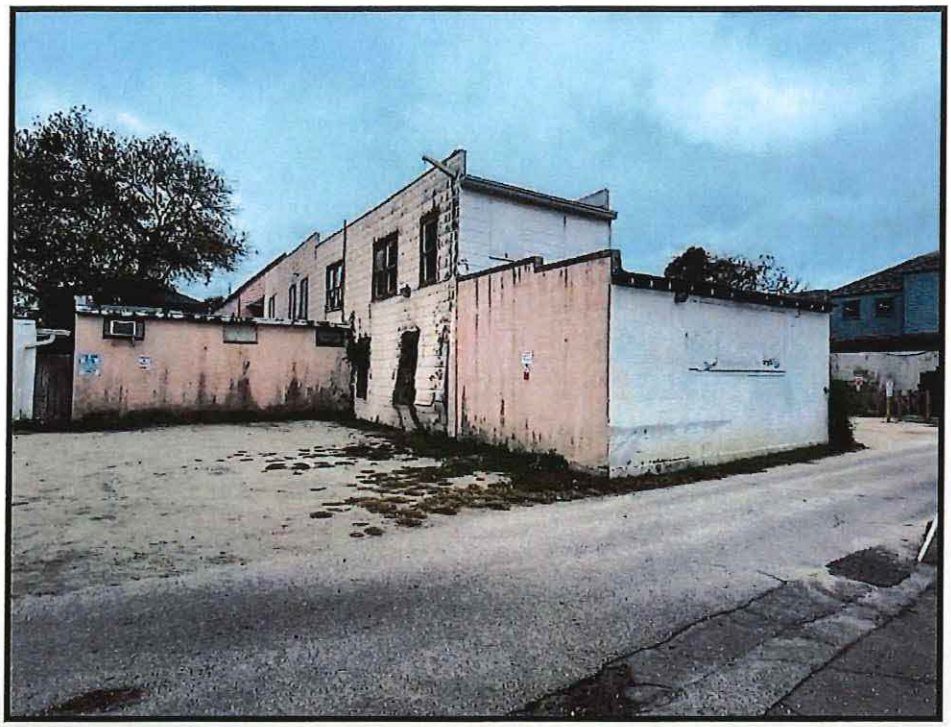


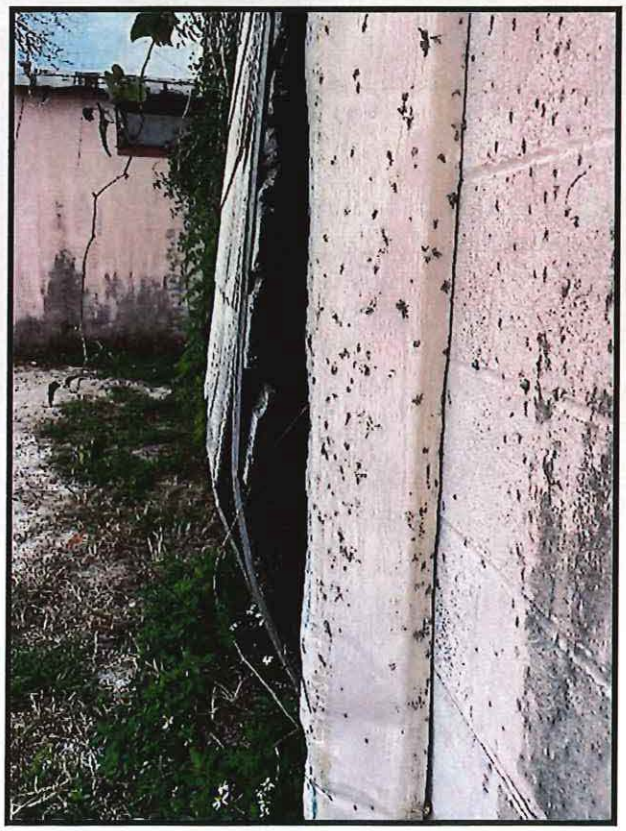
East side of building termite damage 12/14/21

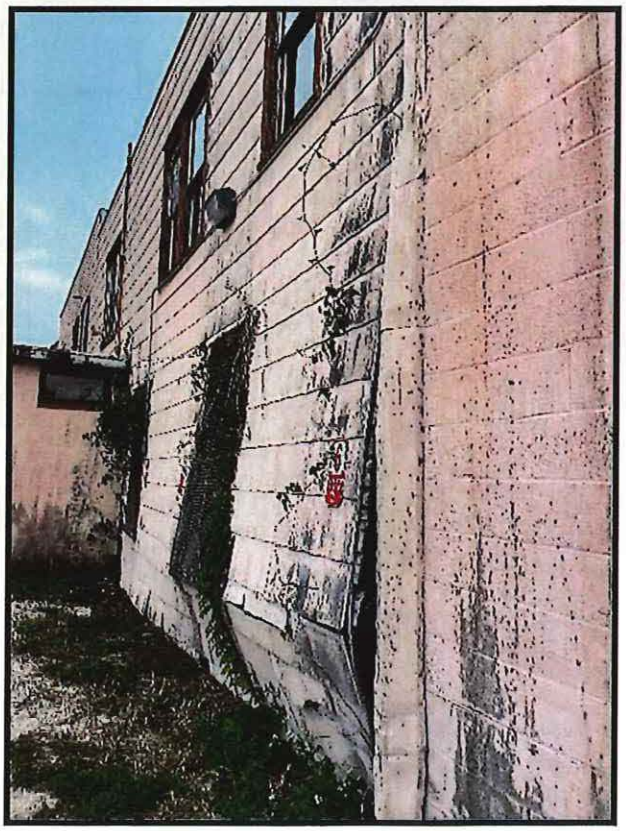




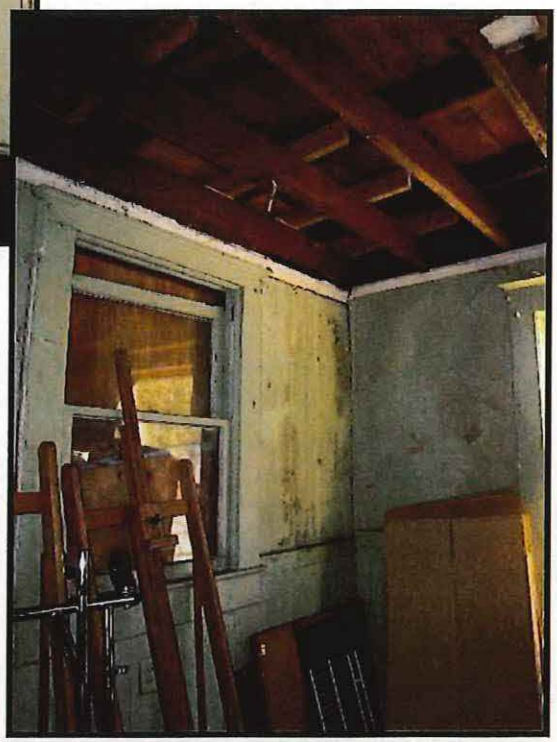
West side of building - view from Calle Sita 12/14/21



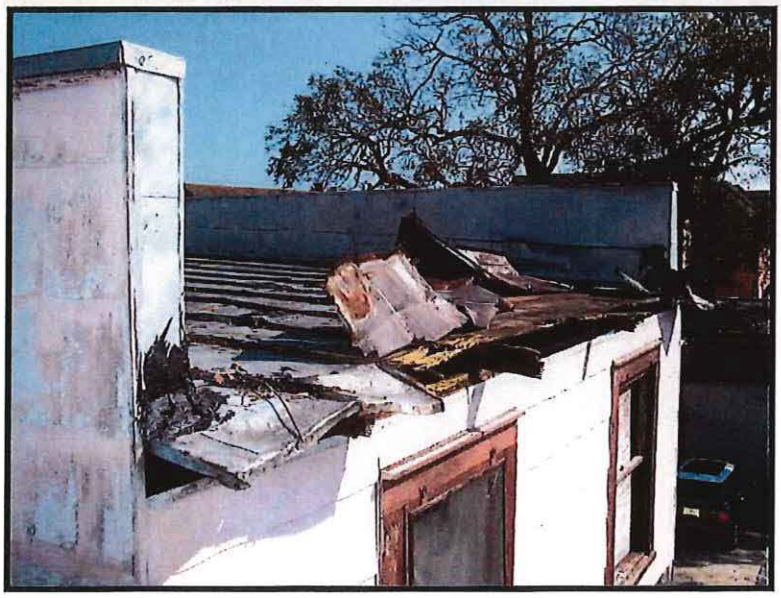




Interior of the building



Roof damage after a storm 10/4/2004



CITY OF ST AUGUSTINE
HISTORIC ARCHITECTURAL REVIEW BOARD APPLICATION

■ **CERTIFICATE OF DEMOLITION**
☐ **CERTIFICATE OF RELOCATION**

Application Fee: $300.00 full/$150.00 partial (plus advertising costs) BDAC Project No._____

Receipt No._____ Meeting Date_____

Advertising Costs $_____ Paid on _____ Receipt No. _____

1. NAME OF APPLICANT Len Weeks
   Business (if applicable) Len Weeks Rental Properties
   Address 62 Hypolita Street
   City St. Augustine State FL Zip 32084
   Daytime telephone 904-824-1626 Other phone/email lenweeks@LWCDD.com

***Correspondence related to this application will be based on the above information

2. NAME OF PROPERTY OWNER Claude L. Weeks, Jr. a.k.a. Len Weeks
   Business (if applicable) _____
   Address 62 Hypolita Street
   City St. Augustine State FL Zip 32084
   Daytime telephone (required) 904-824-1626 Other phone 904-669-1670

3. PROJECT STREET ADDRESS 63 Hypolita Street

4. LEGAL DESCRIPTION OF PROPERTY
   Lot 2 Block 18 Subdivision City of St Augustine Parcel Number 1982500000

5. DATE OF CONSTRUCTION _____ Source: _____

6. HISTORIC STATUS (check all that apply)
   - ☐ Designated Local Landmark
   - ☐ Property individually listed on the National Register of Historic Places
   - ☐ Contributing building in National Register Historic District
   - ■ Listed on Florida Master Site File FMSF 965 (CA.1980)
   - ■ 50 years of age or older

7. PROPOSED PROJECT WORK (check one)
   - ☐ PARTIAL DEMOLITION - Permanent removal of any significant architectural features including porches, dormers, chimneys, walls, additions, etc.
   - ■ FULL DEMOLITION – The complete razing of a building resulting in its permanent removal.
   - ☐ RELOCATION – The moving of all or part of a building from one property and placing it on a different property. Also the shifting or reorientation of all or part of a building on the same property.

8. PROPOSED REPLACEMENT BUILDING/FEATURE: N/A

   Add coquina shell ground cover, rail fence and hibiscus plants

9. FOR PARTIAL DEMOLITION PROJECTS ONLY

A. Indicate architectural features to be permanently removed (check all that apply):

HISTORIC	NOT HISTORIC	NOT SURE	
☐	☐	☐	Building addition
☐	☐	☐	Outbuilding/Accessory building
☐	☐	☐	Roof structures (dormers, chimneys, etc.) Specify:_____
☐	☐	☐	Porch/Deck/Balcony Specify:_____
☐	☐	☐	Exterior walls
☐	☐	☐	Exterior finishes (stucco, masonry, siding) Specify:_____
☐	☐	☐	Fenestration (arrangement of windows and doors)

B. Required submittals:

- ■ Photographs and/or drawings of elevations and architectural features to be removed.
- ■ Drawings of proposed improvements and replacement features as applicable.

10. FOR FULL DEMOLITION PROJECTS ONLY

A. Required submittals for all full demolition projects:

☐ Photographs of existing conditions including façades of the building and interior features if applicable.

☐ Drawings of proposed replacement buildings and or features if applicable.

B. Required submittals for buildings designated as Local Landmarks, individually listed on the National Register of Historic Places, or a contributing building in a National Register Historic District:

☐ *Condition assessment report* - A report from an architect or structural engineer licensed in the State of Florida with demonstrated experience in historic restoration/rehabilitation as to the structural soundness of the building and its adaptability for continued use.

☐ *Proof of unreasonable or undue economic hardship* - the property owner may submit to the board any or all of the following information:

- An estimate of the cost of the proposed construction, alteration, demolition, or removal.
- The estimated market value of the property in its current condition and after completion of the proposed construction, alteration, demolition, or removal.
- An estimate from an architect, developer, licensed contractor, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.
- The annual gross income from the property for the previous two (2) years; itemized operating and maintenance expenses for the previous two (2) years; and depreciation deduction and annual cash flow before and after debt service, if any.
- The remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two (2) years.
- All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing, or ownership of the property.
- Any listing of the property for sale or rent, price asked, and offers received, if any, within the previous two (2) years.
- The assessed value of the property according to the two (2) most recent assessments;
- The real estate taxes for the previous two (2) years.
- The form of ownership or operation of the property, whether an individual, sole proprietorship, for profit or not-for-profit corporation, limited partnership, or joint venture.
- Any other information deemed appropriate by the applicant as to how the property does not yield or may not yield a reasonable return to the property owner.

11. FOR RELOCATION PROJECTS ONLY

A. Address or location where building is to be moved: _____

B. Estimated costs:

- Purchase price _____
- Moving fee (prepared by a licensed and insured building mover) _____
- Building rehabilitation _____

C. Required submittals:

☐ Photographs of existing conditions including façade of the building.

☐ If the new location is within the city limits, provide a site plan and drawings of any new improvements. (If the building is to be located in a Historic Preservation zoning district, a Certificate of Appropriateness will also be required.)

12. AGREEMENT – Unless the property owner is a governmental agency; licensed business or company; incorporated organization; or an administered estate, all owners of record must sign the application. If the applicant is different than the property owner, the application must be signed by both parties.

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

I further understand that if the Certificate of Demolition or Certificate of Relocation is approved that a demolition inspection, archeological review, and building permit from the city are required prior to starting project work and that the costs of newspaper notices and surrounding notices to property owners will be assessed by the City and must be paid prior to the issuance of a development permit.

Once a 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. Subsequent hearings requiring re-notice as a result of the applicant postponing or re-scheduling any hearing will also be assessed to the applicant.

PRINT APPLICANT'S NAME CLAUDE L. WEEKS, JR DATE 12/17/21

SIGNATURE OF APPLICANT Claude L Weeks

PRINT 1st OWNER'S NAME SAME AS ABOVE DATE _____

SIGNATURE OF 1st PROPERTY OWNER _____

PRINT 2nd OWNER'S NAME _____ DATE _____

SIGNATURE OF 2nd PROPERTY OWNER _____

PRINT 3rd OWNER'S NAME _____ DATE _____

SIGNATURE OF 3rd PROPERTY OWNER _____

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.

APPLICATIONS FOR CERTIFICATES OF DEMOLITION AND RELOCATION

The applicant shall submit a completed application on or before the monthly deadline in order for it to be placed on the following month's Historic Architectural Review Board (HARB) agenda. The board meets the third Thursday of each month unless otherwise scheduled. Failure to submit a substantially complete application may result in a continuance of the request.

In the event that the property owner is not a governmental agency; licensed business or company; incorporated organization; or an administered estate, all property owners of record must sign the application.

All Certificate of Demolition applications are reviewed by city staff for consistency and compliance with the 2011, 4th edition of the *Architectural Guidelines for Historic Preservation, City of Saint Augustine, Florida.* (Copies of this document are available for a fee upon request.) Guidelines include consideration of historic and architectural significance; uniqueness of the building; existing conditions; and potential for relocation.

Within zoning districts HP-1, HP-2 and HP-3, HARB may approve a Certificate of Appropriateness for a replacement structure before approving a Certificate of Demolition. These applications may be reviewed concurrently.

For buildings relocated within any historic preservation zoning district a Certificate of Appropriateness is required for the building's new location.

PUBLIC NOTICE REQUIREMENTS (costs to be assessed to the applicant)

Certificates of Demolition shall meet the following public notice requirements:

1. *Mailed notices* - The applicant shall notify not less than ten (10) days in advance of the date of public hearing, via the United States Postal Service, all adjacent property owners within 150 feet of the boundaries of the subject property. A list of owners is provided by the Planning & Building Department. The applicant shall produce evidence that the mailing was completed by the deadline.
2. *Legal ad* - The city shall publish a legal advertisement for the application in a newspaper of general circulation not less than ten (10) days prior to the public hearing.
3. *Signs* - The city shall post a sign on each street frontage of the property in full view of the public providing notification of the pending hearing not less than seven (7) days in advance of the meeting. The sign shall be maintained by the applicant until final determination has been made.

BOARD REVIEW

Members of HARB review each application at a public hearing where all interested parties have an opportunity to be heard and present evidence. It is the duty of board members to weigh the evidence and render a decision. The board may approve, approve with conditions, continue or deny an application. Conditions that may be stipulated for demolitions include architectural salvage, pre-approval for the design of any new construction, and/or archival documentation of the existing building. Also the board has the option to postpone any demolition for two, 12-month periods. The proposed demolition of any colonial building or designated local landmark requires additional review and approval by the city commission.

After receiving an approval from the HARB and satisfying any stipulated conditions, the applicant may submit a building permit application for demolition based on the approved HARB order of demolition which is effective on the 31st day following the date of the rendered order. Please note that city inspection of the property and a building permit is required before the actual demolition can begin. In certain areas of the city an archeological permit may also be required.

When construction of the new structure is delayed, the site must be cleared and sodded within thirty (30) days of the demolition or relocation. In historic preservation zoning districts (HP-1 through 5) the vacant property must be enclosed by a solid board fence at least 5 ½ feet high.

CITY OF
ST AUGUSTINE
EST. 1565
NATION'S OLDEST CITY

January 20, 2022

Len Weeks Rental Properties
62 Hypolita Street
St. Augustine, FL 32084

Re: Certificate of Demolition – 63 Hypolita Street – PL2021-0174

Dear Mr. Weeks,

On January 20, 2022, the Historic Architectural Review Board (HARB) met and discussed your application to demolish a commercial building constructed ca. 1924-1930 that is recorded in the Florida Master Site file, is a contributing building to the Town Plan National Register District and is located in the HP-2 zoning district. (Previous HARB Certificate of Demolition approval from November 1991 under BDAC 91-705 expired)

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

A Certificate of Demolition is valid for a period of one (1) year from the date of approval. Failure to exercise the Certificate of Demolition by commencement of the use or action approved shall render the Certificate of Demolition invalid, unless an extension has been applied for and approved not less than thirty (30) days prior to the one (1) year expiration date. A Certificate of Demolition shall become effective on the thirty-first (31st) day following the date of the rendered order.

Please contact the Planning and Building Department at (904) 825-1065 for the proper permits, archaeology review, fees and requirements to proceed with the approved elements of your project in accordance with the Historic Architectural Review Board's decision. Applications for building permits will be required and must be submitted electronically with formalized digital signature. HARB documents are not accepted for issuance of a building permit and applications must meet all city standards prior to permit issuance.

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
HISTORIC ARCHITECTURAL REVIEW BOARD FOR THE
CITY OF ST. AUGUSTINE, FLORIDA

TYPE OF REQUEST:

☐ Certificate of Appropriateness
☒ Certificate of Demolition
☐ Certificate of Relocation
☐ Certificate of Appropriateness for Preservation Approach for Ad Valorem Tax Exemption
☐ Certificate of Completeness and Recommendation for Historic Property Tax Exemption
☐ Opinion of Appropriateness

IN THE MATTER OF:

Case No.:	PL2021-0174
Applicant:	Len Weeks Rental Properties
Owner:	Claude L Weeks Jr.
Address:	63 Hypolita Street
Parcel Number:	1982500000

RE: Certificate of Demolition, pursuant to Section 28-89, City of St. Augustine Code, to demolish a commercial building constructed ca. 1924-1930 that is recorded in the Florida Master Site file, is a contributing building to the Town Plan National Register District, and is located in the HP-2 zoning district. (Previous HARB Certificate of Demolition approval from November 1991 under BDAC 91-705 expired)

THE HISTORIC ARCHITECTURAL REVIEW BOARD HAS HEARD TESTIMONY AND EXAMINED EVIDENCE AT A PUBLIC HEARING HELD ON JANUARY 20, 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 or representative ☒ was present at the January 20, 2022, Historic Architectural Review 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 zoning classification of HP-2.
4. The above-described Certificate of Demolition is subject to Section 28-89 of the Code of the City of St. Augustine.

Certificate of Demolition
63 Hypolita Street
HARB Case No. PL2021-0174

ORDER:

Based upon the evidence presented, the Historic Architectural Review Board determined that the requested action **MEETS / DOES NOT MEET** the requirements of Section 28-89, City of St. Augustine Code, and **APPROVES / DENIES / CONTINUES** the Applicant's request to demolish a commercial building constructed ca. 1924-1930 that is recorded in the Florida Master Site file, is a contributing building to the Town Plan National Register District, and is located in the HP-2 zoning district. (Previous HARB Certificate of Demolition approval from November 1991 under BDAC 91-705 expired)

Subject to the following conditions:

- If approved, there is a 30-day delay period and subsequent building permits are required before beginning work.
- An approved Certificate of Demolition expires one year from the date of the order. In accordance with Ordinance No. 2017-06, the owner of the property may request either a one-time six month administrative extension, or may apply for a one year extension from the Historic Architectural Review Board. The extension request must be filed in writing with the Planning and Building Department during regular office hours no later than 30 days before the expiration the Certificate of Demolition.
- - salvage historical materials (bowlishes)
- - applicant shall submit demolition permit and permit application simultaneously
-
-

DONE AND ORDERED, at a public hearing on the 20 day of January, A.D., 2022, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

Case No. PL2021-0174

REQUEST APPROVED / DENIED / CONTINUES

Sign Name

Catherine Duncan

Print Name
HISTORIC ARCHITECTURAL REVIEW 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, Catherine Duncan, 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 20th day of January, A.D., 2022.

ELYSE ANDERSON
Commission # HH 131232
Expires May 19, 2025
Bonded Thru Troy Fain Insurance 800-385-7019

Notary Public, State of Florida

Applications for building permits will be required and must be submitted electronically with formalized digital signature. HARB documents are not accepted for issuance of a building permit and must meet all city standards prior to issuance.

CITY OF ST. AUGUSTINE

Historic Architectural Review Board Regular Meeting
January 20, 2022

The Historic Architectural Review Board met in formal session at 1:00 P.M., Thursday, January 20, 2022, in the Alcazar Room at City Hall, St. Augustine, Florida. Catherine Duncan, Chairperson, called the regular meeting to order, and the following were present:

1. ROLL CALL:

Catherine Duncan, Chairperson
Gaere MacDonald, Vice-Chairperson
Jon Benoit
Paul Weaver, III
Barbara Wingo

City Staff:

Julie Courtney, Historic Preservation Officer
Amy Skinner, Building and Planning Director
Isabelle Lopez, City Attorney
Elyse Wiemann, Recording Secretary

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2. General Public Comments for Items not on the Agenda

(None)

3. Approval of Minutes

The Board provided minor scriveners errors for the Clerk to correct.

MOTION

Mr. Weaver MOVED to APPROVE with the changes to the November 18, 2021, and the December 16, 2021, minutes with the corrections. The motion was SECONDED by Mr. MacDonald.

VOTE ON MOTION:
AYES: Weaver, MacDonald, Wingo, Benoit, Duncan
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

4. Modification and approval of Agenda

Ms. Courtney indicated there were no changes to the agenda.

MOTION

Mr. Weaver MOVED to APPROVE the Agenda. The motion was SECONDED by Mr. Benoit.

VOTE ON MOTION:
AYES: Weaver, Benoit, Wingo, MacDonald, Duncan
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

5. Public Comments related to Expedited Hearing items:

(None)

6. Continued Items from Previous Meetings:

(None)

7. Certificates of Appropriateness

7. (a) PL2021-0176 – Jar Property Management Corporation – Applicant & Owner
159 Cordova Street

Heard after Item 8(a).

- Chimney was removed because of instability
- Should keep the integrity of the siding
- The less Hardie board the better
- Siding was already approved for removal
- Porches information presented proved to have non-historic features

Ms. Courtney said the applicant had been approved to remove the horizontal siding to replace it with horizontal Hardie siding.

Mr. Benoit asked if these were acceptable for the motion:

- On page one of the application, right east side, second floor, would replace two windows with one and center it over the one below
- Same on the east; convert the two windows into one

Ms. Duncan asked if the Board considered the home lost to the historic integrity.

Mr. Weaver said over fifty windows had been changed, and he felt those were small alterations.

MOTION

Mr. Benoit MOVED to APPROVE application PL2021-0173 finding that the window and siding approval had been previously approved as the original permit for the project, finding that the chimney being requested for demolition after-the-fact was shown by the applicant to have structural issues, finding the window and door changes do not adversely affect the charter and contribution to the neighborhood and the porch demolition was done to address structural issues with the intent to putting them back as permitted. The motion was SECONDED by Mr. Weaver.

Mr. Weaver said the porches were non-historic based on the evidence provided, and he asked Mr. Benoit to add that to the motion.

MOTION

Mr. Benoit AMENDED his motion to include the porches were non-historic based on evidence provided. The AMENDED motion was SECONDED by Mr. Weaver.

<u>VOTE ON MOTION:</u>
AYES: Benoit, Weaver, Wingo, MacDonald, Duncan
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

Mr. Thomas said part of the issue was the partial demolition rule, and there were things that had to be done to meet Code. He said things change in the middle of historic renovations and it was hard to stop and wait for HARB. He suggested that staff should have the ability to handle things at this point. He pointed out he felt the home would be a contributing to the neighborhood.[1]

<u>8. (b) PL2021-0174 – Len Weeks Rental Properties — Applicant</u>
<u>Claude L Weeks Jr. (a.k.a. Len Weeks)– Owner</u>
<u>63 Hypolita Street</u>

To demolish a commercial building constructed ca. 1924-1930 that is recorded in the Florida Master Site file, is a contributing building to the Town Plan National Register District and is located in the HP-2 zoning district. (Previous HARB Certificate of Demolition approval from November 1991 under BDAC 91-705 expired).

Ms. Courtney read the staff report and said based on a review of the AGHP and without the support of evidence to the contrary, staff finds that the Board can take the following

[1] Break from 3:20 p.m. - 3:33 p.m.

actions for a Certificate of Demolition at 63 Hypolita Street:

1. CONTINUE to allow more time for the applicant or building owner to provide additional documentation if the HARB determines that more details are still needed and/or the applicant or building owner has not sufficiently demonstrated that a denial will cause undue economic hardship
2. APPROVE if the HARB determines the removal of the contributing building will not be detrimental to the historic and architectural character of the city and that the applicant or building owner has sufficiently demonstrated that a denial will cause undue economic hardship, with the following conditions:

a. For any salvageable historic materials to be salvaged if possible, in accordance with Sec. 28-89(2)d6: 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.

b. To limit the time that the lot is vacant, the applicant shall submit the demolition permit application and the building permit application for a replacement structure simultaneously.

3. DENY the demolition if the Board finds the removal of such building will be detrimental to the historic and architectural character of the city and that the applicant or building owner has not proven that a denial will cause undue economic hardship.

Len Weeks reviewed the application.

The Board provided their ex parte communication.

20 certified notices were sent, 10 were returned in favor, and 8 had comments.

Mr. Weaver pointed out the siding had been added in the 1950's but the building had lost its integrity. He said the Preservation Board purchased the building with the intent to demolish it and rebuild a Spanish period building.

Public hearing was opened.

Les Thomas spoke in favor of the application and said the building was unsafe and needed to be demolished. He said they should be able to put something back that was appropriate to the Colonial era.

Public hearing was closed.

The Board discussed:

- In favor of the demo but should have new plans as a condition
- Staff conditions listed should be followed: limit time lot was vacant and should preserve any salvageable material
- When plans were submitted then demo could take place
- Unable to provide a timeline of when the property could be developed
- Building would not last another five years
- Did not want property to become a parking lot
- Applicant was willing to salvage any material that could be saved
- Building was in bad condition and had loss integrity
- Case was presented as an economic hardship, but now was being presented as unsafe and a nuisance
- Applicant had no choice other than to adhere to providing property plans before demolition

Ms. Lopez said language under subsection five was "*as a condition of issuing a certificate of demolition the Board may require the replacement design be approved by the Board and no permit be issued for the demolition of said structure until drawings sufficient for building permit and all necessary requirements for the construction of the new building have been submitted for the new construction*".

Ms. Courtney said this was in the Staff report under conditions for demolition approval, it was Section 28-89 2(d), which was where it said *"HARB had the discretion when reviewing demolition applications"*.

Ms. Lopez emphasized it was written that the Board "may" require it.

The Board continued:

- Demolition was not an emergency since first permit had been issued thirty years ago
- It was standard for the applicant to provide plans
- Applicant did not want the liability of the building collapsing
- Applicant provided the proposed site plan but that was not exact
- If unsafe, should follow the process with the City building official and provide evidence to the Board
- Applicant had evidence from structural engineer that proved the need to demo
- Asked if the Board would accept basic plans and establish a time frame for the applicant to do work
- Wanted property built back as Spanish Colonial
- Demolition permit was valid for one year, but applicant could request an additional year

Mr. Weeks said he was requesting the demolition permit today and would begin the planning process; however, could not guarantee it would be build it in the next few years since he did not have the time or financial means.

Ms. Skinner said if the demolition was approved there was a thirty-day delay. There was a review process to have a parking lot in the historic district which would require additional steps before a parking lot could be approved.

Discussion continued:

- Anything that was to be built in the space would have to meet guidelines
- High chance the building would meet the threshold for safety
- Questioned why the building had not been condemned
- Should not approve based on anecdotal information

MOTION

Mr. Weaver MOVED to APPROVE Demolition application PL2021-0174, 63 Hypolita Street to include both staff conditions which were salvage any significant historic materials at the owners discretion, and limit the time the lot was vacant the applicant shall submit the demolition permit application and the building permit application simultaneously and had a year to do so. The motion was SECONDED by Dr. Wingo

Mr. Benoit asked if the intent was to ask for the building permit application, which included the complete drawings inclusive of the civil engineering needed for the building to be ready for construction.

Mr. Weaver stated that was the standard that had been used on other projects and he wanted to be consistent. He said they provided another option for him to prove it was an unsafe structure.

Mr. MacDonald said the building might not withstand another hurricane season and could easily come down, and was not hindering Mr. Weeks from having the building department to have it condemned; however, it would have to return to HARB before it could become a parking lot if that was the main concern.

Mr. Weaver said he needed proof but would support if it was a public safety issue; however, the argument had changed, and they needed to remain consistent.

Mr. Weeks stated he provided proof from a structural engineer because that was part of the requirement.

Ms. Duncan stated that was required to demolish the building. She said for the Board to approve the demolition, the applicant would have to provide structural evidence of the reason. She said they agreed the building could come down; it was just a matter of when.

VOTE ON MOTION:
AYES: Weaver, Wingo, Benoit, MacDonald, Duncan
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

8. (c) PL2021-0175 – All Angles Construction, Inc– Applicant
Ian McCaskill– Owner
25 River Road

To demolish a building constructed ca. 1938 that is recorded in the Florida Master Site file and is not located in a district.

Ms. Courtney read the staff report and said based on a review of the AGHP and without the support of evidence to the contrary, staff finds that the board can APPROVE a Certificate of Demolition at 25 River Road because it is not a local landmark or otherwise designated as a historic building with the following conditions

1. For any salvageable historic materials to be salvaged, if possible, in accordance with Sec. 28-89(2)d6: 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.

2. To limit the time that the lot is vacant, the Board may consider a condition requiring the applicant submit the demolition permit application and the building permit application for the replacement structure simultaneously.

Chad Ruziskey reviewed the application and asked if he could remediate the asbestos prior to the demolition permit, or would he need to wait for permit approval.

Ms. Skinner said they would coordinate with the building official to determine if there were any regulations regarding the removal of asbestos prior to the thirty-day period, or if he had to wait.

Ex Parte Communication:

(None)

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

Public hearing was opened.

BJ Kalaidi felt the developer should be asked to connect to the City sewer. She said the agenda had been amended with a new owner and she asked for clarification on when that took place.

Ms. Courtney said when Mr. Ruziskey, All Angels Construction, informed staff there was a pending transaction on the property. She told him after the transaction was final the new owner's signature would need to be on the final paperwork. She said the transaction finalized before the HARB meeting which was why it had been updated.

Mr. Ruziskey stated he spoke with the City and was told they were unable to be on City sewer, but they had mapped out a new septic system.

Public hearing was closed.

The Board discussed:

- Agreed with the staff report
- Building would not meet the threshold for a local landmark
- Property was not in one of the districts

PURCHASE OF PROPERTY FROM THE STATE OF FLORDA NOVEMBER 19, 1991

Len WEEKS
CONSTRUCTION DESIGN DEVELOPMENT
General Contractors

PO BOX 3225
62 HYPOLITA STREET
ST. AUGUSTINE, FLORIDA 32084
904·824·1626

21 October 1991

The Honorable Lawton Chiles,
Governor and The Cabinet
State of Florida

RE: Sale of St. Augustine Property
(McGrath/Standard Printing Building)
Item #14 October 10, 1991 DNR Agenda

Dear Governor Chiles and Cabinet:

At the Cabinet meeting of October 10, 1991, Governor Chiles suggested that the Cabinet compromise with me and split the difference between my original offer and the appraised value. He asked if I would be willing to pay **$175,000** for the property. I said that I would if the State would relax several items in the Bid Conditions and work with me. 187,450

I am willing to work with the State to come to a mutually beneficial arrangement for all. I would first like to thank you all for the time that you have allowed for me to present my view of the land purchase agreement and for the time you have spent considering my proposal.

I am submitting the following offer for your consideration. I am willing to increase the purchase price from **$162,500.01** to **$175,000** if the Cabinet will:

- Allow me to assume the mortgage from Standard Printing and Office Supply, Inc. in the amount of **$175,000**. I will have an attorney draw up all of the documents at my expense to be approved by the State. I have a verbal agreement with Mr. McGrath and will bring a written agreement to the Cabinet meeting on Tuesday.

- Relieve me from paying the "cost of sale" incurred by the State including advertising and appraisal of the property, since I have no way of knowing what these cost are.

- I'll pay 190,000 appraised value
- State will pay normal cost of closing, appraisal & advertise
- ~~State will allow me to assume~~

- Relieve me from having to submit building plans and specifications to, or consult with, DHR for approval of plans for new construction and allow me to be approved solely on a local level by complying with the City of St. Augustine's Historical Architectural Review Board guidelines. (This could save me 2-3 months of time and ensure that the project design for new construction is compatible with the historic and architectural qualities of the surrounding historic development in terms of scale, massing, color and materials, and is responsive to the recommended approaches to new construction set forth in the **Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings** (U.S. Department of the Interior, National Park Service, 1983.)

By allowing the sale to be approved, the State will save **$1,500** to readvertise and three months interest at approximately **$2,500/mo. ($7,500)** for a total savings of **$9,000.** There is also the possibility that no one will make a bonified offer the second time and that I may not be in a position to buy the property in three months.

I would like to note that on Thursday, October 17, 1991, the St. Augustine Preservation Board asked for and received permission from the City of St. Augustine's Historical Architectural Review Board to demolish the worst one of the three buildings on this site. This was approved on the basis that the building is in a non-repairable condition and a liability to the State. The removal of this building will add an additional **$4,000-$5,000** to the State's cost for holding this piece of property and attest to the condition of the buildings currently on it.

I feel that with my background in building historic structures and my offices close proximity to this site make me uniquely qualified to offer the City of St. Augustine and the State of Florida a finished project which all will be proud of.

I appreciate the time you've taken to consider my offer and look forward to seeing you at the October 22, 1991 Cabinet meeting. Please feel free to call me if I can answer any questions.

Sincerely,

Len Weeks

LW/bp

View of property as seen from the front porch of Len Weeks office.

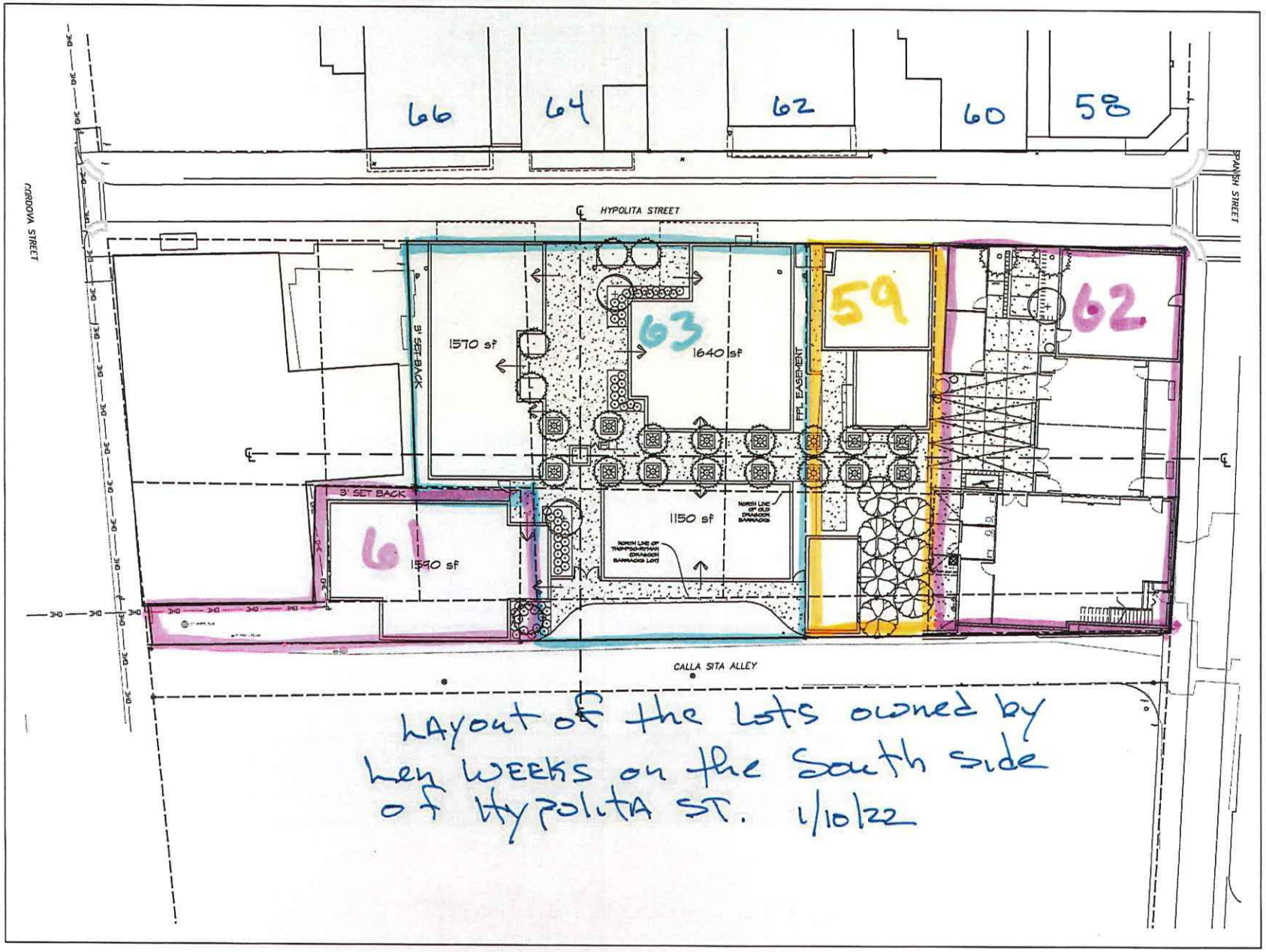
Len WEEKS
CONSTRUCTION ■ DESIGN ■ DEVELOPMENT

PO BOX 3225
62 HYPOLITA STREET
ST. AUGUSTINE, FLORIDA 32084
904·824·1626

Front view of property
on Hypolita Street

View of Standard Printing
building as seen from
West end of Hypolita Street

MISCELLANEOUS SITE PLANS



Layout of the Lots owned by Len WEEKS on the South side of Hypolita ST. 1/10/22

Len WEEKS General Contractors

Len Weeks Downtown Development
62 Spanish Street, St. Augustine, Florida 32084

Marquis Halback, Inc.
Landscape Architecture & Project Management
24 Cathedral Place, Suite 602
St. Augustine, FL 32084
Ph: 904.825.6747

0' 5' 10' 20'
Scale 1"=10'

Marquis Halback

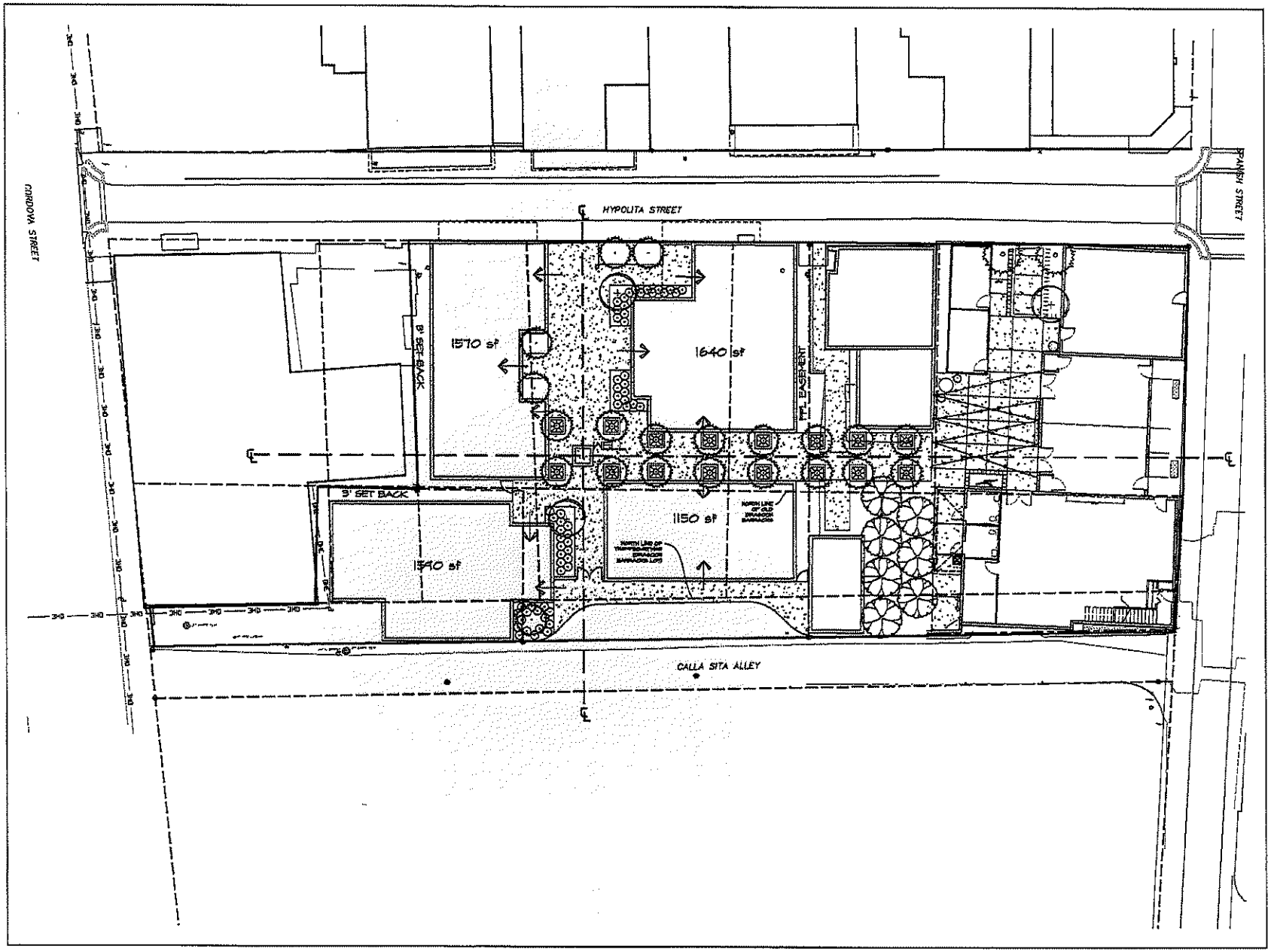
MH Project #: 13.142
Drawn By: FL
Checked By: JM
CAD File: 13.142_LW DWNTN.dwg

Issue
10/25/14 DESIGN DEVELOPMENT 30%

Drawing Title:
30% DESIGN DEVELOPMENT

Seal:
Name: JEREMY MARQUIS
Profession: LANDSCAPE ARCHITECTURE
License No.: 0667110

Drawing No.:
1.1



WEEKS
General Contractors

Len Weeks Downtown Development
62 Spanish Street, St. Augustine, Florida 32084

Marquis Halback, Inc.
Landscape Architecture & Project Management
34 Cathedral Place, Suite 602
St. Augustine, FL 32084
Ph: 904.825.5747

0' 5' 10' 20'
Scale 1"=10'

Marquis Halback

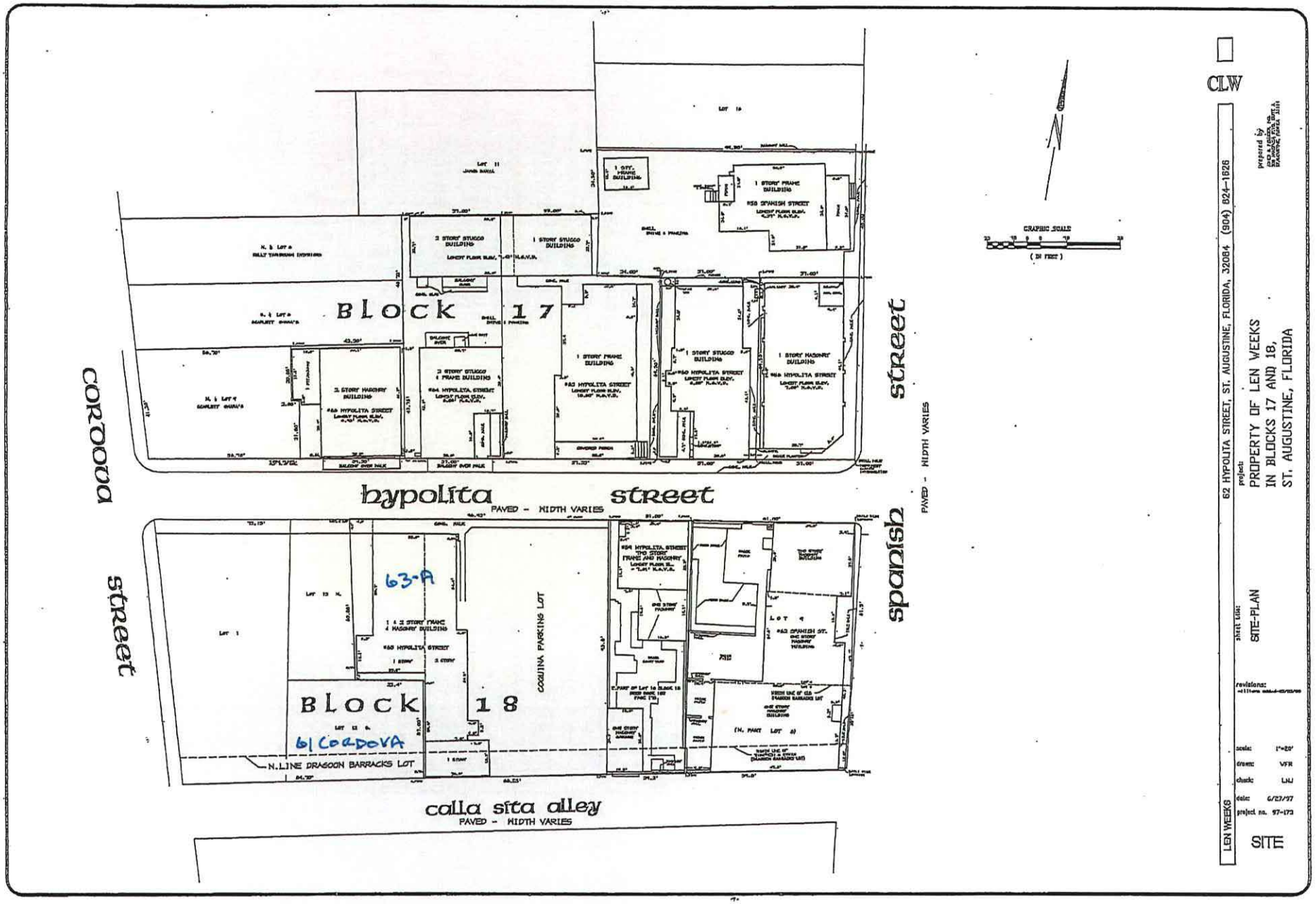
HH Project #: 15142
Drawn By: FL
Checked By: JPH
CAD File: 15.26.L.LK DWNTN.dwg

Date
10/28/14 DESIGN DEVELOPMENT SUB

Drawing Title:
30% DESIGN DEVELOPMENT

Seal:
Name: JEREMY MARQUIS
Profession: LANDSCAPE ARCHITECTURE
License No.: 0667110

Drawing No.:
L.1


CLW
62 HYPOLITA STREET, ST. AUGUSTINE, FLORIDA, 32084 (904) 824-1828
project:
PROPERTY OF LEN WEEKS
IN BLOCKS 17 AND 18,
ST. AUGUSTINE, FLORIDA
sheet title:
SITE-PLAN
revisions:
scale: 1"=20'
drawn: VFR
check: LWJ
date: 6/23/97
project no. 97-173
LEN WEEKS
SITE
GRAPHIC SCALE
(IN FEET)
N
Block 17
Block 18
hypolita street
PAVED - WIDTH VARIES
cordova street
spanish street
calla sita alley
PAVED - WIDTH VARIES
COQUINA PARKING LOT
N. LINE DRAGOON BARRACKS LOT
63-A
61 CORDOVA

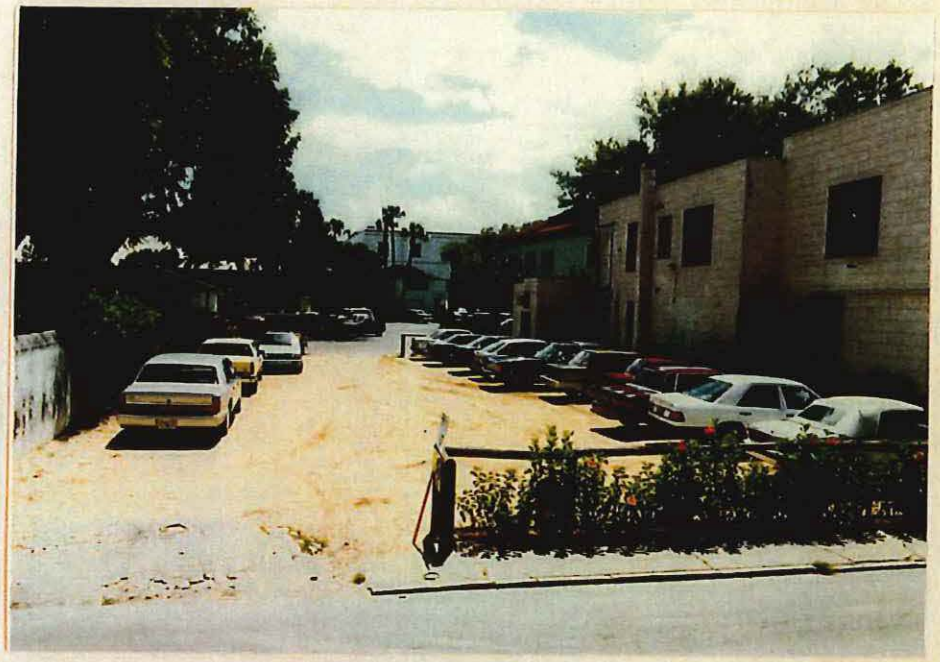
HARB APPROVAL - NOVEMBER 19, 1992
COQUINA PARKING LOT, RAIL FENCE
AND HYBISCUS LANDSCAPING

Len WEEKS
CONSTRUCTION ■ DESIGN ■ DEVELOPMENT
General Contractors

PO BOX 3225
62 HYPOLITA STREET
ST. AUGUSTINE, FLORIDA 32084
904·824·1626

63 HYPOLITA STREET

PARKING LOT



H.A.R.B.

NOVEMBER 19, 1992

CITY OF ST. AUGUSTINE, FLORIDA

M E M O R A N D U M

TO: Mike Griffin
Building Official

DATE: September 3, 1992

RE: 63 Hypolita Street
BDAC No. 91-0705

In regards to the coquina parking lot established by Len Weeks Construction after demolition of the building at 63 Hypolita Street, please be advised of the following facts:

1. Demolition of this building removed one of the City's worst eye sores in the historical district.

2. Very few of the building's features met the current City codes.

3. Removal of the building results in a reduction of impervious area, and therefore, reduced runoff from the site.

4. The additional parking is greatly needed in this area.

In conclusion, I cannot find any reason to impose additional permitting burdens upon a project that has had so many positive benefits to the City.

William S. Scott

William S. Scott, P.E.
Engineering Manager

WSS:ata

xc: Joseph Pomar, Jr., City Manager
Jack E. Cubbedge, Director, Public Works
Len Weeks, Len Weeks Construction

CITY OF ST. AUGUSTINE

A6 - APPLICATION TO HISTORIC ARCHITECTURE REVIEW BOARD

Application Fee _____ BDAC Project No. _____

Receipt No. _____ Meeting Date _____

PLEASE PRINT OR TYPE

1. NAME OF APPLICANT Len Weeks Daytime Telephone 824-1626

   Business (if applicable) _____

   Address 62 Hypolita St. City St. Aug. State Fla. Zip 32084

2. NAME OF PROPERTY OWNER Len Weeks Daytime Telephone 824-1626

   Business (if applicable) Len Weeks Construction Design Development

   Address 62 Hypolita St. City St. Aug. State Fla. Zip 32084

3. LEGAL DESCRIPTION OF PROJECT PROPERTY

   Lot 10 Block 18

   Subdivision City Parcel Number _____

4. PROJECT STREET ADDRESS 63 Hypolita St.

5. SPECIFIC PROPOSED USE Parking Lot

6. ACTION REQUESTED

   ☒ Certificate of Architectural Appropriateness ☐ Certificate of Demolition/Removal/Relocation

   ☐ Opinion of Architectural Appropriateness ☐ Appeal of Staff Determination

   ☐ Other _____

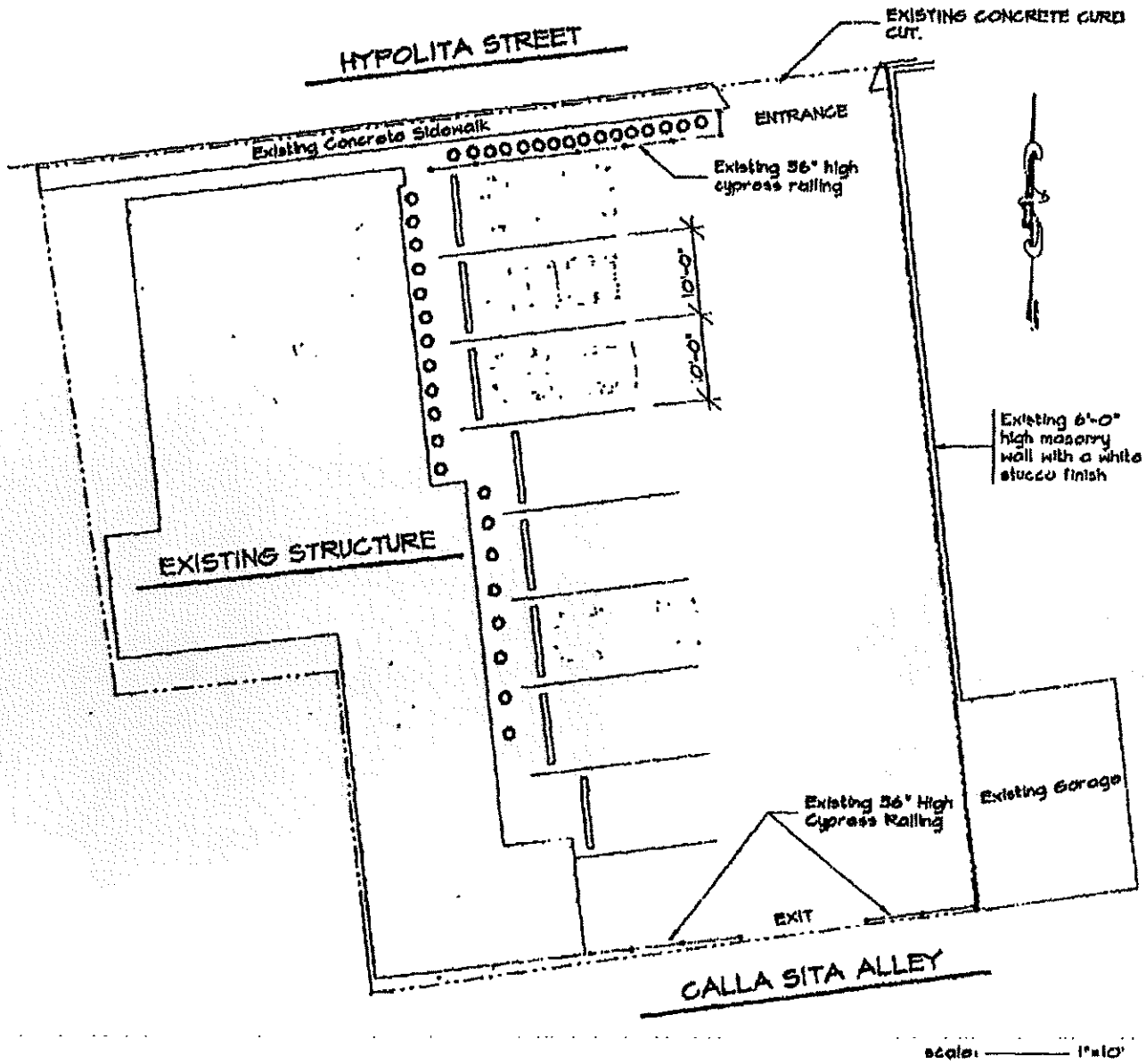
7. DESCRIPTION OF ACTION REQUESTED

   A cypress rail has been installed to keep people from walking across the Hybiscus and keep cars from entering or exiting without permission.

Len WEEKS
General Contractors

RECEIVED
JUL 17 1982
Planning/Building Dept.

PO BOX 3225
62 HYPOLITA STREET
ST. AUGUSTINE, FLORIDA 32084
904-824-1626



LEN WEEKS
CONSTRUCTION · DESIGN · DEVELOPMENT
P.O. BOX 3225
62 HYPOLITA STREET
ST. AUGUSTINE, FLORIDA 32085
PHONE: 824-1626
CGC-011558

PROPOSED FUTURE SITE PLANS FOR 4 BUILDINGS
BY GERALD DIXON ARCHITECHT

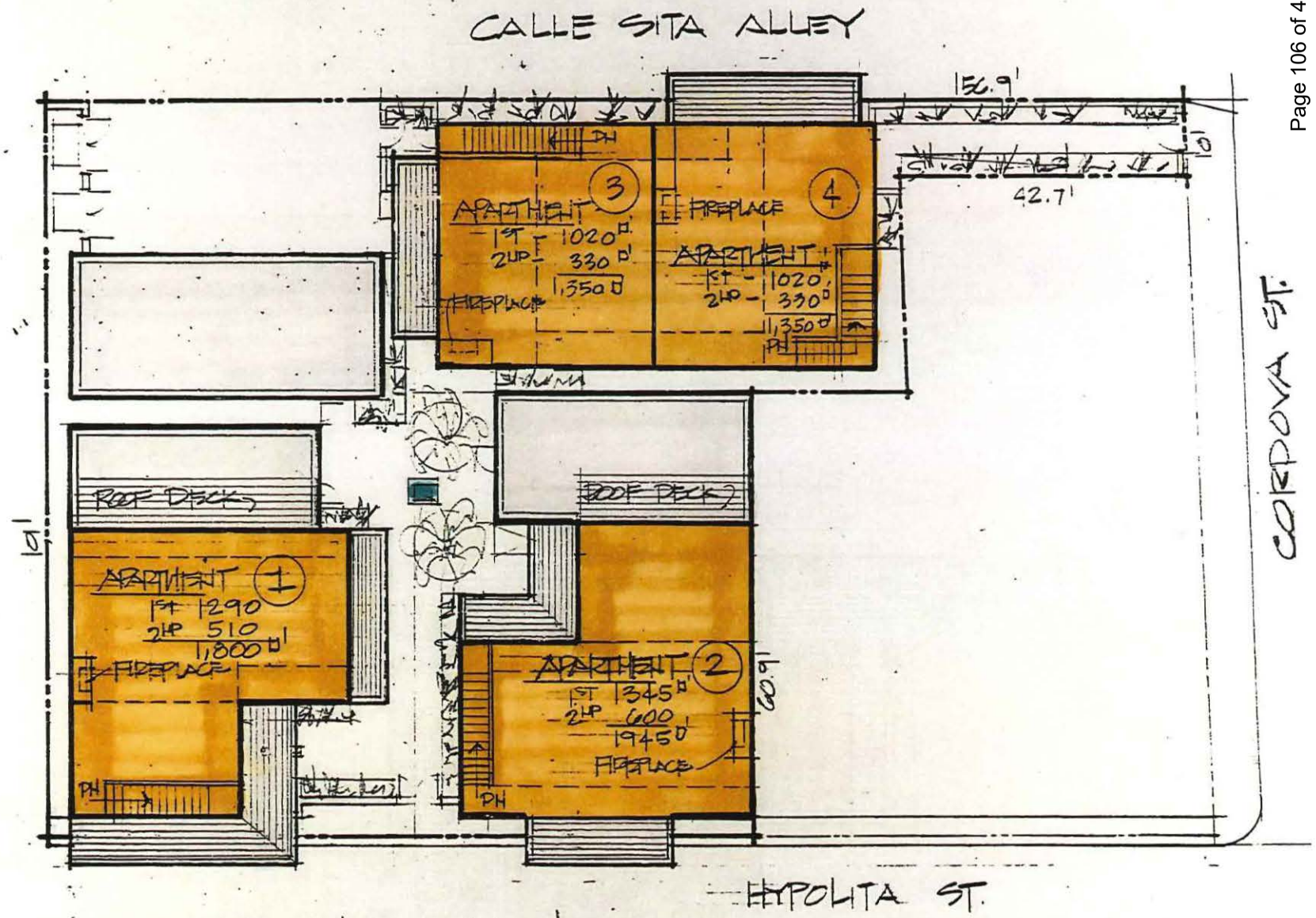
GROUND COVERAGE

MAIN STRUCTURES
1300
1345
2040
4,685 ft²

SECONDARY
880
510
650
2,040 ft²

GROUND FLOOR PLAN

GARAGE - 880 ft²
RETAIL -
TWO STORY STRUCTURE = 4,125 ft²
ONE STORY STRUCTURE = 1,160 ft²
TOTAL RETAIL = 5,285 ft²



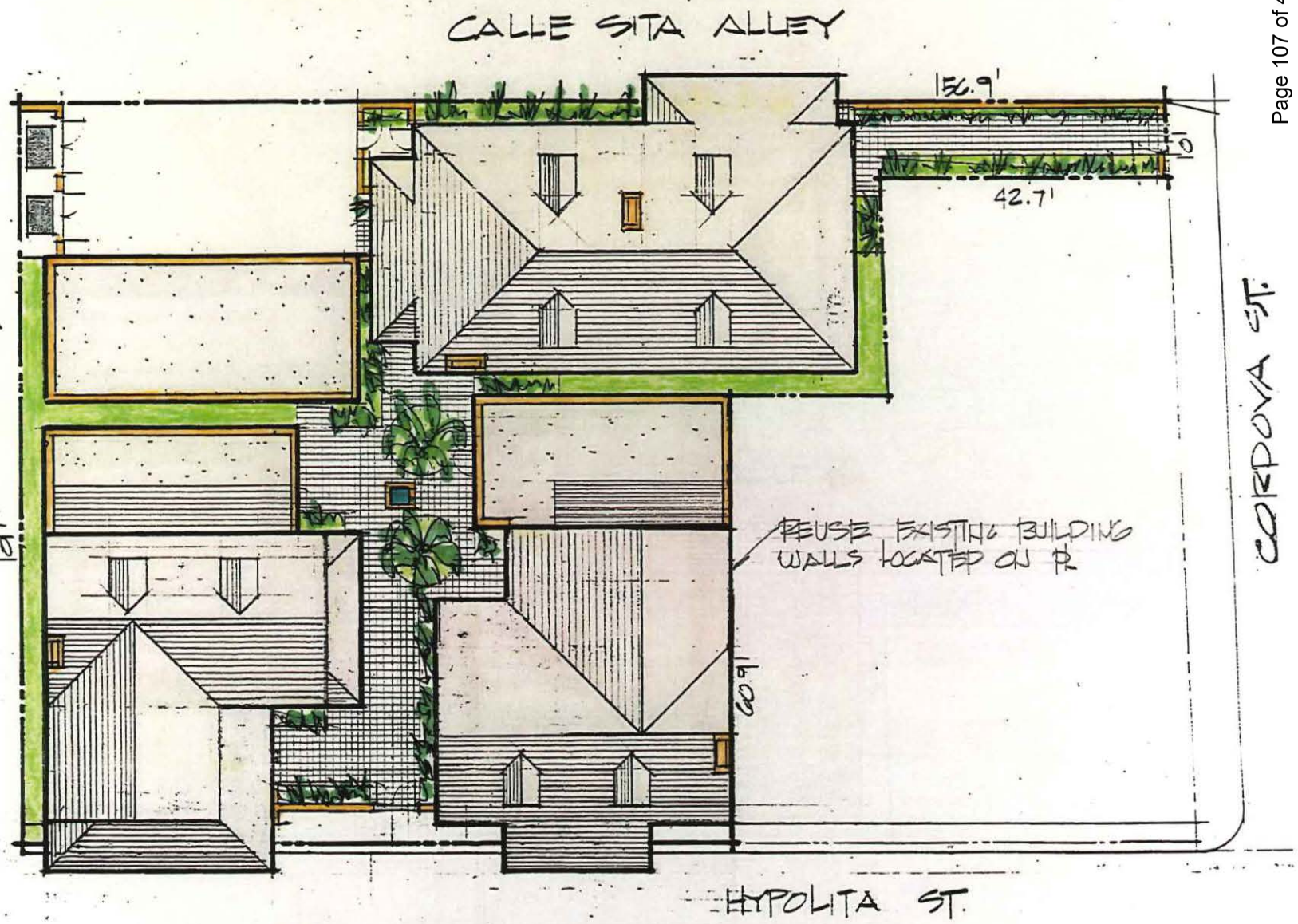
SECOND FLOOR PLAN

APARTMENTS –

2ND FLOOR = 4,675 □'

3RD FLOOR = 1,770 □'

6,445 □'


CALLE SITA ALLEY
156.9'
10'
42.7'
CORDOVA ST.
REUSE EXISTING BUILDING WALLS LOCATED ON PL
60.9'
10'
HYPOLITA ST.

ROOF PLAN

PROFESSIONAL INSPECTION REPORTS

SWANSON STRUCTURAL, INC.
209 BILBAO DR. ST. AUGUSTINE, FL 32086

November 2, 2021

Schaffer Weeks

RE: Structural Inspection
63 Hypolita Street
St. Augustine, FL 32084

Dear Mr. Weeks:

Per your request, we have made a site visit to the address listed above. The purpose of the site visit was to perform a structural inspection of the building to assess the existing condition of the structural members. The inspection was limited to easily visible members, we did not perform destructive testing of any kind, nor did we remove finishes to view structural members beyond.

The structure is a partial two-story structure with wood joist over crawl space at the 1st level and conventional wood joist/beam floor framing for the 2nd level. The loadbearing walls are both masonry block and wood framed. The roof system is conventional wood roof joists at the low and high roof. Foundations are assumed to be shallow cast in place concrete foundations.

ASSUMPTIONS:

We assume that the work done on the original construction was performed in accordance with the standard building code and accepted industry practices at the time of construction.

Areas inspected were visible and accessible and are assumed to represent the non-visible nor accessible portions.

Figure 1: Front View of Structure

SWANSON STRUCTURAL, INC.
209 BILBAO DR. ST. AUGUSTINE, FL 32086

OBSERVATIONS & RECCOMMENDAITONS:

The first level floor joists over crawl space were exposed along one wall from the exterior side. The exposed joists displayed prominent deterioration likely from long exposure to moisture and wood destroying organisms. The bearing points of the exposed joists show severe section loss as well as no visible positive connection to the stem wall (See Image 1 and 2 below). Without a positive connection to the foundation, the structure is susceptible to overturning and sliding failure in a wind event. Also, from the image it is clear that a rim board (or diaphragm chord) is missing. The diaphragm, with a missing chord element, cannot perform structurally the way it is intended and could fail during any wind event.

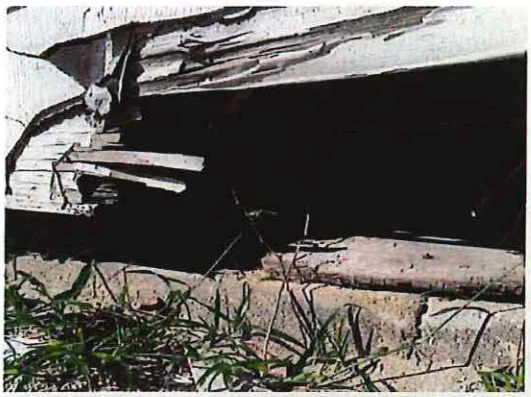


Image 1: First Level Floor Joists on Stem wall **Image 2: Continuation of Floor Joists Ends**

The loadbearing wood walls were exposed in various areas. Interior finishes were removed in multiple locations at the second level which revealed section loss in the studs from wood destroying organisms (See Images 3 and 4 below).

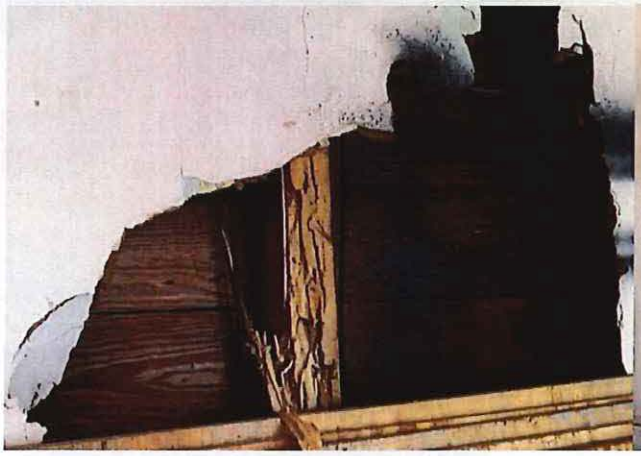
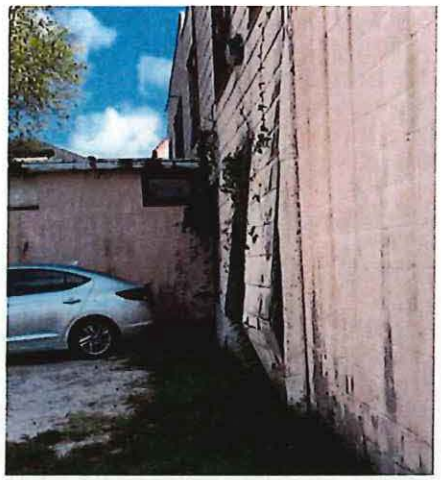


Image 3: Second Level Exposed Wood Stud **Image 4: Exposed Wood Stud**

The first level wood wall on the west side has failed (See Figure 5 below). The studs have buckled from unknown reason and the studs directly across from this area on the east side have been replaced (See Figure 6). This may suggest both walls failed, likely from wind pressures, because the section loss studs could not support the lateral load. The failed wall supports second level floor loads as well as roof

loads. The condition of this wall poses a threat of collapse, not only in a wind event, but also in everyday use of the structure.



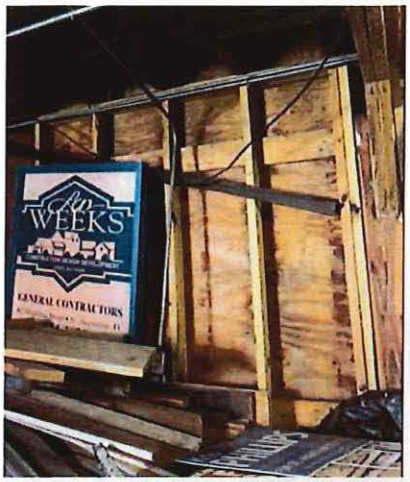


Image 5: West Wall Stud Failure **Image 6: East Wall Across from Failed Wall**

The exposed block walls revealed substantial cracks extending through the full width of block. The nature of these cracks would suggest differential settlement has occurred. Settlement was also recognized from the second level floor. The second level floor sloped significantly, exceeding tolerable settlement limits.

A lintel over an opening at the rear of the structure appears to have a shear failure at the bearing point (See Figure 8). The lintel in its current condition cannot support the load required to span the opening. The header appears to be currently held up only by masonry mortar joints and pinned block.

Image 7: Concrete Masonry Wall Cracks **Image 8: Lintel Shear Failure**

Various areas were opened, from interior side, to expose wood floor and roof framing. Most of the exposed areas displayed signs of deterioration from either wood destroying organisms, such as termites, and rot from moisture intrusion. As shown in Image 9 and 10 below, the section loss is substantial to the point where replacement would serve as a better option than repair.

SWANSON STRUCTURAL, INC.
209 BILBAO DR. ST. AUGUSTINE, FL 32086

Image 9: Section Loss in Floor Sheathing **Image 10: Section Loss in Roof Joists**

CONCLUSIONS:

Based on the representative samples inspected, the house has appeared to experience settlement, which has caused undesirable sloping in floors and cracking in walls. The structure has also been infested with wood destroying organisms at some point in the past which has caused severe section loss in load bearing components. Existing loadbearing wood walls have also failed from undetermined causes. In summary, at least a portion of all structural elements, which were inspected, have been compromised to the point of substantial capacity reduction or complete failure. The structure in its current state is at risk of collapse if the building experiences code required wind or gravity loading pressures.

Our conclusions stated in this letter are based solely on our observations and years of experience evaluating existing structures. We have not done any testing of materials, calculations or otherwise analyzed the existing structure or soil nor attempted to observe conditions that are not easily visible. We have specifically not reviewed plumbing, mechanical, and electrical conditions nor have we reviewed the structure for code related issues.

This report is intended for the sole benefit of Schaffer Weeks. Any other use without our written permission shall result in no liability or legal exposure to Swanson Structural, Inc. Please contact us if you would like to discuss any of the elements of this report or should you have any additional questions or concerns.

Sincerely,
Swanson Structural, Inc.
C.O.A. 34434

November 2, 2021

Alex Swanson, P.E.

Florida P.E. #87090

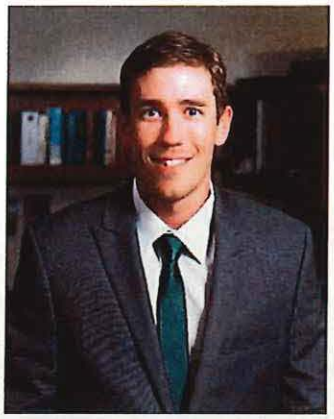
ALEXANDER W. SWANSON LICENSE No. 87090 STATE OF FLORIDA PROFESSIONAL ENGINEER

Alexander W. Swanson
Digitally signed by Alexander W. Swanson
DN: C=US, E=aswanson@swansonstruct.com, O="Swanson Structural, Inc.", OU="FL P.E. #87090", CN=Alexander W. Swanson
Date: 2021.11.02 11:02:13-04'00'

SWANSON STRUCTURAL, INC.

209 BILBAO DR. ST. AUGUSTINE, FL 32086 (904) 685-8806

Alex Swanson, PE



Alex Swanson has more than 7 years of experience in design work that includes multi-family, mid-rise residential, apartments, commercial, assisted living, industrial, and other municipal projects. Mr. Swanson has field experience inspecting high rise structures with post tensioned slabs as well as inspecting existing structures (including historic structures) for renovation work or determination of existing structural integrity. His coordination and communication skills have proven to provide high level of service to the clients for project types in a timely manner.

Education

University of Florida

BSCE (Civil Engineering) 2014

Registration

Fl. PE 87090

Years' experience

7 years

Select Project Experience

Sarasota Art Museum, Sarasota Fl.

The scope of this project was to restore the 1926 historic Sarasota high school building and convert the structure into the Sarasota Art Museum of Ringling College.

Independent Life Building, Jacksonville, Fl.

This historic redevelopment project included the renovation of the 18-story local historic landmark. Alex Provided multiple inspections for the purpose of structural capacity determination of existing members.

29 Masters Drive, St. Augustine, Fl.

Alex inspected the existing residence (built between 1910-1917) to determine the structural soundness of existing load bearing members to provide the owner the information necessary to decide if restoration or demolition would be the next step for the project.

LES THOMAS
ARCHITECT

January 5, 2022

Len Weeks
Via Email: LenWeeks@lwcdd.com

Re: Condition of 63A Hypolita Street

This letter addresses the existing condition of the building at 63A Hypolita Street in St. Augustine, Florida. The following are my observations from a walk through of the building on January 4, 2022.

The building consists of an original wood frame two story store front type building with a wood parapet on the street and a sloped roof to the rear. A new store front was added in the 1960's consisting of cmu construction and store front type large glass windows. There was also an addition to the west with a flat roof.

The original wood building was on brick piers and by the sloping condition of the exterior, many of the piers have deteriorated and failed. The sill beams are damage beyond repair by termites and water. The stud walls have been damaged where they connect to the sill as visible indicated on both the east and west sides by the fact the walls have bowed out and are leaning. The exterior wood siding has been covered with asbestos shingles.

The floor framing and the wood floors themselves show major termite damage and sag and are sloping in most rooms.

The roof although not leaking is sagged in many places and is damaged by the bowing of the walls. The concrete block one story addition also shows interior damage for termites. The cmu walls show stair step cracks and do not appear to have reinforcement.

In conclusion, as a licensed architect and based on my observations and having worked on many restoration projects, I would recommend that this building be demolished.

Sincerely,

Les Thomas, Architect

LT/jmc

Enc.

32 Cordova Street, St. Augustine, FL 32084 Phone: (904)824-9508
Email: lesthomasarchitect@gmail.com
State License #AR9242

Thursday, September 15, 2022

63 HYPOLITA STREET PARKING LOT

DESIGN

Marquis Latimer + Halback, Inc.
Project Management + Landscape Architecture
Project Manager: Jeremy Marquis | jeremy@halback.com
34 Cordova Street, Suite A, St. Augustine, FL 32084
Ph: 904.825.6747
Florida LA6667110

Prepared For

Len Weeks

Project Manager

--

Site Location

63 HYPOLITA STREET, SAINT AUGUSTINE, FLORIDA

Jurisdictional Review

City of Saint Augustine Planning & Building Department

Site Plan Review

811

Know what's below.
Call 811 before you dig.

ML+H
Marquis Latimer + Halback, Inc.
34 Cordova Street, Suite A
St. Augustine, FL 32084

Ph 904.825.6747 www.halback.com
LA6667110 Qualifier

DRAWN BY:

Len Weeks General Contractors

63 HYPOLITA STREET PARKING LOT

63 HYPOLITA STREET, SAINT AUGUSTINE, FLORIDA

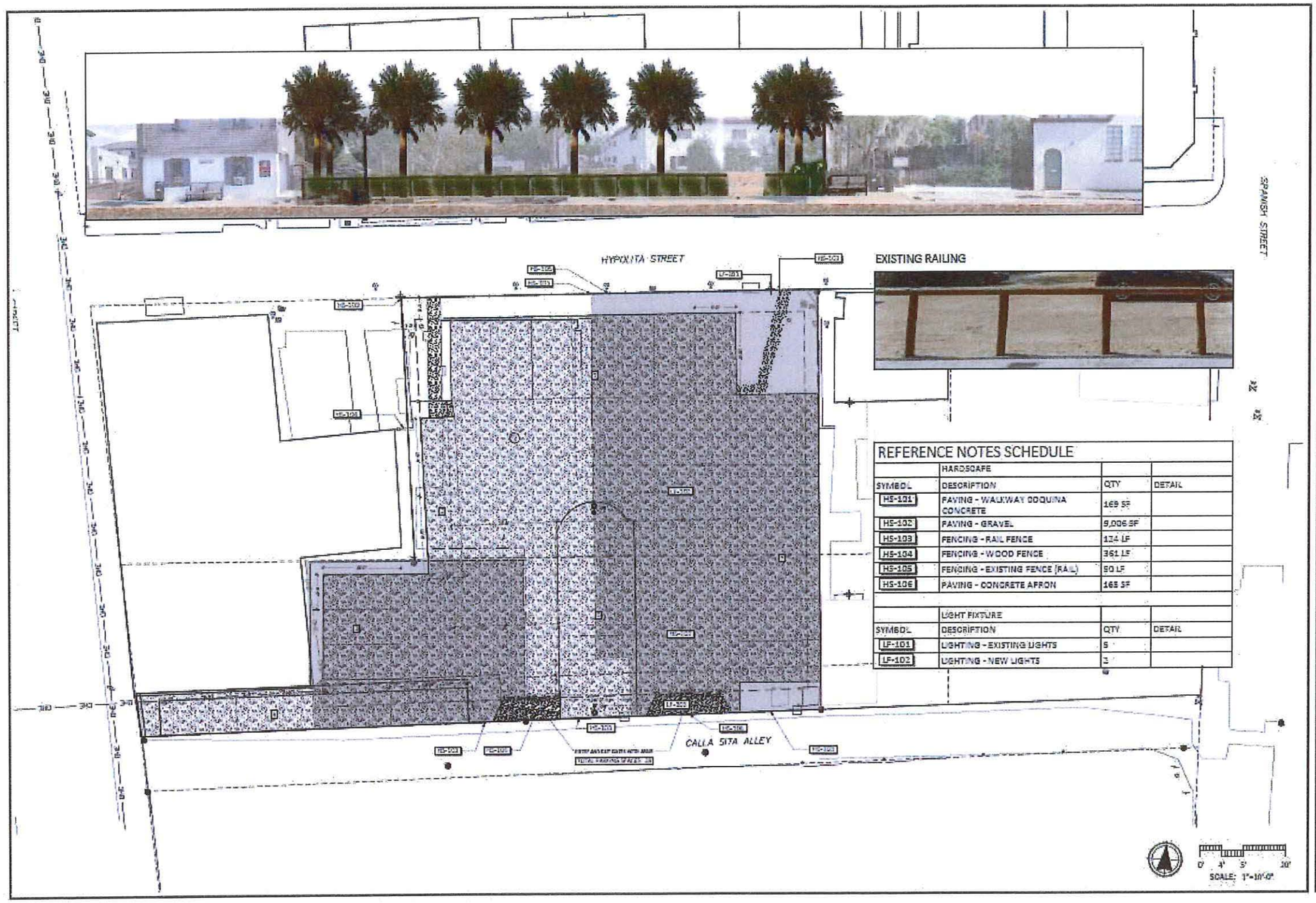
COVER

SYM	DESCRIPTION	DATE
	DELIVERABLE	00/00/00

SIZE: ANSI D
PRIME PROJECT #: XXXXXXXX
ML+H PROJECT #: 22.38.00

DRAWING NO.: COVER

C:\Users\CarolinaSchultz\Marquis Latimer + Halback, Inc\ML+H Projects - Folders\00 Projects\22\22.38.0 61-63 Hypolita Street Parking Lot\05 CAD\22.38.00_DESIGN.dwg



REFERENCE NOTES SCHEDULE

	HARDSCAPE		
SYMBOL	DESCRIPTION	QTY	DETAIL
HS-101	PAVING - WALKWAY COQUINA CONCRETE	169 SF	
HS-102	PAVING - GRAVEL	9,006 SF	
HS-103	FENCING - RAIL FENCE	134 LF	
HS-104	FENCING - WOOD FENCE	361 LF	
HS-105	FENCING - EXISTING FENCE (RAIL)	50 LF	
HS-106	PAVING - CONCRETE APRON	165 SF	
	LIGHT FIXTURE		
SYMBOL	DESCRIPTION	QTY	DETAIL
LF-101	LIGHTING - EXISTING LIGHTS	5	
LF-102	LIGHTING - NEW LIGHTS	3	

ML+H

Marquis Latimer + Hellman, Inc.
24 Cordova Street, Suite A
St. Augustine, FL 32084

Ph: 904.825.0747 www.lalhd.com
LANDSCAPE ARCHITECTURE

WEEKS
General Contractors

63 HYPOLITA STREET PARKING LOT

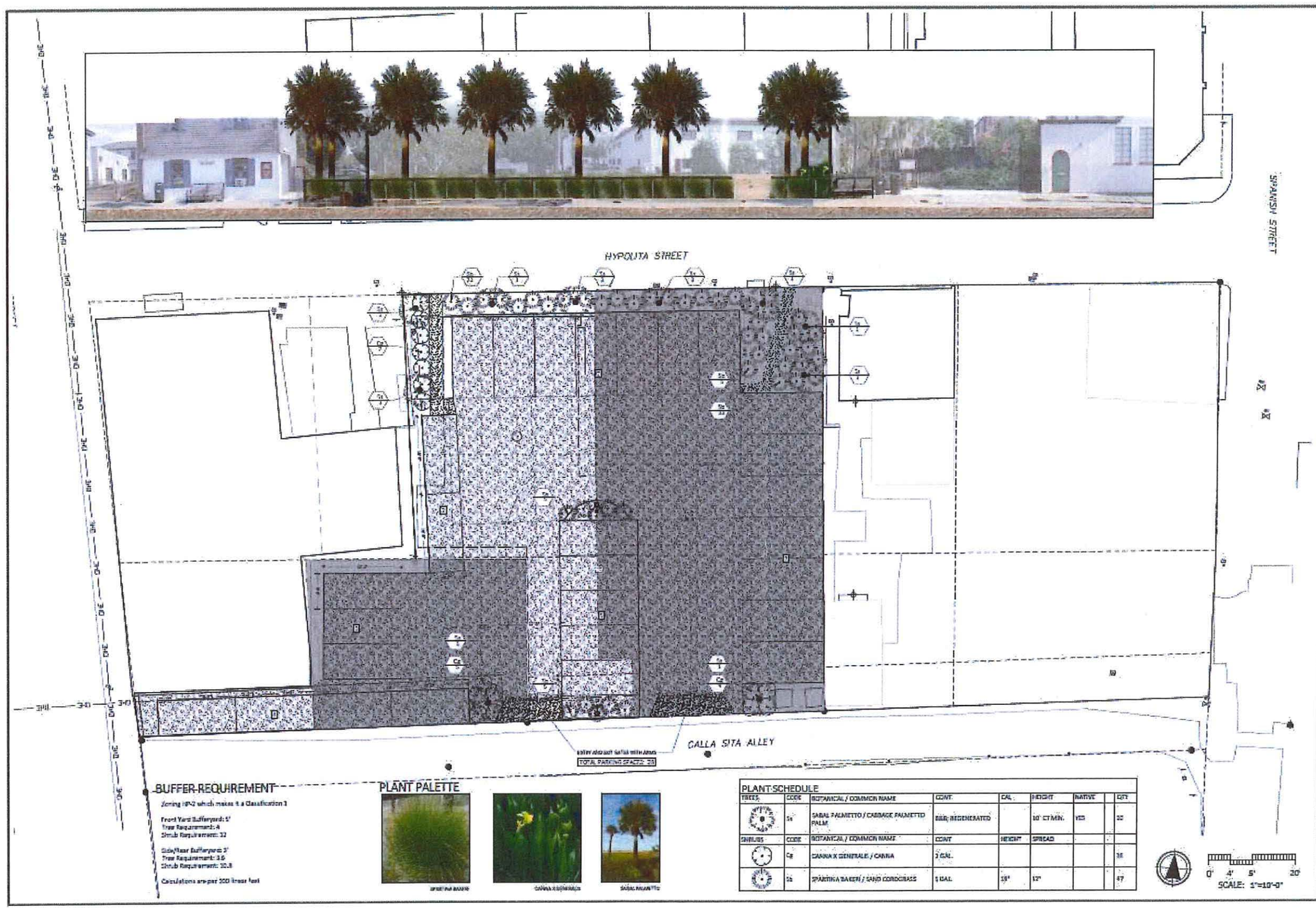
63 HYPOLITA STREET, SAINT AUGUSTINE, FLORIDA

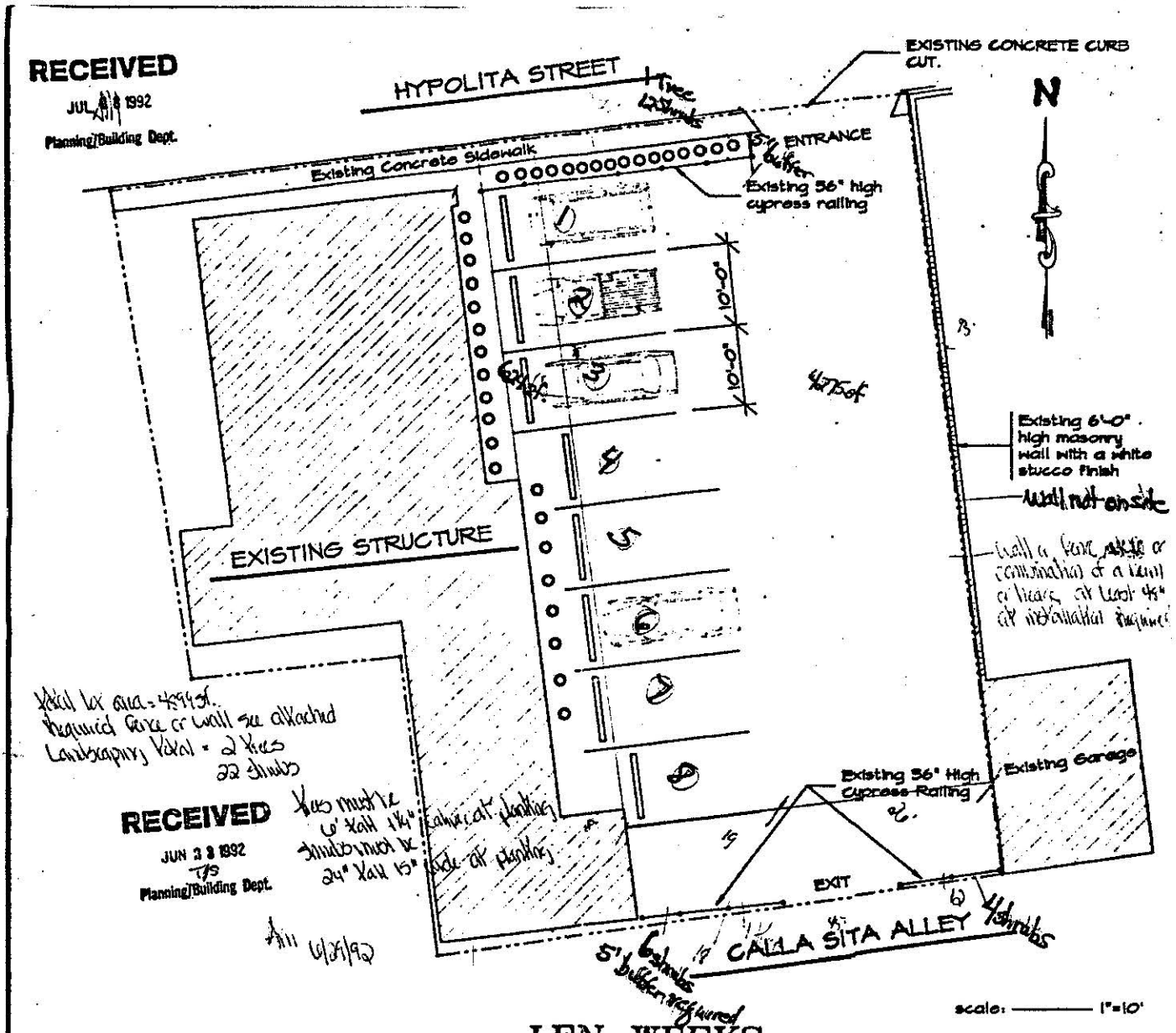
HARDSCAPE PLAN

SYM	DESCRIPTION	DATE

SIZE: ANSI D
PROJECT #: [illegible]
ML+H PROJECT #: [illegible]

DRAWING NO.: L-2.1


HYPOLITA STREET
SPANISH STREET
CALLA SITA ALLEY
TOTAL PARKING SPACES: 23
BUFFER REQUIREMENT
Zoning HN-2 which makes it a Classification 1
Front Yard Bufferyard: 5'
Tree Requirement: 4
Shrub Requirement: 32
Side/Rear Bufferyard: 3'
Tree Requirement: 3.6
Shrub Requirement: 10.8
Calculations are per 100 linear feet
PLANT PALETTE
PLANT SCHEDULE
TREES
CODE
BOTANICAL / COMMON NAME
CONT.
CAL.
HEIGHT
NATIVE
QTY
Ss
SABAL PALMETTO / CABBAGE PALMETTO PALM
B&B; REGENERATED
10' CT MIN.
YES
22
SHRUBS
CODE
BOTANICAL / COMMON NAME
CONT
HEIGHT
SPREAD
QTY
Cg
CANNA X GENERALE / CANNA
3 GAL.
36
Sc
SPARTINA BAKERI / SAND CORDGRASS
1 GAL.
18"
12"
47
0' 4' 5' 20'
SCALE: 1"=10'-0"
ML+H
63 HYPOLITA STREET PARKING LOT
63 HYPOLITA STREET, SAINT AUGUSTINE, FLORIDA
LANDSCAPE PLAN
DRAWING NO.
L - 3.1



LEN WEEKS

CONSTRUCTION · DESIGN · DEVELOPMENT

P.O. BOX 3225
62 HYPOLITA STREET
ST. AUGUSTINE, FLORIDA 32085
PHONE: 824-1626
CGC-011556

CITY OF ST. AUGUSTINE
A6 - APPLICATION TO HISTORIC ARCHITECTURE REVIEW BOARD

1. THIS APPLICATION AS SUBMITTED IS ☒ Approved ☐ Denied

2. COMMENTS HARB approved cypress railing for parking lot for 18 months, based upon applicant's statement that this is a temporary parking lot. (JP)

3. [signature] 11-19-92
CHAIRMAN, HISTORIC ARCHITECTURE REVIEW BOARD DATE

4. THIS APPLICATION ☐ Tabled Until _____

5. REASON _____

6. _____
CHAIRMAN, HISTORIC ARCHITECTURE REVIEW BOARD DATE

City of St. Augustine
St. Augustine, Florida Planning/Zoning

August 7, 1992

Mr. Len Weeks
62 Hypolita Street
St. Augustine, Florida 32084

RE: Zoning Variance/Exception 91-0705

Dear Mr. Weeks:

On Tuesday, August 4, 1992, the Planning and Zoning Board (PZB) met and discussed your application to allow an off-site parking facility as a use by exception; to eliminate the fence/wall requirements; to reduce landscape requirements and to allow a parking facility to be located within 25 feet of another facility at 63 Hypolita Street.

Specifically, the PZB approved your application to allow an off-site parking facility as a use by exception; to eliminate the fence/wall requirements; to reduce the landscape requirements and to allow a parking facility to be located within 25 feet of another parking facility at 63 Hypolita Street. A zoning variance and exception is valid for one (1) year. If at the end of one (1) year a Building Permit has not been issued, a new application must be submitted to the Planning and Building divisions.

A review of your file indicates a storm water retention plan sealed by a professional engineer must be approved by the City, and a building permit for any improvements made to the site must be obtained prior to using the property as a parking lot. Should you have questions regarding this matter, please contact the Planning Division at 825-1060.

Sincerely,

Jean Carver/em

Jean Carver
Citizen Boards Technician

jc

xc: Joseph Pomar, Jr., City Manager
BDAC File

75 King Street, 32084 - P.O. Drawer 210, 32085 - Office 904/825-1060 - FAX 904/825-1051

RECEIVED
JUL 17 1992
Planning/Building Dept.

CITY OF ST. AUGUSTINE

A3 - APPLICATION TO PLANNING AND ZONING BOARD

Application Fee $80.00

Receipt No. 3425

BDAC Project No. 91-0705

Meeting Date August 4, 1992

PLEASE PRINT OR TYPE

1. NAME OF APPLICANT Len Weeks Daytime Telephone 824-1626
   Business (if applicable) Len Weeks Construction Design Development
   Address 62 Hypolita St. City St. Aug. State Fla. Zip 32084

2. NAME OF PROPERTY OWNER Len Weeks Daytime Telephone 824-1626
   Business (if applicable) _____
   Address _____ City _____ State _____ Zip _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY
   Lot Pts 2,8,10,12 Ar 11 Block 18
   Subdivision City of St. Augustine Parcel Number 198250-0000

4. PROJECT STREET ADDRESS 63 Hypolita St.

5. SPECIFIC PROPOSED USE Parking Lot

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

7. DESCRIPTION OF ACTION REQUESTED
   To allow an off-site parking facility as a use by exception, to allow a variance to landscape requirements, to allow a variance to fence/wall requirements.

8. JUSTIFICATION FOR ACTION REQUESTED Old building was demolished and two new buildings are planned in the next year or two. I request permission to use the vacant lot as an off-site parking facility during this interim period. I also request to be allowed an exemption from planting two trees, building a wall on the S. E. & W. sides of the property and installing parking bumpers.

Len WEEKS
CONSTRUCTION • DESIGN • DEVELOPMENT
General Contractors

RECEIVED
JUL 17 1992
Planning/Building Dept.

PO BOX 3225
62 HYPOLITA STREET
ST. AUGUSTINE, FLORIDA 32084
904-824-1626

17 July 1992

Dear Adjacent Property Owner:

As I am sure most of you are aware, I have demolished two of the dilapidated buildings at 63 Hypolita Street. My intention is to build two new buildings on this site within the next two years. However, in the interim I plan to use the vacant lot for parking for my tenants on Hypolita Street as well as my office staff and employees. I have installed coquina shell as the parking surface, planted beautiful Hybiscus bushes around the front and side of the parking area, and installed a 36" high cypress rail on Hypolita Street and Calla Sita Alley to keep cars and pedestrians from running over these plants.

I now have to go before the Planning and Zoning Board, as well as H.A.R.B. to get variances and approval for these improvements. I trust that you feel that what I've done is as much an improvement to the neighborhood as I do and ask for your support. Please fill out the enclosed questionnaire and return it to the city along with any comments you may have.

If you have any questions with the enclosed site plan or zoning request please do not hesitate to give me a call.

Sincerely,

Len Weeks

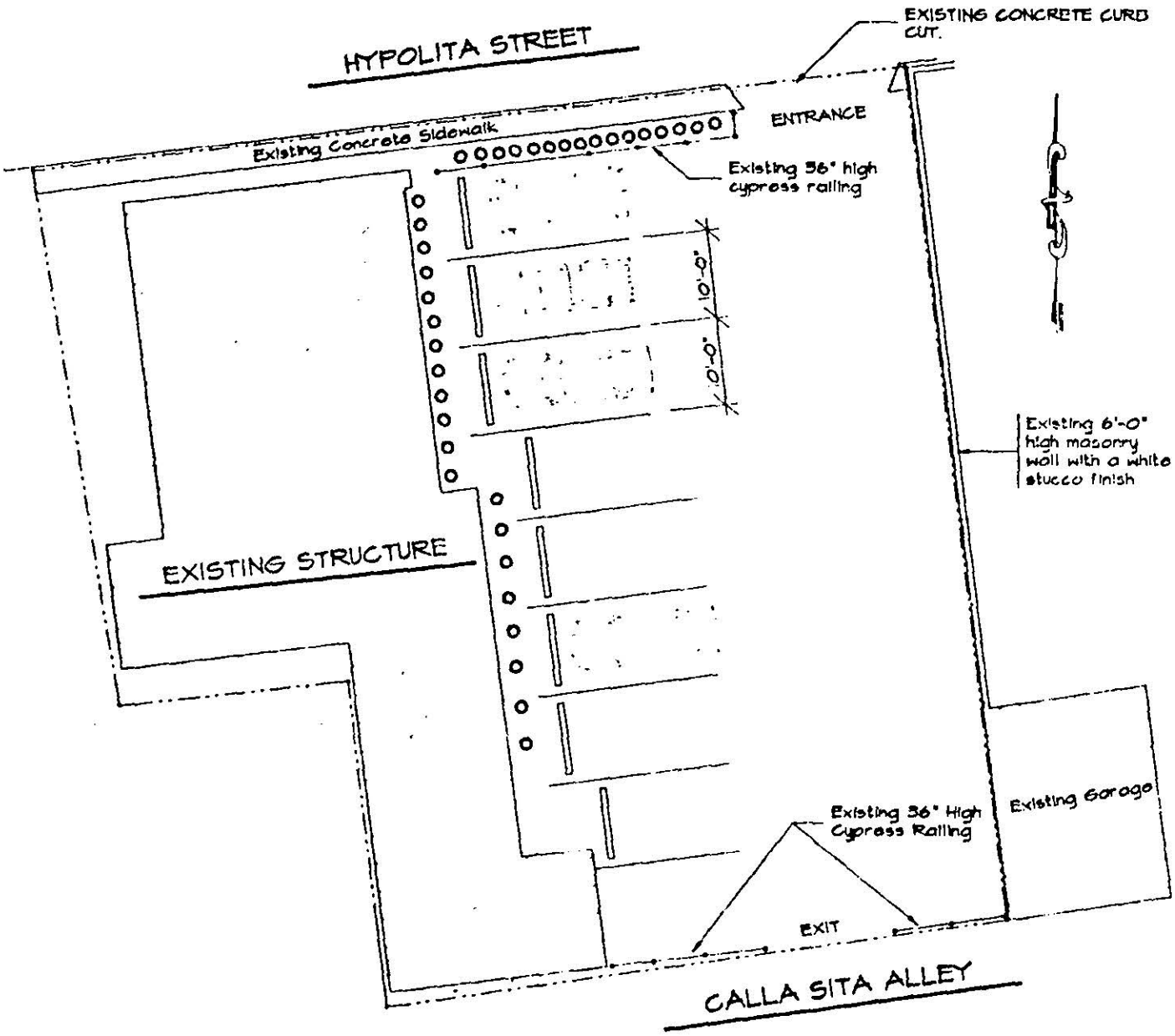
Len Weeks

LW/bp

Len WEEKS
CONSTRUCTION DESIGN DEVELOPMENT
General Contractors

RECEIVED
JUL 17 1992
Planning/Building Dept.

PO BOX 3225
62 HYPOLITA STREET
ST. AUGUSTINE, FLORIDA 32084
904-824-1626



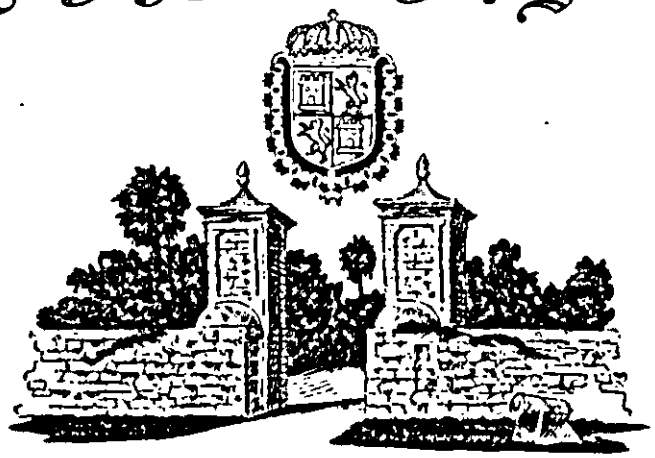
scale: 1"=10'

LEN WEEKS

CONSTRUCTION · DESIGN · DEVELOPMENT

P.O. BOX 3225
62 HYPOLITA STREET
ST. AUGUSTINE, FLORIDA 32085
PHONE: 824-1626
CGC-011558

City Of Saint Augustine



PLANNING AND BUILDING
DEPARTMENT

SAINT AUGUSTINE, FLORIDA

October 21, 1991

Susan Parker
Historic St. Augustine Preservation Board
P.O. Box 1987
St. Augustine, Florida 32085

RE: Certificate of Demolition 90-864
61 Hypolita Street

Dear Ms. Parker:

On Thursday, October 17, 1991, the Historic Architectural Review Board (HARB) met and discussed your application to demolish a frame vernacular structure at 61 Hypolita Street.

Specifically, the HARB approved your application to demolish the structure. A certificate is valid for one (1) year. If at the end of one (1) year work has not started, the certificate is void and a new application for a certificate must be submitted.

A review of your file indicates a Demolition Permit must be obtained through the Planning and Building Department. Should you have questions regarding this matter, please contact the Planning and Building Department at 825-1063.

Sincerely,

Davey M. Mullis
Coordinator, Boards Division

DMM:jc

xc: Joseph Pomar, Jr., City Manager
BDAC File 90-864

P. O. DRAWER 210, 75 KING ST., 32085-0210

AS OF 9/27/2022 NO ADDITIONAL INFORMATION HAS BEEN SUBMITTED AS PREVIOUSLY REQUESTED BY THE BOARD

TO: Planning and Zoning Board

DATE: October 4, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0048**

AGENDA ITEM	8(a)
APPLICANT & OWNER	Renato Sindicic
LOCATION	73 Magnolia Avenue / PID 154300-0000
REQUEST	To approve the construction of a new wood retaining wall and replacement of two (2) existing wood pilings 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 wood retaining wall and replace two existing wood pilings located in Camanchee Creek. The proposed retaining wall will be backfilled with clean sand and the applicant claims that drainage patterns will not be impacted. The existing retaining wall appears to be in poor condition and would warrant either repair or replacement, applicant did not state the reason for the replacement of the two pilings located in Camanchee Creek.

Following the September 6, 2022 Planning and Zoning Board Meeting the board requested elevations, description of how the proposal would tie into neighboring properties, and pictures of existing conditions. As of September 26, 2022 information has not been provided to staff for review or inclusion in this staff report.

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 100 feet of Camanchee Creek frontage and is occupied by an existing wooden bulkhead between the edge of the backyard and the creek.

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

The property sits on Camanchee Creek and is adjacent to a public park and another single-family home.

(3) Natural and proposed drainage patterns.

Drainage does not appear to 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.

Clean sand will be used for backfill.

(6) Impact on floodplain.

There is no impact on floodplains associated with this application.

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

The installation of a boat lift should not impact vegetative or animal communities, the new pilings may provide a habitat to small animals.

(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 may be felt during the construction process but once that is complete negative impacts are not anticipated but may be 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.

Roughly 100' of the shoreline will be built upon.

(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.

Landscaping details were not provided by the applicant.

(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.

Minimal if any.

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

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

N/A.

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **DENY OR CONTINUE** the construction of a new wooden bulkhead and two (2) new pilings within Conservation Overlay Zone 1 at 73 Magnolia Avenue / PID 154300-0000 due to the lack of materials provided by the applicant as requested by the board.

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
EST. 1565
NATION'S OLDEST CITY

September 6, 2022

Renato Sindicic
73 Magnolia Avenue
St Augustine, FL 32084

Re: Conservation Overlay Zone Development – 73 Magnolia Avenue – Case Number 2022-0048

Dear Applicant:

On Tuesday, September 6, 2022, the Planning and Zoning Board (PZB) met and discussed your application to approve the construction of a new wood retaining wall and replacement of two (2) existing wood pilings within Conservation Overlay Zone 1.

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

TYPE OF REQUEST:

☐ Appeal
☒ Conservation Overlay Zone Development
☐ Use by Exception
☐ Final Development Plan
☐ Land Use Plan Amendment
☐ Preliminary Subdivision Plat Approval
☐ PUD Modification/Amendment
☐ Rezoning
☐ Variance
☐ Other Click here to enter text.

IN THE MATTER OF:

Case No.: 2022-0048
Applicant: Renato Sindicic
Owner: Renato Sindicic
Address: 73 Magnolia Avenue
Parcel Number: 1543000000

RE: Request to approve the construction of a new wood retaining wall and replacement of two (2) existing wood pilings within Conservation Overlay Zone 1.

THE PLANNING AND ZONING BOARD HAS HEARD TESTIMONY AND EXAMINED EVIDENCE AT A PUBLIC HEARING HELD ON SEPTEMBER 6, 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 September 6, 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 Single Family One (RS-1) and a zoning classification of Residential Single Family One (RS-1).
4. The above-described Conservation Overlay Zone Development is subject to Section 28-29 of the Code of the City of St. Augustine.

Conservation Overlay Zone Development
73 MAGNOLIA AVENUE
PZB Case No. 2022-0048

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 wood retaining wall and replacement of two (2) existing wood pilings within Conservation Overlay Zone 1.

Subject to the following conditions:

- continued to October 4, 2022 PZB
- need elevations - related to existing
- description & how bulkhead will tie into adjacent property
- pictures showing property and existing conditions
-
-
-

DONE AND ORDERED, at a public hearing on the 6 day of September, A.D., 2022, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

2022-0048 **REQUEST APPROVED / DENIED / CONTINUED**

Sign Name

Grant Mistkily
Print Name
PLANNING AND ZONING BOARD
CITY OF ST. AUGUSTINE, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Grant Mistkily 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 6th day of September, A.D., 2022.

Elyse Wiemann
Notary Public, State of Florida

ELYSE WIEMANN
Commission # HH 217621
Expires May 19, 2025

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $165 (plus advertising costs) Project Number: 2022-0048

Receipt Number: 2428859 Meeting Date: Sept. 6, 2022

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

1. NAME OF APPLICANT: Renato Sindicic Contact Number: 904-217-2938
   Business (*if applicable*):_____
   Address: 73 Magnolia Ave City: St. Augustine State: FL Zip: 32084
   E-Mail Address: recorema@gmail.com

2. NAME OF PROPERTY OWNER: Renato Sindicic Contact Number: 904-217-2938
   Business (*if applicable*):_____
   Address: 73 Magnolia Ave City: St. Augustine State: FL Zip: 32084
   E-Mail Address: recorema@gmail.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 51 Block:_____
   Subdivision: Nelmar Terrace & Genoply Tract (707) Parcel Number: 1543000000

4. PROJECT STREET ADDRESS: 73 Magnolia Ave, St. Augustine, FL 32084

5. SPECIFIC PROPOSED USE:_____

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

7. DESCRIPTION OF ACTION REQUESTED: Construction of wood retaining wall & removal and replacement of (2) existing wood pilings.

8. JUSTIFICATION FOR ACTION REQUESTED:_____

04/18/2019

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

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

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

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

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

10. PREVIOUS 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 — Date: 7/20/22

Signature of Property Owner — Date: 7/20/22

04/18/2019

CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER

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

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

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

Renato Sindicic

Print name of applicant

Signature of applicant

7/20/22

Date

10/31/17

CITY OF
ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

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

BY: _____
Signature of Owner

Renato Sindicic
Print Name of Owner

904-217-2938
Telephone Number

State of FL

County of St. Johns

Signed and sworn before me on this 20 day of July, 2022

By Renato Sindicic

Identification verified:

Oath sworn: ✓ Yes ____ No

Notary Signature: _____

My Commission expires: 7-17-25

MINDY LEA COPPOLA
MY COMMISSION # HH 132364
EXPIRES: July 17, 2025
Bonded Thru Notary Public Underwriters

Rev:022117

PZB APPLICATION FEE SCHEDULE

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

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

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

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

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

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

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

Project Address: 73 Magnolia Ave, St. Augustine, FL 32084

Applicant's Name: Renato Sindicic Applicant's Signature: _____

Owner's Name: Renato Sindicic Owner's Signature: _____

St. Johns County, FL

Apply for Exemptions

Apply for Exemptions

2021 TRIM Notice

2021 TRIM Notice (PDF)

Summary

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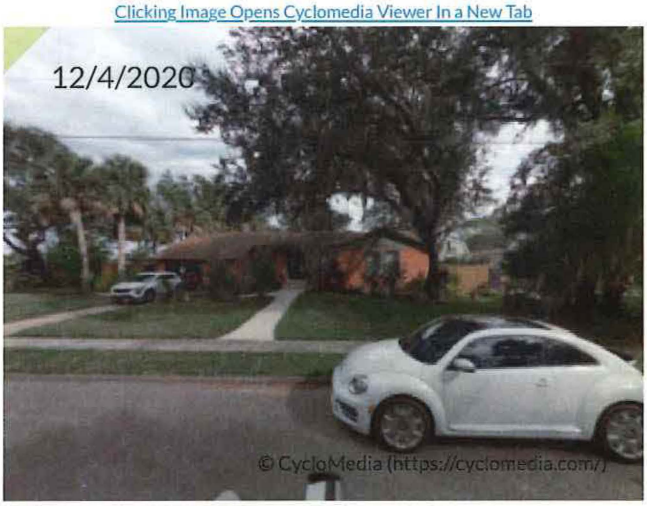


Parcel ID	1543000000
Location Address	73 MAGNOLIA AVE SAINT AUGUSTINE 32084-0000
Neighborhood	Nelmar Terrace & Genoply Tract (707)
Tax Description*	2-1 NELMAR TERRACE LOT 51 & MARSH TO CREEK OR3807/475 *The Description above is not to be used on legal documents.
Property Use Code	Single Family (0100)
Subdivision	Nelmar Terrace
Sec/Twp/Rng	7-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.310
Homestead	Y

Owner Information

Owner Name	Sindicic Renato I Et AL 100% Fernandez Maria Concepcion 100%
Mailing Address	73 MAGNOLIA AVE SAINT AUGUSTINE, FL 32084-0000

Exemption Information

Exemption Type	Status	Amount
Homestead		$50,000

Map

Valuation Information

	2022
Building Value	$183,214
Extra Features Value	$0
Total Land Value	$322,560
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$505,774**
Total Deferred	$172,994
Assessed Value	**$332,780**
Total Exemptions	$50,000
Taxable Value	**$282,780**

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	$144,576	$0	$201,600	$0	$0	$346,176	$323,087	$73,089	$273,087
2020	$161,423	$0	$201,600	$0	$0	$363,023	$318,626	$94,397	$268,626
2019	$150,624	$0	$201,600	$0	$0	$352,224	$311,462	$90,762	$261,462
2018	$152,507	$0	$201,600	$0	$0	$354,107	$305,655	$98,452	$255,655
2017	$155,283	$733	$182,400	$0	$0	$338,416	$299,368	$89,048	$249,368
2016	$157,177	$733	$182,400	$0	$0	$340,310	$293,211	$97,099	$243,211
2015	$159,071	$733	$182,400	$0	$0	$342,204	$291,173	$101,031	$241,173
2014	$124,223	$733	$182,400	$0	$0	$307,356	$288,862	$68,494	$238,862
2013	$79,975	$733	$128,304	$0	$0	$209,012	$209,012	$0	$209,012
2012	$82,197	$733	$128,304	$0	$0	$211,234	$211,234	$0	$211,234
2011	$83,307	$733	$142,560	$0	$0	$226,600	$226,600	$0	$226,600
2010	$84,418	$733	$158,400	$0	$0	$243,551	$243,551	$0	$243,551

Building Information

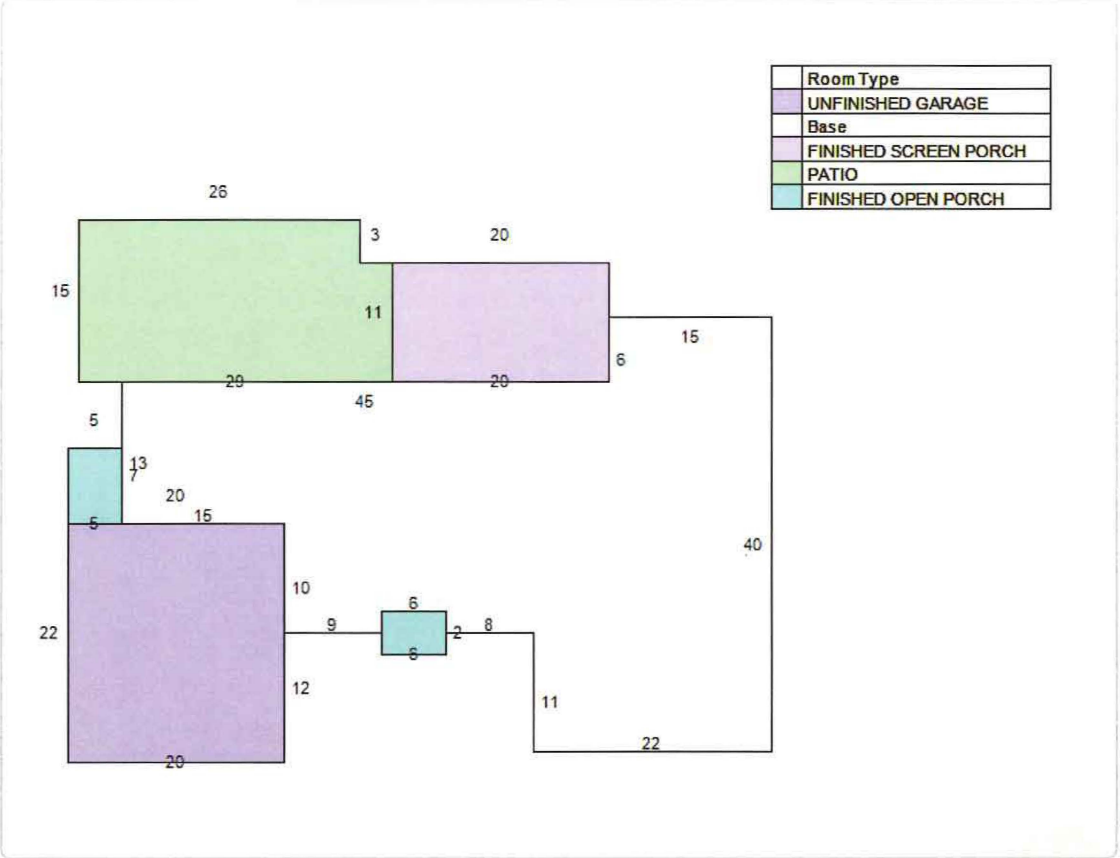
Building	1
Year Built	1950
Actual Area	2692
Conditioned Area	1550
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Concrete Block

Roof Cover	Composite Shingle
Roof Structure	Gable Hip
Interior Flooring	Carpet, Hardwood
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	3
Baths	1.5

Description	Square Footage
BASE AREA	1550
FINISHED OPEN PORCH	35
FINISHED SCREEN PORCH	220
PATIO	423
FINISHED OPEN PORCH	24
UNFINISHED GARAGE	440

Total SqFt	2692

Sketch Information



Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	96	130	96	FF	$322,560

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
10/28/2013	10/25/2013	$375,000.00	WARRANTY DEED	3807	475	Q	I	BRONSON RONALD,SARA LYNN	SINDICIC RENATO I ETUX
	8/7/2007	$400,000.00	WARRANTY DEED	2965	1842	Q	I	HAMILTON JASON P	BRONSON RONALD,SARA LYNN
	6/23/2006	$100.00	WARRANTY DEED	2732	288	U	I	HAMILTON PATRICIA A	HAMILTON JASON P
	6/21/2001	$100.00	PERSONAL REP	1629	1857	U	I	WRIGHT REGINA A ESTATE BY PERS REP	HAMILTON PATRICIA A
	3/8/2001	$0.00	OTHER INSTRUMENT	1577	745	U	I	WRIGHT REGINA A (DECD 1/24/01)	WRIGHT REGINA A ESTATE (LETT OF ADMIN)
	6/19/1991	$0.00	WILL	1577	740	U	I	WRIGHT REGINA A	WRIGHT REGINA A (WILL)

No data available for the following modules: Sales Questionnaire Form, 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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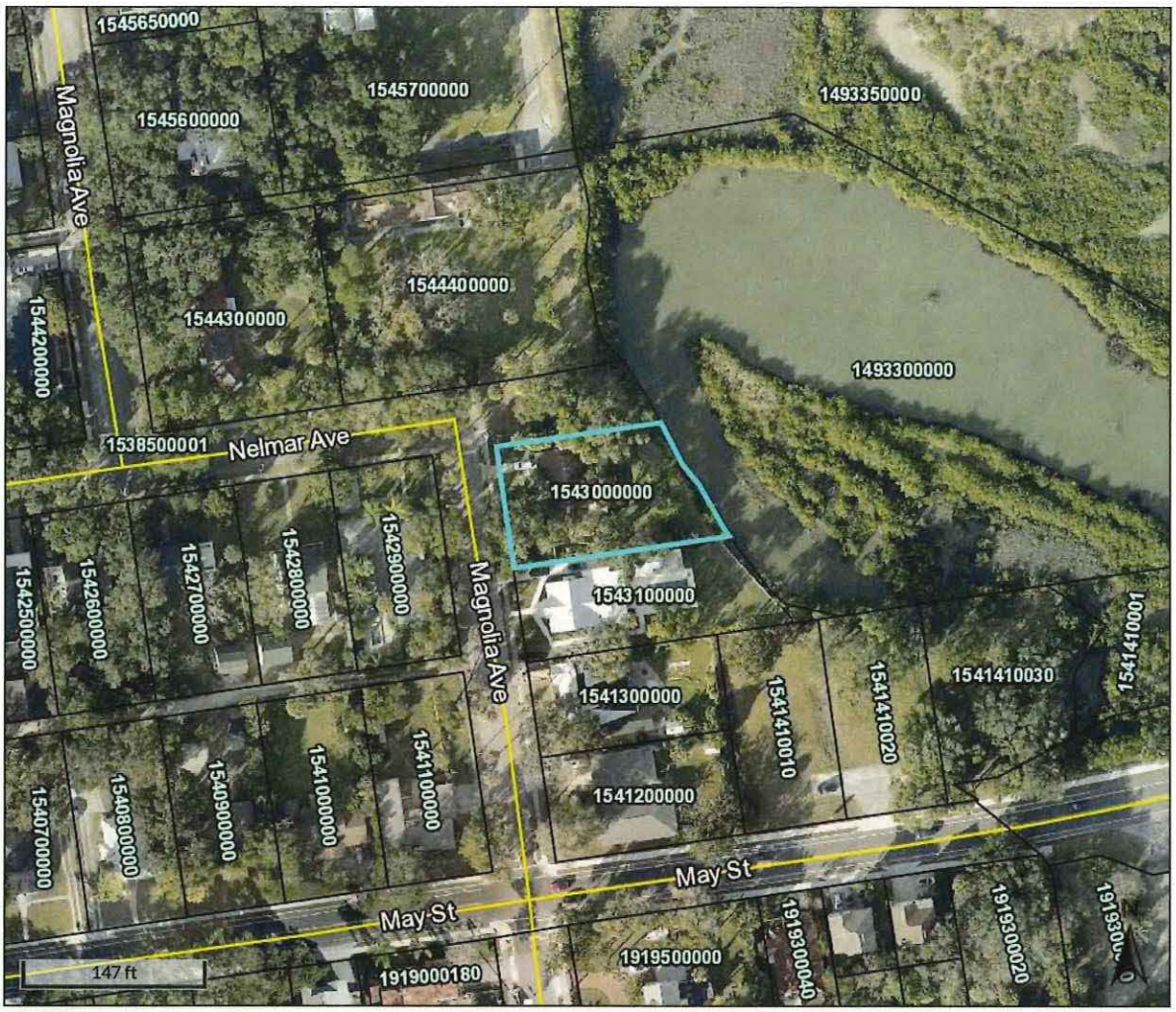

Overview

Legend

☐ Parcels

Parcel ID	1543000000	**Physical Address**	73 MAGNOLIA AVE SAINT AUGUSTINE	**Building Value**	$183,214	**Last 2 Sales**			
Property Class	0100 - Single Family	**Mailing Address**	SINDICIC RENATO I ET AL 73 MAGNOLIA AVE SAINT AUGUSTINE FL 32084-0000	**Extra Feature Value**	N/A	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine			**Total Land Value**	$322,560	10/25/2013	$375000	01	Q
Acres	0.31			**Just Value**	$505,774	8/7/2007	$400000	01	Q
				Total Deferred	$172,994				
				Assessed Value	$332,780				
				Total Exemptions	$50,000				
				Taxable Value	$282,780				

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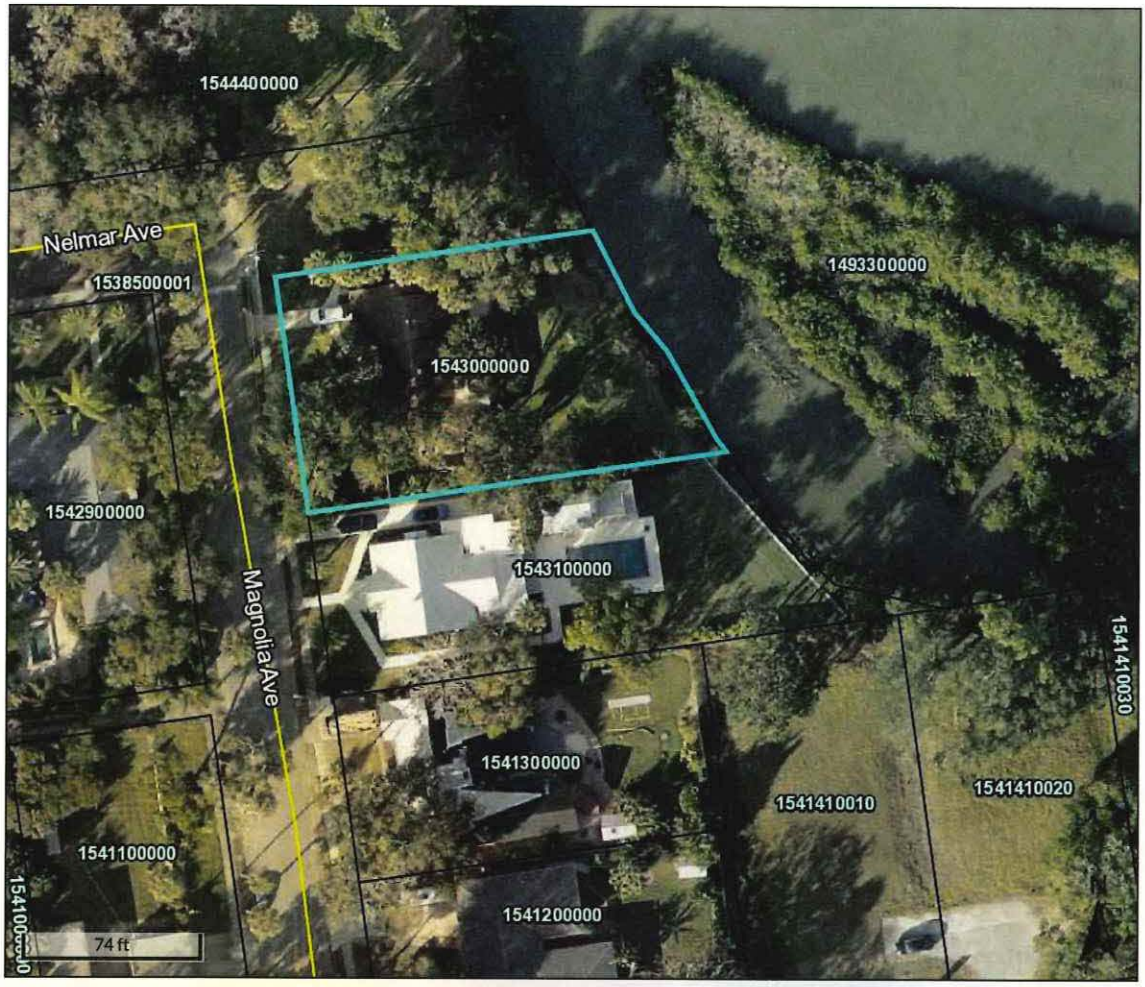
St. Johns County, FL



Overview

Legend

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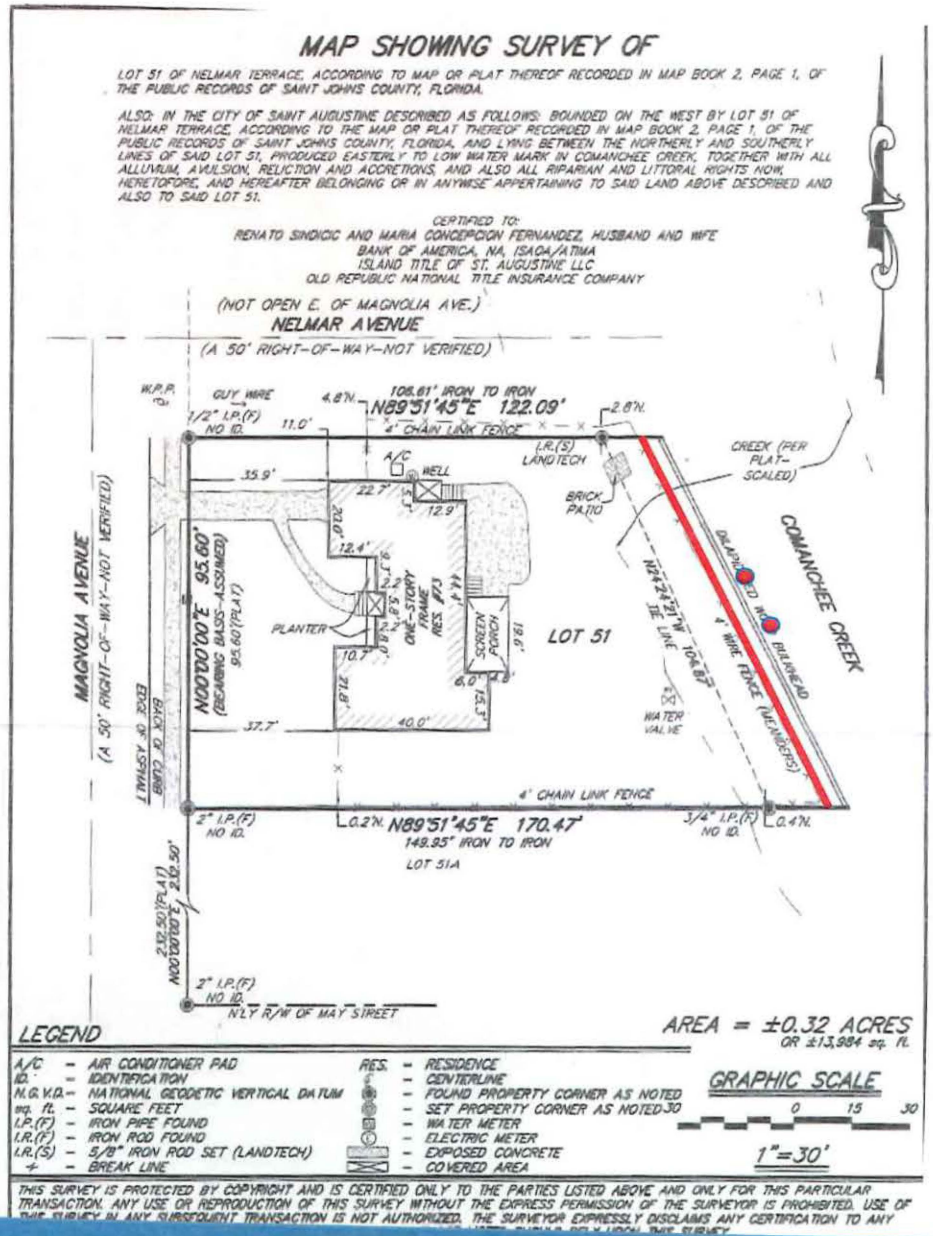


Wood Retaining Wall

- ~100' of Wood Retaining wall upland of revetment.
- Retaining wall shall be located within property boundaries.
- Backfill to be clean pervious "sand" fill.
- No changes to original drainage plan.
- Please see cross sectioned signed & sealed.
- Remove and replace 32084
- Performance-based erosion and sediment control BMPs shall be installed immediately prior to and be maintained during and after construction as needed, to prevent adverse impacts to the water

P&G CONSTRUCTION
1401 State Road 207
Saint Augustine, FL 32086
904-342-5746

Sindicic Residence

73 Magnolia Ave, St. Augustine, FL 32084

DESIGN SPECIFICATIONS:

DESIGN CODES: THE 2020 FLORIDA BUILDING CODE (FBC), ACI & NDS,
APA AND ASCE-7-22, ALL LATEST EDITIONS
OCCUPANCY: N/A
CONSTRUCTION: N/A
BASIC WIND SPEED: 150 MPH.
WIND IMPOTENCE FACTOR: .78
WIND EXPOSURE: B
INTERNAL PRESSURE COEFFICIENT: .18

MATERIAL SPECIFICATIONS:
ANCHOR BOLTS AND THREADED RODS: SHALL BE IN ACCORDANCE WITH ASTM A 307 OR ASTM F GRADE 36 (HOT DIPPED GALVANIZED).

WASHERS: SHALL BE IN ACCORDANCE WITH ASTM F 436 GRADE 36 (HOT DIPPED GALVANIZED).
METAL CONNECTORS: ALL EXTERIOR EXPOSED METAL CONNECTORS SHALL BE GALVANIZED.
STEAL: STEAL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FBC. ALL STEEL SHALL BE GALVANIZED.
WOOD: WOOD FRAMING SHALL BE IN ACCORDANCE WITH THE FBC. EXCEPT AS NOTED ON THESE PLANS.
ALL WOOD SHALL BE SYP #2 OR BETTER AND SHALL BE TREATED IN ACCORDANCE WITH AWPA STANDARDS. PILES SHALL BE GRADE ACCORDING TO ASTM D25.

FOR SALTWATER SUBMERGIBLE CONDITIONS WOOD TREATED SHOULD BE CCA 2.5.
FOR FRESH WATER SUBMERGIBLE CONDITIONS, WOOD PILE TREATMENT SHOULD BE CCA .80
FOR ALL OTHER WOOD MEMBERS, TREATMENT SHALL BE CCA/ACQ.

CONSTRUCTION SPECIFICATIONS:
WALL:
CONSTRUCTIONS SHALL BE IN ACCORDANCE WITH FBC.
SOIL:
BACK FILL SOIL SHALL BE INORGANIC, NON-PLASTIC GRANULAR SOIL. HAVING A FINE CONTENT OF 10 TO 12% OR LESS (RELATIVELY CLEAN SAND AND SLIGHTLY SILTY SAND). SOIL SHALL BE PLACED IN 12" LIFTSTAND COMPACTED TO DENSITIES OF AT LEAST 95% OF THE MODIFIED PROCTOR MAXIMUM DRY DENSITY.

GENERAL NOTES:

1. ALL DESIGN, CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION OVER THE WORK
2. FOR SPECIFIC DIMENSIONAL INFORMATION OF WALL LENGTH, PLEASE REFER TO CIVIL DRAWINGS PROPERTY SURVEY.
3. CONTRACTOR SHALL VERIFY DIMENSIONS AND CONDITIONS AT THE JOB SITE PRIOR TO COMMENCING CONSTRUCTION.
4. A SOIL INVESTIGATION REPORT SHOULD BE PERFORMED TO VERIFY SUITABLE SUBSURFACE CONDITIONS.
5. DETAILS FOUND WITH IN THESE DRAWINGS SHALL BE ASSUMED TO BE TYPICAL. DETAILS FOR THIS JOB ONLY. DETAILS SHALL GOVERN CONSTRUCTION FOR THIS JOB UNLESS OTHERWISE NOTED ON THE PLANS
6. THE E.O.R. SHALL BE NOTIFIED OF EXISTING SITE CONDITIONS DEVIATED FROM ORIGINAL INFORMATION PROVIDED TO DB CIVIL WORKS OR IF CHANGES ARE MADE FROM ORIGINAL DESIGN OR LAYOUT.
7. IF DRAINAGE PIPE WILL PENETRATE WALL, CONTRACTORS SHALL PLACE WALER ABOVE AND BELOW PIPE. DO NOT CUT WALERS. CONTRACTOR SHALL ENSURE PROPER COMPACT ION AND BACK FILL AND ENSURE THAT THE FILTER FABRIC IS PLACED CAREFULLY AROUND PIPE BRAKE THROUGH AREA AND SEALED SO AS NOT TO ALLOW BACK FILL MATERIAL TO ESCAPE.
8. ALL CONSTRUCTION DEBRIS SHALL BE REMOVED FROM SITE AND DISPOSED OF BY THE CONTRACTOR
9. CONTRACTOR IS RESPONSIBLE FOR ALL UTILITY LOCATIONS AND NOTIFICATIONS
10. E.O.R. SHALL NOT BE RESPONSIBLE FOR THE MEANS, METHODS AND PROCEDURES, TECHNIQUES OR SEQUENCES OF CONSTRUCTION, NOR FOR SAFETY ON THE JOB SITE, NOR SHALL THE E.O.R BE RESPONSIBLE FOR THE CONTRACTORS FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH CONTRACT DOCUMENTS.
11. HINGED COMPONENTS AND FASTENINGS TO BE HOT DIPPED GALVANIZED.

A SOIL BORING LOG WAS PROVIDED; HOWEVER, A REPORT OF GEOTECHNICAL SOIL INVESTIGATION HAS NOT BEEN PROVIDED PRIOR TO PREPARATION OF THESE DESIGN PLANS. THESE DESIGNS HAVE BEEN PREPARED WITH THE FOLLOWING ASSUMPTIONS OF EXISTING SOIL CONDITIONS, BASED ON PREVIOUS EXPERIENCE WITH SOIL TYPICAL TO THOSE DESCRIBED ON THE BORING LOG: SOILS CONSIST OF SILTY SAND WITH AN APPROX.. UNIT WEIGHTS OF 110 PCF AND A PHI ANGLE OF 30 DEG. IT IS THE OWNER OR OWNERS REPRESENTATIVE'S RESPONSIBILITY TO VERIFY THE ASSUMED SOIL STRENGTH PERIMETERS ARE REPRESENTATIVE OF THE SOILS AVAILABLE OF WALL CONSTRUCTION. IF THE SOIL STRENGTH PERIMETERS ARE NOT FOUND TO BE INCONSISTENT WITH THOSE ASSUMED BY THE ENGINEER OF RECORD (E.O.R), THE DESIGN IS NO LONGER VALID. IT IS THE RESPONSIBILITY OF THE OWNER OR THE OWNERS REPRESENTATIVE TO NOTIFY THE E.O.R. SO THE WALL SYSTEM CAN BE REDESIGNED. FAILURE TO NOTIFY THE E.O.R. MAY RESULT IN THE FAILURE OF THE RETAINING WALL.

THIS WALL IS NOT DESIGNED TO CARRY ANY LOAD OTHER THAN THAT OF THE SOIL IT IS SUPPORTING. ANY SURCHARGE IN EXCESS OF THE DESIGN LOAD IS NOT PERMITTED.

THE E.O.R. SHOULD BE CONTACTED IF THE INTENT OF THIS WALL IS NOT DESCRIBED.

Stanley P. Hoelle, Architect
Florida Reg. No. AR9033
1114 Mistletoe Drive,
Daytona Bch, Fl 32117
(386) 295-9750

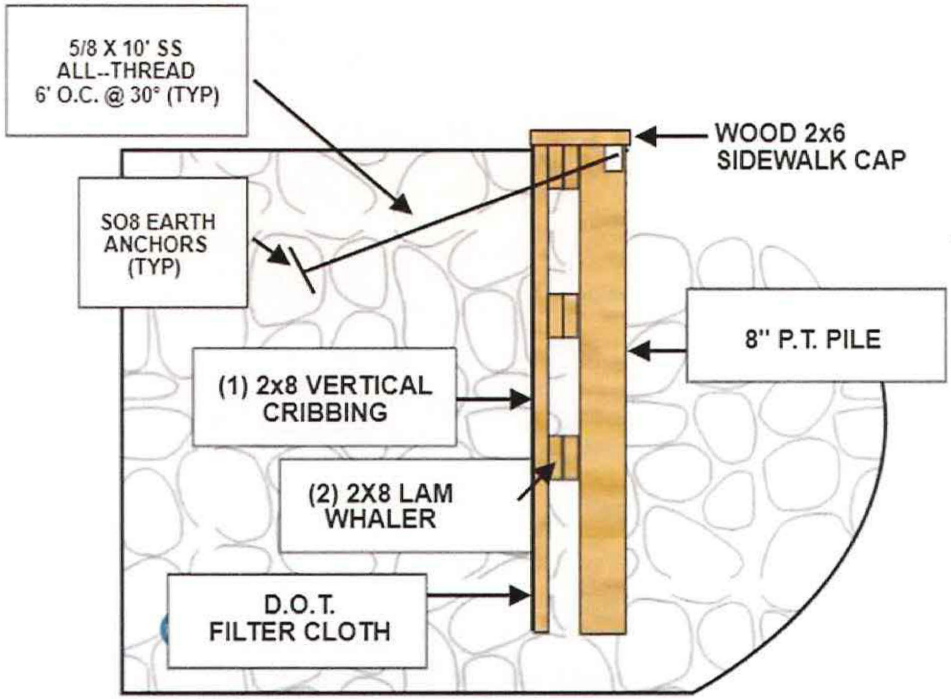
Plans Conform to:
2020 Florida Building Code 2017 National Electric Code
2015 WFCM Design Criteria 2015 ASCE 24 Design Criteria.
Structurally Adequate for
Alteration Level: N/A
Risk Category: N/A
Wind Velocity: (MPH) 150 Exposure Category: B Internal Pressure: .18

GENERAL NOTES

All lumber to be appropriately treated for use in a marine environment, 2.5 CCA pilings and .5 ACQ/MCQ above the waterline. All fastenings to be stainless steel, 305 or better.

P&G CONSTRUCTION
1401 State Road 207
Saint Augustine FL 32086
O: (904) 342-5746
C: (904) 514-4805
www. pgconstructioninc.com

Project: Wood Retaining Wall
Owner: Sindicic
Address: 73 Magnolia Ave
St. Augustine, FL 32084
Plan Date: July 28, 2022



PROFILE SECTION: SCALE 3/16" = 1'-0"

Stanley P. Hoelle, Architect
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(386) 295-9750

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2020 Florida Building Code 2017 National Electric Code
2015 WFCM Design Criteria 2015 ASCE 24 Design Criteria.
Structurally Adequate for
Alteration Level: N/A
Risk Category: N/A
Wind Velocity: (MPH) 140 Exposure Category: B Internal Pressure: .18

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Project: Wood Retaining Wall
Owner: Sindicic
Address: 73 Magnolia Ave
St. Augustine, FL 32084
Plan Date: July 28, 2022

AS OF 9/27/2022 NO ADDITIONAL INFORMATION HAS BEEN SUBMITTED AS PREVIOUSLY REQUESTED BY THE BOARD

TO: Planning and Zoning Board

DATE: October 4, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0050**

AGENDA ITEM	8(b)
APPLICANT	Michael Carpenter c/o Carter Environmental Services
OWNER	Thomas Hartman
LOCATION	7 Lighthouse Avenue / PID 157030-0000
REQUEST	To approve the construction of a new 2,814 square foot dock and boat lift within Conservation Overlay Zone 1.
LAND USE	Residential Low Density
ZONING	Residential Single-Family-Two (RS-2)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

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

CCM Objective 7
Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area.

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

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

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

Sec. 11-26. - Purpose and intent.

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

Sec. 11-28. Issuance of building permits.

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

Sec. 11-29. Standards for review.

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

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

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

any mitigating design and environmental elements as part of the review of the structure in Conservation Overlay Zone 2.

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

STAFF SUMMARY AND ANALYSIS

This request is to construct a new 2,814 square foot dock and boat lift within Conservation Overlay Zone 1. The dock will extend over 320' into the water to allow access to Salt Run, the proposed length is questionable and there is a lack of justification provided by the applicant for the need of such a long section of decking.

Following the September 6, 2022 Planning and Zoning Board Meeting the board requested revised designs and a reworking of the size and configuration of the terminal platform. As of September 26, 2022 information has not been provided to staff for review or inclusion in this staff report.

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 135 feet of river frontage. There is salt marsh vegetation and oyster colonies present.

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

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

(3) Natural and proposed drainage patterns.

Drainage will not be altered by the proposed works.

(4) Effect of point and 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.

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 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.

N/A.

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

N/A.

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

N/A.

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

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 approximately 17 new pilings for the dock expansion.

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 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 2,814 square foot dock and boat lift within Conservation Overlay Zone 1 at 7 Lighthouse Avenue / PID 157030-0000 if it is found that the proposed size is appropriate.

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
EST. 1565
NATION'S OLDEST CITY

September 6, 2022

Michael Carpenter
c/o Carter Environmental Services
42 Masters Drive
St Augustine, FL 32084

Re: Conservation Overlay Zone Development – 7 Lighthouse Avenue – Case Number 2022-0050

Dear Applicant:

On Tuesday, September 6, 2022, the Planning and Zoning Board (PZB) met and discussed your application to approve the construction of a new 2,814 square foot dock and boat lift within Conservation Overlay Zone 1.

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

TYPE OF REQUEST:

☐ Appeal
☒ Conservation Overlay Zone Development
☐ Use by Exception
☐ Final Development Plan
☐ Land Use Plan Amendment
☐ Preliminary Subdivision Plat Approval
☐ PUD Modification/Amendment
☐ Rezoning
☐ Variance
☐ Other Click here to enter text.

IN THE MATTER OF:

Case No.: 2022-0050
Applicant: Michael Carpenter c/o Carter Environmental Services
Owner: Michael Carpenter c/o Carter Environmental Services
Address: 7 Lighthouse Avenue
Parcel Number: 1570300000

RE: Request to approve the construction of a new 2,814 square foot dock and boat lift within Conservation Overlay Zone 1.

THE PLANNING AND ZONING BOARD HAS HEARD TESTIMONY AND EXAMINED EVIDENCE AT A PUBLIC HEARING HELD ON SEPTEMBER 6, 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 September 6, 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 Development is subject to Section 28-29 of the Code of the City of St. Augustine.

CONSERVATION OVERLAY ZONE DEVELOPMENT
7 LIGHTHOUSE AVENUE
PZB CASE NO. 2022-0050

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 2,814 square foot dock and boat lift within Conservation Overlay Zone 1.

Subject to the following conditions:

- - submit revised designs
- - rework size / configuration of terminal platform
- - continued to October 4, 2022
-
-
-
-

DONE AND ORDERED, at a public hearing on the 6 day of September, A.D., 2022, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

2022-0050 **REQUEST APPROVED / DENIED / CONTINUED**

Sign Name

Grant Mistrky
Print Name
PLANNING AND ZONING BOARD
CITY OF ST. AUGUSTINE, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Grant Mistrky 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 16th day of September, A.D., 2022.

Elyse Wiemann
Notary Public, State of Florida

ELYSE WIEMANN
Commission # HH 217621
Expires May 19, 2025

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: ~~$330~~ 165 (plus advertising costs) Project Number: 2022-0050

Receipt Number: 2431582 Meeting Date: 9/6/22

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

---

1. NAME OF APPLICANT: Michael Carpenter Contact Number: 9045401786
   Business (*if applicable*): Carter Environmental Services (CES)
   Address: 42 Masters Dr City: St. Augustin State: FL Zip: 32084
   E-Mail Address: mcarpenter@carterenv.com

2. NAME OF PROPERTY OWNER: Thomas Hartman Contact Number:_____
   Business (*if applicable*):_____
   Address: 180 Patton Mountain Rd City: Ashville State: NC Zip: 28804
   E-Mail Address: hanseatic@aol.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 1&2&S1/2 Lot Block: BLK 3
   Subdivision: Anastasia Parcel Number: 1570300000

4. PROJECT STREET ADDRESS: 7 Lighthouse Ave

5. SPECIFIC PROPOSED USE: Proposed Dock

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

7. DESCRIPTION OF ACTION REQUESTED: Conservation Overlay Zone Approval

8. JUSTIFICATION FOR ACTION REQUESTED: See Overlay Zone Dev. Supplement

04/18/2019

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

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

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

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

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

10. PREVIOUS 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.

Mike Carpenter

Digitally signed by Mike Carpenter
DN: cn=Mike Carpenter, o=Carter Environmental Services, ou=GIS, email=mcarpenter@carterenv.com, c=US
Date: 2022.07.22 12:03:40 -04'00'

Signature of Applicant — Date

Signature of Property Owner — Date 7.28.22

04/18/2019

CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER

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

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

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

Michael Carpenter
Print name of applicant

Michael Carpenter
Signature of applicant

7-20-22
Date

10/31/17

CITY OF
ST. AUGUSTINE
EST. 1565

Owner's Authorization For Agent

Carter Environmental Services is/are hereby authorized TO ACT ON BEHALF OF Thomas Hartmann, PILAR BELMONTE HARTMANN 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: 7 Lighthouse Ave.

BY: Pilar Belmonte Hart
Signature of Owner

PILAR BELMONTE HARTMANN, THOMAS HARTMANN
Print Name of Owner

828 713-7200
Telephone Number

State of North Carolina

County of Buncombe

Signed and sworn before me on this 28 day of July, 2022

By Pilar Belmonte hartmann, thomas Michael Hartmann

Identification verified:

Oath sworn: X Yes ____ No

Notary Signature: _____

Joseph Chavez
Notary Public
Buncombe County, NC
My Commission Expires: 05/15/2027

My Commission expires: 05/15/2027

Rev:022117

St. Johns County, FL

Apply for Exemptions

Apply for Exemptions

2021 TRIM Notice

2021 TRIM Notice (PDF)

Summary

Clicking Image Opens Cyclomedia Viewer In a New Tab

Parcel ID	1570300000
Location	7 LIGHTHOUSE AVE
Address	SAINT AUGUSTINE 32080-0000
Neighborhood	Carvers (ICWFR) (713.42)
Tax Description*	1-58 58-7S-30E MB1/58 ANASTASIA LOTS 1 & 2 & S1/2 LOT 3 BLK 3 GL 1 SEC 16 & VACATED COQUINA AVE & RIP RGTS OR137/367 & 2004/942(Q/C) & 4631/299(Q/C) *The Description above is not to be used on legal documents.
Property Use Code	Single Family (0100)
Subdivision	Anastasia, Map Of
Sec/Twp/Rng	58-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.530
Homestead	N

Owner Information

Owner Name	Seven Ripples LLC 100%
Mailing Address	180 PATTON MOUNTAIN RD ASHVILLE, NC 28804-0000

Map

Valuation Information

	2022
Building Value	$110,222
Extra Features Value	$28,554
Total Land Value	$680,064
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$818,840**
Total Deferred	$128,070
Assessed Value	**$690,770**
Total Exemptions	$0
Taxable Value	**$690,770**

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	$80,769	$28,554	$518,650	$0	$0	$627,973	$627,973	$0	$627,973
2020	$61,040	$28,554	$518,650	$0	$0	$608,244	$608,244	$0	$608,244
2019	$101,034	$24,614	$616,550	$0	$0	$742,198	$742,198	$0	$742,198
2018	$107,682	$26,250	$616,550	$0	$0	$750,482	$750,482	$0	$750,482
2017	$50,514	$26,076	$515,660	$0	$0	$592,250	$592,250	$592,250	$0
2016	$51,637	$25,808	$515,660	$0	$0	$593,105	$593,105	$593,105	$0
2015	$53,882	$25,808	$515,660	$0	$0	$595,350	$590,526	$595,350	$0
2014	$44,371	$25,808	$515,660	$0	$0	$585,839	$585,839	$585,839	$0
2013	$46,182	$25,808	$515,660	$0	$0	$587,650	$530,647	$587,650	$0
2012	$47,994	$25,808	$408,604	$0	$0	$482,406	$482,406	$482,406	$0
2011	$48,504	$25,808	$454,005	$0	$0	$528,317	$528,317	$528,317	$0
2010	$50,268	$25,808	$504,450	$0	$0	$580,526	$580,526	$580,526	$0

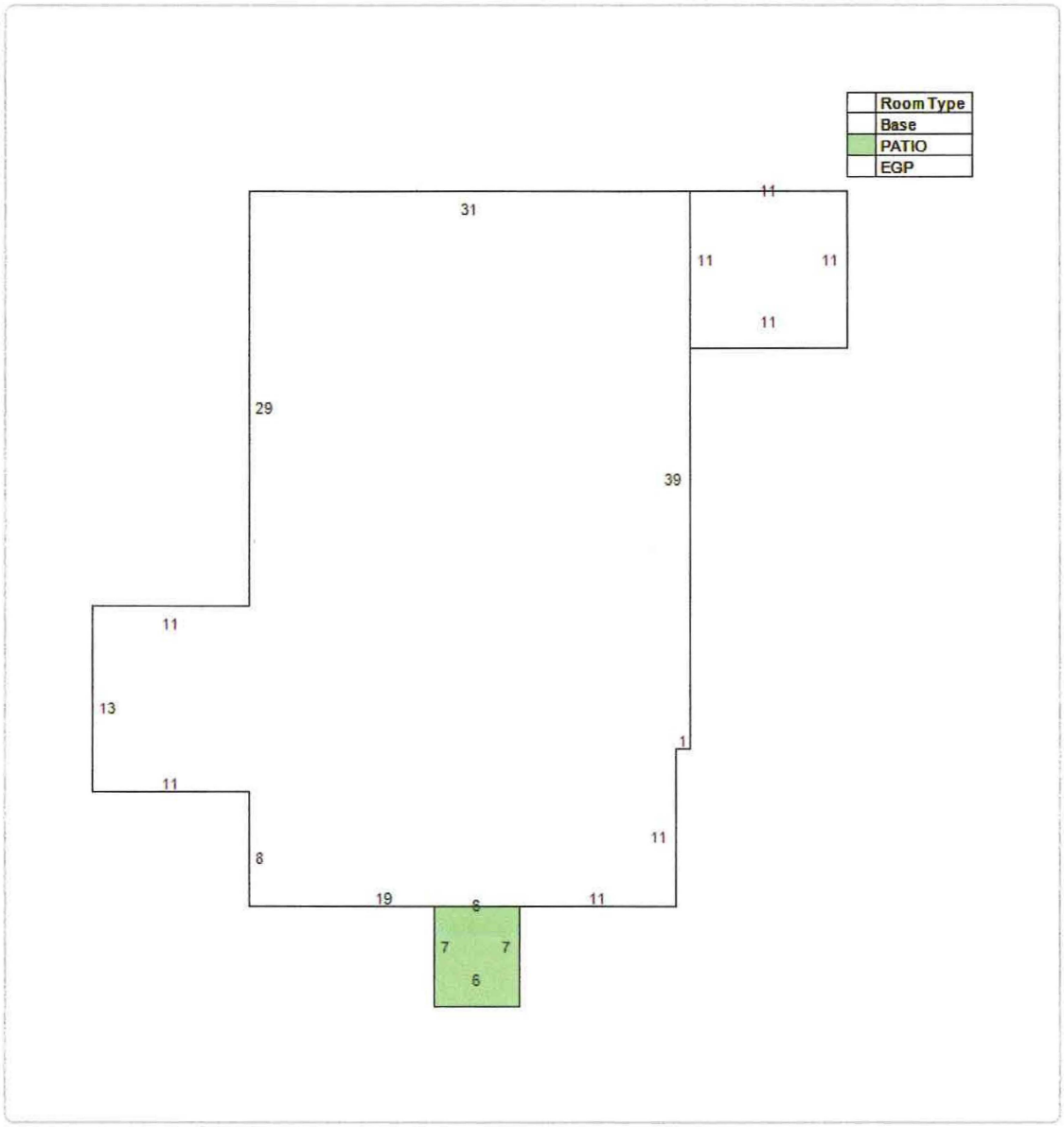
Building Information

Building	1
Year Built	1930
Actual Area	1845
Conditioned Area	1682
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Wood Shingle, Concrete Stucco

Roof Cover	Composite Shingle
Roof Structure	Gable Hip
Interior Flooring	Pine Wood
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	2
Baths	2

Description	Square Footage
BASE AREA	1682
ENCLOSED GLASS PORCH	121
PATIO	42
Total SqFt	1845

Sketch Information



Extra Feature Information

Code Description	Status	Value
Garage		11500
Pool (Vinyl)		7995
Kool Deck		684
Bulkhead (Low)		8375

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	115	0	115	FF	$680,064

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
10/24/2018	8/23/2018	$100.00	QUIT CLAIM DEED	4631	299	U	I	BELMONTE ANN TRUSTEE/HER TRUST D:7-24-03	SEVEN RIPPLES LLC
	7/24/2003	$100.00	QUIT CLAIM DEED	2004	942	U	I	BELMONTE ANN L	BELMONTE ANN TRUSTEE/HER TRUST D:7-24-03

St. Johns County, FL

Overview

Legend

☐ Parcels

Parcel ID	1570300000	**Physical Address**	7 LIGHTHOUSE AVE SAINT AUGUSTINE	**Building Value**	$110,222	**Last 2 Sales**			
Property Class	0100 - Single Family	**Mailing Address**	SEVEN RIPPLES LLC 180 PATTON MOUNTAIN RD ASHVILLE NC 28804-0000	**Extra Feature Value**	$28,554	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine					n/a	0	n/a	n/a
Acres	0.53			**Total Land Value**	$680,064	n/a	0	n/a	n/a
				Just Value	$818,840				
				Total Deferred	$128,070				
				Assessed Value	$690,770				
				Total Exemptions	N/A				
				Taxable Value	$690,770				

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: 8/1/2022
Last Data Uploaded: 7/30/2022 12:18:26 AM

Developed by Schneider GEOSPATIAL

Attachment 1
Overlay Zone Application Narrative

7 Lighthouse Ave.
Overlay Zone Development Application Supplement
July 19th, 2022

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a proposed dock and boat lift at 7 Lighthouse Ave. The proposed dock will allow the owners access to Salt Run. Total dock and lift area over open water/salt marsh will be approximately 2,814 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.*

   Currently there is no vegetation present. The dock will be constructed 5' above mean high water, high enough as to not over shade any future 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 135 feet of river frontage. There is salt marsh vegetation and oyster colonies present.

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

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

3. *Natural and proposed drainage patterns.*

   Drainage will not be altered by the proposed works.

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

   Point and non-point discharge will not be altered.

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

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

6. *Impact on floodplain.*

   There is no impact on floodplains associated with this application.

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

   <u>Vegetative impacts</u>: 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.

   <u>Lighting of the open water areas at night</u>: 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.

   <u>Increased noise from day users</u>: 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:

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

       <u>Negative</u>: 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:

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

<u>Negative</u>: None

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

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

<u>Negative</u>: Extremely small loss of foraging habitat.

17. Dock specifications:

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

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

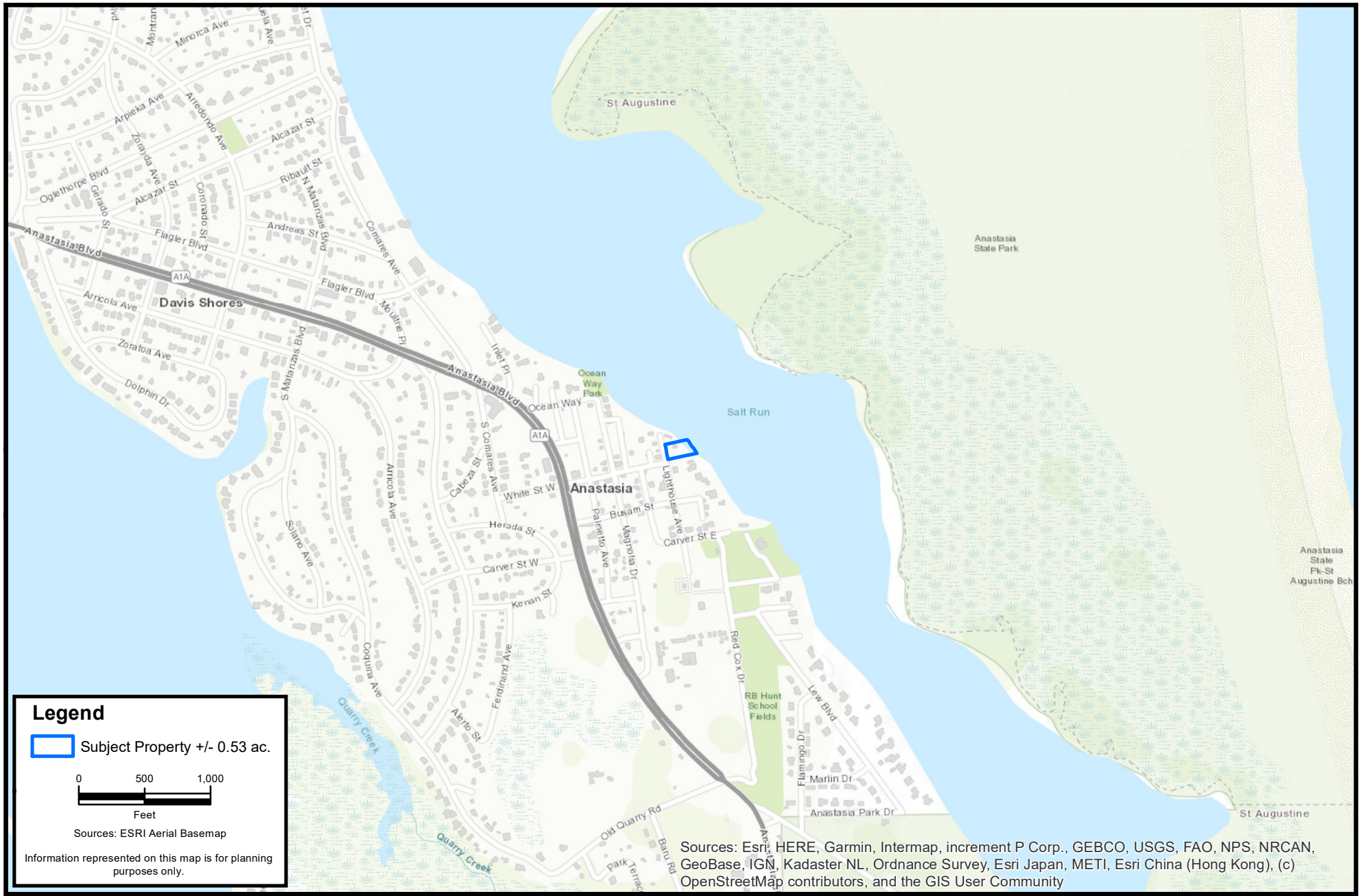
b) *The deck of any private boat dock shall not exceed six (6) feet in height above the mean high water line.*

The deck will not exceed 6' above MHW.

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

Hartman - 7 Lighthouse

Project: 5.22161	St. Augustine, FL	Date: Apr 13 2022	Figure: 1

F:\CES Projects\Project Files\Active\Projects\Project Files\2022\5.22161 Hartman 7 Lighthouse\GIS\MXD\01_Location.mxd

F:\CES Projects\Project Files\Active\Projects\Project Files\2022\5.22161 Hartman 7 Lighthouse\GIS\MXD\02_Aerial.mxd

CARTER ENVIRONMENTAL SERVICES, INC.
CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

Aerial Map

Hartman - 7 Lighthouse

Project: 5.22161	St. Augustine, FL	Date: Apr 13 2022	Figure: 2

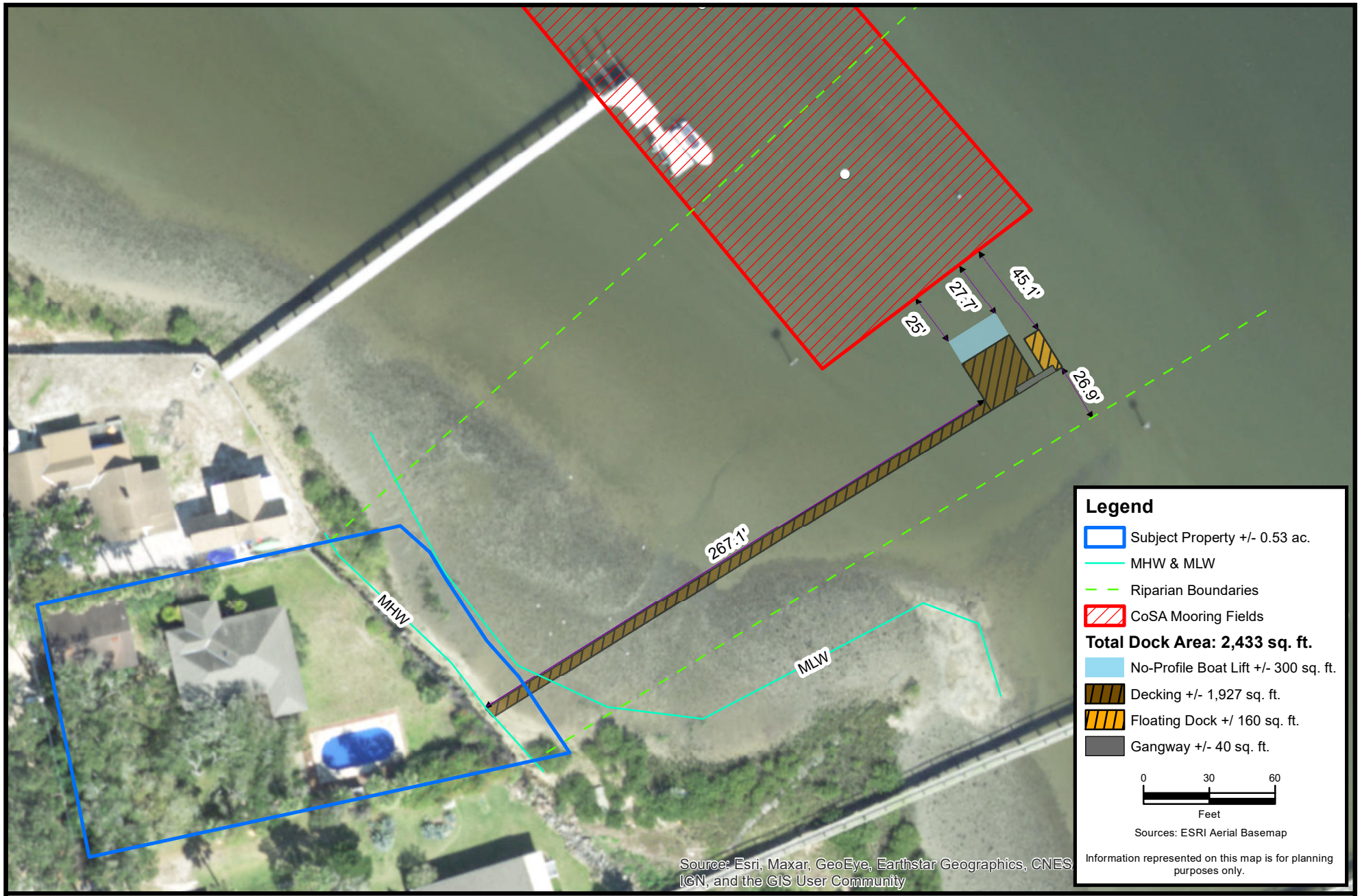
CARTER ENVIRONMENTAL SERVICES, INC.
CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

Neighboring Structures

Hartman - 7 Lighthouse

Project: 5.22161	St. Augustine, FL	Date: Jul 19 2022	Figure: 3

F:\CES Projects\Project Files\Active\Projects\Project Files\2022\5.22161 Hartmann 7 Lighthouse\GIS\MXD\03_NeighboringStruct.mxd



CARTER ENVIRONMENTAL SERVICES, INC.

CES

42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Dock Alignment

Hartman - 7 Lighthouse

Project: 5.22161	St. Augustine, FL	Date: Sep 06 2022	Figure: 4

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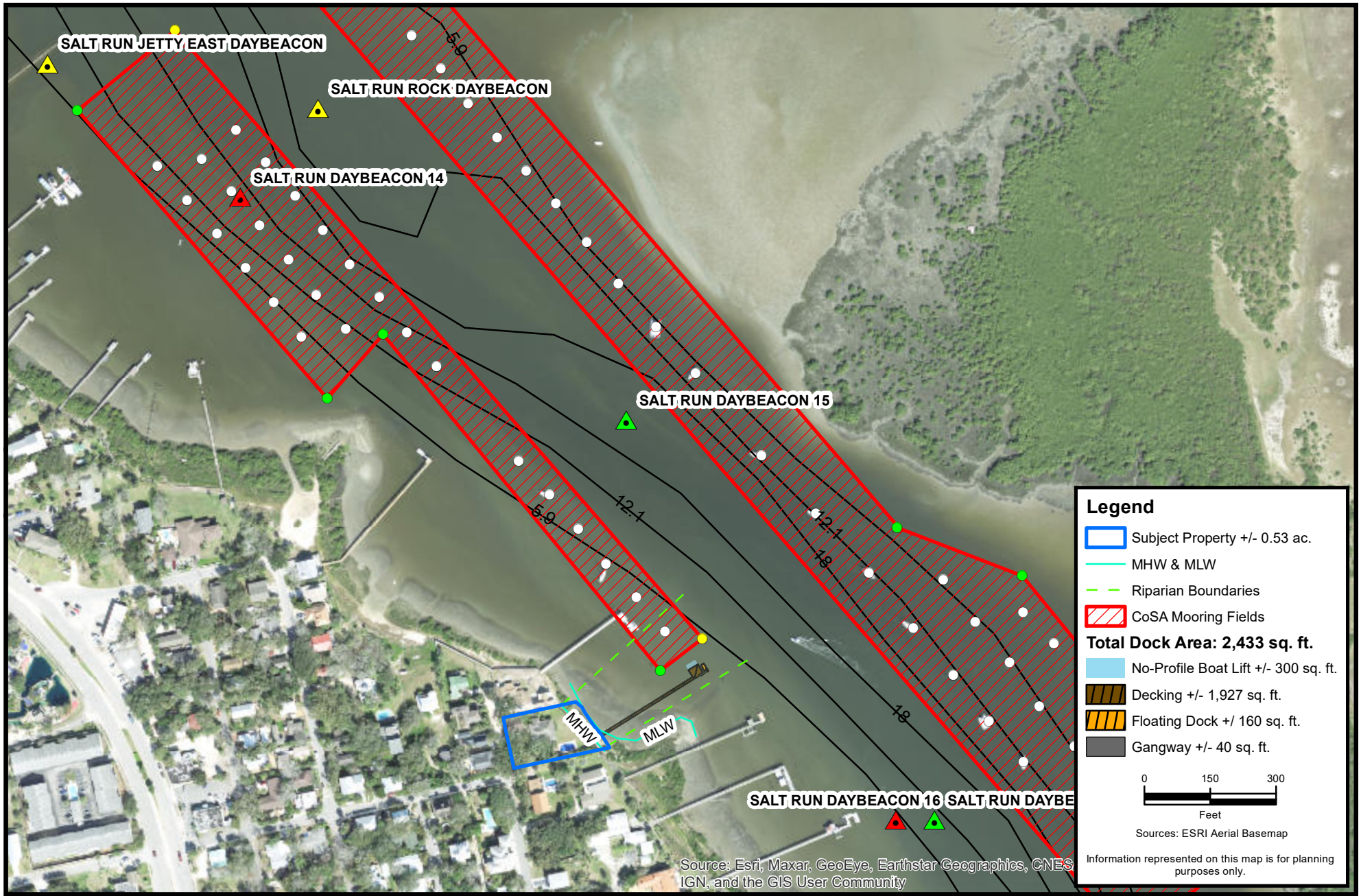

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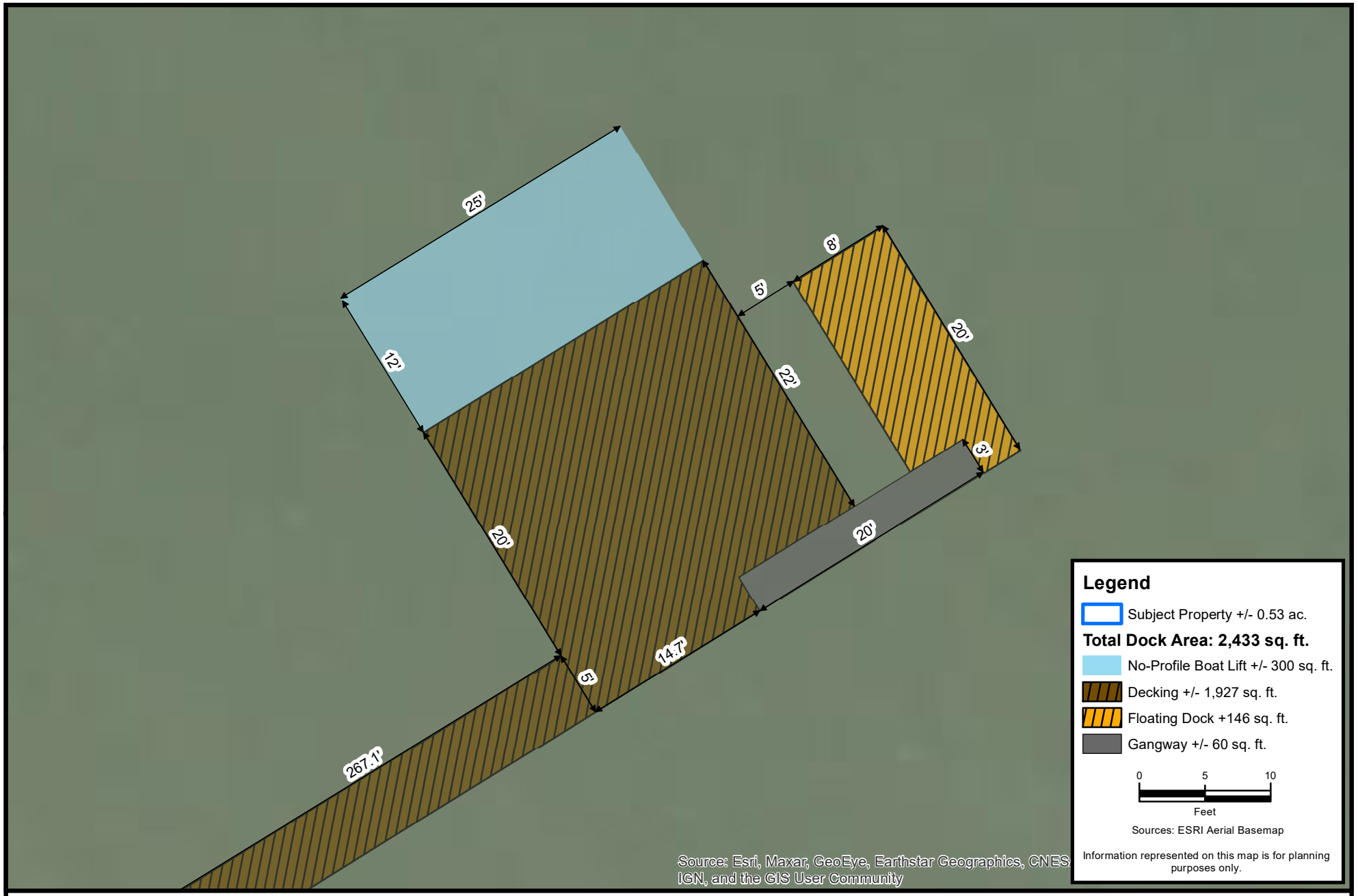
Proposed Dock Alignment

Hartman - 7 Lighthouse

Project: 5.22161	St. Augustine, FL	Date: Sep 06 2022	Figure: 4b



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Proposed Dock Dimensions

Hartman - 7 Lighthouse

Project: 5.22161	St. Augustine, FL	Date: Sep 06 2022	Figure: 5

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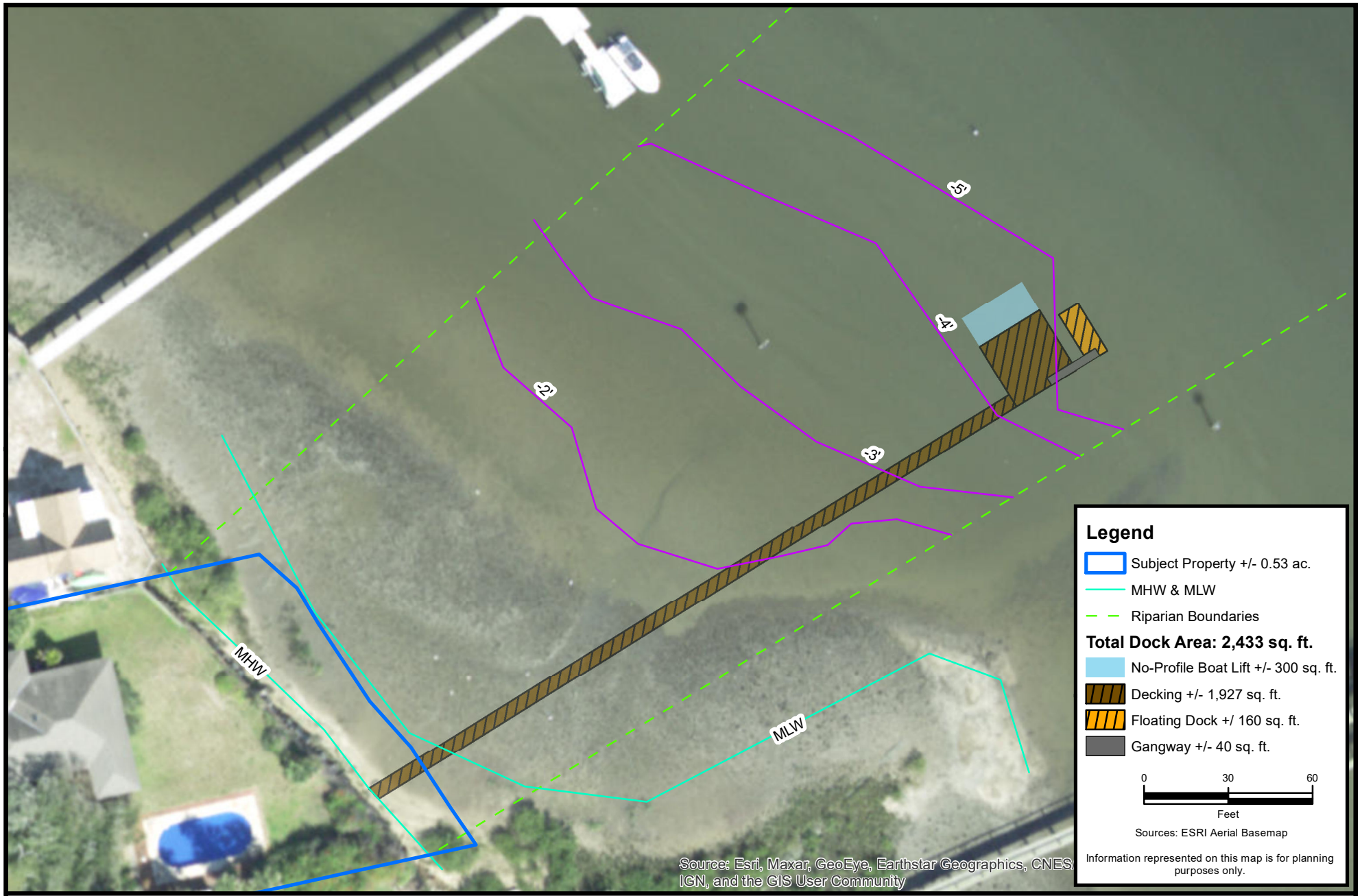

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Proposed Dock Bathymetry

Hartman - 7 Lighthouse

Project: 5.22161	St. Augustine, FL	Date: Sep 06 2022	Figure: 6

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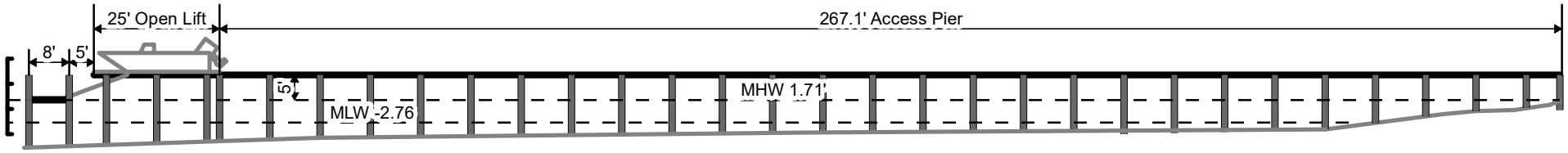

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Proposed Dock Profile View

Hartman - 7 Lighthouse

Project: 5.22161	St. Augustine, FL	Date: Sep 06 2022	Figure: 7

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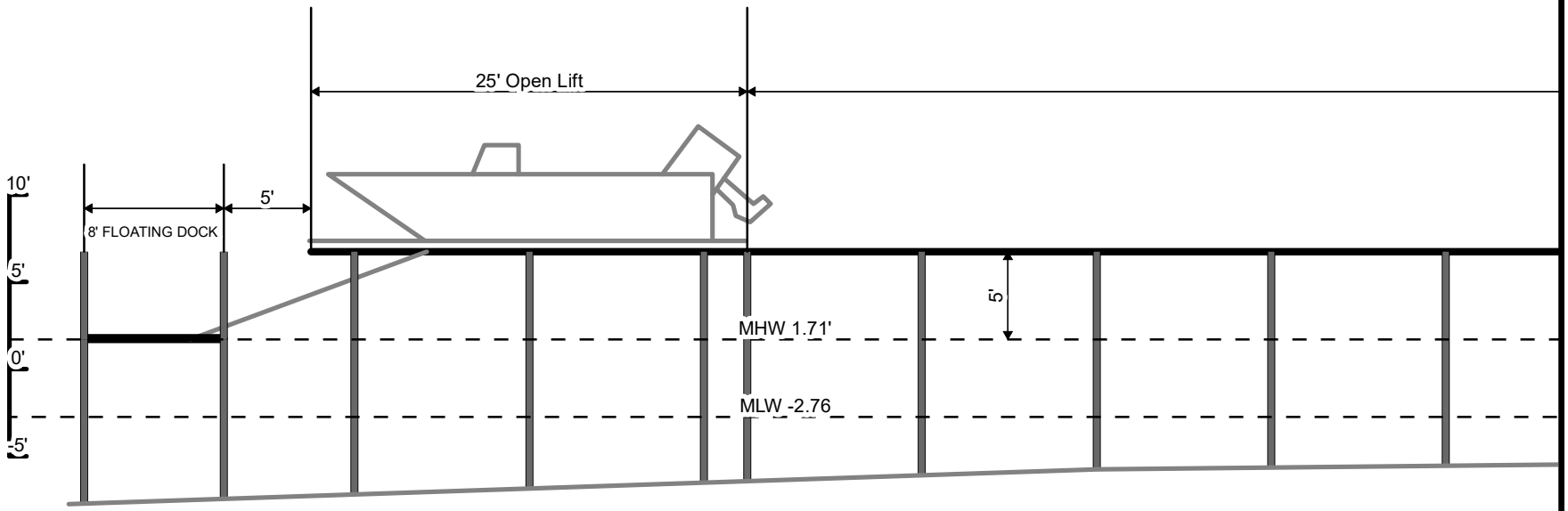

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Proposed Dock Profile Detail View

Hartman - 7 Lighthouse

Project: 5.22161	St. Augustine, FL	Date: Sep 06 2022	Figure: **7a**

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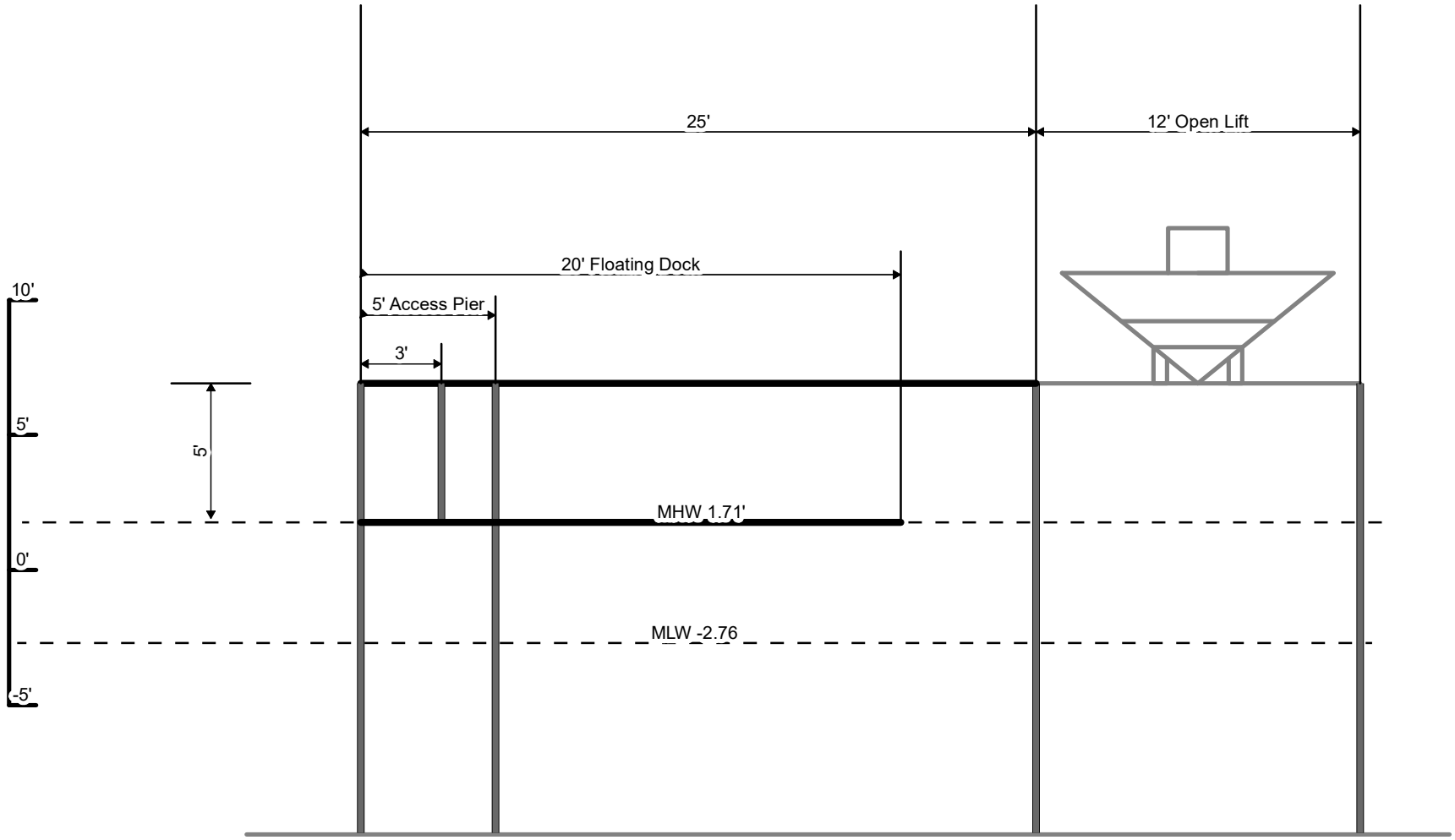

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Proposed Dock Cross-Section View

Hartman - 7 Lighthouse

Project: 5.22161	St. Augustine, FL	Date: Sep 06 2022	Figure: 8

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CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning & Zoning Board

DATE: October 4, 2022

RE: CONSERVATION OVERLAY ZONE DEVELOPMENT 2022-0054

Andy Hardy – Applicant
c/o Hardy Joe Marine Company
Steve Leathers – Owner
103 Dolphin Drive
To approve an after the fact installation of dock pilings and a 240 square foot floating dock within Conservation Overlay Zone 1.

The applicant requested approval for after the fact installation of dock pilings and a 240 square foot floating dock at 103 Dolphin Drive. During staff's preparation of a report and recommendation it was discovered that additional dock installations need approval which will be included in an update of this application. This item will be administratively continued to the November 1st, 2022, Planning and Zoning Board meeting.

If you have any questions, please let me know at either 904-209-4331 or jfredriksson@citystaug.com.

Jacob Fredriksson
Senior Planner
Planning and Building Department

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: October 4, 2022

RE: **CONSERVATION OVERLAY ZONE 1, 2 & 3 DEVELOPMENT 2022-0057**

AGENDA ITEM	8(d)
APPLICANT	Ryan Carter c/o Carter Environmental Services
OWNER	San Sebastian River, LLC
LOCATION	0 Florida Avenue / PID 107790-0010
REQUEST	To approve a new bulkhead approximately 20 feet in length, review wetland impacts and approve a pile-supported dock with a floating platform totaling approximately 1,459 square feet in Conservation Overlay Zone 1 and 2. To remove significant tress and tree canopy in Conservation Overlay Zone 3 for multi-family housing and recreational use.
LAND USE	Residential Medium Density
ZONING	Residential General-Two (RG-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.

Sec. 11-27. – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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.

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.

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.

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.

Floodplain means an area inundated during a ten-year flood or designated as flood hazard areas by the National Flood Insurance Program.

Significant tree means a tree described in the following list:

Latin Name	Common Name	Minimum dbh (to Maximum dbh)
Fraxinus spp.	ash	18
Betula nigra	birch, river	24
Punus serotina	black cherry	18
Nyssa sylvatica	blackgum, black tupelo	18
Catalpa binoniodes	catalpa	18
Prunus caroliniana	cherry laurel	10
Lagerstroemia indica	crape myrtle - single trunk	10
Taxodium distichum	cypress, bald (pond cypress)	10
Ulmus parvifolia	elm, drake	10
Ulmus alata	elm, winged	10
Ulmus Americana	elm, American	18

Chionanthus virginicus	fringetree	10
Carya tomentosa	hickory, mockernut	18
Carya glabra	hickory, pignut	18
Ilex opaca	holly, American	10
Ilex cassine	holly, dahoon	10
Ilex x attenuate	holly, "East Palatka"	10
Gordonia lasianthus	loblolly bay	10
Magnolia grandiflora	magnolia, southern	18
Magnolia grandiflora var	magnolia, southern v. "Little Gem"	10
Magnolia virginiana	magnolia, sweetbay	10
Acer rubum and Acer spp.	maple, red or other maples	18
Quercus hemisphaerica	oak, laurel	15 to 36
Quercus laurifolia	oak, laurel (swamp)	15 to 36
Quercus virginiana	oak, live (southern live oak)	18
Quercus nuttallii	oak, nuttall	18
Quercus spp.	oak, other unlisted species	18
Quercus stellata	oak, post	18
Quercus falcata	oak, red (southern red oak)	18
Quercus geminate	oak, sand live	10
Quercus shumardii	oak, shumard	18
Quercus laevis	oak, turkey	18
Quercus nigra	oak, water	15 to 36
Quercus phellos	oak, willow	18
Carya illinoensis	pecan	18
Cercis canadensis	red bud	10
Juniperus virginiana	red cedar, eastern	8
Juniperus silicicola	red cedar, southern	8
Liquidambar styraciflua	sweetgum	18
Platanus occidentalis	sycamore	18
Liriodendron tulipifera	tulip-poplar, tuliptree	18
Juglans nigra	walnut, black	18
Celtis laevigata	hackberry (sugarberry)	15 to 36

Significant tree canopy areas are defined as clusters of trees which form at least twenty-five (25) percent cover and include a variety of oak species and softwood species.

Special flood hazard areas means areas which may become inundated during a one hundred-year flood.

Undeveloped conservation park lands means a property that shall remain in a natural, undeveloped state in order to preserve and protect the natural resources of the property for the benefits of wildlife, the ecosystem and for future generations to appreciate and study. Maintenance of undeveloped conservation park lands for the removal of invasive or exotic species, for public safety and to promote the longevity and viability of these park lands is

permitted to be done by the City of St. Augustine or by those designated to do so by the City of St. Augustine.

(Code 1964, § 7-113; Ord. No. 96-02, § 1, 2-26-96; Ord. No. 09-17, § 1, 5-11-09; Ord. No. 15-47, § 1, 1-11-16; Ord. No. 19-03, § 1, 1-28-19)

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.
(b) The planning and building division may issue permits for additions to existing structures, for construction of new secondary structures, such as fences, driveways, decks, patios, greenhouses, garages and sheds, and use permits for uses otherwise permitted to be conducted in these structures located in Conservation Overlay Zone 2 when no drainage into the marsh is proposed, no significant alteration of surface water hydrology will occur and native plant materials are preserved or replaced. The planning and building division may issue permits for the construction of new primary structures located in Conservation Overlay Zone 2 when the above conditions are met and when the subject property contains a seawall, bulkhead or rip rap shoreline, or is located within one hundred fifty (150) feet of existing development and the primary structure is located no closer to the marsh edge or to the mean high water line than are adjacent primary structures. In addition, such additions and new structures may not exceed the lesser of seventy-five (75) feet or seventy-five (75) percent of the lot width.
(c) The planning and building division may issue permits for structures and uses otherwise permitted and located within Conservation Overlay Zone 3 provided that all healthy significant trees are retained on the site.

(d) Removal of a significant tree shall be approved by the planning and zoning board. All significant trees removed shall be replaced in accordance with the requirements of chapter 25.

(Code 1964, § 7-114; Ord. No. 96-02, § 1, 2-26-96; Ord. No. 09-17, § 1, 5-11-09; Ord. No. 19-03, § 1, 1-28-19)

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.

Restoration plan(s) shall be developed to achieve the fifty (50) percent criteria above for those sites already disturbed. If the altered shoreline is bulk-headed, softening of this hardened shoreline with riprap, environmentally engineered materials or other techniques to soften wave energies and promote vegetation is encouraged. Should a softening effort be employed, a reduction in the twenty-five (25) feet buffer may be permitted.

(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.*

(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.

(Code 1964, § 7-115; Ord. No. 96-02, § 1, 2-26-96; Ord. No. 00-34, § 1, 10-9-00; Ord. No. 01-14, § 1, 7-23-01; Ord. No. 04-01, § 1, 1-26-04; Ord. No. 14-14, § 1, 9-22-14; Ord. No. 19-03, § 1, 1-28-19; Ord. No. 21-13, § 1, 8-23-21)

STAFF SUMMARY AND ANALYSIS

This request is in preparation for a new multi-family development in West Saint Augustine along Florida Avenue that is zoned for multi-family development and also located on the San Sebastian River. As part of site preparation the issues of tree removal, shoreline stabilization, and proposed construction of a new dock need to be addressed and is what this application is concerned with. Starting with tree removal information submitted with the application appears to have used the wrong calculations for credits and deficits by going off of total tree diameter while the City criteria is based on a deficit for each individual tree. Until this is corrected staff is unable to decide whether the proposed tree removal plan is sufficient.

As for the wetland impacts

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 738 feet of river frontage. There is very sparse salt marsh vegetation, mangroves and sparse oyster colonies present.

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

The property is in the vicinity to an existing multi-family housing along the San Sebastian River.

(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.

There is no impact on floodplains associated with this application.

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

Vegetative impacts: The boardwalk will likely not pose a shading problem for salt marsh vegetation due to its design height. It will be built as required by state and federal agencies, five feet or higher above mean high water.

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

Increased noise from day users: Minimal noise associated with user activities. No power boat lifts are proposed.

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

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

(9) Effect of shade on vegetation and shellfish.

Effects of shading on vegetation and shellfish should be non-existent due to deck height and proper pile placement.

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

The area is a no wake zone and boat use will be unpowered. The additional use should not affect any manatees, vegetation, shellfish and wildlife or shoreline erosion.

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

The access pier will be 6' wide, or approximately 0.81% of the shoreline.

(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.

The development includes a proposal for filling in of wetlands and plans for a no-net-loss of wetlands is not included.

(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.)

Turbidity barriers will be in place during pile-setting. No long-term turbidity inputs will take place, nor other deleterious water quality inputs.

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

a) The effects of the proposed project on commercial and sport fish are as follows:
Positive: The proposed new dock will provide shelter for larval, juvenile, and adult fish.
Negative: None anticipated.

b) The effects of the project on shellfish are as follows:
Positive: The pilings used to construct the dock could be colonized by barnacles, oysters and mussels. This will be an addition of habitat.
Negative: None anticipated.

c) The effects 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: None anticipated.

(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.

a) *There are no proposed plans for any boathouse, roofed structure or wall within the dock.*
b) *The deck will be 5' above mean high water.*
c) *No boat lift is proposed.*

STAFF RECOMMENDATION

Based on a review of section 11-29 staff finds that the board should CONTINUE the construction of a new bulkhead approximately 20 feet in length, proposed wetland impacts, and a pile-supported dock with a floating platform totaling approximately 1,459 square feet in Conservation Overlay Zone 1 and 2 due to the lack of detail regarding the wetland impacts proposed. The issue of tree removal and tree canopy alterations in Conservation Overlay Zone 3 also needs to be further evaluated under the requirements of the City of Saint Augustine's Conservation Overlay Zone Development guidelines at 0 Florida Avenue / PID 107790-0010.

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

Jacob Fredriksson
Senior Planner
Planning and Building Department

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $165 (plus advertising costs) Project Number: 2022-0057

Receipt Number: 2445015 Meeting Date: Oct. 4, 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:_____ Contact Number: 407-709-0497
   Business (*if applicable*): SAN SEBASTIAN RIVER, LLC
   Address: 2909 FAIRGREEN ST City: ORLANDO State: FL Zip: 32803-5043
   E-Mail Address: DPARSONS@CDGFLA.COM

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: LOTS 1 THRU 10 & 23 &24 Block: 16 & VACATED SEBASTIAN AVE
   Subdivision: RAVENSWOOD Parcel Number: 1077900010

4. PROJECT STREET ADDRESS: INTERSECTION OF FLORIDA AVE. & JULIA STREET, ST. AUGUSTINE, FL

5. SPECIFIC PROPOSED USE: MULTI-FAMILY HOUSING CONSTRUCTION & RECREATION

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

7. DESCRIPTION OF ACTION REQUESTED: Removal of trees, bulkhead construction and proposed pile-support dock and floating platform

8. JUSTIFICATION FOR ACTION REQUESTED: Access to San Sebastian River

04/18/2019

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

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

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

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

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

10. PREVIOUS APPPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

R. A. Cates — 8-3-2022

Signature of Applicant — Date

8·3·2022

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

Signature of applicant

8-3-2022

Date

10/31/17

CITY OF
ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

Carter Environmental Services is/are hereby authorized TO ACT ON BEHALF OF SAN SEBASTIAN RIVER, LLC, the owner(s) of those lands described within [X] 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: _____, mgr.
Signature of Owner

DALE PARSONS MANAGER SAN SEBASTIAN RIVER LLC
Print Name of Owner

407. 709. 0497
Telephone Number

State of Florida

County of Orange

Signed and sworn before me on this 17 day of August, 2022

By Dale Parsons

Identification verified: ✓

Oath sworn: ✓ Yes ___ No

Notary Signature: Aline V. Rodrigues

My Commission expires: 4/10/26

NOTARY PUBLIC STATE OF FLORIDA
ALINE V. RODRIGUES
Commission # HH 206477
Expires April 10, 2026

Rev:022117

St. Johns County, FL

Apply for Exemptions

Apply for Exemptions

Sales Questionnaire Form

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

Sales Questionnaire

2021 TRIM Notice

2021 TRIM Notice (PDF)

Summary

Parcel ID	1077900010
Location Address	FLORIDA AVE Saint Augustine 32084-0000
Neighborhood	Ravenswood (485)
Tax Description*	RAVENSWOOD SUB LOTS 1 THRU 10 & 23 & 24 BLK 16 & VACATED SEBASTIAN AVE IN OR312/543 & MARSH TO CHANNEL OR5358/61 *The Description above is not to be used on legal documents.
Property Use Code	Vacant Residential (0000)
Subdivision	Ravenswood Subdivision
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	6.170
Homestead	N

No Image Available

Owner Information

Owner Name	San Sebastian River LLC 100%
Mailing Address	2909 FAIRGREEN ST ORLANDO, FL 32803-5043

Map

Valuation Information

	2022
Building Value	$0
Extra Features Value	$0
Total Land Value	$348,814
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	$348,814
Total Deferred	$0
Assessed Value	$348,814
Total Exemptions	$0
Taxable Value	$348,814

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	$0	$0	$276,698	$0	$0	$276,698	$186,278	$90,420	$186,278
2020	$0	$0	$198,350	$0	$0	$198,350	$198,350	$0	$198,350
2019	$0	$0	$198,350	$0	$0	$198,350	$197,857	$493	$197,857
2018	$0	$0	$179,870	$0	$0	$179,870	$179,870	$0	$179,870

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	420	150	420	EF	$212,058
Marshes & Tidal Lands	0	0	248	AC	$62,000
Vacant Residential	105	300	105	EF	$60,868
Vacant Residential	0	0	1.24	AC	$13,888

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
9/1/2021	8/24/2021	$367,500.00	WARRANTY DEED	5358	57	U	V	WATTS UP ENTERPRISES LLC	ALTERNATIVE BUILDING SYSTEMS LLC
9/1/2021	8/20/2021	$100.00	CORRECTIVE DEED	5358	51	U	V	INNOVATED BUILDING SYSTEMS LLC	WATTS UP ENTERPRISES LLC
9/1/2021	8/13/2021	$690,000.00	WARRANTY DEED	5358	61	U	V	ALTERNATIVE BUILDING SYSTEMS LLC	SAN SEBASTIAN RIVER LLC
1/12/2021	1/5/2021	$294,000.00	WARRANTY DEED	5149	1740	U	V	INNOVATED BUILDING SYSTEMS LLC	WATTS UP ENTERPRISES LLC
11/22/2017	8/4/2017	$150,000.00	WARRANTY DEED	4466	1595	U	V	ALTERNATIVE BUILDING SYSTEMS LLC	INNOVATED BUILDING SYSTEMS LLC

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

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Version 2.3.243

St. Johns County, FL

Apply for Exemptions

Apply for Exemptions

Sales Questionnaire Form

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

Sales Questionnaire

2021 TRIM Notice

2021 TRIM Notice (PDF)

Summary

Parcel ID	1077900110
Location Address	JULIA ST SAINT AUGUSTINE 32084-0000
Neighborhood	Ravenswood (485)
Tax Description*	RAVENSWOOD SUB LOTS 11 & 12 BLK 16 & PT OF VACATED SEBASTIAN AVE IN OR312/543 OR5358/61 *The Description above is not to be used on legal documents.
Property Use Code	Vacant Residential (0000)
Subdivision	Ravenswood Subdivision
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.400
Homestead	N

Clicking Image Opens Cyclomedia Viewer In a New Tab

Owner Information

Owner Name	San Sebastian River LLC 100%
Mailing Address	2909 FAIRGREEN ST ORLANDO, FL 32803-5043

Map

Valuation Information

	2022
Building Value	$0
Extra Features Value	$0
Total Land Value	$105,047
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	$105,047
Total Deferred	$0
Assessed Value	$105,047
Total Exemptions	$0
Taxable Value	$105,047

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	$0	$0	$63,478	$0	$0	$63,478	$52,524	$10,954	$52,524
2020	$0	$0	$47,749	$0	$0	$47,749	$47,749	$0	$47,749
2019	$0	$0	$47,749	$0	$0	$47,749	$47,580	$169	$47,580
2018	$0	$0	$43,255	$0	$0	$43,255	$43,255	$0	$43,255

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	105	150	105	EF	$105,047

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
9/1/2021	8/24/2021	$367,500.00	WARRANTY DEED	5358	57	U	V	WATTS UP ENTERPRISES LLC	ALTERNATIVE BUILDING SYSTEMS LLC
9/1/2021	8/20/2021	$100.00	CORRECTIVE DEED	5358	53	U	V	INNOVATED BUILDING SYSTEMS II LLC	WATTS UP ENTERPRISES LLC
9/1/2021	8/13/2021	$690,000.00	WARRANTY DEED	5358	61	U	V	ALTERNATIVE BUILDING SYSTEMS LLC	SAN SEBASTIAN RIVER LLC
1/12/2021	1/5/2021	$55,000.00	WARRANTY DEED	5149	1742	U	V	INNOVATED BUILDING SYSTEMS II,LLC	WATTS UP ENTERPRISES LLC
8/23/2017	8/4/2017	$100.00	WARRANTY DEED	4425	467	U	V	ALTERNATIVE BUILDING SYSTEMS LLC	INNOVATED BUILDING SYSTEMS II,LLC

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

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Attachment 1
Overlay Zone Application Narrative

EcoParc
Florida Ave.
Overlay Zone Development Application Supplement
August, 2022

This narrative is intended to supplement the Conservation Overlay Zone Development Application for removing 261 proposed trees, construction of a bulkhead and dock at EcoParc - Florida Ave. The proposed dock is for residents of the proposed multifamily units to access the San Sebastian River, launch kayaks, and view the river. Total dock area will be approximately 1,459 sq. ft. The height of the dock will be 5' above Mean High Water. Please see attached plans for detailed dimensions.

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

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

   This proposed dock, associated with EcoParc will allow residents to access the San Sebastian River, to launch kayaks or enjoy river views.

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

   There is salt marsh vegetation along the shore here as it slopes to open water. The dock will not harm any of this vegetation and will be built 5' high to allow light penetration below. The access pier alignment will also be placed as to avoid the necessity to trim or remove any mangroves.

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

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

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

   A new dock will add opportunities for the residents to view the river and enjoy the scenic vistas.

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

1. *Site specific conditions.*

   This property has approximately 738 feet of river frontage. There is very sparse salt marsh vegetation, mangroves and sparse oyster colonies present.

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

   The property is in the vicinity to an existing multi family housing along San Sebastian River.

3. *Natural and proposed drainage patterns.*

   Drainage will not be altered by the proposed works.

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

   Point and non-point discharge will not be altered.

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

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

6. *Impact on floodplain.*

   There is no impact to the floodplain associated with this application.

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

   <u>Vegetative impacts</u>: The boardwalk will likely not pose a shading problem for salt marsh vegetation due to its design height. It will be built as required by state and federal agencies, five feet or higher above mean high water.

   <u>Lighting of the open water areas at night</u>: 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.

   <u>Increased noise from day users</u>: Minimal noise associated with user activities. No power boat lifts are proposed.

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

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

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

   Effects of shading on vegetation and shellfish should be non-existent due to deck height and proper pile placement.

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

    The area is a no wake zone and boat use will be unpowered. The additional use should not affect any *manatees, vegetation, shellfish and wildlife or shoreline erosion.*

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

    access pier will be 6' wide, or approximately .81% or the shoreline.

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

    Not applicable.

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

    Not applicable.

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

    Not applicable.

15. *Impact of development on water quality.*

    Turbidity barriers will be in place during pile-setting. No long-term turbidity inputs will take place, nor other deleterious water quality inputs.

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

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

<u>Positive</u>: The proposed new dock could provide shelter for larval, juvenile, and adult fish.

<u>Negative</u>: None anticipated

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

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

<u>Negative</u>: None anticipated.

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

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

<u>Negative</u>: None anticipated.

17. Dock specifications:

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

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

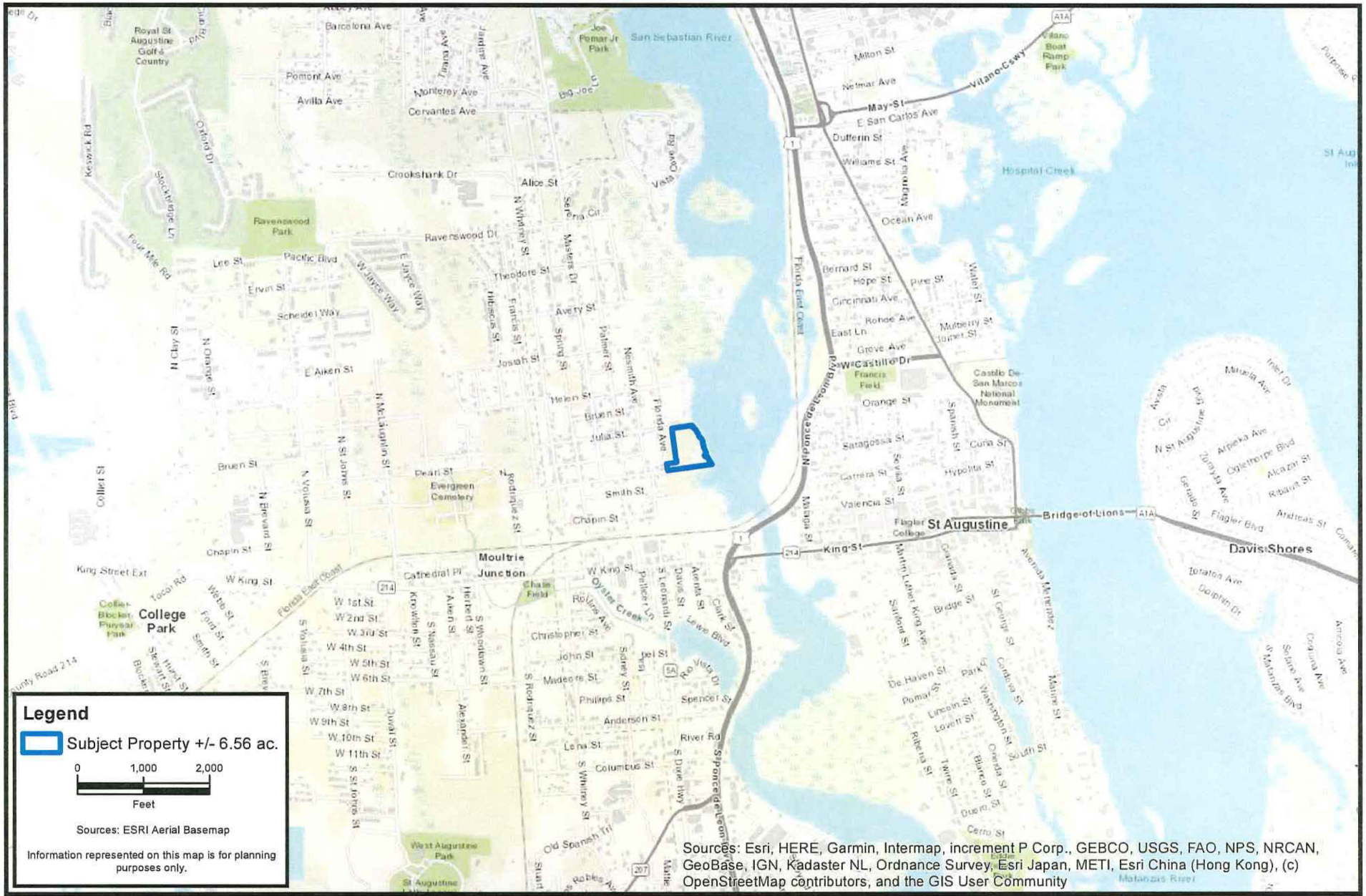
b) *The deck of any private boat dock shall not exceed six (6) feet in height above the mean high water line.*

The deck will be 5' above MHW.

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

No boat lift is proposed.

Attachment 2
Overlay Zone Application Graphics



CARTER ENVIRONMENTAL SERVICES, INC.

CES

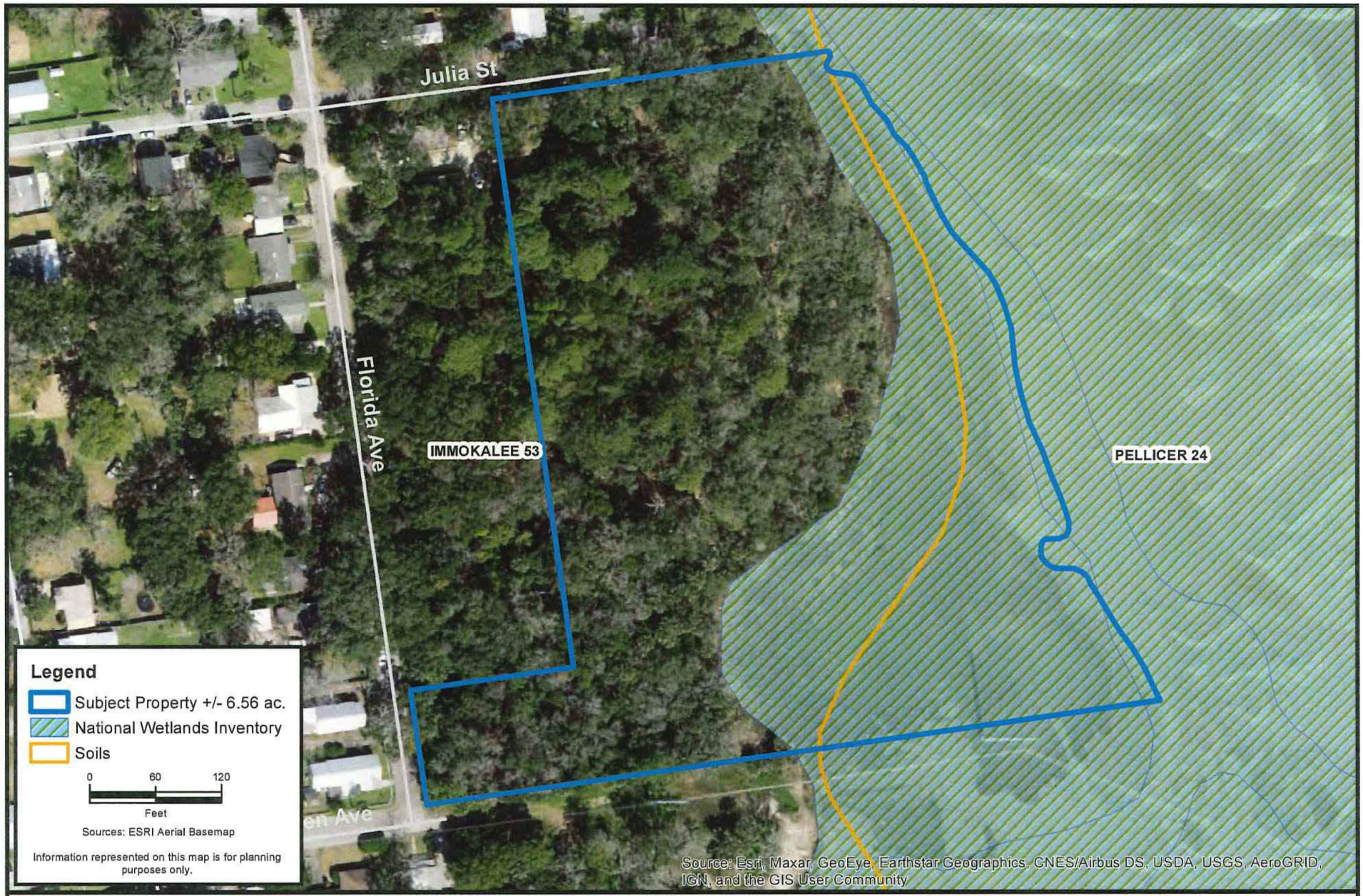
42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Location Map

EcoParc - Florida Avenue

Project:	5.21678	St. Augustine, Florida	Date: Jul 15 2022	Figure:	1



CARTER ENVIRONMENTAL SERVICES, INC.

CES

42 Masters Drive
St. Augustine, FL 32084
904-540-1786

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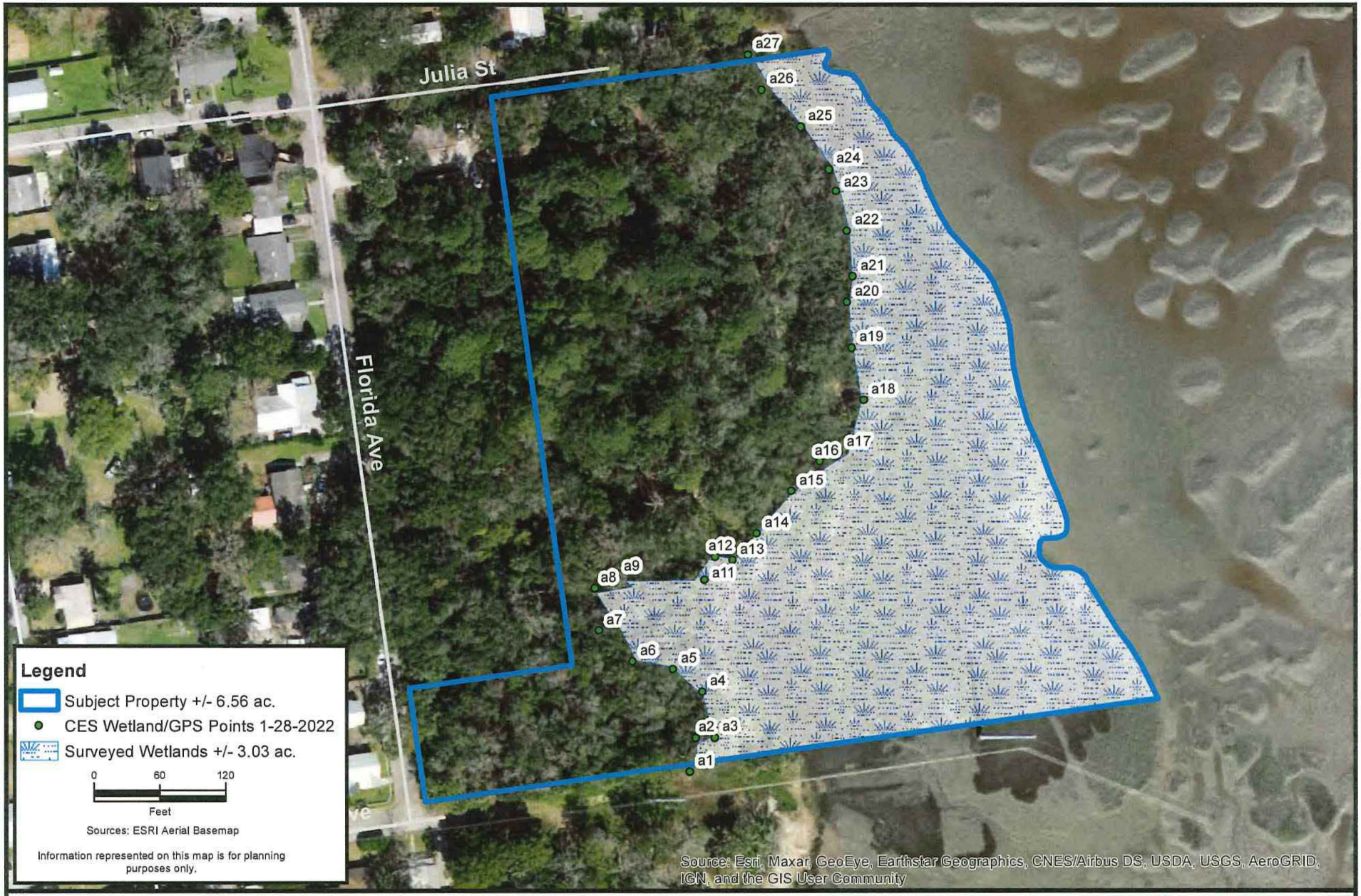
Soils/NWI Map

EcoParc - Florida Avenue

Project:	5.21678	St. Augustine, Florida	Date: Jul 15 2022	Figure:	2



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CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
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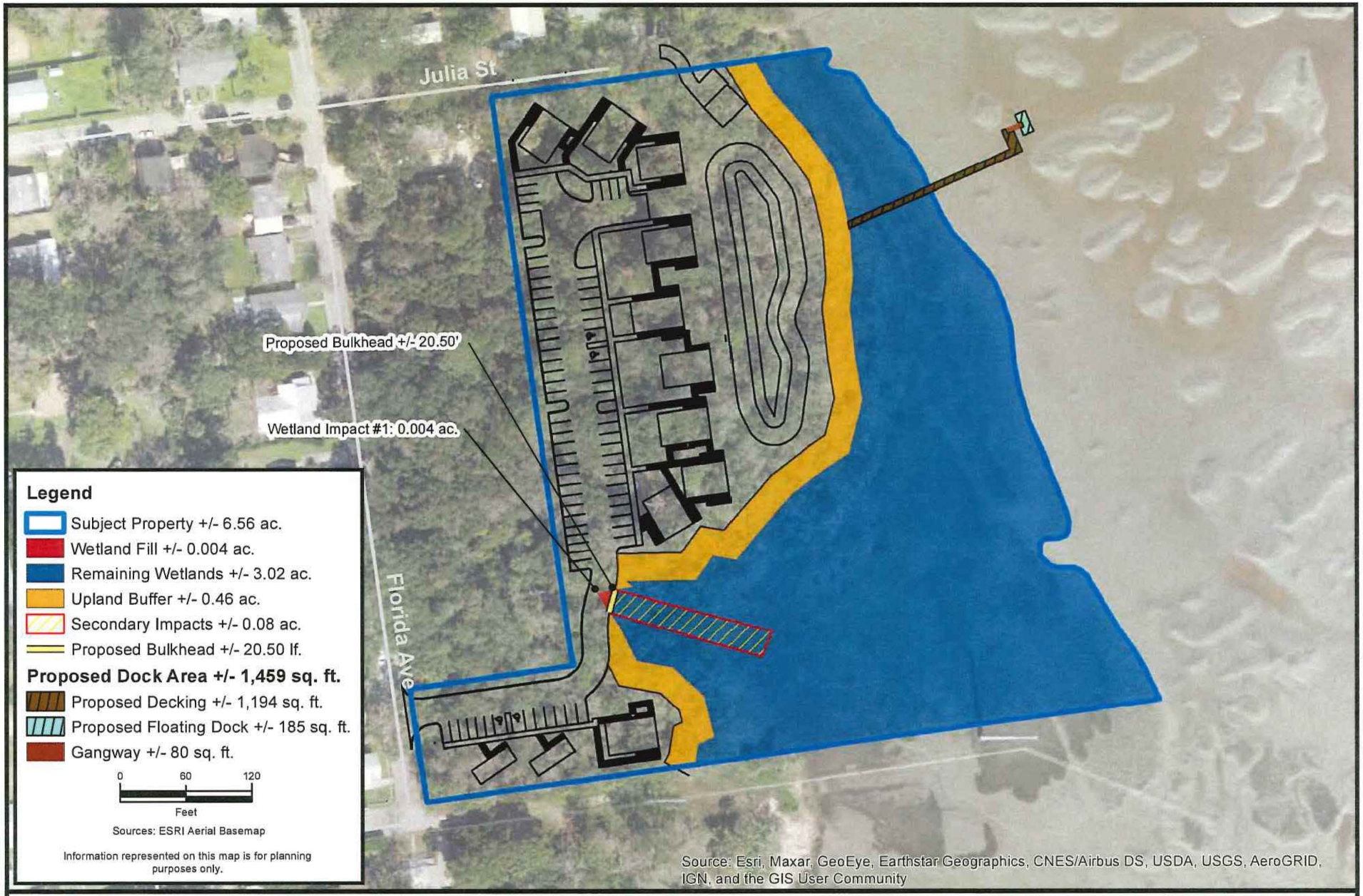
Wetland Delineation Assessment Map

EcoParc - Florida Avenue

Project: 5.21678	St. Augustine, Florida	Date: Jul 15 2022	Figure: 3



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Proposed Site Conditions

EcoParc - Florida Avenue

Project: 5.21678	St. Augustine, Florida	Date: Aug 04 2022	Figure: 5

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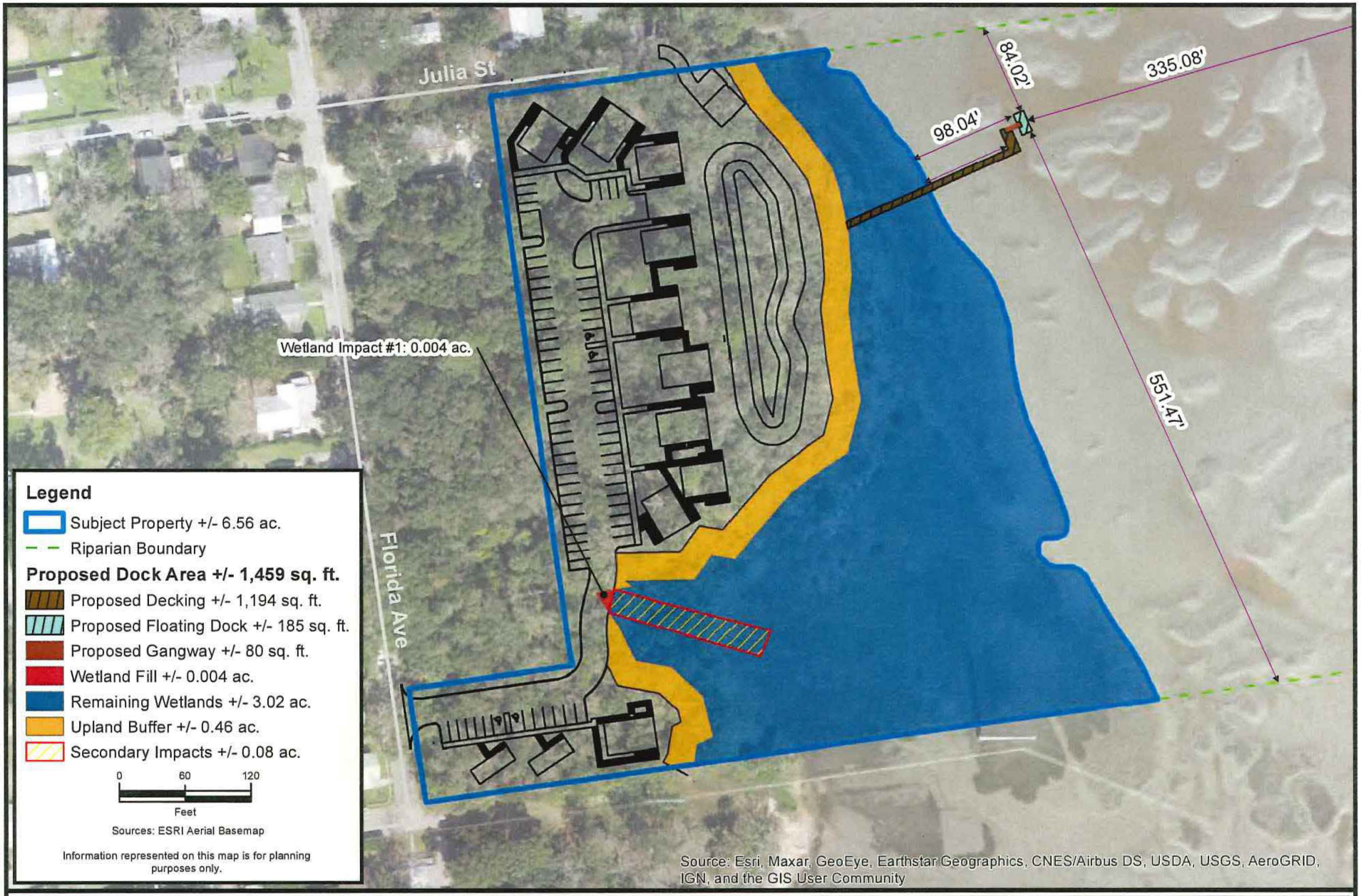
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

FLUCFCS Map

EcoParc - Florida Avenue

Project: 5.21678	St. Augustine, Florida	Date: Jul 20 2022	Figure: 4



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CES
42 Masters Drive
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Proposed Dock Alignment

EcoParc - Florida Avenue

Project: 5.21678	St. Augustine, Florida	Date: Jul 28 2022	Figure: 6

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CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
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Proposed Dock Alignment

EcoParc - Florida Avenue

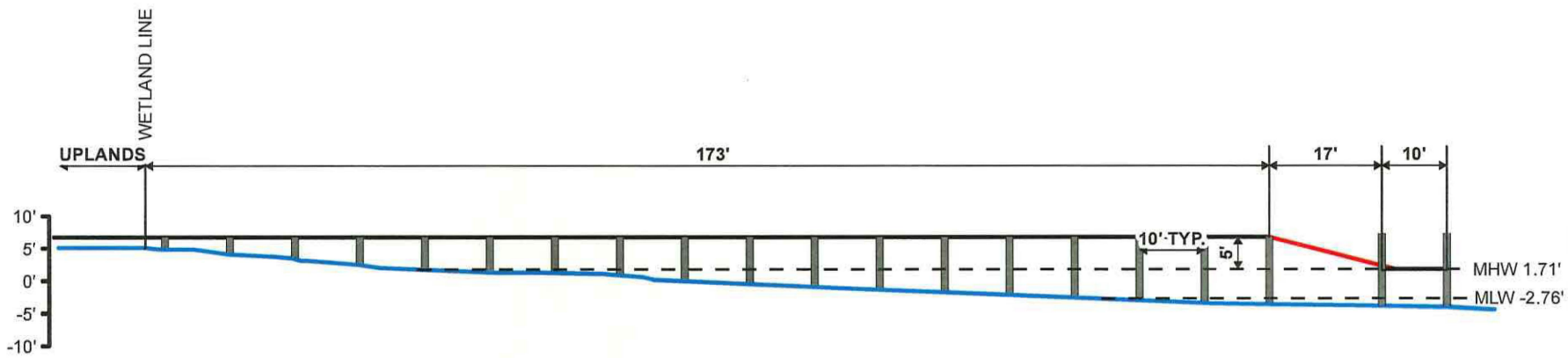
Project: 5.21678	St. Augustine, Florida	Date: Jul 28 2022	Figure: 6a

CARTER ENVIRONMENTAL SERVICES, INC.
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

Proposed Dock Dimensions

EcoParc - Florida Avenue

Project: 5.21678	St. Augustine, Florida	Date: Jul 28 2022	Figure: 7

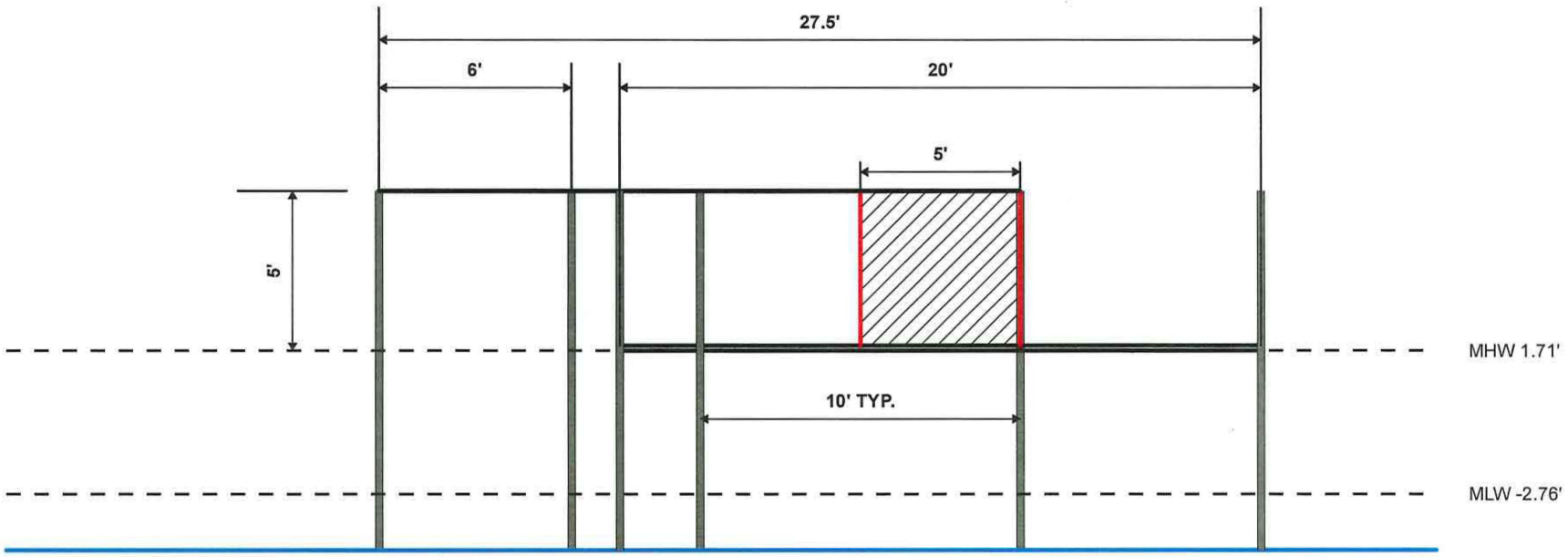


CARTER ENVIRONMENTAL SERVICES, INC.
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

Proposed Dock Profile

EcoParc - Florida Avenue

Project: 5.21678	St. Augustine, Florida	Date: Aug 03 2022	Figure: 8



CARTER ENVIRONMENTAL SERVICES, INC.
CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

Proposed Dock Cross Section

EcoParc - Florida Avenue

Project: 5.21678	St. Augustine, Florida	Date: Jul 26 2022	Figure: 9

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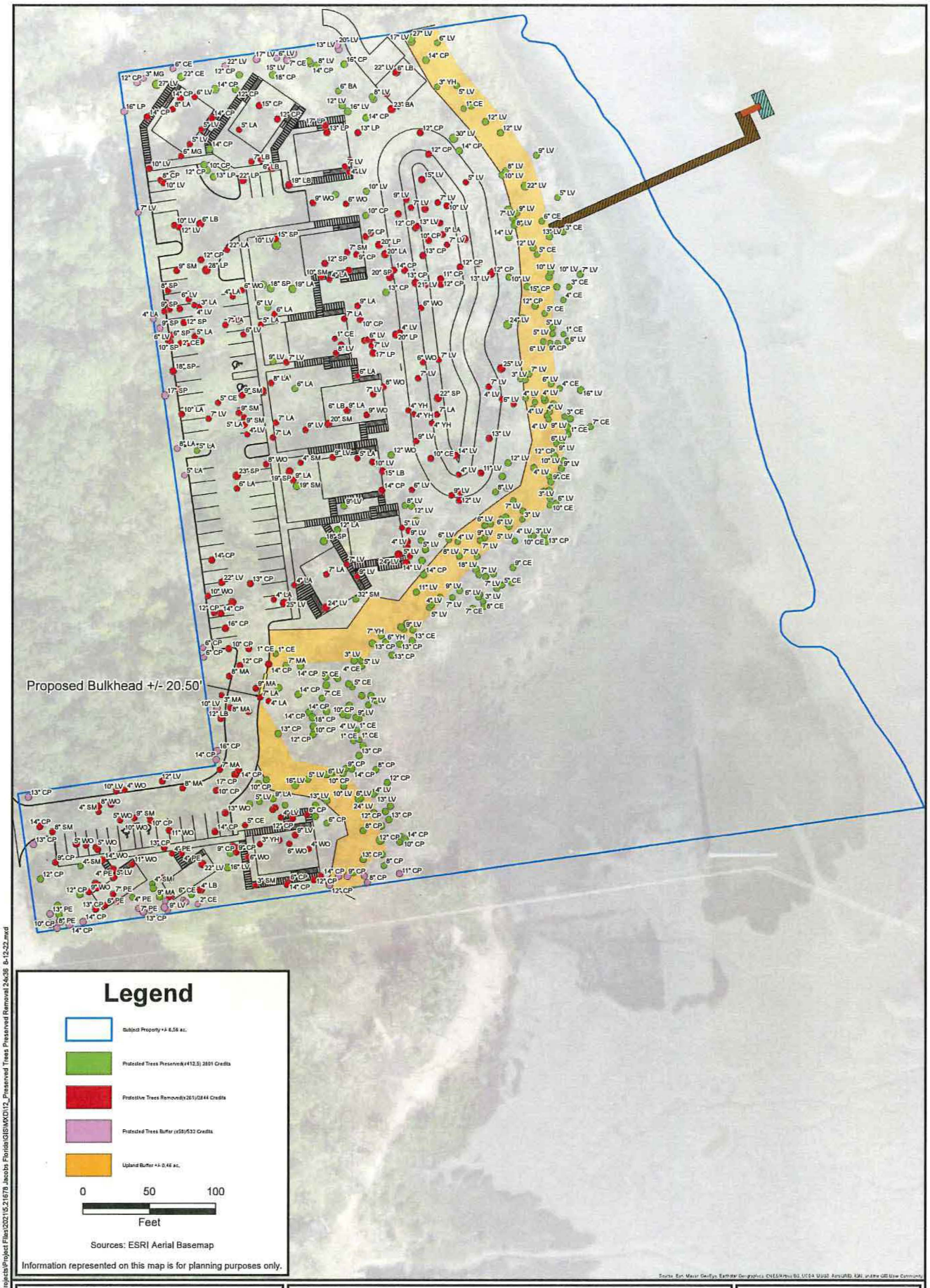
CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

Proposed Bulkhead Detail

EcoParc - Florida Avenue

Project: 5.21678	St. Augustine, Florida	Date: Aug 04 2022	Figure: 10



F:\CES Projects\Project Files\Active\Projects\Project Files\202\5.21678 Jacobs Florida\GIS\MXD\12_Preserved Trees Preserved Removal 24x36 8-12-22.mxd

CARTER ENVIRONMENTAL SERVICES, INC.

CES

42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Tree Removal / Retention Map

EcoParc - Florida Avenue

St. Augustine, Florida

Project:	5.21678
Date:	Aug 12 2022
Figure:	11

Attachment 3
Tree Summary Table

PROTECTED TREES BUFFER					
QTY.	TYPE	S	DBH	CREDITS	SUBTOTAL
1	BC		5	1	5
1	CE		2	1	2
1	CE		5	1	5
1	CE		6	1	6
1	CE		7	2	7
2	CP		6	0.5	12
1	CP		8	0.5	8
1	CP		9	0.5	9
1	CP		10	0.5	10
1	CP		11	0.5	11
4	CP		12	0.5	48
4	CP		13	0.5	52
5	CP		14	0.5	70
1	CP		15	0.5	15
1	CP		16	0.5	16
1	CP		17	0.5	17
1	CP		20	0.5	20
1	LA		4	1	4
1	LA		5	1	5
1	LA		8	2	8
1	LP		16	3	16
1	LV		6	1	6
1	LV		7	2	7
1	LV		9	2	9
1	LV		10	2	10
1	LV		13	3	13
1	LV		15	3	15
2	LV		17	6	34
1	LV	X	20	4	20
1	MG		3	1	3
1	PE		7	2	7
1	PE		8	2	8
1	PE		10	2	10
1	PE		13	3	13
1	SB		5	1	5
1	SP		9	2	9
1	SP		17	3	17
Credits Buffer				58	532

PROTECTED TREES PRESERVED					
QTY.	TYPE	S	DBH		SUBTOTAL
1	BA		6	1	6
8	CE		1	8	8
1	CE		2	1	2
3	CE		3	3	9
3	CE		4	3	12
6	CE		5	6	30
2	CE		6	2	12
5	CE		7	10	35
1	CE	X	8	2	8
2	CE	X	9	4	18
3	CE	X	10	6	30
1	CE	X	12	3	12
1	CE	X	13	3	13
1	CE	X	22	4	22
2	CP		6	1	12
3	CP		8	1.5	24
3	CP		9	1.5	27
11	CP		10	5.5	110
1	CP		11	0.5	11
26	CP		12	13	312
14	CP		13	7	182
21	CP		14	10.5	294
3	CP		15	1.5	45
3	CP		16	1.5	48
2	CP		18	1	36
1	LA		5	1	5
1	LA		9	2	9
1	LA		12	3	12
1	LA	X	19	3	19
1	LP		13	3	13
10	LV		3	10	30
13	LV		4	13	52
11	LV		5	11	55
14	LV		6	14	84
17	LV		7	34	119
10	LV		8	20	80
13	LV		9	26	117
11	LV		10	22	110
2	LV		11	4	22
7	LV		12	21	84
6	LV		13	18	78
4	LV		14	12	56
1	LV		15	3	15
4	LV		16	12	64
1	LV		17	3	17
1	LV	X	18	3	18
3	LV	X	22	12	66
2	LV	X	24	8	48
1	LV	X	25	4	25
3	LV	X	27	12	81
1	LV	X	30	4	30
1	MA		7	2	7
1	PE		4	1	4
1	PE		12	3	12
2	SM		4	2	8
1	SM	X	19	3	19
1	SM	X	32	4	32
1	SP		15	3	15
2	SP		18	6	36
1	WO		12	3	12
1	WO		13	3	13
1	YH		3	1	3
1	YH		6	1	6
1	YH		7	2	7
Credits Preserved				412.5	2801

PROTECTED TREES REMOVED					
QTY.	TYPE	S	DBH	CREDITS	SUBTOTAL
1	BA	X	23	2	23
1	CE		1	1.5	1
1	CE		2	1.5	2
1	CE		4	1.5	4
2	CE		5	3	10
1	CE		6	1.5	6
1	CE	X	9	2	9
1	CE	X	10	2	10
3	CP		6	1.5	18
1	CP		8	0.5	8
4	CP		9	2	36
10	CP		10	5	100
1	CP		11	0.5	11
16	CP		12	8	192
7	CP		13	3.5	91
13	CP		14	6.5	182
2	CP		15	1	30
1	CP		16	0.5	16
1	CP		17	0.5	17
1	LA		3	0.5	3
6	LA		4	3	24
5	LA		5	2.5	25
4	LA		6	2	24
7	LA		7	7	49
2	LA		8	2	16
5	LA		9	5	45
1	LA		10	1	10
1	LA		13	1.5	13
1	LA		14	1.5	14
1	LA	X	20	2	20
1	LA	X	22	2	22
1	LB		4	0.5	4
4	LB		6	2	24
1	LB		7	1	7
1	LB	X	12	1.5	12
1	LB	X	15	1.5	15
1	LB	X	19	1.5	19
2	LP		13	3	26
2	LP		17	3	34
2	LP		20	4	40
1	LP		22	2	22
1	LP		28	2	28
1	LV		3	0.5	3
10	LV		4	5	40
9	LV		5	4.5	45
8	LV		6	4	48
13	LV		7	13	91
3	LV		8	3	24
9	LV		9	9	81
7	LV		10	7	70
4	LV		11	4	44
5	LV		12	7.5	60
4	LV		13	6	52
1	LV		14	1.5	14
3	LV		15	4.5	45
2	LV		17	3	34
3	LV	X	18	4.5	54
1	LV	X	19	1.5	19
1	LV	X	21	2	21
3	LV	X	22	6	66
2	LV	X	24	4	48
3	LV	X	25	6	75
1	LV	X	32	2	32
1	MA		3	0.5	3
1	MA		5	0.5	5
1	MA		7	1	7
3	MA		8	3	24
2	MA		9	2	18
1	MG		6	0.5	6
3	PE		4	1.5	12
1	PE		5	0.5	5
1	PE		6	0.5	6
2	PE		7	2	14
1	SM		3	0.5	3
2	SM		4	1	8
1	SM		7	1	7
1	SM		8	1	8
5	SM		9	5	45
1	SM		10	1	10
1	SM	X	20	2	20
1	SP		6	0.5	6
1	SP		7	1	7
1	SP		8	1	8
1	SP		9	1	9
2	SP		10	2	20
2	SP		12	3	24
1	SP		18	1.5	18
1	SP		19	1.5	19
1	SP		20	2	20
1	SP		22	2	22
1	SP		23	2	23
3	WO		4	1.5	12
4	WO		5	2	20
7	WO		6	3.5	42
3	WO		8	3	24
3	WO		9	3	27
2	WO		10	2	20
2	WO		11	2	22
2	WO		13	3	26
1	WO		14	1.5	14
1	WO	X	17	1.5	17
1	YH		3	0.5	3
3	YH		4	1.5	12
Credits Removed				261	2844

ABRV	TREE NAME
LV	LIVE OAK
CP	CABBAGE PALM
CE	RED CEDAR
LA	LAUREL OAK
SP	SLASH PINE
SM	SOUTHERN MAGNOLIA
LB	LOBLOLLY BAY
WO	WATER OAK
LP	LOBLOLLY PINE
YH	YAUPON HOLLY
MA	RED MAPLE
BA	SWEETBAY
MG	MAGNOLIA
PE	PECAN
BC	BLACK CHERRY
SB	SUGAR BERRY

Tree table is a preliminary estimate of probable removal and preserved trees

Borton Design, Inc.
Brian D. Borton, R.L.A.,
Certified Arborist
bdb@bortondesign.com
Phone 904-287-1996

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: October 4, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0054**

AGENDA ITEM	8(e)
APPLICANT	Ryan Carter c/o Carter Environmental Services
OWNER	Ernest Little
LOCATION	5 Lighthouse Avenue / PID 157040-0000
REQUEST	To approve a modification to an existing dock, modifying the total length of the dock and relocating the boat lift and floating dock in Conservation Overlay Zone 1.
LAND USE	Residential Low Density
ZONING	Residential Single-Family-Two (RS-2)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

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

CCM Objective 7
Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area.

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

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

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

Sec. 11-26. - Purpose and intent.

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

Sec. 11-28. Issuance of building permits.

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

Sec. 11-29. Standards for review.

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

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

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

any mitigating design and environmental elements as part of the review of the structure in Conservation Overlay Zone 2.

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

STAFF SUMMARY AND ANALYSIS

The existing dock and boat lift at 5 Lighthouse Avenue was previously approved on March 5, 2019 with an additional request for approval of an after-the-fact gangway and floating platform addition on September 25, 2019. At this time an aerial photograph revealed that the dock was built in the wrong alignment and during the December 3, 2019 PZB meeting it was proposed that the dock be relocated. During this meeting however concerns of the placement of the dock and floating platform led to the denial of the request due to neighboring views of the water being negatively impacted.

This application has modified plans with the goal of resolving these issues of neighboring views and encroachment into the City of Saint Augustine's mooring field.

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 230 feet of river frontage. There is salt marsh vegetation and oyster colonies present along the shoreline.

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

The property is adjacent to other single-family homes along Salt Run, within the lighthouse neighborhood.

(3) Natural and proposed drainage patterns.

Drainage will not be altered by the proposed work.

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

Floating turbidity barriers will be employed throughout construction. Any temporary disturbances will be allowed to settle before removal of the turbidity barrier. Point or non-point discharge will not be altered by the proposed works.

(5) Proposed soil stabilization and erosion control methods.

Erosion control will not be necessary to complete construction as it will be done from open water.

(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: Not applicable.

Lighting of the open water areas at night: The dock 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.

The initial access pier over vegetation and shellfish is existing and will not be modified.

(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 should not affect any manatees, vegetation, shellfish and wildlife or shoreline erosion.

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

N/A.

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

The existing dock is elevated six feet above mean high water and will remain that height. The proposed relocation will move the dock 29 feet landward and 38 feet northwesterly to a more centered position in front of the property.

(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: None
Negative: None

b) The effects of the project on shellfish are as follows:
Positive: the pilings used to construct the dock could be colonized by barnsacles, 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: None

(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.

a) *There are no proposed plans for any boathouse, roofed structure or wall within the dock.*
b) *The deck will be at 6' above mean high waterline.*
c) *The boat lift has been previously approved, is under 12,000 pounds and a no-profile design.*

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** the modification of removal and construction of a new no profile boat lift and floating dock within Conservation Overlay Zone 1 at 5 Lighthouse Avenue / PID 157040-0000.

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
A3 - APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: ~~$330~~ 165

Receipt No. 2438165

BDAC Project No. 2022-0058

Meeting Date: 9/6/22

PLEASE PRINT OR TYPE

1. NAME OF APPLICANT: Ryan Carter Daytime Telephone: 904-874-6499
   Business *(if applicable)*: Carter Environmental Services, Inc.
   Address: 42 Masters Drive City: St. Augustine State: FL Zip: 32084

2. NAME OF PROPERTY OWNER: Ernest Little Daytime Telephone:
   Business *(if applicable)*:
   Address: 3140 Coastal Highway City: St. Augustine State: FL Zip: 32084

3. LEGAL DESCRIPTION OF PROJECT PROPERTY
   Lot: North half of 3, all of 4 & 5 Block: 3
   Subdivision: Anastasia Parcel Number: 1570400000

4. PROJECT STREET ADDRESS: 5 Lighthouse Ave.

5. SPECIFIC PROPOSED USE: Proposed dock modification

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

7. DESCRIPTION OF ACTION REQUESTED:
   Conservation Overlay Zone Approval

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

Townet Press, Inc., St. Augustine, FL 4330

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

(a) Does the property have a disadvantage which is not common to other properties in the area?
Please explain fully. _____

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

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

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

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

10. PREVIOUS APPLICATIONS
Has any application been submitted to the Planning and Zoning Board concerning any part of the subject property within the past year?
☐ Yes ☒ No If yes, give date and final disposition below.

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

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

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

12. _____ 8-5-22
Signature of Applicant Date

13. Ernest L Little 8/5/22
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 Ch. 166.033, Florida Statutes.

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

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

Ryan Carter

Print name of applicant

Signature of applicant

8-5-22

Date

St. Johns County, FL

Apply for Exemptions

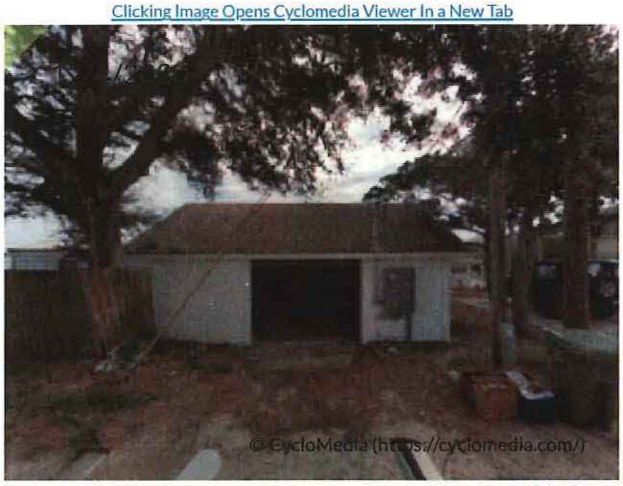
Apply for Exemptions

2021 TRIM Notice

2021 TRIM Notice (PDF)

Summary

Clicking Image Opens Cyclomedia Viewer In a New Tab



Parcel ID	1570400000
Location Address	5 LIGHTHOUSE AVE SAINT AUGUSTINE 32080-0000
Neighborhood	Carvers (ICWFR) (713.42)
Tax Description*	1-58 CARVERS SUB ANASTASIA N1/2 OF LOT 3 & ALL OF LOTS 4 & 5 BLK 3 OR624/26 COURT ORDER & OR878/1833(Q/C) & 1183 /1540 & 4691/1365(D/C) *The Description above is not to be used on legal documents.
Property Use Code	Multi-Family (Less than 10 Units) (0800)
Subdivision	Anastasia, Map Of
Sec/Twp/Rng	58-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.350
Homestead	Y

Owner Information

Owner Name	Little Ernest L III 100%
Mailing Address	5 LIGHTHOUSE AVE SAINT AUGUSTINE, FL 32080-0000

Exemption Information

Exemption Type	Status	Amount
Homestead		$50,000
Widow/Widower		$500

Map

Valuation Information

	2022
Building Value	$325,919
Extra Features Value	$77,519
Total Land Value	$765,072
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$1,168,510**
Total Deferred	$395,555
Assessed Value	**$772,955**
Total Exemptions	$50,500
Taxable Value	**$722,455**

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	$264,264	$79,996	$683,100	$0	$0	$1,027,360	$750,442	$327,418	$699,942
2020	$86,524	$15,086	$683,100	$0	$0	$784,710	$618,549	$216,661	$568,049
2019	$85,281	$12,640	$683,100	$0	$0	$781,021	$604,642	$226,879	$554,142
2018	$86,434	$13,888	$683,100	$0	$0	$783,422	$695,627	$87,795	$695,627
2017	$45,925	$15,143	$571,320	$0	$0	$632,388	$632,388	$0	$632,388
2016	$47,800	$16,191	$571,320	$0	$0	$635,311	$635,311	$0	$635,311
2015	$49,674	$17,274	$571,320	$0	$0	$638,268	$638,268	$0	$638,268
2014	$41,584	$18,357	$571,320	$0	$0	$631,261	$626,546	$4,715	$626,546
2013	$43,096	$19,440	$571,320	$0	$0	$633,856	$569,587	$64,269	$569,587
2012	$44,608	$20,489	$452,709	$0	$0	$517,806	$517,806	$0	$517,806
2011	$45,364	$21,572	$503,010	$0	$0	$569,946	$569,946	$0	$569,946
2010	$46,877	$22,655	$558,900	$0	$0	$628,432	$628,432	$0	$628,432

Building Information

Building	1
Year Built	1930
Actual Area	2477
Conditioned Area	1338
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Wood

Roof Cover	Composite Shingle
Roof Structure	Gable Hip
Interior Flooring	Pine Wood, Ceramic Tile
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	3
Baths	2

Description	Square Footage
ENCLOSED GLASS PORCH	130
BASE AREA	1338
FINISHED OPEN PORCH	192
UNFINISHED GARAGE	500
FINISHED OPEN PORCH	90
FINISHED DECK	187

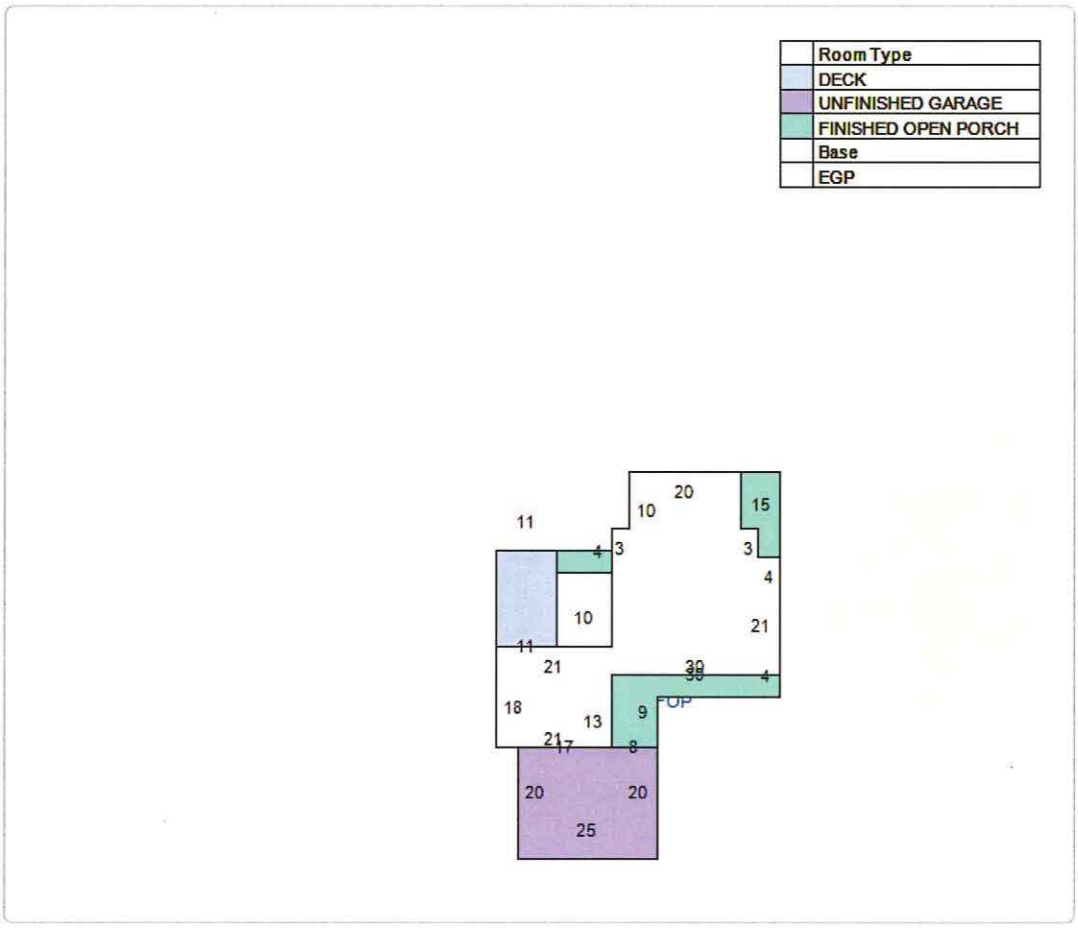
FINISHED OPEN PORCH	40
Total SqFt	2477

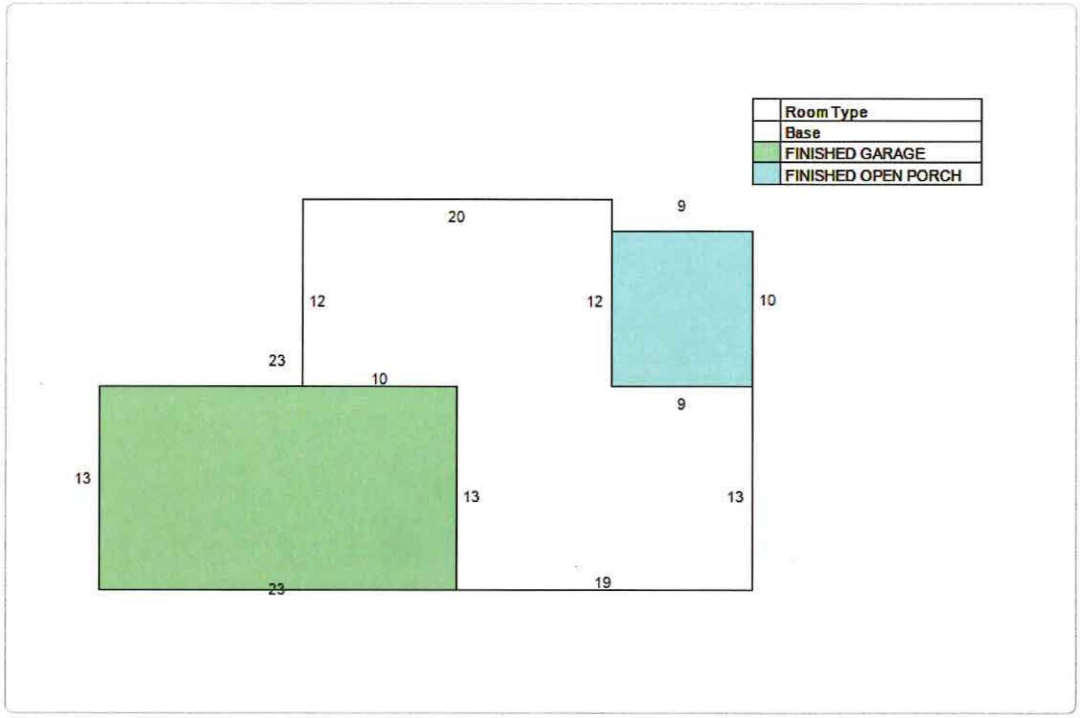
Building	2
Year Built	2020
Actual Area	876
Conditioned Area	487
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Concrete Siding

Roof Cover	Composite Shingle
Roof Structure	Gable Hip
Interior Flooring	Hardwood
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	1
Baths	1

Description	Square Footage
BASE AREA	487
FINISHED OPEN PORCH	90
FINISHED GARAGE	299
Total SqFt	876

Sketch Information





Extra Feature Information

Code Description	Status	Value
Masonry Wall		2608
Bulkhead (Average)		45288
Boat Dock (Average)		29623

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Multi-Family (Less than 10 Units)	138	0	138	FF	$765,072

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
3/8/2019	9/25/2018	$0.00	DEATH CERTIFICATE	4691	1365	U	I	LITTLE NANCY RUSSELL (DECD)	LITTLE ERNEST L III
	7/16/1996	$500.00	WARRANTY DEED	1183	1540	U	I	LITTLE ERNEST L III	LITTLE ERNEST L III & NANCY R
	12/1/1990	$0.00		878	1833	U	I		LITTLE ERNEST L III
	1/1/1984	$0.00		624	26	U	I		
	5/1/1983	$0.00		587	202	U	I		

No data available for the following modules: Sales Questionnaire Form.

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Version 2.3.211

Attachment 1
Overlay Zone Application Narrative

5 Lighthouse Ave.
Overlay Zone Development Application Supplement
August 4, 2022

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a dock and boat lift at 5 Lighthouse Ave.

Initial PZB approval for a dock and boat lift was obtained on March 5, 2019 (#2019-0009). A floating platform and gangway were later added after-the-fact. To reconcile the after-the-fact placement of the gangway and floating platform, a modification request was submitted September 25, 2019. However, it was also discovered through updated aerial photography that the dock was also built in the wrong alignment. As a result, the project has been postponed to reach a resolution. The dock was proposed to be relocated 18 feet landward during a Dec 3, 2019 PZB agenda item, however concerns over the new gangway and alignment infringing upon the neighbor's view spurred a denial.

The application herein requests design modifications to the total length and terminal platform area that should alleviate the problems of 1) infringement upon the neighbor's view at 7 Lighthouse Ave. and 2) the encroachment upon the City mooring field. The proposed relocation will move the total extent of the dock 29 feet landward and flip the location of the boat lift and floating dock area, relocating it 38 feet to the northwest. Please see the attached plans for detailed design information.

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.*

   Construction activities will only occur over open water.

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

The proposed design moves the terminal platform and floating dock extension to the north side of the dock to allow a wider scenic vista for the southerly neighbor.

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

   The existing dock will be relocated 29 feet landward creating a wider 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 230 feet of river frontage. There is salt marsh vegetation and oyster colonies present along the shoreline.

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

   The property is adjacent to other single-family homes along Salt Run, within the lighthouse neighborhood.

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.*

   Floating turbidity barriers will be employed throughout construction. Any temporary disturbances will be allowed to settle before removal of the turbidity barrier. Point or non-point discharge will not be altered by the proposed works.

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

   Erosion control will not be necessary to complete construction as it will be done from open water..

6. *Impact on floodplain.*

   There is no impact on floodplains associated with this application.

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

   <u>Vegetative impacts</u>: Not applicable

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

<u>Increased noise from day users</u>: 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.*

   The initial access pier over vegetation and shellfish is existing and will not be modified.

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 should not affect any *manatees, vegetation, shellfish and wildlife or shoreline erosion.*

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

    Not applicable.

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

    The existing dock is elevated six feet above mean high water and will remain that height. The proposed relocation will move the dock 29 feet landward and 38 feet northwesterly to a more centered position in front of the property.

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: None

    Negative: None

    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: None

17. Dock specifications:

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

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

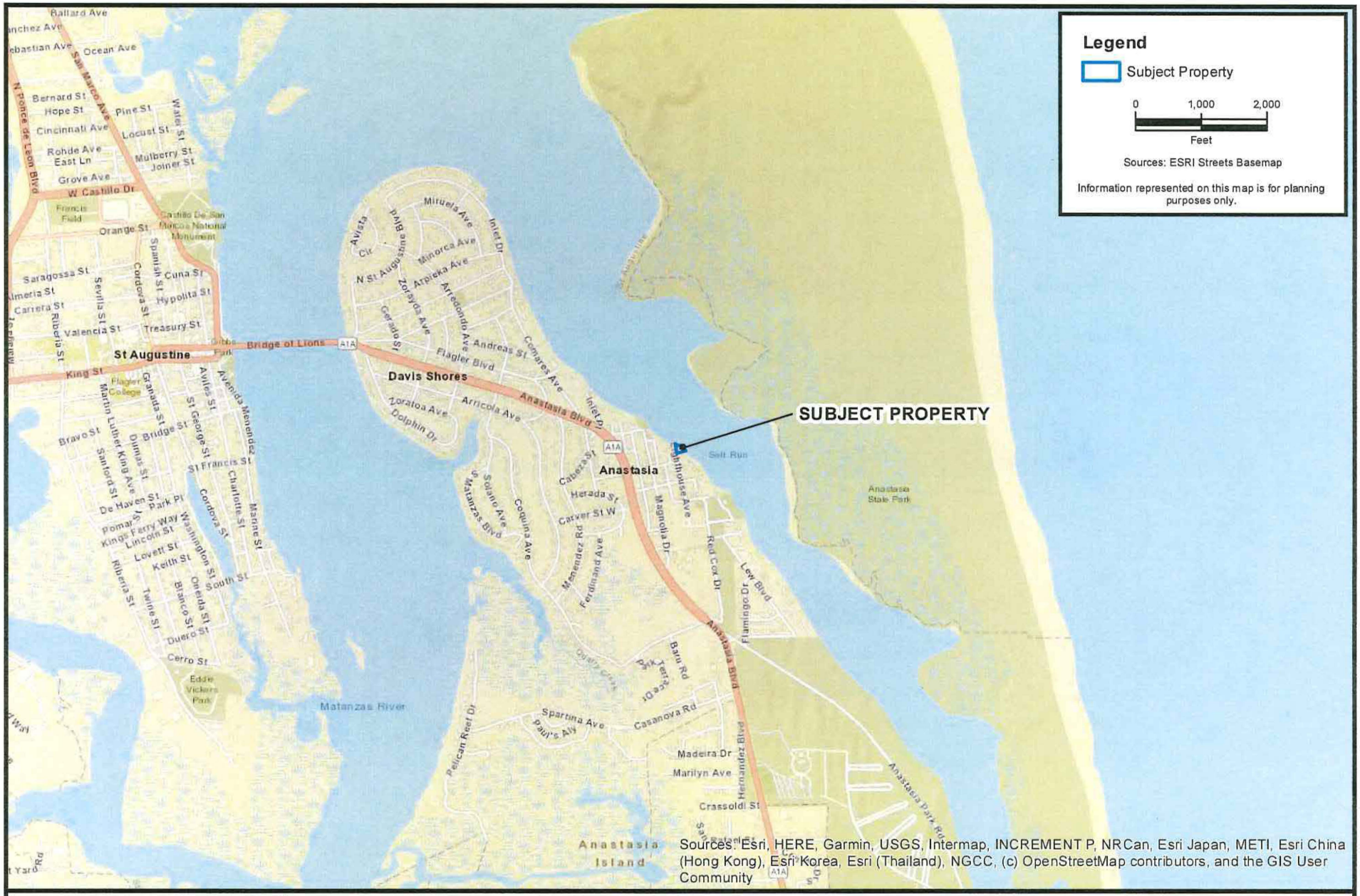
    b) *The deck of any private boat dock shall not exceed six (6) feet in height above the mean high water line.*

    The deck will be at 6' above MHW.

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

    The boat lift has been previously approved, is under 12,000 pounds and a no-profile design.

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

5 Lighthouse Avenue

Project:	5.18397	St. Augustine, FL	Date: Jun 16 2022	Figure:	1

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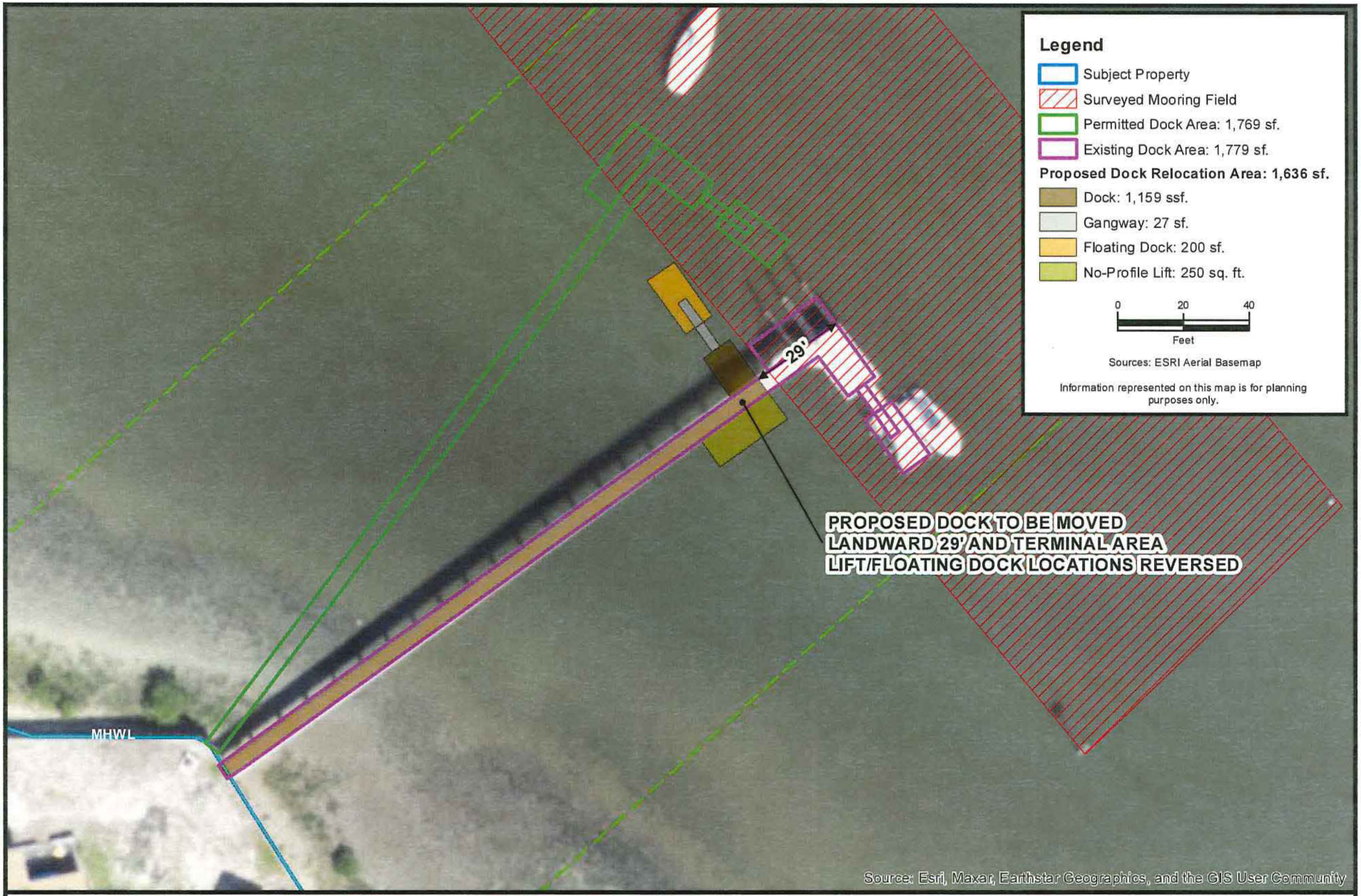
Existing Site Conditions

5 Lighthouse Avenue

Project:	5.18397	St. Augustine, FL	Date: Jun 16 2022	Figure:	2



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Proposed Dock Relocation

5 Lighthouse Avenue

Project: 5.18397	St. Augustine, FL	Date: Jun 16 2022	Figure: 3

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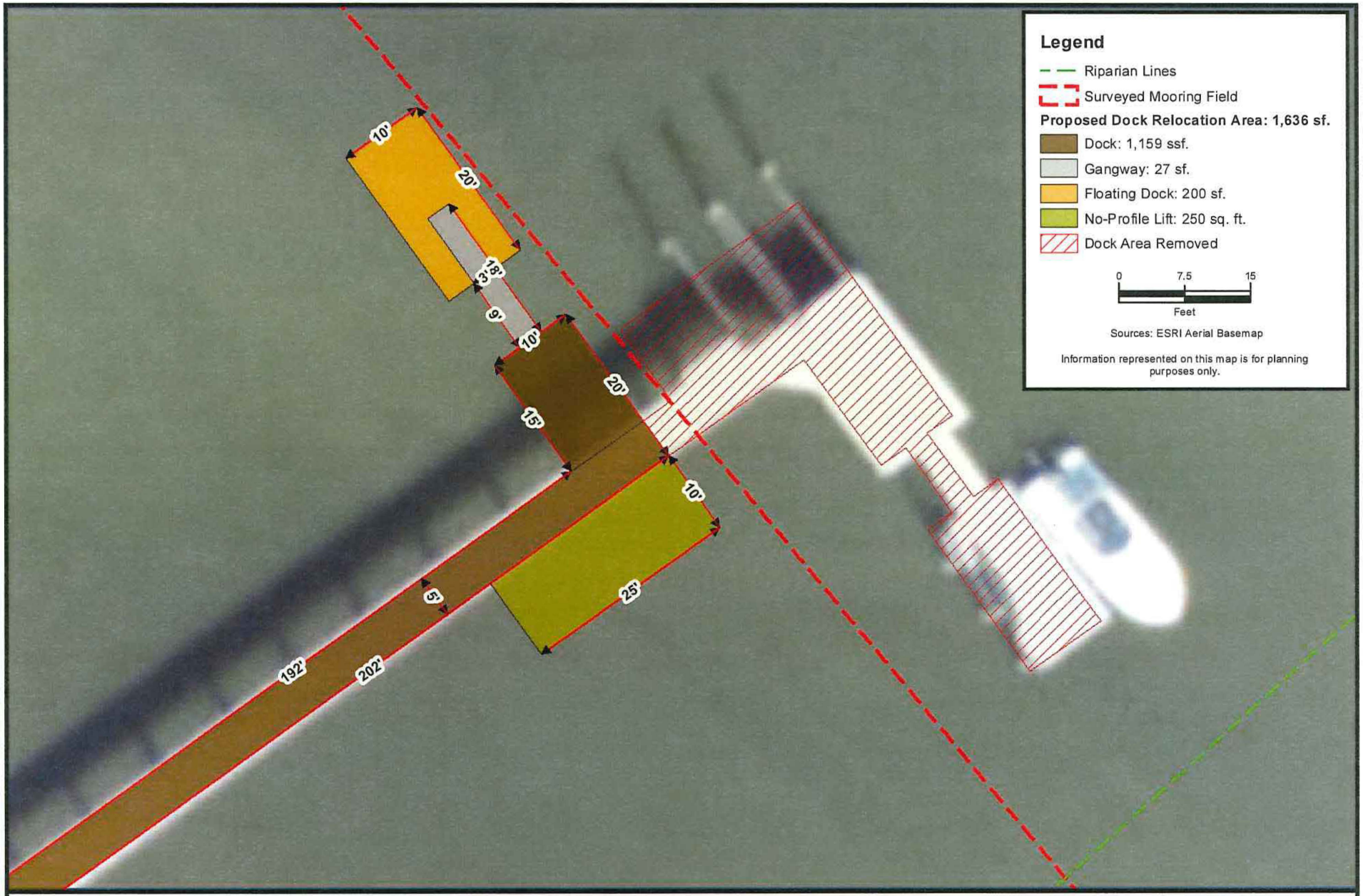
Proposed Dock Relocation Alignment

5 Lighthouse Avenue

Project:	5.18397	St. Augustine, FL	Date: Jun 16 2022	Figure:	4



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42 Masters Drive
St. Augustine, FL 32084
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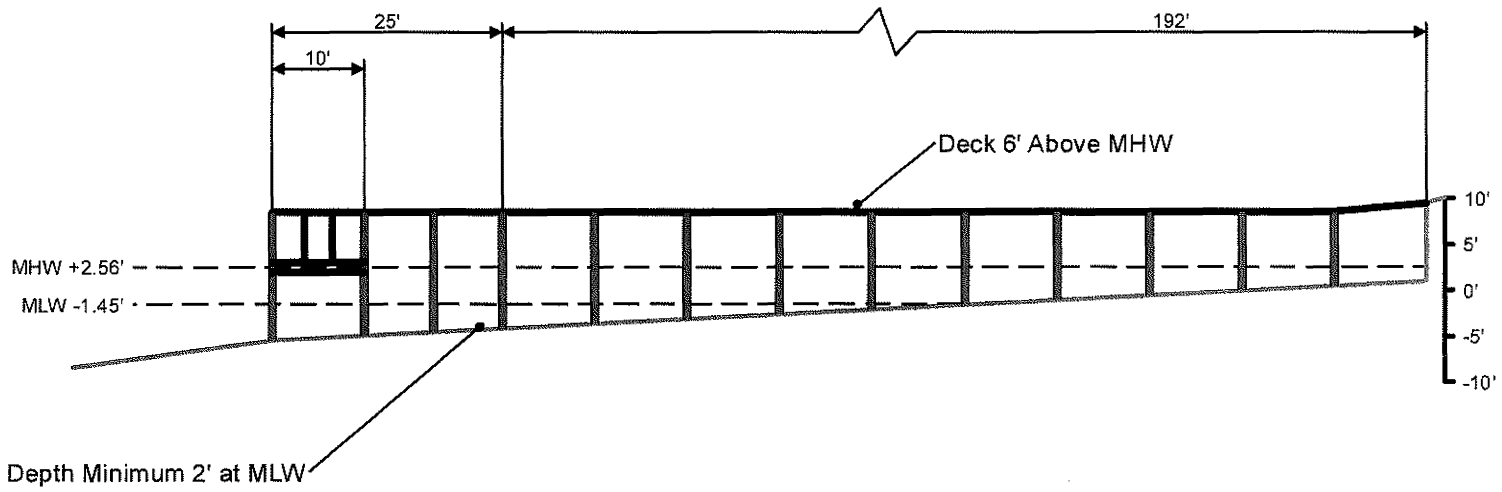
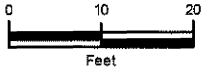
Proposed Dock Relocation Dimensions

5 Lighthouse Avenue

Project: 5.18397	St. Augustine, FL	Date: Aug 04 2022	Figure: 5





information represented on this map is for planning purposes only.

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St. Augustine, FL 32084
904-540-1786
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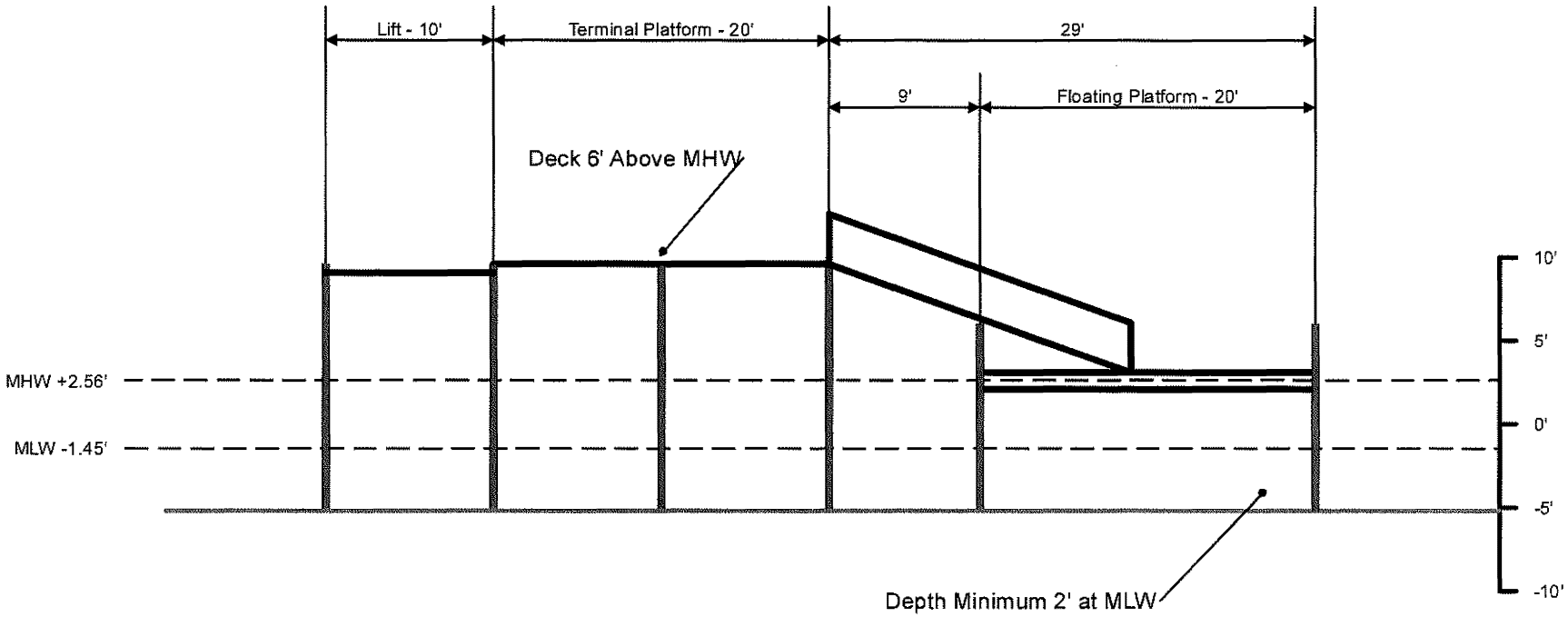
Proposed Dock Profile View

5 Lighthouse Avenue

Project: 5.18397	St. Johns County, FL	Date: Jun 16 2022	Figure: 6

F:\CES Projects\Project Files\Active\Projects\Project Files\201885.18397 Little Lighthouse\GIS\MXD\Flipped Design 2022206-Little Lighthouse_Profile View.mxd



0 5 10
Feet

Information represented on this map is for planning purposes only.

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Proposed Dock Cross-Section

5 Lighthouse Avenue

Project: 5.18397	St. Johns County, FL	Date: Jun 16 2022	Figure: 7

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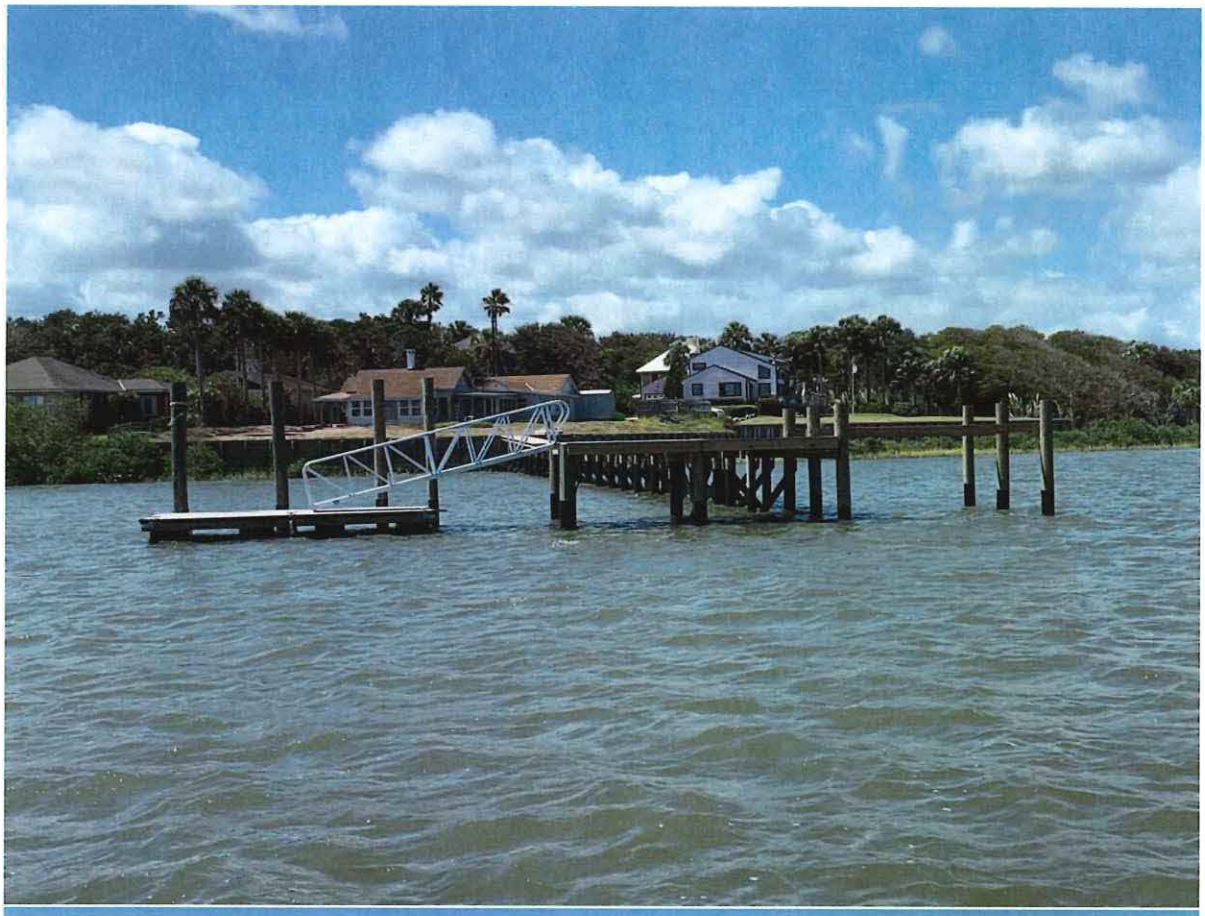
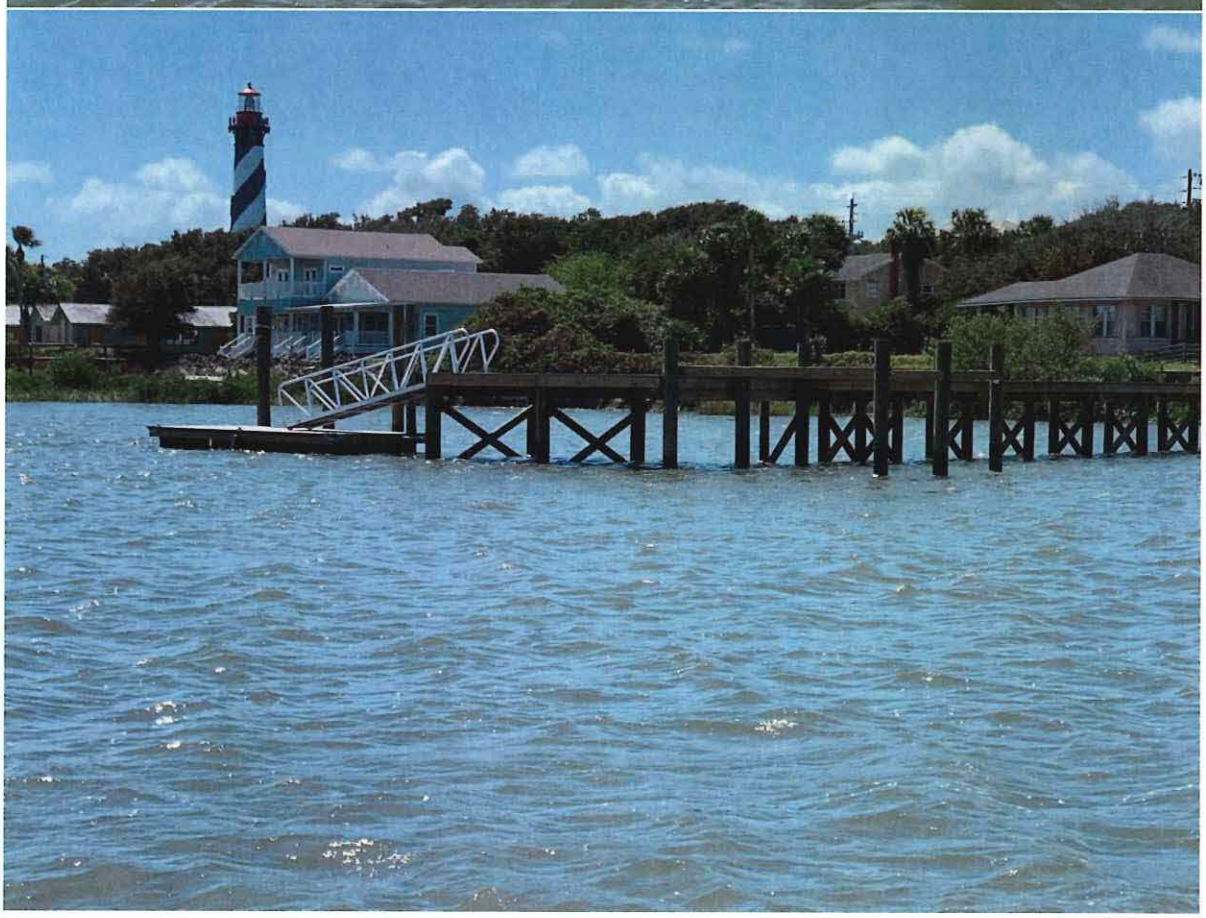
Attachment 3
Photo documentation sheet





TO: Planning and Zoning Board

DATE: October 4, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0061**

AGENDA ITEM	8(f)
APPLICANT	Karen Taylor c/o Karen M Taylor Land Planner
OWNER	200 Nix Boat Yard LLC c/o Freedom Boat Club
LOCATION	0 Nix Boat Yard Road / PID 134821-0000
REQUEST	To approve and modify existing docks, including new floating docks, landing platforms, gangway and access ramp including dredging on City owned bottomlands 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 Exhibit F provided by the applicant addressing the City of Saint Augustine's 17 Criteria for Conservation Overlay Zone Development.*

STAFF SUMMARY AND ANALYSIS

This request is for approval of development of the Freedom Boat Club and parts which are inside the city limits of the City of Saint Augustine. This application is concerning refurbishing the fork truck launch ramp with a new seawall, maintenance dredging within the existing basin and construction of a staging dock for dry storage boats. Additional mooring is proposed by replacing the existing single floating dock with two (2) floating docks running parallel to the site and are "critical to the upland operations."

This request to refurbish the "outdated marina" with new facilities are dependent upon the new facilities located uplands in the jurisdiction of Saint Johns County. The applicant states that the proposed improvements will not only clean up but also upgrade both the site and waterway along the San Sebastian River.

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 and construction of existing docks, floating docks, landing platforms, gangway and access ramp including dredging on City owned bottomlands within Conservation Overlay Zone 1 at Nix Boat Yard Road / PID 134821-0000.

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

Jacob Fredriksson
Senior Planner
Planning and Building Department

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $165 (plus advertising costs) Project Number: 2022-0061

Receipt Number: 2453068 Meeting Date: 10/4/22

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

---

1. NAME OF APPLICANT: Karen Taylor Contact Number: 904-826-0600
   Business (*if applicable*): Karen M Taylor Land Planner
   Address: 77 Saragossa Street City: St. Augustine State: FL Zip: 32084
   E-Mail Address: taylorplanner@bellsouth.net
2. NAME OF PROPERTY OWNER: 200 Nix Boat Yard LLC Contact Number: 904-599-5789
   Business (*if applicable*): Freedom Boat Club
   Address: 205 Commercial Drive Unit 2 City: St. Augustine State: FL Zip: 32092
   E-Mail Address: _____
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot:_____ Block:_____
   Subdivision:_____ Parcel Number:_____
4. PROJECT STREET ADDRESS: Nix Boat Yard Road
5. SPECIFIC PROPOSED USE: Marina
6. ACTION REQUESTED:
   - ☒ Conservation Zone Development
   - ☐ Appeal of Staff Determination
   - ☐ Exception
   - ☐ Land Use Plan Amendment
   - ☐ Variance
   - ☐ Rezoning
   - ☐ Other: _____
7. DESCRIPTION OF ACTION REQUESTED:
   Request is for approval of all City improvements associated with the Freedom Boat Club development on the San Sebastian River waterway (which falls under the City of St. Augustine jurisdiction). They include refurbishing the fork truck launch ramp with a new seawall, maintenance dredging within the existing basin and construction of a staging dock for dry storage boats. Additional mooring is proposed by replacing the existing single floating dock with 2 floating docks running parallel to the site and are critical to the upland operations (which fall under St. Johns County jurisdiction), which are to improve the overall Marina with upland dry storage and offices (to replace the existing ones), parking, and stormwater retention.
8. JUSTIFICATION FOR ACTION REQUESTED:

   The request is justified as the plans to refurbish the outdated marina with the new facilities, which are being designed and permitted (through all relevant agencies) as one new facility covering the uplands (in SJC) and the waterway (CoSA) and are dependent upon each other. The improvements will clean up and upgrade both the site and the waterway, with all new permitting through updated environmental regulations through State and Federal agencies. It will provide for a needed business, that provides managed access to the waterways and with update an area where the uses (mobile home park and marina) have timed out.

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

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

_____

_____

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

_____

_____

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

_____

_____

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

_____

_____

10. PREVIOUS APPPLICATIONS:

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

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

_____

11. AGREEMENT:

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

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

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

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

Signature of Applicant — Date: 8/30/2022

Signature of Property Owner — Date: 8/30/22

04/18/2019

ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

Karen Taylor is/are hereby authorized TO ACT ON BEHALF OF 200 Nix Boat Yard LLC the owner(s) of those lands described within ☒ the attached application, or ☐ described within the previously filed Application number: _____, and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine's Planning & Zoning Board, located at: _____

BY: Kevin Seelig
Signature of Owner

Kevin Seelig
Print Name of Owner

(904) 599-5789
Telephone Number

State of FL

County of ST JOHNS

Signed and sworn before me on this 30 day of August, 2022

By KEVIN SEELIG

Identification verified: KNOWN

Oath sworn: ✓ Yes ___ No

Notary Public State of Florida
Mackenzie Conley
My Commission HH 103559
Expires 03/11/2025

Notary Signature: _____

My Commission expires: 3/11/2025

Notary Public State of Florida
Mackenzie Conley
My Commission HH 103559
Expires 03/11/2025

Rev 022117

PZB APPLICATION FEE SCHEDULE

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

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

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

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

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

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

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

Project Address: 200 Nix Boat Yard Road

Applicant's Name: Karen M Taylor Applicant's Signature: _____

Owner's Name: Kevin Seelig 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

2022 TRIM Notice

2022 TRIM Notice (PDF)

Summary

Parcel ID	1348210000
Location Address	NIX BOAT YARD RD SAINT AUGUSTINE 32084-0000
Neighborhood	Perpall Grant on San Sebastian (CRKFR) (692.25)
Tax Description*	(1-MARSH) PERPALL GRANT SUBD LOT 1 & ALL LOT 2 (EX PT IN OR464/645 & EX PARCELS 1 2 3 4 & 5 IN OR1220/642)(EX OR1475/35) (EX HOMESITE IN OR3518/908 & EX PTS IN OR3541/908 918 923 929 & 939) - MARSH LYING E OF PARCEL 5 REMAINS OR31/592 83/446 & 324/261 & 3452/119(WL) & 139(L/A) &3684/1684(P/R) &3684/1688(Q/C) &3689/964(Q/C) & 5366/372(Q/C) *The Description above is not to be used on legal documents.
Property Use Code	Marshes, Wetlands, Waste Lands (9600)
Subdivision	N/A
Sec/Twp/Rng	41-7-30
District	South Ponte Vedra & US 1 North Area (District 450)
Millage Rate	13.2181
Acreage	1.170
Homestead	N

No Image Available

Owner Information

Owner Name	200 Nix Boat Yard LLC 100%
Mailing Address	205 COMMERCIAL DR UNIT 2 SAINT AUGUSTINE, FL 32092-0000

Map

Valuation Information

	2022
Building Value	$0
Extra Features Value	$0
Total Land Value	$7,500
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$7,500**
Total Deferred	$0
Assessed Value	**$7,500**
Total Exemptions	$0
Taxable Value	**$7,500**

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	$0	$0	$7,500	$0	$0	$7,500	$7,500	$0	$7,500
2020	$0	$0	$7,500	$0	$0	$7,500	$7,500	$0	$7,500
2019	$0	$0	$7,500	$0	$0	$7,500	$7,500	$0	$7,500
2018	$0	$0	$7,500	$0	$0	$7,500	$7,500	$0	$7,500
2017	$0	$0	$7,500	$0	$0	$7,500	$7,500	$0	$7,500
2016	$0	$0	$7,500	$0	$0	$7,500	$7,500	$0	$7,500
2015	$0	$0	$7,500	$0	$0	$7,500	$7,500	$0	$7,500
2014	$0	$0	$7,500	$0	$0	$7,500	$7,500	$0	$7,500
2013	$0	$0	$7,500	$0	$0	$7,500	$7,500	$0	$7,500
2012	$0	$0	$7,500	$0	$0	$7,500	$7,500	$0	$7,500

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Marshes & Tidal Lands	0	0	1	UT	$7,500

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
9/10/2021	9/3/2021	$100.00	QUIT CLAIM DEED	5366	372	U	V	PELLICER PATRICK A ETAL	200 NIX BOAT YARD LLC
2/20/2013	1/30/2013	$100.00	QUIT CLAIM DEED	3689	964	U	V	BERNHARD JUDITH A,JONATHAN M PELLICER,PAUL C PELLICER	PELLICER PATRICK A
2/20/2013	1/30/2013	$0.00	PERSONAL REP	3689	959	U	V	PELLICER DOROTHEA L ESTATE	BERNHARD JUDITH A ETAL
2/11/2013	1/30/2013	$100.00	QUIT CLAIM DEED	3684	1688	U	V	BERNHARD JUDITH A,JONATHAN M PELLICER & PAUL C PELLICER	PELLICER PATRICK A
2/11/2013	1/30/2013	$0.00	PERSONAL REP	3684	1684	U	V	PELLICER DOROTHEA L ESTATE BY PERS REP	BERNHARD JUDITH A,PELLICER PATRICK A,PELLICER JONATHAN M &PAUL C PELLICER
1/16/2013	1/15/2013	$0.00	LETTERS OF ADMN	3673	899	U	V	PELLICER DOROTHEA L (DECD)	BERNHARD JUDITH A ET AL PERS REPS
7/7/2011	7/6/2011	$0.00	LETTERS OF ADMN	3452	139	U	I	PELLICER DOROTHEA L (DECD)	LETTERS OF ADMIN
7/7/2011	3/27/2011	$0.00	WILL	3452	119	U	I	PELLICER DOROTHEA L (DECD)	LAST WILL & TESTAMENT
	1/1/1977	$0.00		324	261	U	I		PELLICER DOROTHEA L

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

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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

2022 TRIM Notice

2022 TRIM Notice (PDF)

Summary

Parcel ID	1348320010
Location Address	200 NIX BOAT YARD RD SAINT AUGUSTINE 32084-0000
Neighborhood	Nix Boatyard Rd (COM) (692.01)
Tax Description*	(1-2A) PERPALL GRANT SUBD PT OF LOT 2 DEED PARCEL 5 OR3541/939(P/R) & 3541/943(T/R) & 5366/365 & 368(Q/C) *The Description above is not to be used on legal documents.
Property Use Code	Vacant Commercial (1000)
Subdivision	N/A
Sec/Twp/Rng	41-7-30
District	South Ponte Vedra & US 1 North Area (District 450)
Millage Rate	13.2181
Acreage	1.700
Homestead	N

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12/14/2020

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Owner Information

Owner Name	200 Nix Boat Yard LLC 100%
Mailing Address	205 COMMERCIAL DR UNIT 2 SAINT AUGUSTINE, FL 32092-0000

Map

Valuation Information

	2022
Building Value	$0
Extra Features Value	$48,975
Total Land Value	$738,700
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$787,675**
Total Deferred	$0
Assessed Value	**$787,675**
Total Exemptions	$0
Taxable Value	**$787,675**

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	$146,188	$51,447	$221,610	$0	$0	$419,245	$323,950	$145,295	$273,950
2020	$151,105	$58,454	$221,610	$0	$0	$431,169	$301,169	$180,000	$251,169
2019	$111,363	$55,716	$221,610	$0	$0	$388,689	$279,627	$159,062	$229,627
2018	$96,835	$61,628	$221,610	$0	$0	$380,073	$260,232	$169,841	$210,232
2017	$99,693	$61,128	$92,338	$0	$0	$253,159	$242,330	$60,829	$192,330
2016	$103,187	$33,329	$92,338	$0	$0	$228,854	$228,854	$50,000	$178,854
2015	$106,678	$33,330	$92,338	$0	$0	$232,346	$231,983	$50,363	$181,983
2014	$102,343	$29,740	$92,338	$0	$0	$224,421	$224,421	$50,000	$174,421
2013	$105,311	$29,806	$92,338	$0	$0	$227,455	$227,455	$50,000	$177,455
2012	$102,322	$21,167	$92,338	$0	$0	$215,827	$215,827	$0	$215,827
2011	$108,664	$19,167	$110,805	$0	$0	$238,636	$238,636	$0	$238,636
2010	$110,859	$19,233	$129,272	$0	$0	$259,364	$259,364	$0	$259,364

Extra Feature Information

Code Description	Status	Value
Boat Dock (Average)		16800
Boat Dock (Average)		27520
Concrete Paving (Commercial)		4655

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Commercial	0	0	73870	SF	$738,700

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
9/10/2021	9/3/2021	$100.00	QUIT CLAIM DEED	5366	368	U	I	PELLICER PATRICK ANTHONY ETAL	200 NIX BOAT YARD LLC
9/10/2021	9/3/2021	$2,500,000.00	WARRANTY DEED	5366	365	U	I	PELLICER PATRICK ANTHONY ETAL	200 NIX BOAT YARD LLC
3/28/2012	3/20/2012	$0.00	TRUSTEES DEED	3541	943	U	I	BERNHARD JUDITH A ET AL	PELLICER PATRICK ANTHONY
3/28/2012	3/20/2012	$0.00	PERSONAL REP	3541	939	U	I	BERNHARD JUDITH A ET AL	PELLICER PATRICK ANTHONY
	10/13/2004	$100.00	WARRANTY DEED	2319	1024	U	I	PELLICER DOROTHEA	BERNHARD JUDITH A ETAL CO-TRUSTEES
	4/10/2003	$100.00	WARRANTY DEED	1938	721	U	I	PELLICER DOROTHEA L	BERNHARD JUDITH A ETAL CO-TRUSTEES

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

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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

2022 TRIM Notice

2022 TRIM Notice (PDF)

Summary

Parcel ID	1348320030
Location Address	200 1 NIX BOAT YARD RD 200 2 NIX BOAT YARD RD 200 3 NIX BOAT YARD RD 200 5 NIX BOAT YARD RD 200 D NIX BOAT YARD RD SAINT AUGUSTINE 32084-0000
Neighborhood	Nix Boatyard Rd (COM) (692.01)
Tax Description*	(1-2C)PERPALL GRANT SUBD PTS OF LOT 2 - DEED PARCEL 4 OR5366/362 & 368(Q/C) *The Description above is not to be used on legal documents.
Property Use Code	Vacant Commercial (1000)
Subdivision	N/A
Sec/Twp/Rng	41-7-30
District	South Ponte Vedra & US 1 North Area (District 450)
Millage Rate	13.2181
Acreage	1.620
Homestead	N

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12/14/2020

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Owner Information

Owner Name	200 Nix Boat Yard LLC 100%
Mailing Address	205 COMMERCIAL DR UNIT 2 SAINT AUGUSTINE, FL 32092-0000

Map

Valuation Information

	2022
Building Value	$0
Extra Features Value	$24,000
Total Land Value	$705,670
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$729,670**
Total Deferred	$0
Assessed Value	**$729,670**
Total Exemptions	$0
Taxable Value	**$729,670**

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	$70,405	$38,212	$211,701	$0	$0	$320,318	$218,508	$101,810	$218,508
2020	$74,169	$38,212	$211,701	$0	$0	$324,082	$198,644	$125,438	$198,644
2019	$38,825	$20,756	$211,701	$0	$0	$271,282	$180,585	$90,697	$180,585
2018	$40,236	$20,756	$211,701	$0	$0	$272,693	$164,168	$108,525	$164,168
2017	$42,279	$18,756	$88,209	$0	$0	$149,244	$149,244	$0	$149,244
2016	$33,268	$18,756	$88,209	$0	$0	$140,233	$140,233	$0	$140,233
2015	$35,308	$18,756	$88,209	$0	$0	$142,273	$142,273	$0	$142,273
2014	$34,958	$18,756	$88,209	$0	$0	$141,923	$141,923	$0	$141,923
2013	$36,375	$18,756	$88,209	$0	$0	$143,340	$143,340	$0	$143,340
2012	$9,292	$18,756	$88,209	$0	$0	$116,257	$116,257	$0	$116,257
2011	$14,903	$20,756	$105,850	$0	$0	$141,509	$141,509	$0	$141,509
2010	$15,580	$20,756	$123,492	$0	$0	$159,828	$159,828	$0	$159,828

Extra Feature Information

Code Description	Status	Value
Mobile Home Hook-Up		24000

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Commercial	0	0	70567	SF	$705,670

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
9/10/2021	9/3/2021	$100.00	QUIT CLAIM DEED	5366	368	U	I	PELLICER PATRICK ANTHONY ETAL	200 NIX BOAT YARD LLC
9/10/2021	9/3/2021	$1,200,000.00	WARRANTY DEED	5366	362	U	I	BERNHARD JUDITH ANN	200 NIX BOAT YARD LLC
3/28/2012	3/20/2012	$0.00	TRUSTEES DEED	3541	933	U	I	BERNHARD JUDITH ANN ET AL	BERNHARD JUDITH ANN
3/28/2012	3/20/2012	$0.00	PERSONAL REP	3541	929	U	I	BERNHARD JUDITH ET AL	BERNHARD JUDITH ANN
	10/21/2008	$100.00	WARRANTY DEED	3161	1167	U	I	PELLICER DOROTHEA TRUSTEE	PELLICER FAMILY IRREV TRUST ETAL

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

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FREEDOM BOAT CLUB
CONSERVATION OVERLAY ZONE DEVELOPMENT APPLICATION

DATE

August 30, 2022

APPLICANT

Karen Taylor
Karen M. Taylor Land Planner
77 Saragossa Street
St. Augustine, FL 32084
Phone: 904-826-0600 Cell: 904-501-4373
Email: taylorplanner@bellsouth.net

OWNER

200 Nix Boat Yard LLC
c/o Kevin Seelig
205 Commercial Drive, Unit 2
St. Augustine, FL 32092
Phone: 904-599-5789
Email: kseelig@freedomboatclub.com

ATTACHMENTS

Application Form
Authorization
Conservation Overlay Zone Development Application Exhibits (A-F)
Conservation Overlay Development Pictorial Exhibits

FREEDOM BOAT CLUB
CONSERVATION OVERLAY ZONE DEVELOPMENT
APPLICATION EXHIBITS

EXHIBIT A. SURVEY LOCATIONS OF THE PROPOSED DOCKS OR MODIFICATIONS TO EXISTING DOCKS:

Exhibit A-1 Location Map
Exhibit A-2 Aerial and Adjacent Uses
Exhibit A-3 Site Plan Comparison for Existing Facilities and Docks and New Facilities and Docks
Exhibit A-4 Existing Dock Plan
Exhibit A-5 Waterway Width Determination

EXHIBIT B. PLANS OF THE PROPOSED DOCK OR DOCK MODIFICATIONS:

Exhibit B Overall Site Development Plan

EXHIBIT C. BATHOMETRIC SURVEYS SHOWING WATER DEPTHS AT MEAN HIGH TIDE AND MEAN LOW TIDE, RELATIONSHIP OF THE PROPOSED DOCK TO WATER FEATURES, MARSH, BANK LINES, CREEKS, NAVIGABLE CHANNELS, OTHER SITE SPECIFIC ISSUES:

Exhibit C-1 Location Map
Exhibit C-2 Overall Site Bathymetry

EXHIBIT D. AERIALS OF EXISTING CONDITIONS, AND SHOWING PROPOSED DOCKS AND/OR WATER FEATURES:

Exhibit D-1 Overall Site Plan
Exhibit D-2 Detail A – Proposed Dredging and Dock Plan
Exhibit D-3 Detail A – Turbidity Monitoring Plan
Exhibit D-4 Detail B – Proposed Dredging and Dock Plan
Exhibit D-5 Detail C – Proposed Access Ramp
Exhibit D-6 Detail D – Proposed Dry Storage Staging Plan
Exhibit D- 7 Self-Certification for the Stormwater Management System

EXHIBIT E. DETAILS OF ANY RAILINGS, FEATURES, LIGHTING, DOCK BOXES, FISH STATIONS, BOAT LIFTS OR OTHER ITEMS THAT POTENTIALLY IMPACT SCENIC VISTAS:

Exhibit E-1 Dock and Ramp Cross Sections - A-A and B-B
Exhibit E-2 Dock and Ramp Cross Sections - C-C and D-D
Exhibit E-3 Lighting and Dock Boxes
Exhibit E-4 Fueling Stations

SEE ATTACHED FOR PICTORAL EXHIBITS

EXHIBIT F. EXPLANATION OF THE IMPACTS ACCORDING TO THE 17 CRITERIA OUTLINED IN CHAPTER 11. APPLICATIONS FOR DEVELOPMENT IN CONSERVATION OVERLAY ZONES SHALL BE EVALUATED ACCORDING TO THE FOLLOWING CRITERIA:

(1) Site specific conditions.

The property consists of an existing a marina with a number of small buildings and docks that extend to the San Sebastian River combined with an old mobile home park. The marina includes a dry storage launch ramp, as well as existing floating docks within the San Sebastian River (all constructed with appropriate permits). The upland property falls within St. Johns County (SJC) and has a Mixed Use Land Use and Commercial Highway Tourist zoning and the water area and the existing docks fall within the City of St. Augustine (CoSA). The site is north of an enclosed boat storage facility (Cat's Paw) that falls within the City limits. Other properties to the south along Nix Boat Yard Road are developed with a Home Depot with a large retention area, and a number of businesses including a manufacturing facility for Fishbites and St. Augustine Fish House and Oyster Company (previously Creekside Restaurant), which are also within the City limits.

The current marina facility contains a 350' foot fixed wooden access dock and a 420' floating dock along the river that provides mooring for at least 20 large boats of varying length as depicted in the 2017 aerial on Exhibit D-2 Detail A – Existing Dock Plan prepared by Hans Wilson & Associates, Inc. The marina has been operating since at least the early 1980's and includes a number of buildings. Their uses have changed over time, but have been, and continue to be, related to the marina operation. There are offices and retail sales facilities, that have sold beer, wine, snacks, ice, bait and gasoline, and a number of marina related businesses have operated out of the facility, including boat mechanic repair services. At one time there was dry storage for boats and the site still has the fork truck launch ramp as well as the extensive dock space noted, which is rented. Even while trying to sell the marina over the last number of years, the facility has remained a functional marina with businesses and customers renting slips. The new owner (Freedom Boat Club) continues to operate the facility and collect rent from the existing tenants.

The new plans are to improve the overall Marina with upland dry storage and offices (to replace the existing ones) and parking, which is all within the uplands and under the jurisdiction of St. Johns County (SJC). Plans also include refurbishing the fork truck launch ramp with a new seawall, maintenance dredging within the existing basin and construction of a staging dock for dry storage boats. Additional mooring is proposed by replacing the existing single floating dock with two floating docks running parallel to the site. These improvements fall within the jurisdiction of the City of St. Augustine (CoSA). The following Exhibits have been provided to show a closer look at the property as well as the adjacent existing marina property, showing existing conditions as well as the proposed improvements. They include Exhibits A-1 through A-3, Exhibit B, Exhibits C-1 and C-2, Exhibits D-1 through D-7, and Exhibits E-1 through E-4 as listed above.

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

The upland portion of the site falls within SJC and there is a mobile home park to the West and South. The site is north of an enclosed boat storage facility (Cat's Paw) that falls within the limits of the City of St. Augustine and has a Marine Industrial Land Use and Planned Unit Development (PUD) zoning. Other properties to the south along Nix Boat Yard Road are developed with a Home Depot with a large retention area, and a number of businesses, including a manufacturing facility for Fishbites, as well as St. Augustine Fish House and Oyster Company (previously Creekside Restaurant). These are also within the City limits and fall within the Commercial Medium Intensity Land Use and PUD zoning. There is also some property zoned Commercial Medium-Two (CM-2) closer to US Highway One. As noted, the water areas are within

the CoSA as well and are designated as such on the Comprehensive Plan FULU Map and as Open Land on the City Zoning Map. As the portion of the site in question includes the waters governed by CoSA, it is subject to review under the Conservation Overlay Zone (Zone 1).

(3) Natural and proposed drainage patterns.

Stormwater management is provided within the upland portion of the site that is governed by SJC and subject to permitting through the St. Johns River Water Management District (SJRWMD) and the Florida Department of Environmental Protection (FDEP). Plans are for 3 upland retention areas, all dry basins, where stormwater will be collected and held and then released into the San Sebastian River after meeting the treatment requirements. The proposed storm water management system was designed to meet all applicable state and local requirements for storm water quantity and quality. FDEP is the state regulating agency that reviewed the project in two parts: (1) improvements on the water side; and (2) improvements on the uplands side. See the attached a Self-Certification for the Stormwater Management System serving the upland portions of the project.

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

The proposed storm water management system includes three storm water management facilities (SWMFs), all dry retention basins a shown on the Overall Site Development Plan. The SWMFs will retain storm water runoff for the mean annual design storm (return interval of 2.33 years). Storms of greater intensity and duration will discharge into the adjacent water bodies.

Discharges from SWMF1 will represent a point discharge into the San Sebastian River at the fork truck launch pad bulkhead. This is where boats will be lowered into and lifted from the water and will be the most impacted area along the shoreline.

The outfalls for SWMF2 and SWMF3 are wide overflow weirs that will represent point discharges into the Gonzalo-Mendez Creek, which is directly connected to the San Sebastian River. While the weirs represent point discharges, overflow will be into the rock rubble riprap that will protect the shoreline. This riprap will act to dissipate discharge concentrations and velocities.

With the proposed SWMFs, the hydrologic interface between the upland and marine environments should not differ significantly from what occurs under existing conditions. This is an opinion and not based on data or analysis. However, the site has been designed to meet all applicable state rules pertaining to storm water runoff and water quality.

(5) Proposed soil stabilization and erosion control methods.

Erosion and sediment control best management practices (BMPs) will be implemented throughout the construction process as shown on the agency-approved plans. Erosion and Sediment Control is a performance-based requirement where the contractor is responsible for implementing appropriate BMPs as may be required for the different phases of construction. The finished site will include vegetative cover (grass and plants) on the upland portions of the site, as a permanent soil stabilization BMP.

(6) Impact on floodplain.

As the improvements to be considered fall within the San Sebastian River, there are no impacts on the floodplain.

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

The improvements to be considered by the CoSA are those that fall within the San Sebastian River. The upland areas are primarily replacing existing "land" based structures and are under SJC's jurisdiction, so are being addressed through their permitting process and those of the permitting agencies.

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

The storm water management system will contain storm water runoff from storms up to the mean annual design storm (2.33-year return interval). The following table summarizes storage capacities for the three SWMFs:

Storm Water Facility	**Storage Capacity (cf)**	**Storage Capacity (gal)**
SWMF1	4,609	34,475
SWMF2	3,091	23,131
SWMF3	4,940	36,951
Total	**12,640**	**94,557**

Based on the above summary, the proposed SWMFs will have the capacity to impound up to 94,557 gallons of storm water runoff and chemicals or contaminates that may be transported by storm water runoff. This storage capacity should provide a reasonable level of environmental protection from possible pollutants that may be associated with the operation of a marina.

(9) Effect of shade on vegetation and shellfish.

The existing fixed wooden access pier will not change with the exception of additional wide outs or bypasses that ate 2' wide by 5' long. They are located in non-vegetated areas. No oysters were noted in these locations either. The ramp down to the floating docks themselves will increase shading, however, they are located in water depths of -5' or deeper, limiting light penetration. No oysters or shellfish were observed in these areas.

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

The construction of the floating docks parallel to the travel corridor of the river will act as a barrier for both boat and wind waves. This will protect the vegetated shoreline landward of the docks, which also provides for additional protection of the natural resources, fish and wildlife that utilize the shallow emergent vegetated areas. Water depths are sufficient for passage of manatees below the floating docks and vessels moored at the facility.

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

The shoreline (along the Mean High Water Line) is approximately 583 linear feet. The docks include a 6' wide fixed access pier, a 36' long fixed access pier to dry storage staging dock ramp (42 linear feet in total), and the fork truck launch ramp seawall (33' long) will occupy approximately 75 feet or just 13% of the property's shoreline.

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

The primary development for the site falls within uplands, which is within the jurisdiction of SJC, so it is not addressed in this application. However, for those waterfront improvements, it should be noted that access to most of the new docks will be from the existing access dock. The proposed floating docks in the river, will be in the same location as the existing dock (although there will be two that are parallel versus one) and they will be at the same elevation as the floating docks. The dock used for staging of dry storage vessels will be at the fork truck launch ramp and will be adjacent to and parallel with the docks used for the same purpose by Cat's Paw immediately to the south. There should be no negative effects on the views and scenic opportunities of the neighboring property.

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

The improvements to be considered by the COSA are those that fall within the San Sebastian River. The upland areas are primarily replacing existing "land" based structures and are under SJC's jurisdiction, so are being addressed through their permitting process and those of the permitting agencies. All existing wetland plant species on site will be unaffected by the proposed waterfront improvements.

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

The improvements to be considered by the COSA are those that fall within the San Sebastian River. The upland areas are primarily replacing existing "land" based structures and are under SJC's jurisdiction, so are being addressed through their permitting process and those of the permitting agencies. See comment above.

(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.)

The proposed storm water management system will meet all applicable state water quality treatment requirements. See attached FDEP Self Certification and responses to questions 3, 4, 5 and 8 above. Short term water quality impacts, basically turbidity, will be managed using turbidity curtains that will surround the working areas as well as the dredged material offloading site. Long term water quality is managed via a Marina Management Plan has been submitted as part of the Environmental Resource Permit application. It includes Best Management Practices for the marina operation including fueling, solid waste management, vessel cleaning, battery management, and boater education.

The proposed storm water management system will meet all applicable state water quality treatment requirements. See attached FDEP Self Certification and responses to questions 3, 4, 5 and 8 above. Short term water quality impacts, basically turbidity, will be managed using turbidity curtains that will surround the working areas as well as the dredged material offloading site. Long term water quality is managed via a Marina Management Plan has been submitted as part of the Environmental Resource Permit application. It includes Best Management Practices for the marina operation including fueling, solid waste management, vessel cleaning, battery management, and boater education.

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

All dredging and dock construction will take place outside of existing marshlands and will not have an impact on shellfish at this location. Similarly, the emergent wetlands or marshlands will be unaffected by the proposed construction, continuing to provide shelter and foraging for fish and waterfowl. The proposed floating docks will require much less in the number of piles versus a fixed structure, reducing the direct impact to the sea floor. This will help avoid adverse effects to any fish and wildlife habitats within the project footprint. The proposed limits of the dredging are designed to be outside of any marshland and wetlands that provide any shelter for fish and wildlife.

(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 thedeck.

The docks will not be for individual use and will be part of a commercial operation. The docks will not have any boat houses or boat lifts, nor be significantly higher than the existing dock. However, because this is a commercial operation, there will be fueling stations on the docks, dock boxes and appropriate lighting, which are shown on Exhibit E-1 Dock and Ramp Cross Sections - A-A and B-B, Exhibit E-2 Dock and Ramp Cross Sections - C-C and D-D, Exhibit E-3 Lighting and Dock Boxes, Exhibit E-4 Fueling Station Locations and Design Details and lighting.

FREEDOM BOAT CLUB CONSERVATION OVERLAY ZONE DEVELOPMENT APPLICATION PICTORIAL EXHIBITS

EXHIBIT A. SURVEY LOCATIONS OF THE PROPOSED DOCKS OR MODIFICATIONS TO EXISTING DOCKS:

Exhibit A-1 Location Map
Exhibit A-2 Aerial and Adjacent Uses
Exhibit A-3 Site Plan Comparison for Existing Facilities and Docks and New Facilities and Docks
Exhibit A-4 Existing Dock Plan
Exhibit A-5 Waterway Width Determination

EXHIBIT B. PLANS OF THE PROPOSED DOCK OR DOCK MODIFICATIONS:

Exhibit B Overall Site Development Plan

EXHIBIT C. BATHOMETRIC SURVEYS SHOWING WATER DEPTHS AT MEAN HIGH TIDE AND MEAN LOW TIDE, RELATIONSHIP OF THE PROPOSED DOCK TO WATER FEATURES, MARSH, BANK LINES, CREEKS, NAVIGABLE CHANNELS, OTHER SITE SPECIFIC ISSUES:

Exhibit C-1 Location Map
Exhibit C-2 Overall Site Bathymetry

EXHIBIT D. AERIALS OF EXISTING CONDITIONS, AND SHOWING PROPOSED DOCKS AND/OR WATER FEATURES:

Exhibit D-1 Overall Site Plan
Exhibit D-2 Detail A – Proposed Dredging and Dock Plan
Exhibit D-3 Detail A – Turbidity Monitoring Plan
Exhibit D-4 Detail B – Proposed Dredging and Dock Plan
Exhibit D-5 Detail C – Proposed Access Ramp
Exhibit D-6 Detail D – Proposed Dry Storage Staging Plan
Exhibit D- 7 Self-Certification for the Stormwater Management System

EXHIBIT E. DETAILS OF ANY RAILINGS, FEATURES, LIGHTING, DOCK BOXES, FISH STATIONS, BOAT LIFTS OR OTHER ITEMS THAT POTENTIALLY IMPACT SCENIC VISTAS:

Exhibit E-1 Dock and Ramp Cross Sections - A-A and B-B
Exhibit E-2 Dock and Ramp Cross Sections - C-C and D-D
Exhibit E-3 Lighting and Dock Boxes
Exhibit E-4 Fueling Stations

EXHIBIT A-1
LOCATION MAP

EXHIBIT A-2
ST. JOHNS COUNTY FUTURE LAND USE MAP

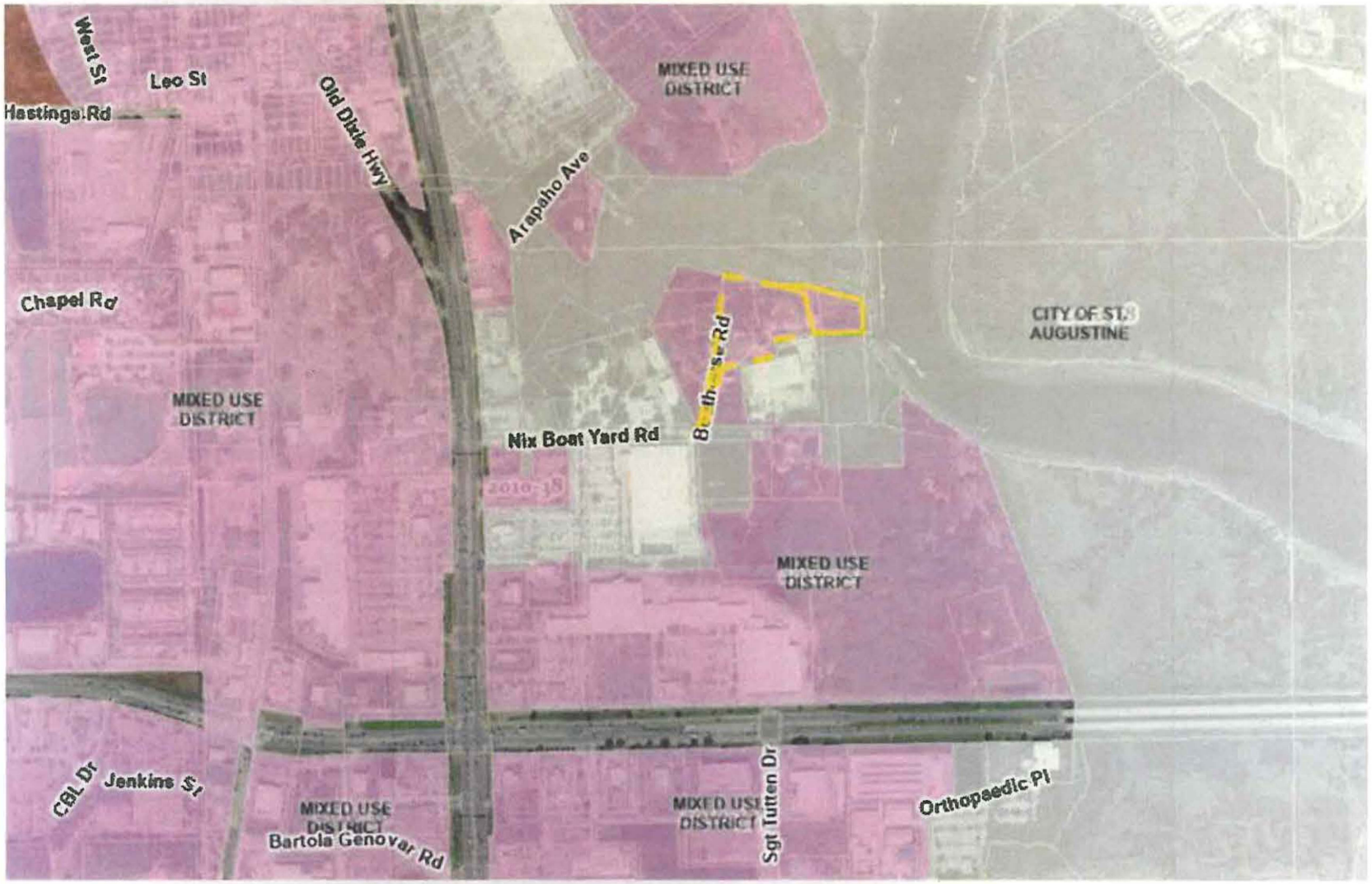
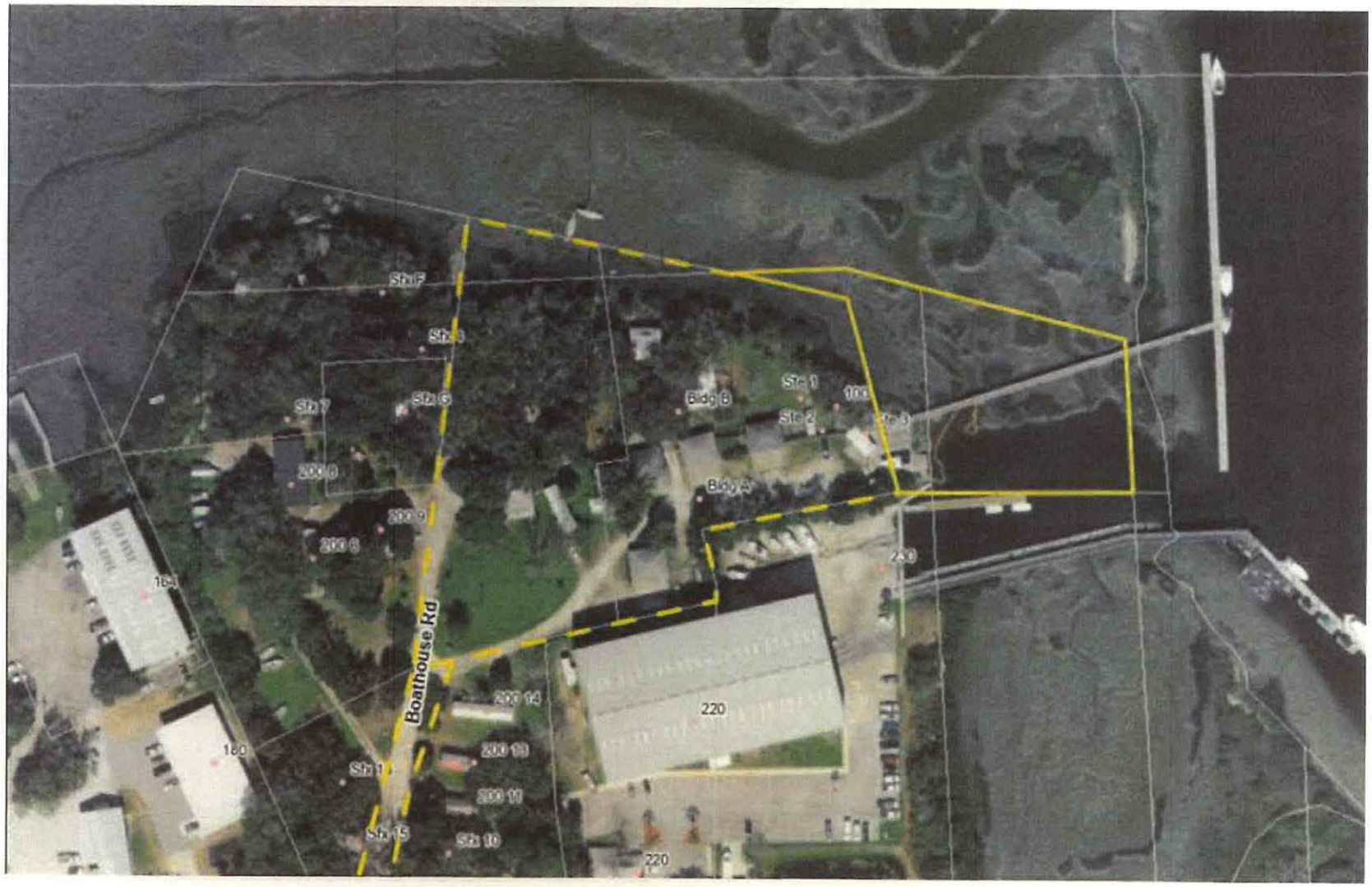


EXHIBIT A-3
AERIAL AND ADJACENT USES



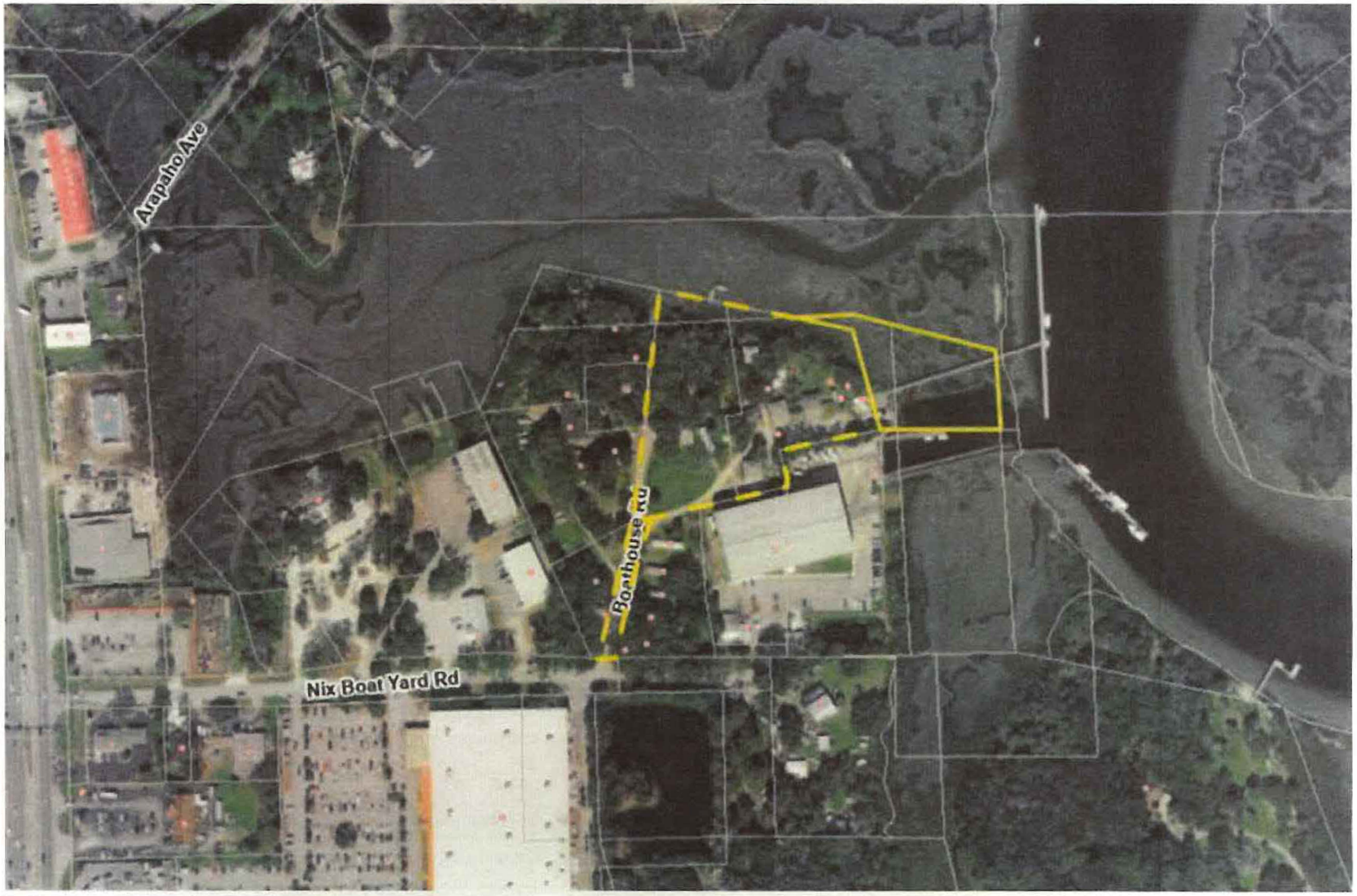

Arapaho Ave
Boathouse Rd
Nix Boat Yard Rd

EXHIBIT A-4
SITE PLAN COMPARISON FOR EXISTING FACILITIES AND DOCKS AND NEW FACILITIES AND DOCKS

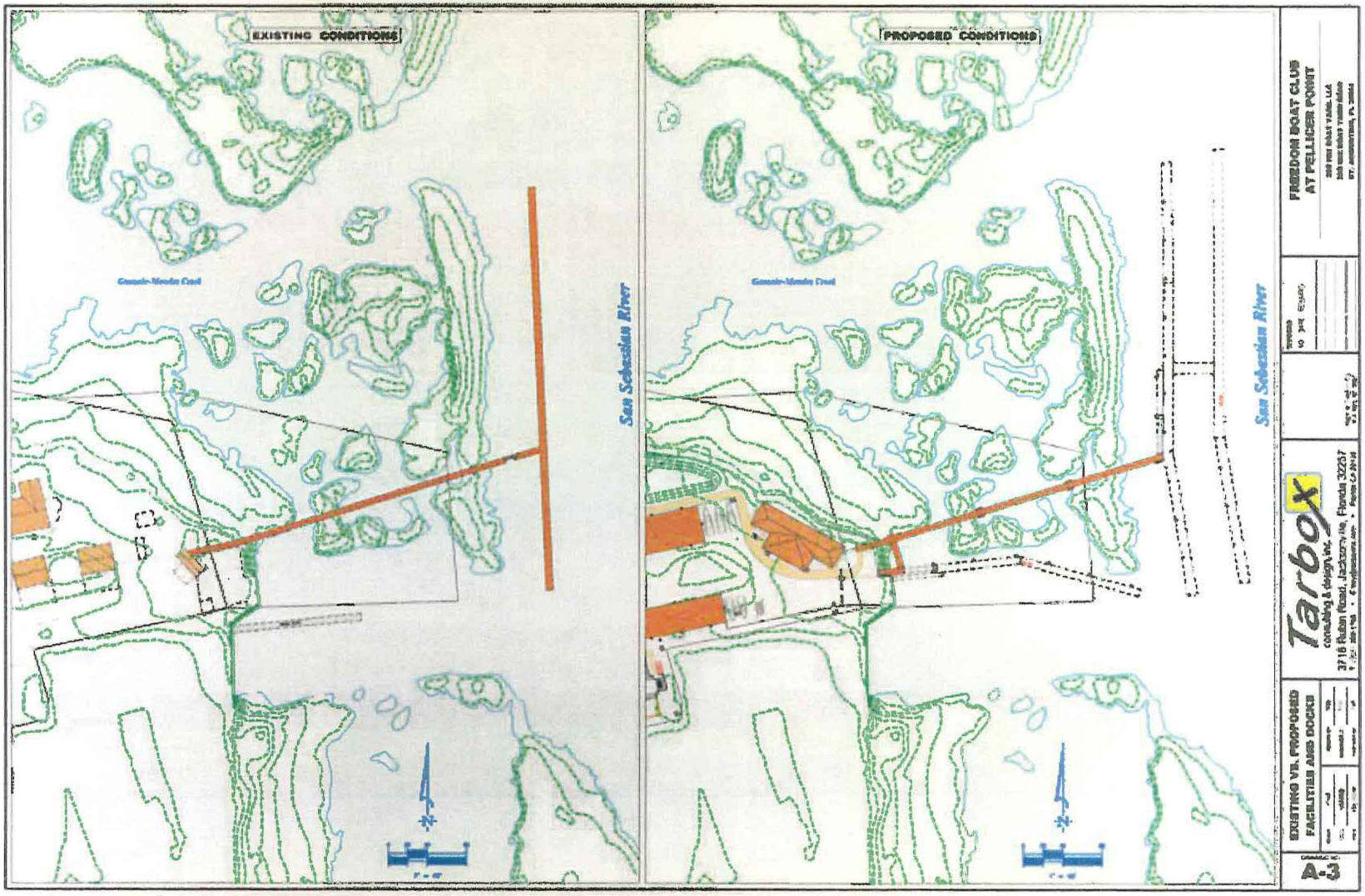


EXHIBIT A-5
EXISTING DOCK PLAN

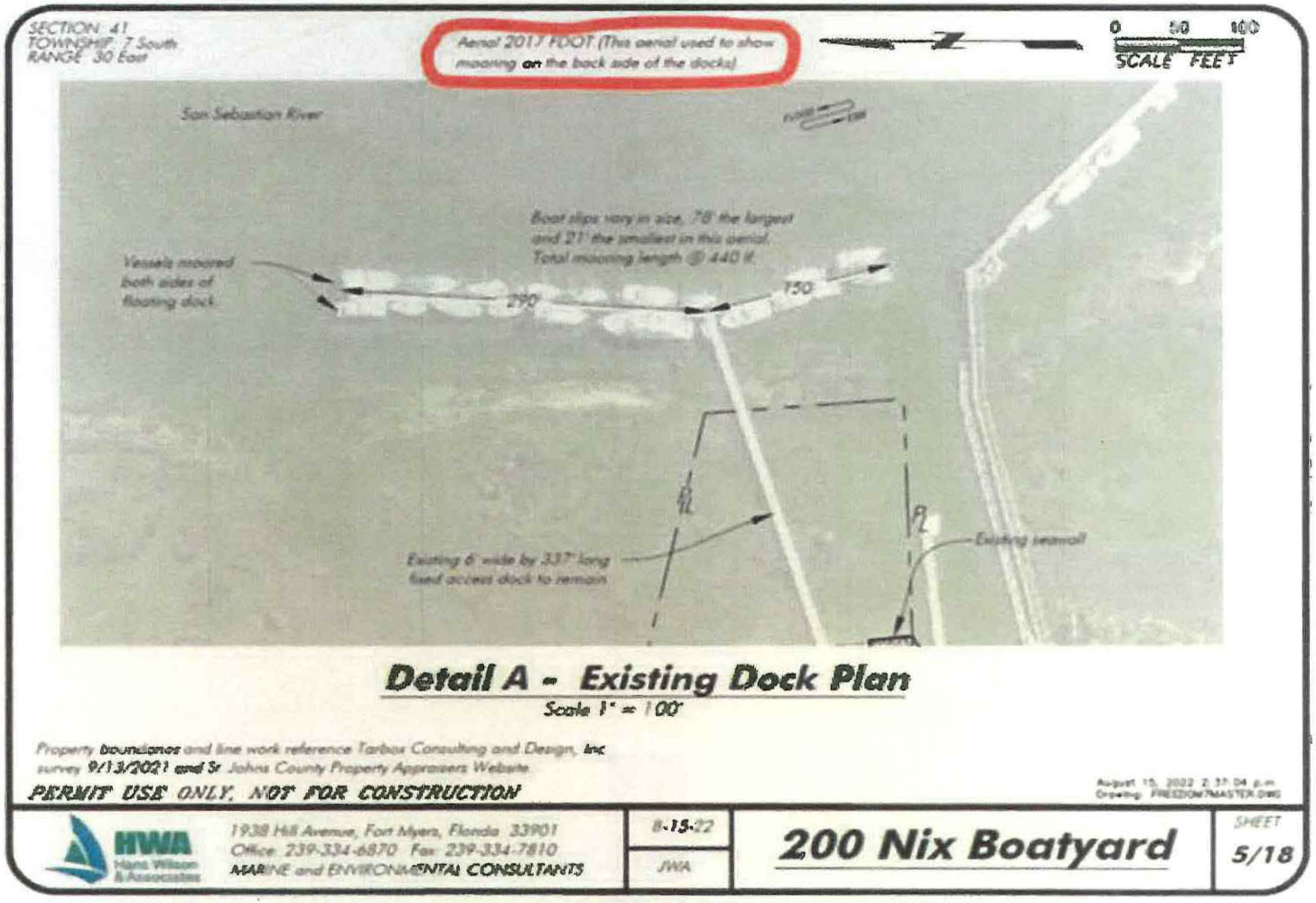


EXHIBIT A-6
WATERWAY WIDTH DETERMINATION

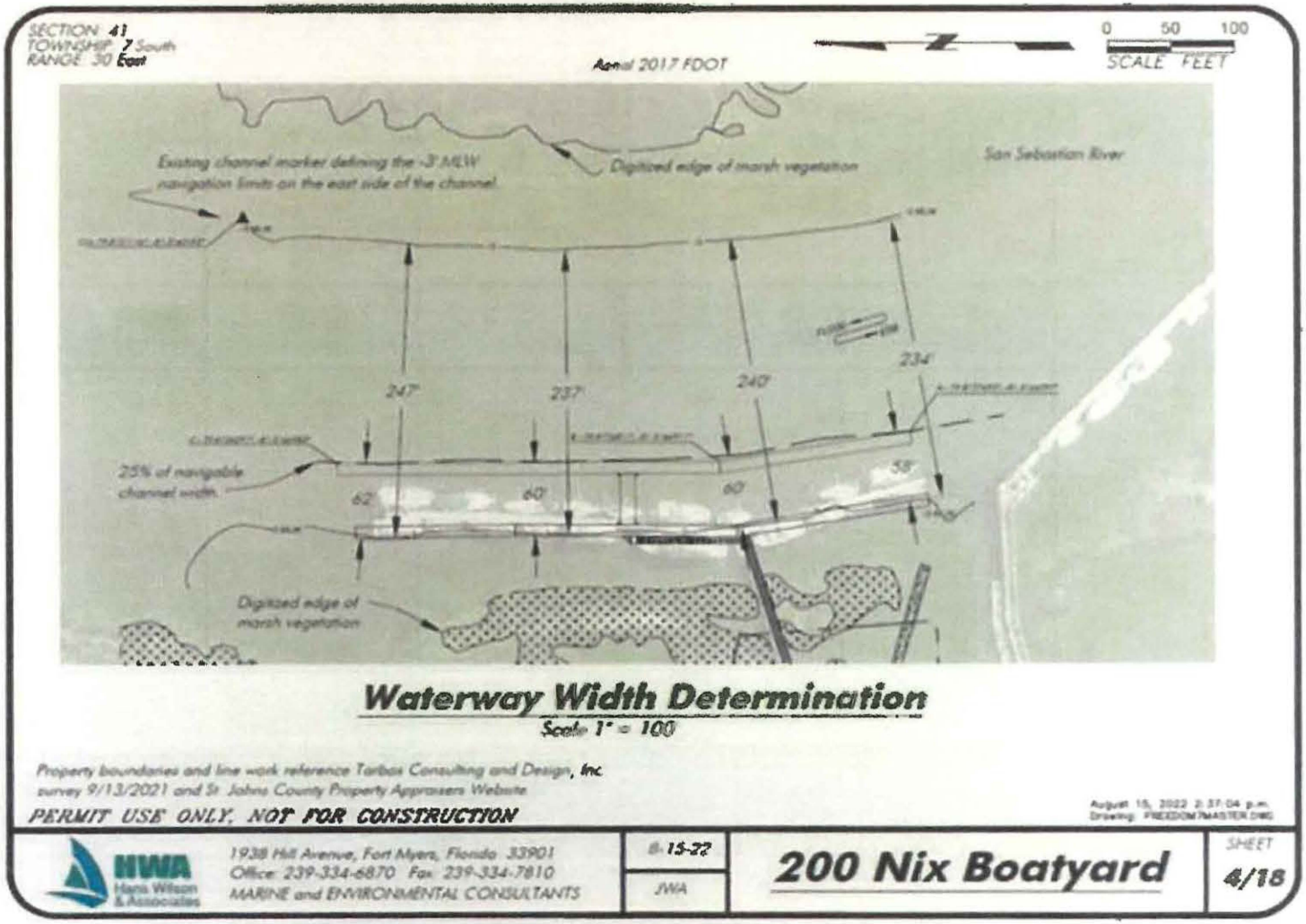
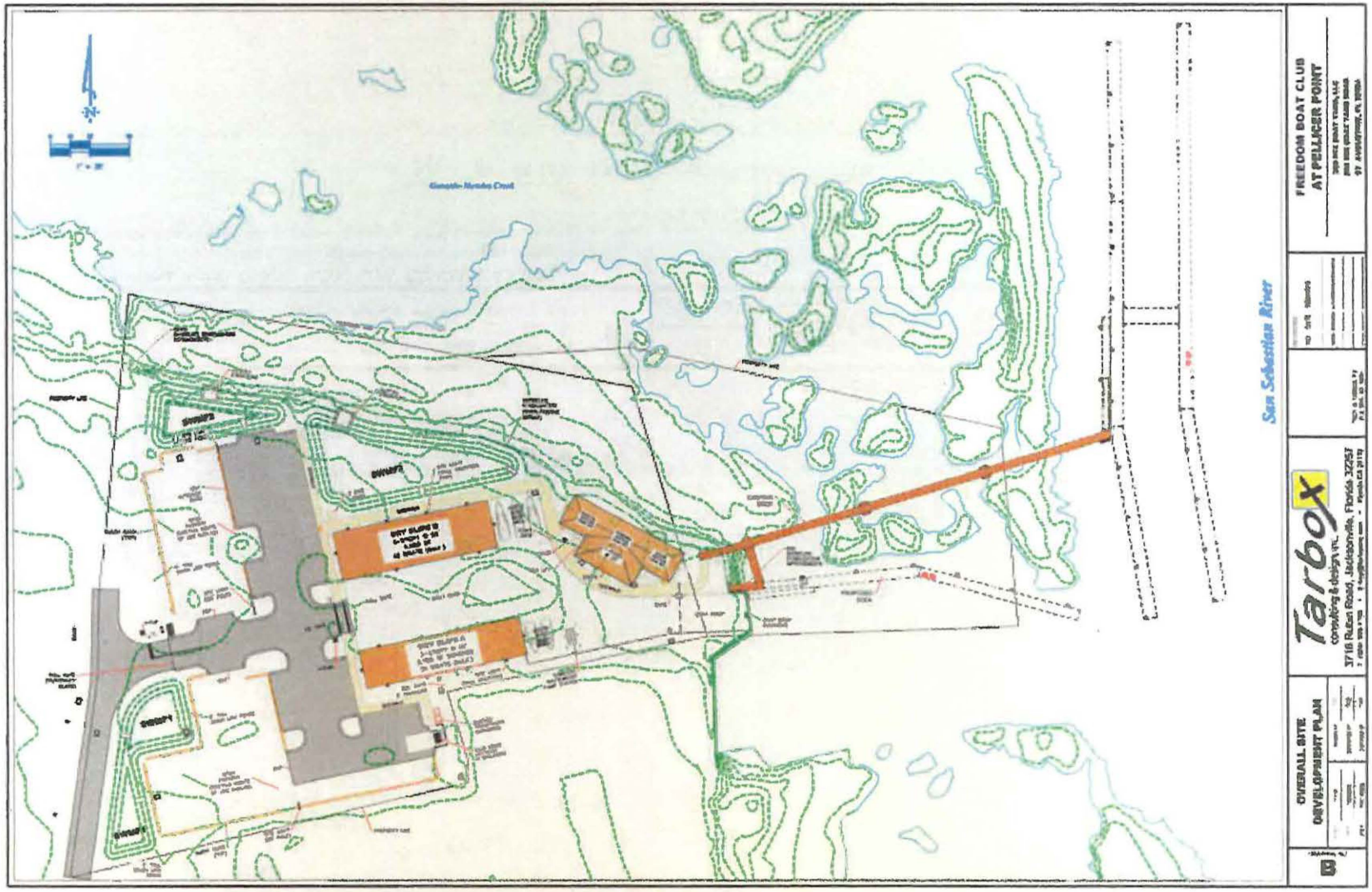
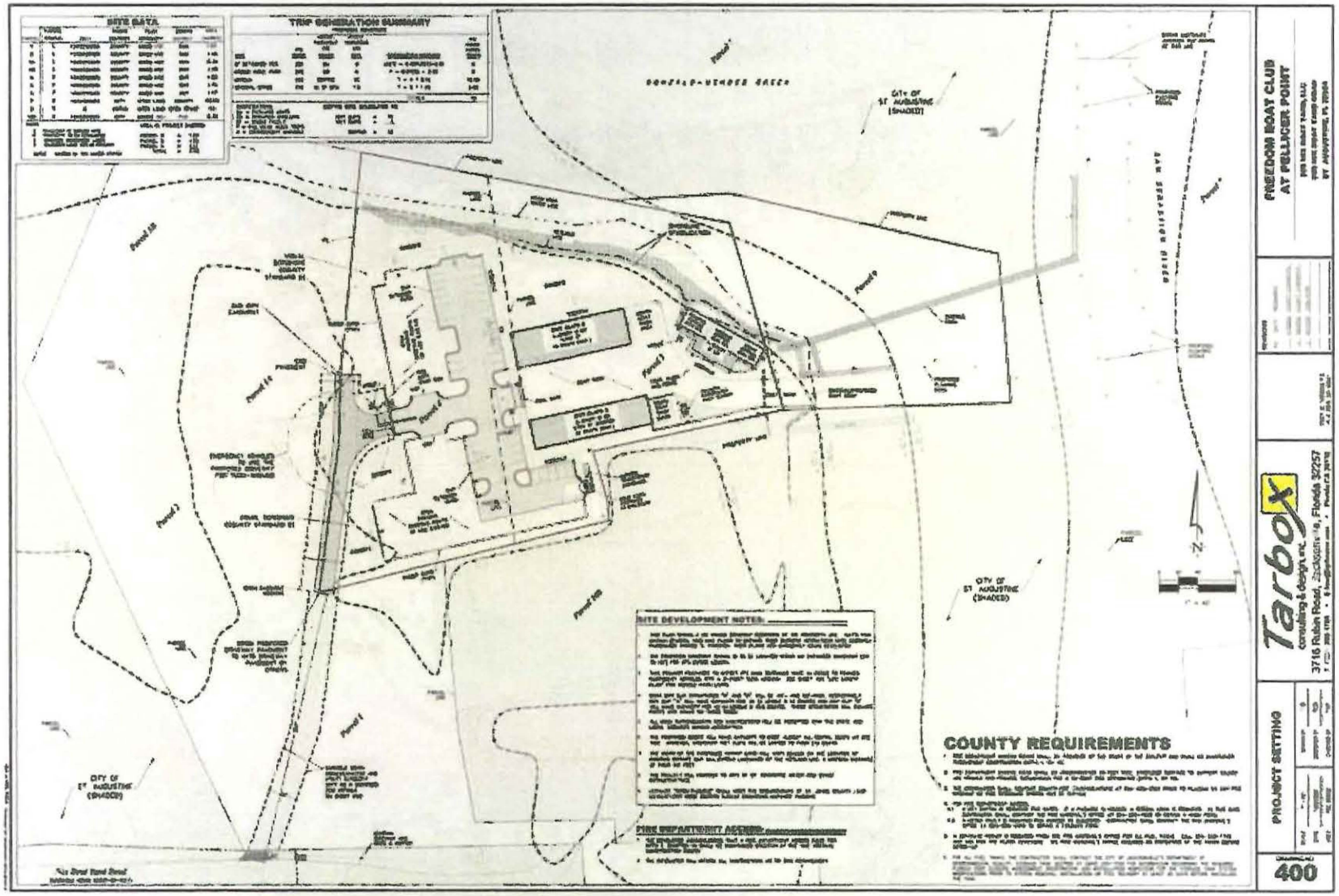


EXHIBIT B
OVERALL SITE DEVELOPMENT PLAN

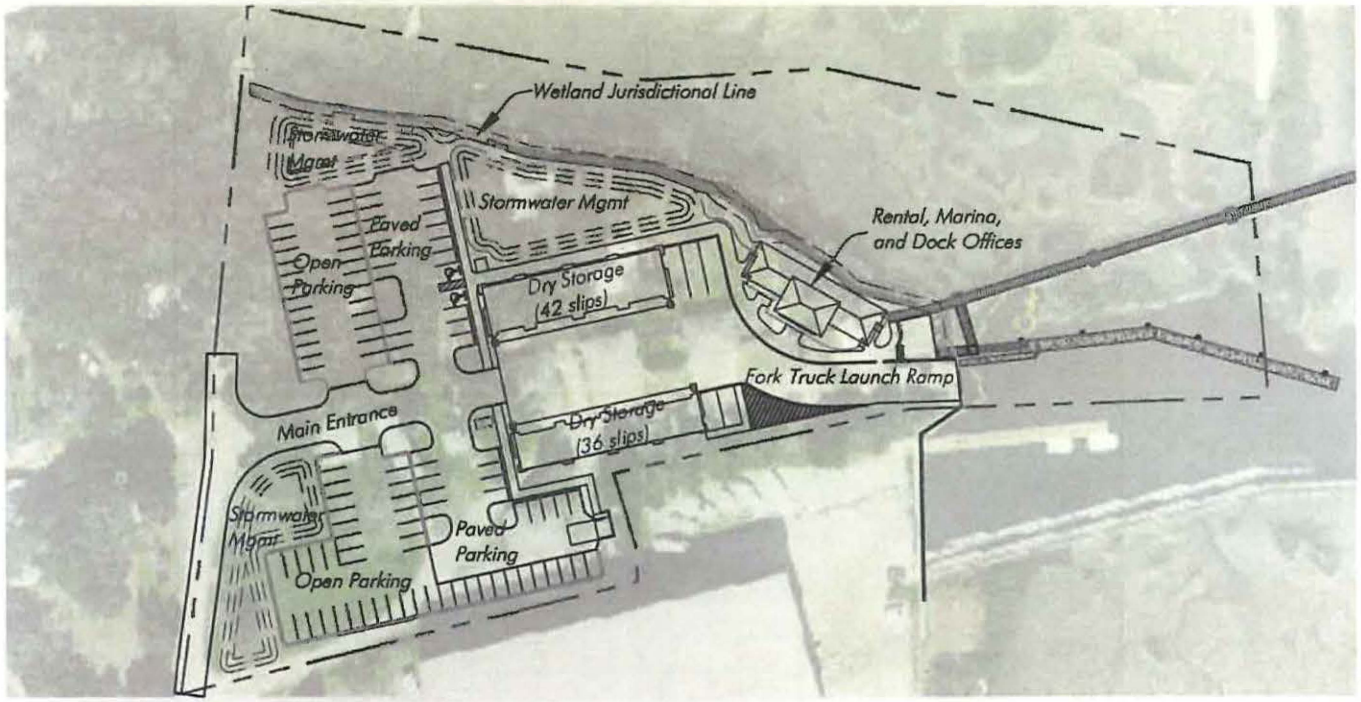



SITE DATA
TRIP GENERATION SUMMARY
SITE DEVELOPMENT NOTES:
FIRE DEPARTMENT ACCESS
COUNTY REQUIREMENTS
CITY OF ST AUGUSTINE (SHADED)
FREEDOM BOAT CLUB AT PELICAN POINT
Tarbox
consulting & design, inc.
3716 Rubin Road, Jacksonville, Florida 32257
PROJECT SETTING
400

SECTION: 41
TOWNSHIP: 7 South
RANGE: 30 East

FDOT Aerial 2021

0' 50' 100'
SCALE FEET



Detail E - Proposed Upland Plan

Scale 1" = 100'

Property boundaries and line work reference Tarbox Consulting and Design, Inc. survey 9/13/2021 and St. Johns County Property Appraisers Website.

PERMIT USE ONLY, NOT FOR CONSTRUCTION

August 15, 2022 2:37:04 p.m.
Drawing: FREEDOM7MASTER.DWG

HWA Hans Wilson & Associates
1938 Hill Avenue, Fort Myers, Florida 33901
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

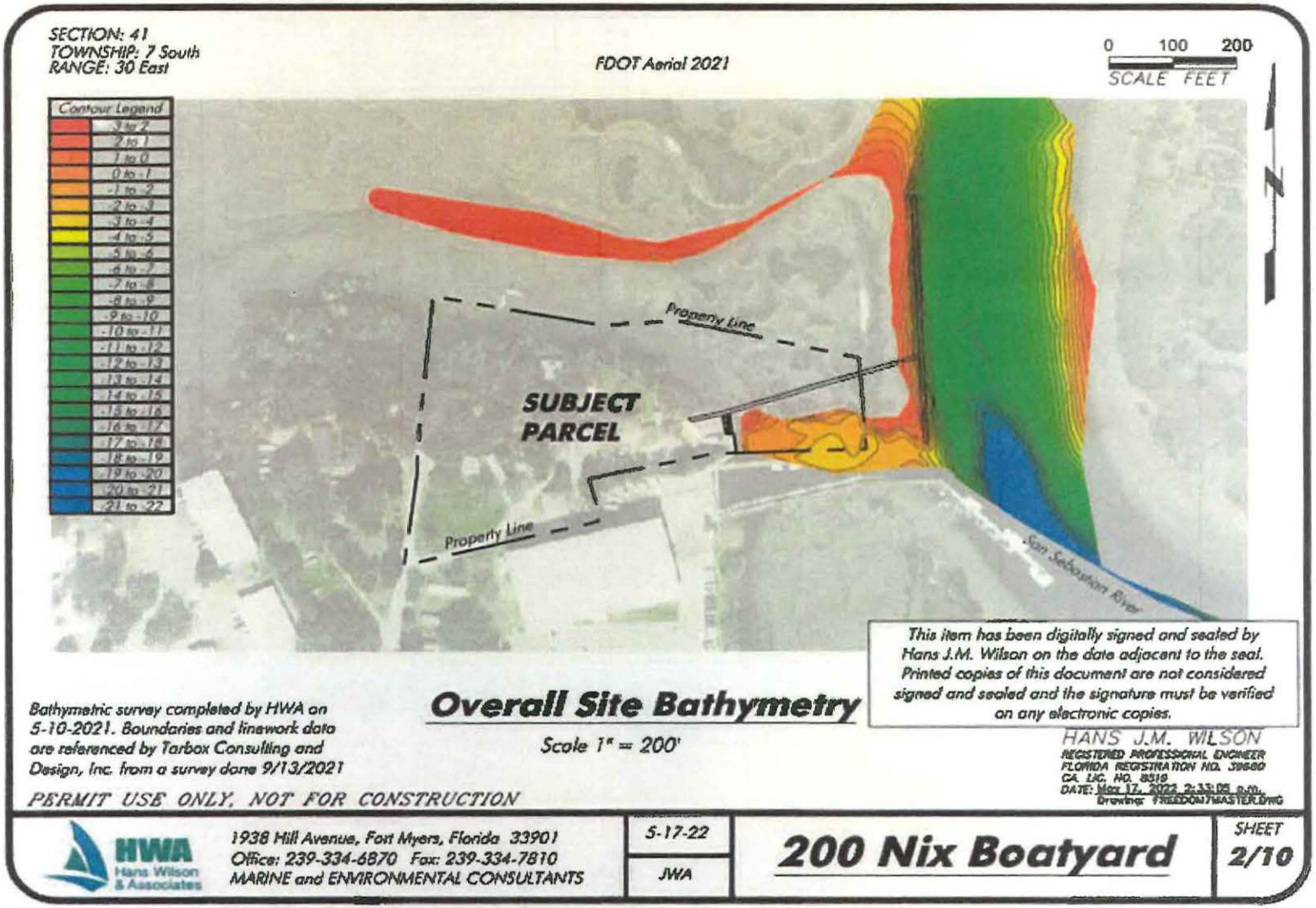
8-15-22
HJMW

200 Nix Boatyard

SHEET 14/18

EXHIBIT C-1
LOCATION MAP

EXHIBIT C-2
OVERALL SITE BATHYMETRY



Bathymetric survey completed by HWA on 5-10-2021. Boundaries and linework data are referenced by Tarbox Consulting and Design, Inc. from a survey done 9/13/2021

Overall Site Bathymetry

Scale 1" = 200'

This item has been digitally signed and sealed by Hans J.M. Wilson on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39660
CA. LIC. NO. 8519
DATE: Mar 17, 2022 2:33:05 p.m.
Drawing: FREEDOM7MASTER.DWG

PERMIT USE ONLY, NOT FOR CONSTRUCTION

HWA Hans Wilson & Associates
1938 Hill Avenue, Fort Myers, Florida 33901
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

5-17-22
JWA

200 Nix Boatyard

SHEET 2/10

EXHIBIT D-1
OVERALL SITE PLAN

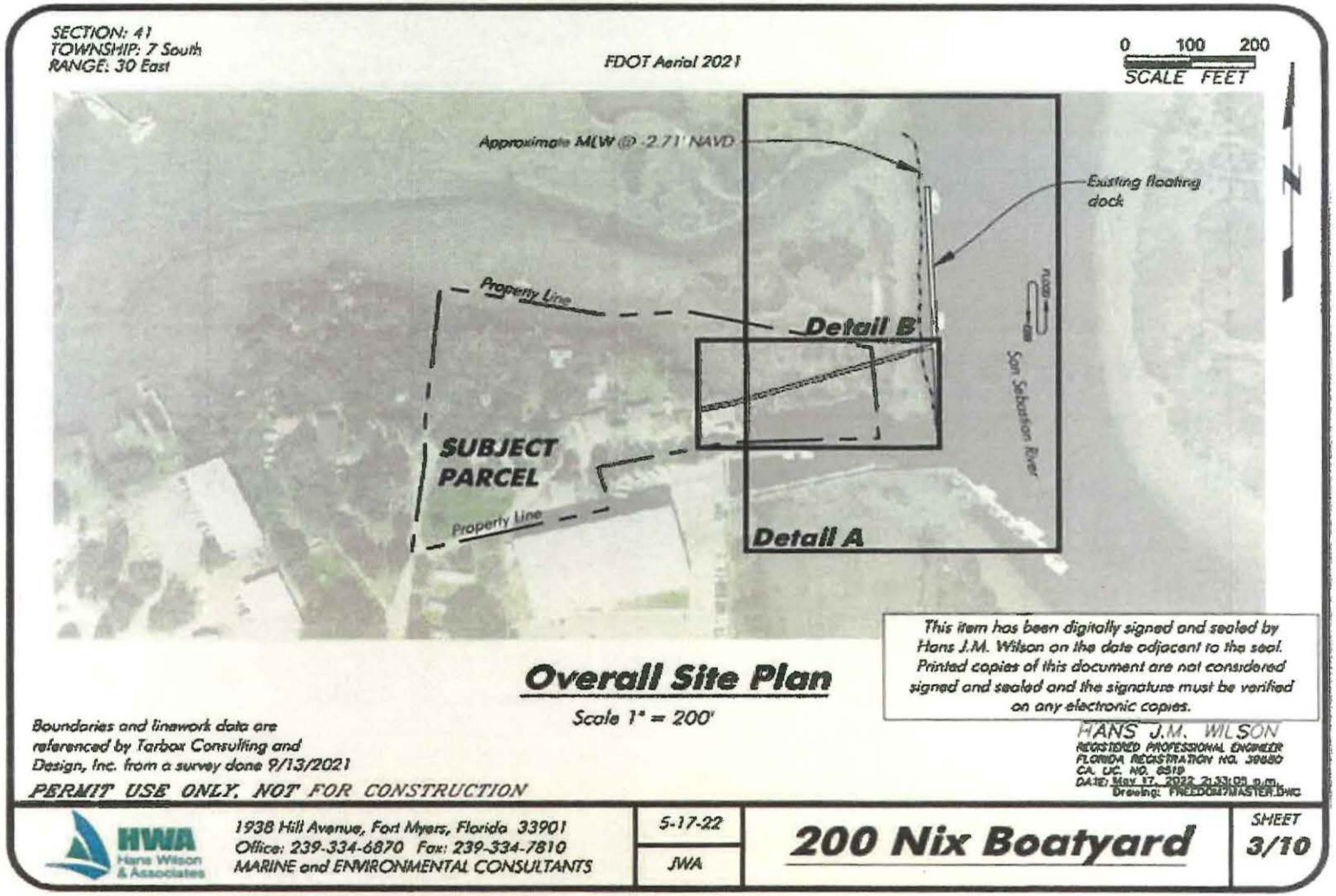


EXHIBIT D-2
DETAIL A – PROPOSED DREDGING AND DOCK PLAN

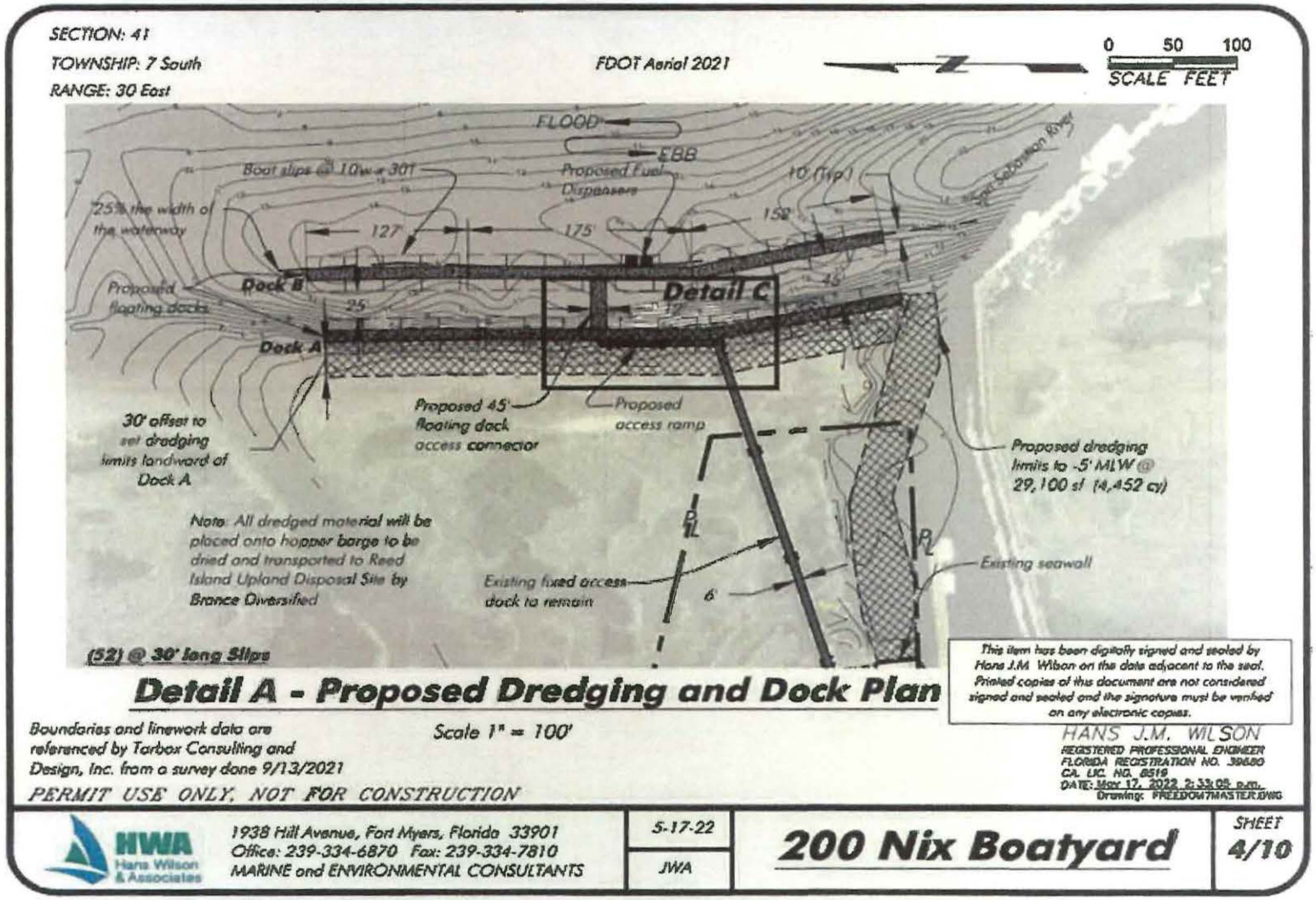


EXHIBIT D-3
DETAIL A – TURBIDITY MONITORING PLAN

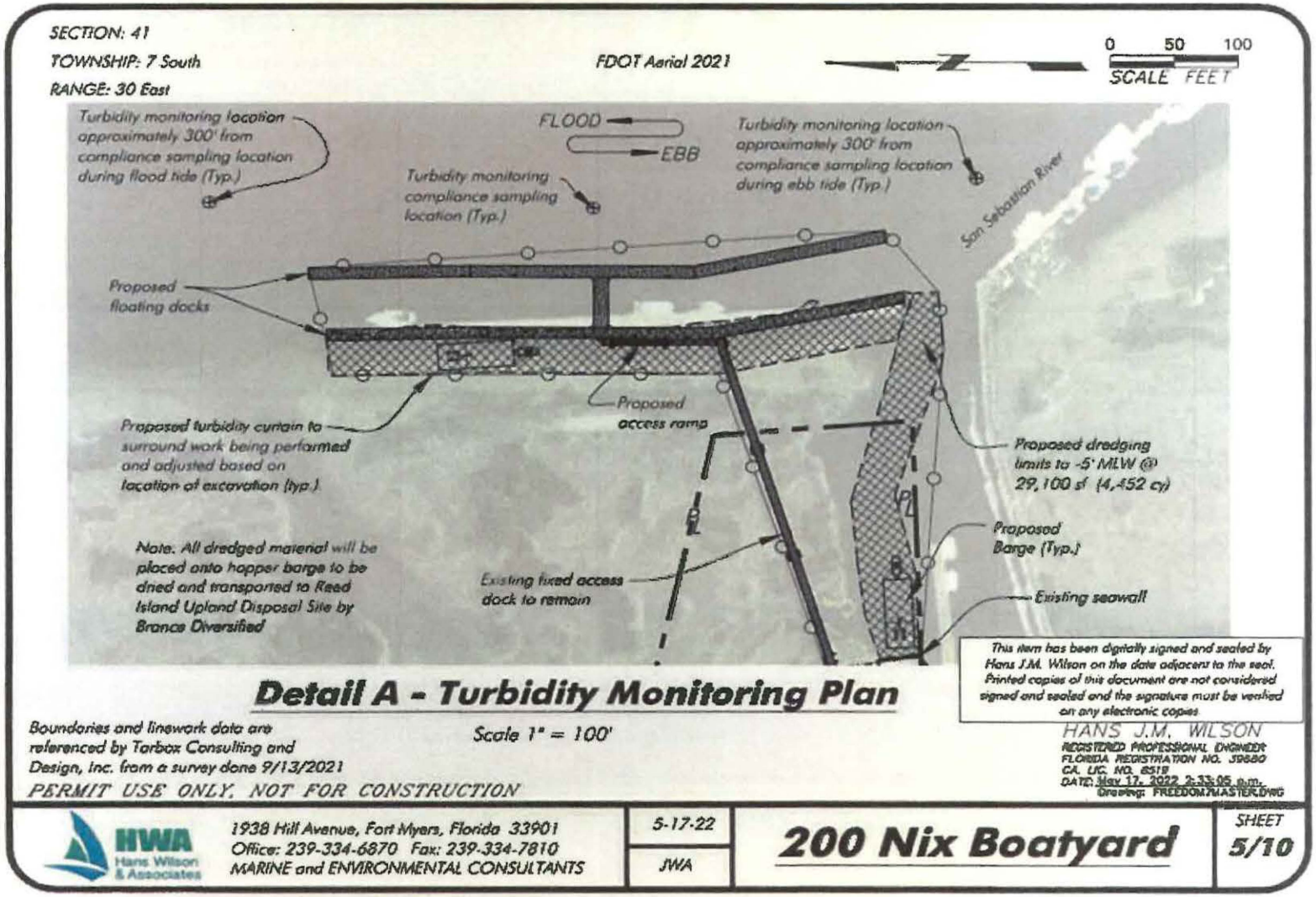


EXHIBIT D-4
DETAIL B – PROPOSED DREDGING AND DOCK PLAN

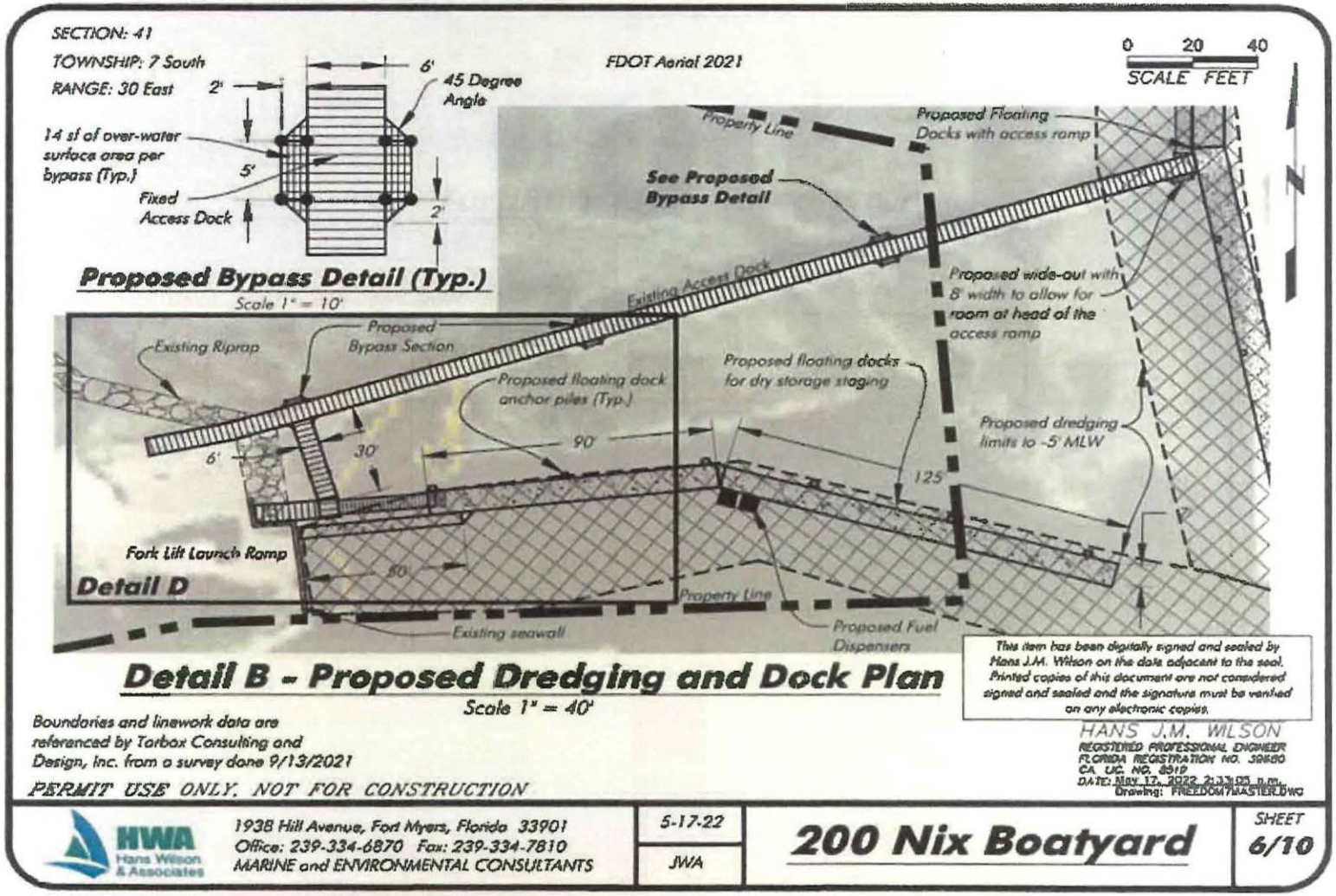


EXHIBIT D-5
DETAIL C – PROPOSED ACCESS RAMP

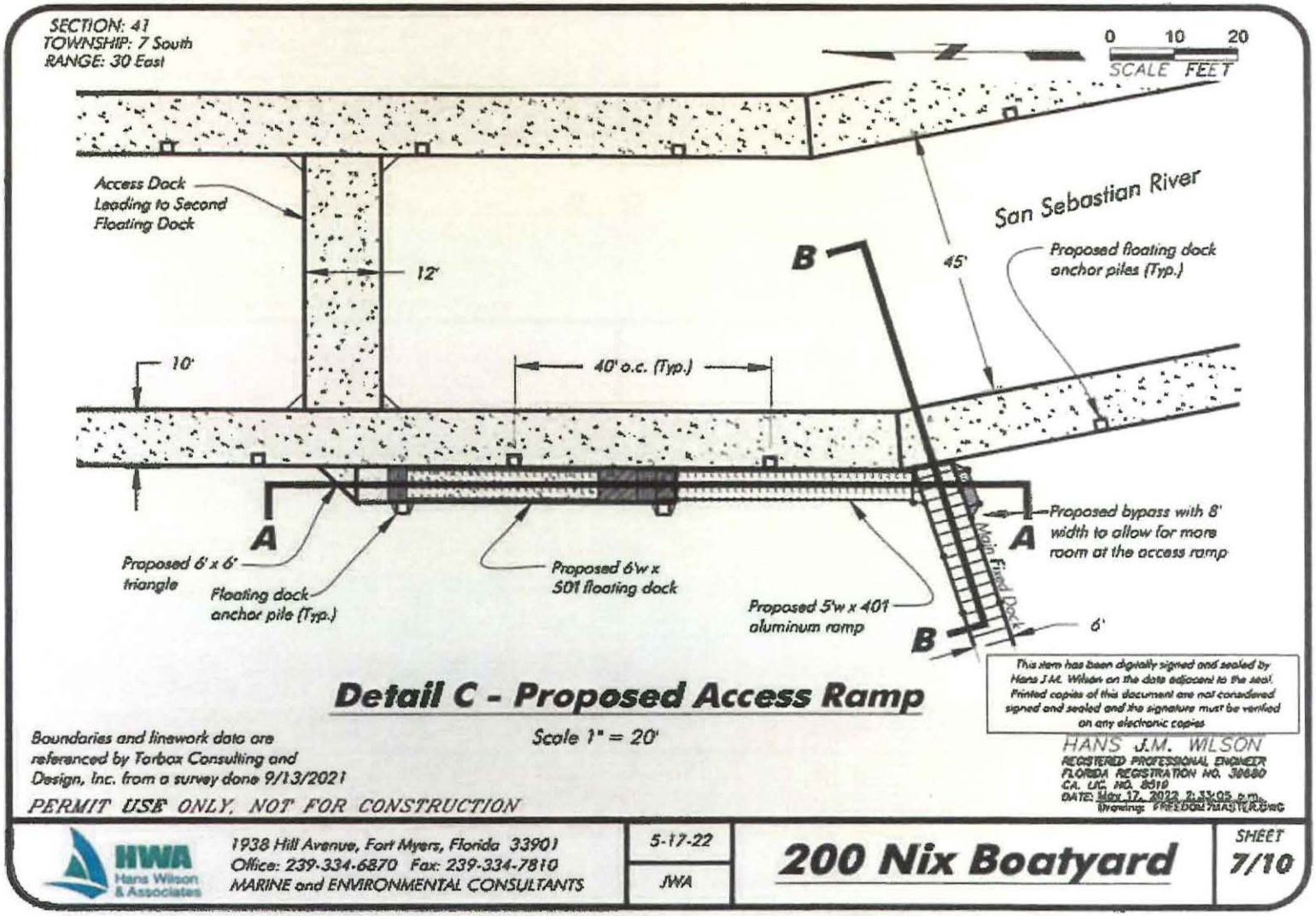


EXHIBIT D-6
DETAIL D – PROPOSED DRY STORAGE STAGING PLAN

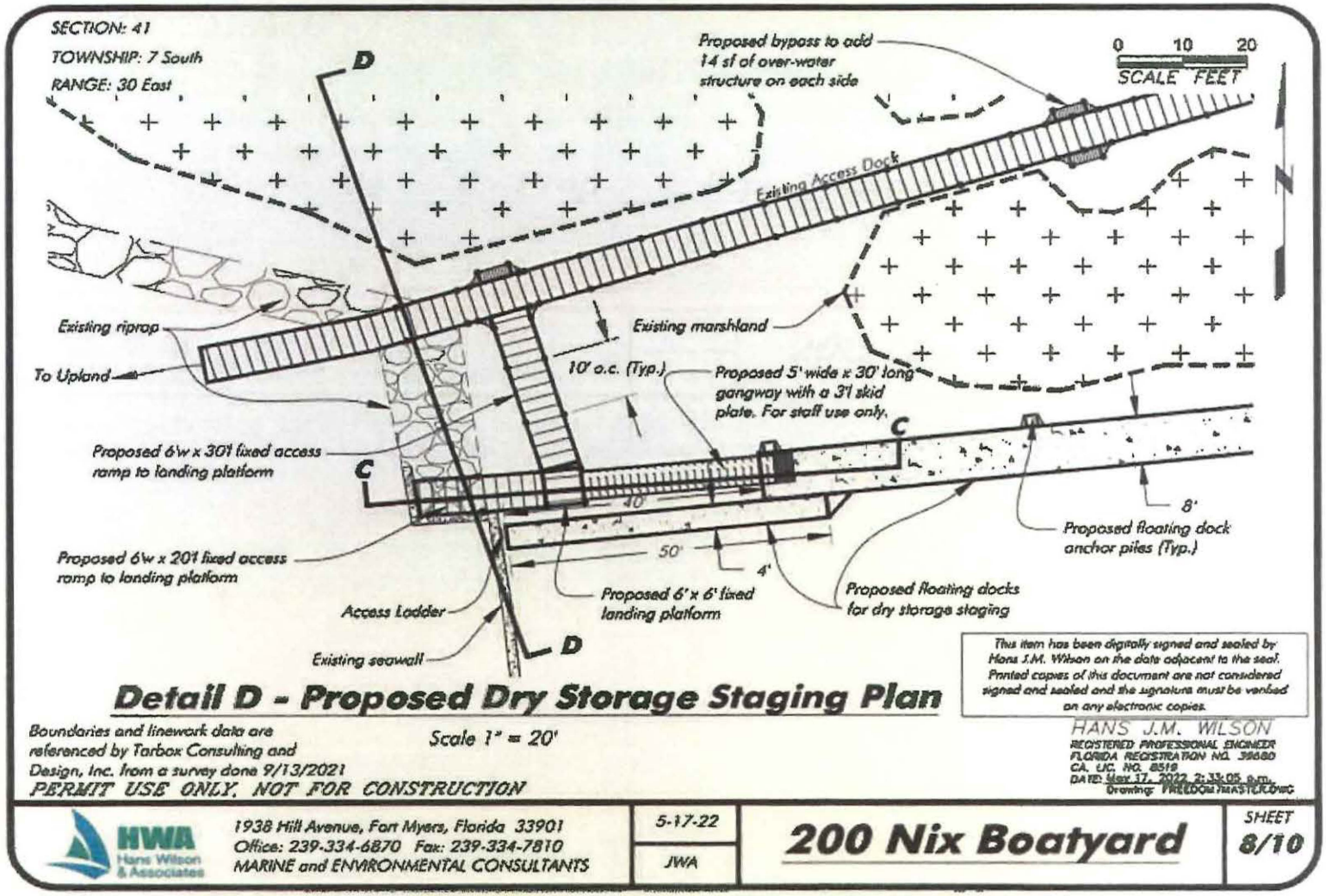


EXHIBIT D- 7
SELF-CERTIFICATION FOR THE STORMWATER MANAGEMENT SYSTEM

FLORIDA DEPARTMENT OF
Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Ron DeSantis
Governor

Jennette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

SELF-CERTIFICATION FOR A STORMWATER MANAGEMENT SYSTEM IN UPLANDS SERVING LESS THAN 10 ACRES OF TOTAL PROJECT AREA AND LESS THAN 2 ACRES OF IMPERVIOUS SURFACES

Owner(s)/Permittee(s):	200 Nix Boat Yard, LLC
File No:	0417010001EG
File Name:	MARINA UPLAND IMPROVEMENTS
Site Address:	200 Nix Boat Yard Rd Saint Augustine FL - 32084-6081
County:	St. Johns
Latitude:	29° 52' 20.1294"
Longitude:	-81° 19' 6.6119"
Total Project Area:	4.49
Total Impervious Surface Area:	1.81
Approximate Date of Commencement of Construction:	06/10/2022
Registered Florida Professional:	Troy Tarbox
License No.:	50661
Company:	Tarbox Consulting and Design, Inc.

Date: February 23, 2022

Troy Tarbox certified through the Department's Enterprise Self-Service Application portal that the project described above was designed by the above-named Florida registered professional to meet the following requirements:

(a)The total project area involves less than 10 acres and less than 2 acres of impervious surface;
(b)Activities will not impact wetlands or other surface waters;
(c)Activities are not conducted in, on, or over wetlands or other surface waters;
(d)Drainage facilities will not include pipes having diameters greater than 24 inches, or the hydraulic equivalent, and will not use pumps in any manner;
(e)The project is not part of a larger common plan, development, or sale; and
(f)The project does not:

1.Cause adverse water quantity or flooding impacts to receiving water and adjacent lands;
2.Cause adverse impacts to existing surface water storage and conveyance capabilities;
3 Cause a violation of state water quality standards; or
4.Cause an adverse impact to the maintenance of surface or ground water levels or surface water flows established pursuant to s. 373.042 or a work of the district established pursuant to s. 373.086, F.S.

This certification was submitted before initiation of construction of the above project. The system is designed, and will be operated and maintained in accordance with applicable rules adopted pursuant to part IV of chapter 373, F.S. There is a rebuttable presumption that the discharge from such systems will comply with state water quality standards.Therefore, construction, alteration, and maintenance of the stormwater management system serving this project is authorized in accordance with s.403.814(12), F.S.

In accordance with s. 373.416(2), F.S., if ownership of the property or the stormwater management system is sold or transferred to another party, continued operation of the system is authorized only if notice is provided to the Department within 30 days of the sale or transfer This notice can be submitted to:

FDEP Northeast District
8800 Baymeadows Way West
Jacksonville, FL32256

This certification was submitted along with the following electronic documents

File Description
PLANS
CALCS - PART 1
CALCS - PART 2

If you have submitted this certification as a Florida Registered Professional, you may wish to sign and seal this certification, and return a copy to the Department, in accordance with your professional practice act requirements under Florida Statutes.

I, Troy Tarbox, License No. 50661, do hereby certify that the above information is true and accurate, based upon my knowledge, information and belief. In the space below, affix signature, date, seal, company name, address and certificate of authorization (if applicable).

This sealed certification may be submitted to the Department, either electronically (as an attachment in Adobe PDF or other secure, digital format) at DEP_NEDistrict@dep.state.fl.us, or as a hardcopy, at the postal address below:

FDEP Northeast District
8800 Baymeadows Way West
Jacksonville, FL32256

TROY W. TARBOX
LICENSE
NO. 50661
STATE OF
FLORIDA
PROFESSIONAL ENGINEER

2/23/2022

EXHIBIT E-1
DOCK AND RAMP CROSS SECTIONS - A-A AND B-B

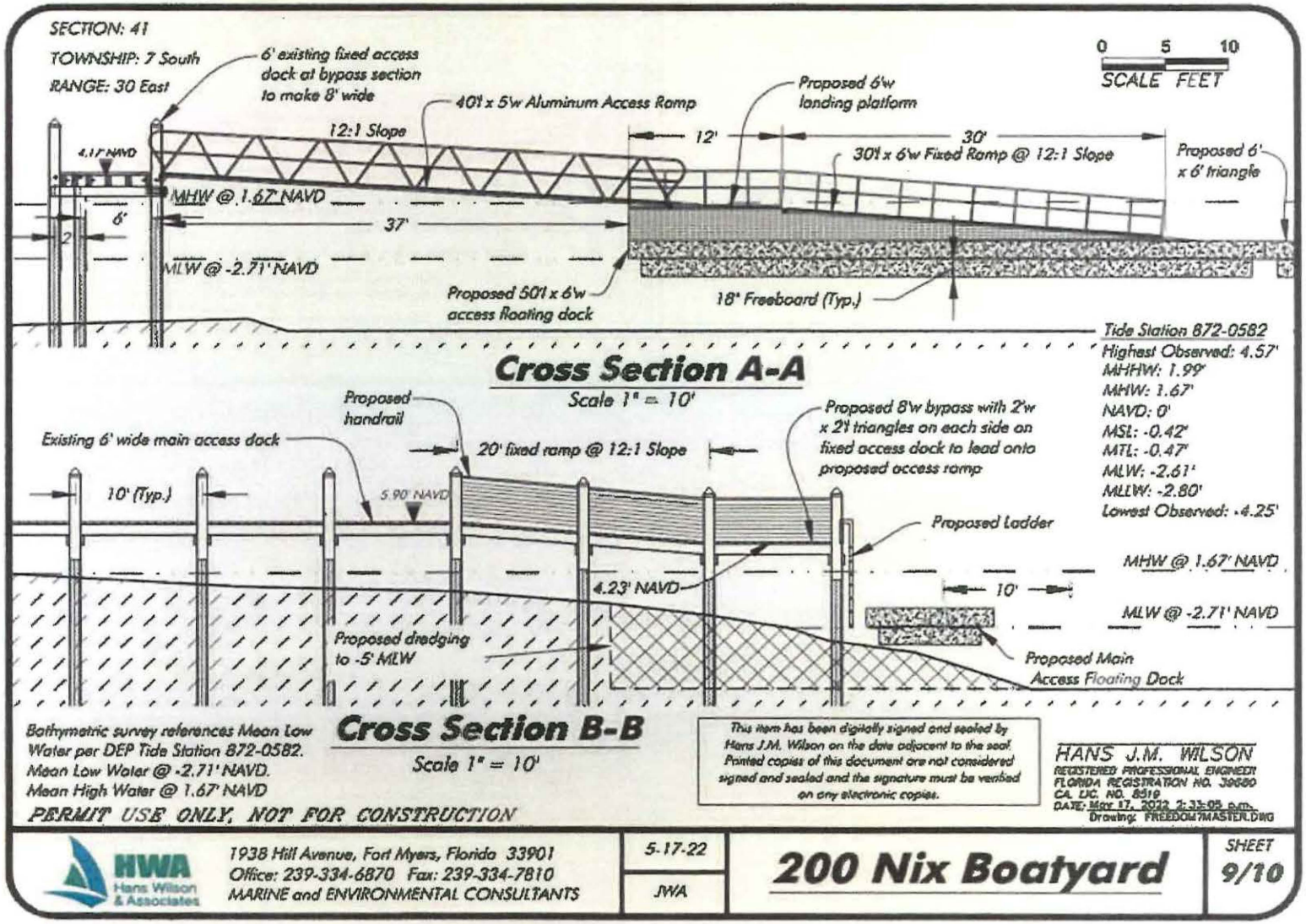


EXHIBIT E-2
DOCK AND RAMP CROSS SECTIONS - C-C AND D-D

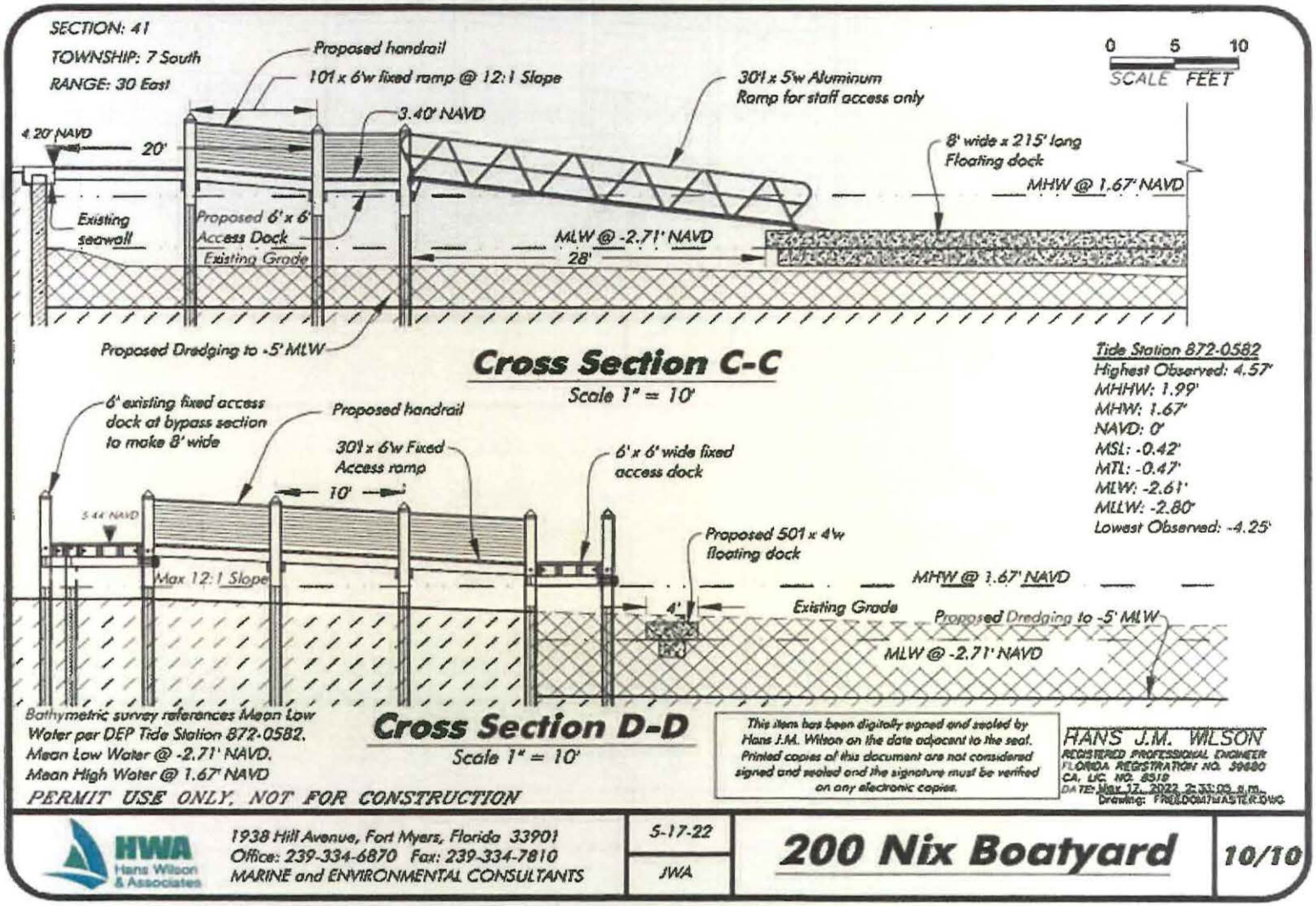


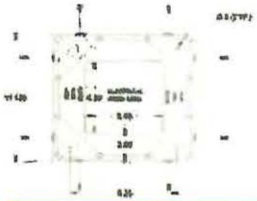
EXHIBIT E-3
LIGHTING AND DOCK BOXES

HARBOR LIGHT SS

Power Pedestal Model HLSS30100

Marina Electrical Equipment has performed extensive research and design to create the most innovative and user-friendly power pedestal, the "Harbor Light SS." This pedestal truly represents modernization, and ease-of-use. We have taken all that we have learned over the past 30+ years in this business to create a power pedestal that is exceptionally durable, practical, and clean-looking, as well as simple to install and maintain.

Intertek



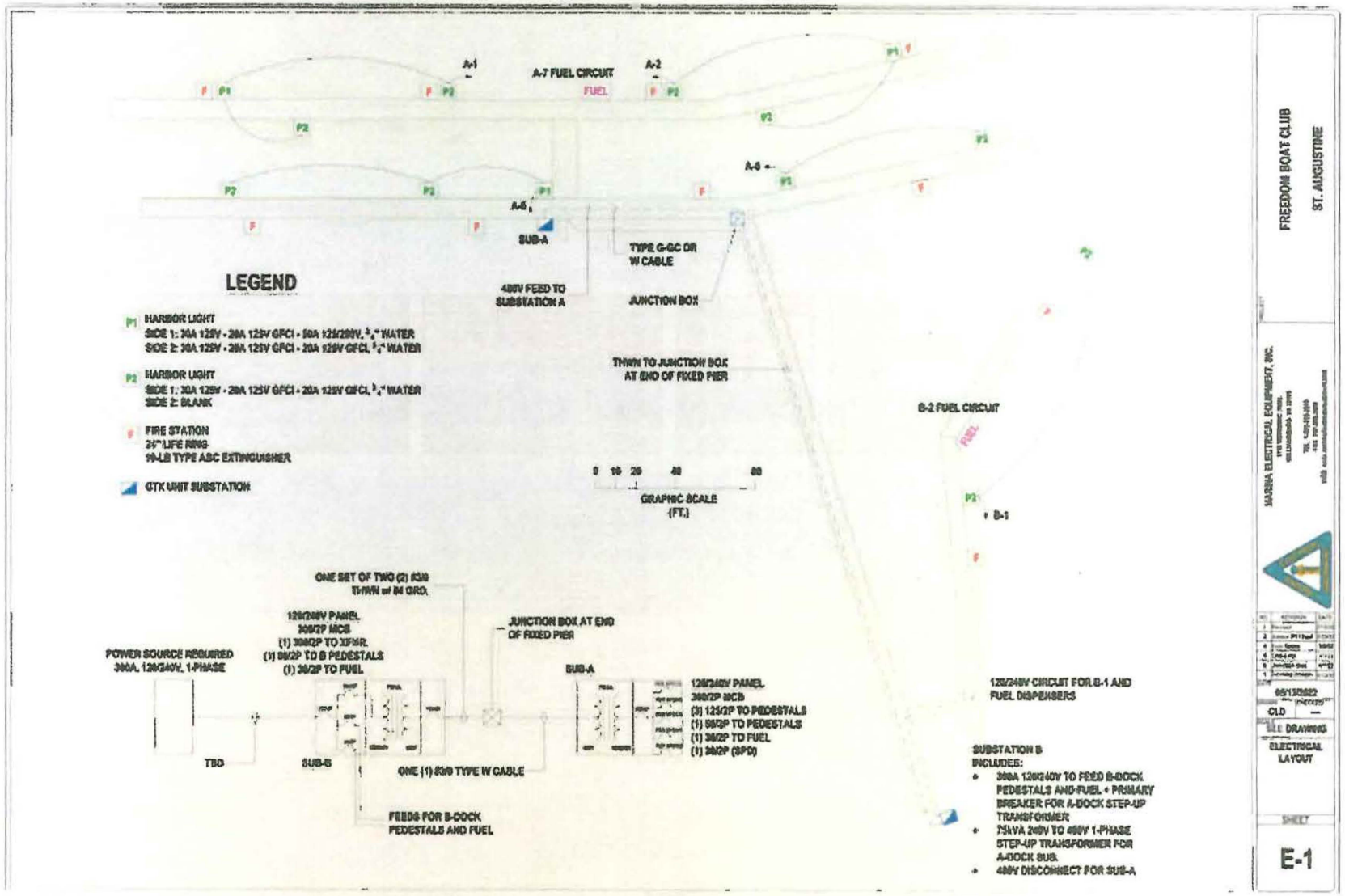
STANDARD DIMENSIONS: 42.5"H 11.125"W 11.125"D

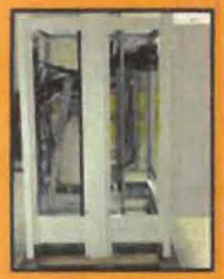
STANDARD FEATURES

- Intertek-ETL Listed, tested in accordance with Underwriters Laboratories-231 standards, CAN/CSA Standard C22.2 No.29 and NFPA 303.
- Rugged, long-lasting 16-gauge 316L stainless steel NEMA 3RX main housing.
- Heavy-duty .187S" thick injection-molded polycarbonate top and lens assemblies.
- Limited 1-Year Warranty.
- Extra wide back-lit receptacle faceplate for easier plug-in.
- Highest quality twist-lock receptacles & circuit breakers.
- Highest quality 100-amp pin and sleeve receptacles (when 100-amp receptacles are selected).
- Patented pivoting receptacle faceplate assembly, which simplifies field-maintenance tasks such as replacing circuit breakers, receptacles or meter current transformers.
- Photocell-controlled LED light fixture with fuse protection.
- 250-Amp rated copper stud-lug single phase 125/250V terminal block.
- Clean-looking flush-mounted access panels.
- Newly designed, highly functional dual hose/cable brackets, capable of holding min. 50' of standard 5/8" ID garden hose or 50' of 50-ampere, 4-wire shore power (S.O.) cord.
- Durable polycarbonate mounting base plate which isolates the bottom housing from the dock surface.
- Lockable polycarbonate weatherproof doors which shield the receptacles and circuit breakers from the elements while in use (as required by NFPA 303 and NEC Article 555).

OPTIONAL FEATURES

- Receptacle Options.
  - 20A, 125V Duplex GFCI.
  - 20A, 125V L5-20R Twist-Lock Shorepower.
  - 30A, 125V L5-30R Twist-Lock Shorepower.
  - 50A, 125V SS-1 Twist-Lock Shorepower.
  - 50A, 125/250V SS-2 Twist-Lock Shorepower.
  - 100A, 125/250V Pin and Sleeve Shorepower.
  - 100A, 125/250V Pin and Sleeve Shorepower
  - 100A, 480V Pin and Sleeve Shorepower
- Interlocking circuit breakers, ground fault circuit breakers
- Solid-state electric monitoring for sub-metering kWH consumption.
- Wireless NUCORE™ remote meter reading.
- Ground Fault Monitoring at each slip (patented).
- 250-Amp rated copper stud-lug three phase 125/250V terminal block.
- 250-Amp rated split terminal block.
- ¾" IPS ball valve hose bibs.
- Hose bib vacuum breakers.
- Water metering.
- Phone, Cable TV, and/or Data ports.
- Amber or Clear Polycarbonate Lens


A-1
A-7 FUEL CIRCUIT
FUEL
A-2
A-6
SUB-A
TYPE G-GC OR W CABLE
480V FEED TO SUBSTATION A
JUNCTION BOX
LEGEND
P1 HARBOR LIGHT
SIDE 1: 30A 125V - 20A 125V GFCI - 50A 125/250V, 3/4" WATER
SIDE 2: 30A 125V - 20A 125V GFCI - 20A 125V GFCI, 3/4" WATER
P2 HARBOR LIGHT
SIDE 1: 30A 125V - 20A 125V GFCI - 20A 125V GFCI, 3/4" WATER
SIDE 2: BLANK
F FIRE STATION
24" LIFE RING
10-LB TYPE ABC EXTINGUISHER
GTX UNIT SUBSTATION
THWN TO JUNCTION BOX AT END OF FIXED PIER
B-2 FUEL CIRCUIT
FUEL
B-1
0 10 20 40 80
GRAPHIC SCALE (FT.)
ONE SET OF TWO (2) #3/0 THWN w/ #4 GRD.
120/240V PANEL
30B/2P MCB
(1) 30A/2P TO XFMR.
(1) 50/2P TO B PEDESTALS
(1) 30/2P TO FUEL
JUNCTION BOX AT END OF FIXED PIER
POWER SOURCE REQUIRED
300A, 120/240V, 1-PHASE
TBD
SUB-B
ONE (1) #3/0 TYPE W CABLE
FEEDS FOR B-DOCK PEDESTALS AND FUEL
SUB-A
120/240V PANEL
30B/2P MCB
(3) 125/2P TO PEDESTALS
(1) 50/2P TO PEDESTALS
(1) 30/2P TO FUEL
(1) 30/2P (SPD)
120/240V CIRCUIT FOR B-1 AND FUEL DISPENSERS
SUBSTATION B
INCLUDES:
• 300A 120/240V TO FEED B-DOCK PEDESTALS AND FUEL + PRIMARY BREAKER FOR A-DOCK STEP-UP TRANSFORMER
• 75kVA 240V TO 480V 1-PHASE STEP-UP TRANSFORMER FOR A-DOCK SUB.
• 480V DISCONNECT FOR SUB-A
FREEDOM BOAT CLUB
ST. AUGUSTINE
MARINA ELECTRICAL EQUIPMENT, INC.
05/13/2022
CLD
ELECTRICAL LAYOUT
SHEET
E-1



GTX™ UNIT SUBSTATION

Marina Electrical Equipment's GTX™ Unit Substations are designed and manufactured to maximize cable and installation cost savings through integration of a dry-type isolation transformer and factory-installed secondary panelboard. Constructed of the highest quality powder-coated 316L grade stainless steel. GTX™ Unit Substations are designed to withstand the harsh, corrosive environments found in marinas and boatyards.

STANDARD DIMENSIONS: 72"H 45"W 42/46"D

STANDARD FEATURES

- ETL Listed, tested in accordance with Underwriters Laboratories-1062 standards, CAN/CSA Standard C22.2 No.31-10 and NFPA 303.
- Single Phase dry-type isolation transformers available to 330kVA.
- Three Phase dry-type isolation transformers available to 300kVA.
- (2) 2.5% FCAN and (2) 2.5% FCBN Primary Taps to compensate for varying incoming voltages.
- Transformer and secondary-side distribution panel mounted in single NEMA 3RX 316L stainless steel enclosure with single lockable access door (patent-pending).
- Integrated panelboard sizes up to 1200-ampere main circuit breaker/main lug.
- Extra-large wiring access area with removable .080" aluminium gland plate for simple cable entry/knockouts.
- Stainless steel hardware.
- 360-degree "Take-Apart" enclosure construction.
- Simple mounting and installation design:
  - Lifting: engineered lifting eyes designed/tested to lift four (4) times unit substation static weight (concealed beneath removable solar shield)
  - Handling/Positioning: front/side fork access.
  - Positioning: bottom rolling rails.
  - Mounting: 1/2" mounting slots at each corner (concealed behind removable access panels).
- Standard 12" base height, requiring no field-curbing or modifications to comply with 12" datum plane requirements.
- White textured powder-coat exterior finish.
- Thermo-statically controlled axial fans maintain efficient operating temperature.
- Fine-stranded, tin-plated copper leads.
- Limited 1-year warranty.

OPTIONAL FEATURES

- Primary Voltages: 480V Single Phase, 480V Delta Three Phase, or 600V Delta Three Phase.
- Secondary Voltages: 120/240V Single Phase, 208Y/120V Three Phase, 220Y/127V Three-Phase.
- 50 Hz or 60 Hz Frequency
- Primary Disconnect or Panelboard.
- Integrated Surge Protective Device (SPD) for supreme surge protection.
- Integrated Ground Fault Monitor Relay(s) (GFM) for maximum safety.
- Custom Configurations Available.
- Dual Phase Isolation Transformers.

Typical Panel and Transformer Combinations

Single-Phase Panel Main	Transformer Size
200A	50 kVA
400A	100 kVA
700A	167 kVA
800A	200 kVA
1000A	250 kVA
1200A	330 kVA
Three-Phase Panel Main	**Transformer Size**
200A	75 kVA
300A	112.5 kVA
400A	150 kVA
600A	225 kVA
800A	300 kVA

FIRE STATION

Safety Pedestal Model FS1020

Marina Electrical Equipment knows how important safety is to the marina manager, and we have designed the "Fire Station" to fit this need. The "Fire Station" safety pedestal is the perfect solution to keep your marina in compliance with NFPA 303 6.2.1.1.1, which states: "(1) Extinguishers listed for Class A, Class B, and Class C fires shall be installed at the pier/land intersection on a pier that exceeds 25 ft. in length. (2) Additional fire extinguishers shall be placed such that the maximum travel distance to an extinguisher does not exceed 75 ft." This pedestal compliments the look and feel of our other products, and will stand ready for any marina emergency. This unit is also suitable for poolside or private dock environments as well.

Intertek

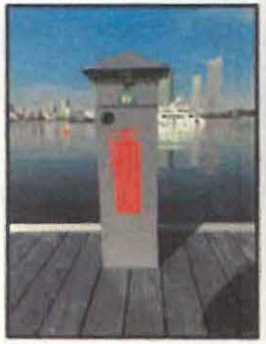
STANDARD DIMENSIONS: 42.5"H 11.125"W 11.125"D

STANDARD FEATURES

- **Intertek-ETL Listed, tested in accordance with Underwriters Laboratories ANSI/UL 2017.**
- **Rugged, long-lasting 22-gauge 316L stainless steel NEMA 3RX main housing.**
- **Heavy-duty .1875" thick injection-molded polycarbonate top and lens assemblies.**
- **Limited 1-Year Warranty.**
- **Continuous-duty LED light fixture with fuse protection.**
- **15-Amp rated single phase 125V terminal block.**
- **Unmistakable backlit fire extinguisher symbol laser-cut in spring-loaded hinged cabinet door with red polycarbonate window.**

OPTIONAL FEATURES

- 10-pound or 20-pound, Type ABC fire extinguisher, mounted on a bracket which suspends it above the bottom tray to inhibit corrosion.
- 24" life ring
- Dual-function alarm and siren which activates with the removal of the optional 24" life ring and/or fire extinguisher.
- Amber or Clear Polycarbonate Lens.



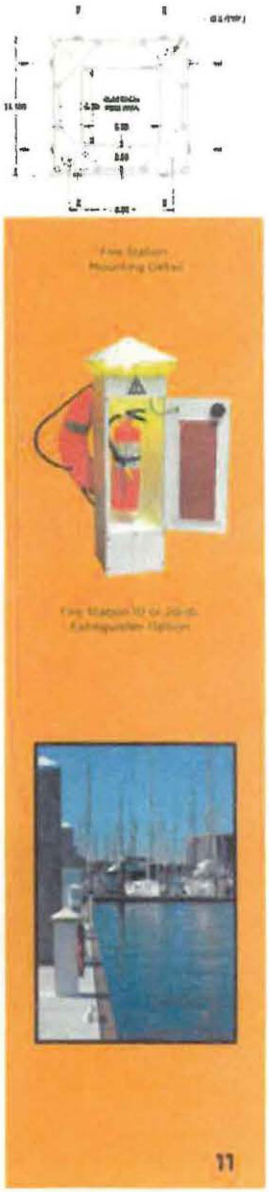


EXHIBIT E-4
FUELING STATIONS

PMC **PUMP MEASURE CONTROL**
Fuel Dispensing and Metering Solutions

Commander Marine Dispenser

The Commander dispenser is designed to give many years of trouble free service in the harsh environments of fleet and marine fueling operations. This is evident in the heavy duty frame and components used in its construction.

The hydraulic system utilizes aluminum castings with flanged connections for ease of maintenance. The dispenser can be configured for either single or dual hose operation using either 20 GPM and/or 60 GPM meters. As a dual hose dispenser, the two sides are electrically and hydraulically separate, lowering the risk that both sides will be disabled due to a single component failure.

Retail and Commercial units are identical with the exception of the displays. Retail dispensers utilize a triple line, seven digit, backlit LCD displays to show volume, total sale and price per unit of volume. The commercial dispensers use a single line, seven digit display for volume only. The seven digit displays give the CMDR dispenser the capacity to handle transaction information up to 99,999.99.

Communications with a POS system can be accomplished using one of two methods. The dispenser can communicate via a two-wire RS-485 interface using PMC's protocol or via a "hard" wired interface. Using the "hard" wired interface, the dispenser can mimic a mechanical dispenser, allowing it to interface with most POS and card systems. Contact PMC for a current list of devices supporting the PMC protocol.

- 20 & 60 GPM configurations
- Single or dual hose
- Piston or rotary PD meters
- 2-Stage control valve
- Satellite capable (60 GPM units)
- Resale accurate
- Communications Interface
- Dual sided retail or commercial electronic displays
- Programmable pulse output
- Complete stainless steel construction
- Powder coated welded chassis
- ETL listed

PEI MEMBER ETL US

PMC
www.pmc-ga.com

Commander Marine Dispenser
SPECIFICATIONS

MODELS
Actual delivery rates will vary, depending upon the design of the fuel system, length of hose, type of nozzle, etc.

CMDR[illegible]	Single hose, single product [illegible] GPM [illegible]
CMDR[illegible]	Dual hose, dual product [illegible] GPM [illegible]
CMDR[illegible]	Dual hose/dual product [illegible] GPM [illegible]
CMDR[illegible]	Single hose/single product [illegible] GPM [illegible]
CMDR[illegible]	Dual hose/dual product [illegible] GPM [illegible]

CONSTRUCTION
Chassis: Powder coated 304 stainless steel
Panels: Brushed finish 316 stainless steel

DISPLAYS
Seven digit backlight LCD displays with UV blocking acrylic windows

Capacities (*typical for US gallons)

	Retail	Commercial
Total Sale	[illegible]	N/A
Total Volume	[illegible]	[illegible]
Unit Price	0.001 - 99.999	N/A

*Location of decimal point is programmable

SUPPLY CONNECTION
1-1/2" NPT except Model [illegible] which is 2" NPT

FILTRATION
Single element spin-on cartridge (20 GPM meter)
Inline strainer (60 GPM meter)

METER
1" positive displacement meter (1-20 GPM)
1-1/2" positive displacement meter (5-60 GPM)
Actual delivery rates will vary, depending upon the design of the fuel system, length of hose, type of nozzle, etc.

SOLENOID VALVE
2-stage 1" (20 GPM meter)
2-stage 1-1/2" (60 GPM meter)

HOSE CONNECTION ON OUTLET
20 GPM models: 1" female NPT
60 GPM models: 1-1/2" female NPT

MAXIMUM WORKING PRESSURE
50 PSI

VOLTAGE AND FREQUENCY
USA Standard: 120 VAC/60 Hz
International: 120/240 VAC, [illegible] Hz

PULSE OUTPUTS (standard)
Programmable pulse output provided for connection to console / card access system. Selectable for money or volume pulse. Volume pulse resolution: 10 or 100 pulses per volume

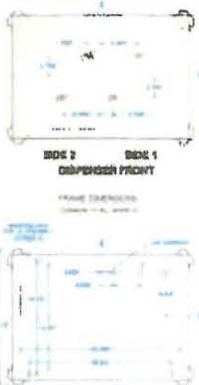
COMMUNICATIONS INTERFACE
2-wire EIA-485 communications interface

APPROVALS
ETL Listed — Weights and Measures available for most sale of fuel
NTEP Certificate number: 93-077

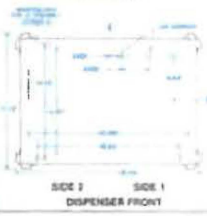
NOZZLE COMPATABILITY
11A Style, 7H Style, and 1200 Style through 1-1/2". Contact factory for other types

DISPENSER FRONT

DISPENSER FRONT



DISPENSER FRONT



DISPENSER FRONT

PMC

Instr #2021099991 BK: 5366 PG: 372, Filed & Recorded: 9/10/2021 2:37 PM #Pgs:3
Brandon J. Patty,Clerk of the Circuit Court and Comptroller St. Johns County FL Recording $27.00 Doc. D $0.70

Prepared by and Return to:
Kyle Jensen, Esquire
Clark, Campbell, Lancaster & Munson, P.A.
500 South Florida Avenue, Suite 800
Lakeland, Florida 33801

QUIT CLAIM DEED

THIS QUIT CLAIM DEED has been entered into, on this 3 day of September, 2021, by and between **PATRICK ANTHONY PELLICER**, joined by his spouse, **KIMBERLY J. PELLICER**, whose address is 200 Nix Boat Yard Rd. Saint Augustine Florida 32084 and (collectively, the "**Grantor**"), and **200 NIX BOAT YARD, LLC**, a Florida limited liability company, whose address is 205 Commercial Drive Unit 2, St. Augustine Florida, 32092 ("**Grantee**").

COPY

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00), in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the Grantee all the right, title, interest, claim and demand which the Grantor has in and to the real property located in St. Johns County, Florida, being more particularly described as follows:

Parcel ID Number: 1348210000

See **Exhibit "A"** attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and advantage of the Grantee.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

Signed, sealed and delivered
in our presence:

Name CHARLES E. PELLICER

Name MARK VICKERS

PATRICK ANTHONY PELLICER

Name CHARLES E. PELLICER

Name Mark Vickers

KIMBERLY J. PELLICER

COPY

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of (X) physical presence or ( ) online notarization, this 2 day of September, 2021, by **PATRICK ANTHONY PELLICER**, ( ) who is personally known to me or (X) who produced DRIVERS LICENSE as identification.

[NOTARY SEAL]

Notary Public State of Florida
Mackenzie Conley
My Commission HH 103559
Expires 03/11/2025

Notary Public:
Printed Name: MACKENZIE CONLEY
My Commission Expires: 3/11/25

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of (X) physical presence or ( ) online notarization, this 2 day of September, 2021, by **KIMBERLY J. PELLICER**, ( ) who is personally known to me or (X) who produced DRIVERS LICENSE as identification.

[NOTARY SEAL]

Notary Public State of Florida
Mackenzie Conley
My Commission HH 103559
Expires 03/11/2025

Notary Public:
Printed Name: MACKENZIE CONLEY
My Commission Expires: 3/11/25

Exhibit "A"
Legal Description

BEING SITUATE IN THE NORTHEAST CORNER OF THE G.W. PERPALL GRANT, SECTION FORTY ONE (41), TOWNSHIP SEVEN (7) SOUTH, RANGE THIRTY (30) EAST, AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OF INTERSECTION OF A DITCH AND A MARGIN OF THE MARSH ON THE SOUTH SIDE OF GONZALO-MENDEZ CREEK, SO-CALLED, AND RUNNING THENCE EAST FIVE HUNDRED NINETY EIGHT (598) FEET TO AN IRON PIPE; THENCE NORTH THREE HUNDRED FIFTY FOUR (354) FEET TO A IRON PIPE; THENCE NORTH FIFTEEN (15) WEST TWO HUNDRED NINETY NINE (299) FEET TO A POINT; THENCE NORTH SEVENTY EIGHT (78) DEGREES WEST SIX HUNDRED TWENTY NINE (629) FEET TO A POST; THENCE SOUTH TWENTY-FOUR (24) DEGREES WEST TWO HUNDRED NINETY EIGHT (298) FEET; THENCE SOUTH TWENTY SEVEN (27) DEGREES EAST TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING PARCELS, TO WIT:

BOOK 464, PAGE 645, BOOK 1464, PAGE 1104, BOOK 1475, PAGE 35, BOOK 1699, PAGE 1, BOOK 1710, PAGE 227, BOOK 1938, PAGE 721, BOOK 2319, PAGE 1024, BOOK 3161, PAGE 1167, BOOK 3518, PAGE 1602, BOOK 3541, PAGE 908, BOOK 3541, PAGE 918, BOOK 3541, PAGE 929, AND BOOK 3541, PAGE 939, ALL AS RECORDED IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

BEING MORE ACCURATELY DESCRIBED AS FOLLOWS:

SURVEYOR'S DESCRIPTION

A PARCEL OF LAND SITUATED IN THE G.W. PERPALL GRANT, SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE EASTERLY MOST CORNER OF THOSE LANDS DESCRIBED AS PARCEL 5, RECORDED IN OFFICIAL RECORDS BOOK 3541, PAGE 943 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 89°20'18" EAST, ALONG THE NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 777, PAGES 938 AND 939 OF SAID PUBLIC RECORDS, A DISTANCE OF 236 FEET MORE OR LESS; THENCE NORTH 3°22'53" WEST, DEPARTING SAID NORTH LINE, A DISTANCE OF 156 FEET MORE OR LESS; THENCE NORTH 76°13'57" WEST, A DISTANCE OF 287 FEET MORE OR LESS; THENCE SOUTH 87°38'57" WEST, A DISTANCE OF 122 FEET MORE OR LESS TO A POINT LYING ON THE NORTHERLY LINE OF SAID PARCEL 5; THENCE SOUTH 78°05'23" EAST ALONG SAID NORTHERLY LINE, A DISTANCE OF 123.16 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 5; THENCE SOUTH 14°58'58" EAST, ALONG THE EASTERLY LINE OF SAID PARCEL 5, A DISTANCE OF 203.00 FEET TO THE POINT OF BEGINNING.

THE AFORE-DESCRIBED PARCEL CONTAINS 1.2 ACRES MORE OR LESS.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: October 4, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0064**

AGENDA ITEM	8(g)
APPLICANT & OWNER	Lucille Barnhill
LOCATION	217 S Matanzas Boulevard / PID 221160-0000
REQUEST	To approve a modification to an existing dock, modifying the total length of the dock and relocating the boat lift and floating dock in 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 application is seeking approval for a new floating dock, gangway, and low-profile boat lift using existing pilings.

Proposed plans were not submitted with this application making it impossible for staff to evaluate the proposed Conservation Overlay Zone 1 development.

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 40 feet of river frontage.

(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 a man made inlet along the Matanzas River.

(3) Natural and proposed drainage patterns.

Unknown

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

Unknown

(5) Proposed soil stabilization and erosion control methods.

Unknown

(6) Impact on floodplain.

Unknown

(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.

Unknown

(9) Effect of shade on vegetation and shellfish.

Unknown

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

Unknown

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

Unknown

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

Unknown

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

Unknown

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

Unknown

(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.)

Unknown

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

Unknown

(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.

Unknown

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 **CONTINUE** this application regarding the installation of a floating dock with a gangway and low-profile boat lift using existing pilings within Conservation Overlay Zone 1 at 217 S Matanzas Boulevard / PID 221160-0000 until additional information may be provided.

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

Jacob Fredriksson
Senior Planner
Planning and Building Department

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $165 (plus advertising costs) Project Number: 2022-0064

Receipt Number: 2455490 Meeting Date: oct. 4, 2022

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

1. NAME OF APPLICANT: Lucille Barnhill Contact Number: 954-336-4574
   Business (*if applicable*):_____
   Address: 217 S. Matanzas Blvd City: St Augustine State: FL Zip: 32080
   E-Mail Address: Patty.b.pierce@aexp.com
2. NAME OF PROPERTY OWNER: Lucille Barnhill Contact Number: 954-336-4574
   Business (*if applicable*):_____
   Address: 217 S. Matanzas Blvd City: St. Augustine State: FL Zip: 32080
   E-Mail Address: Patty.b.pierce@aexp.com
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 8 Block: 50
   Subdivision: Davis Shores Ocean View Section Parcel Number: 2211600000
4. PROJECT STREET ADDRESS: 217 S. Matanzas Blvd
5. SPECIFIC PROPOSED USE:_____
6. ACTION REQUESTED:
   - ☐ Conservation Zone Development
   - ☐ Appeal of Staff Determination
   - ☐ Exception
   - ☐ Land Use Plan Amendment
   - ☐ Variance
   - ☐ Rezoning
   - ☒ Other: Installation of floating dock/gangway and low profile boat lift using existing pilings
7. DESCRIPTION OF ACTION REQUESTED:_____
8. JUSTIFICATION FOR ACTION REQUESTED:_____

04/18/2019

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

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

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

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

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

10. PREVIOUS 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.

Lucille Barnhill — Aug 25, 2022

Signature of Applicant — Date

Lucille Barnhill — Aug 25, 2022

Signature of Property Owner — Date

04/18/2019

CITY OF
ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

P&G Construction, Inc. is/are hereby authorized TO ACT ON BEHALF OF Lucille Barnhill, 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: Lucille Barnhill
Signature of Owner

Lucille Barnhill B6054-537-38-760-0
Print Name of Owner

954-336-4574
Telephone Number

State of Florida

County of St. Johns

Signed and sworn before me on this 26th day of August, 2022

By Lucille Barnhill

Identification verified:

Oath sworn: _____ Yes____ No

Notary Signature: aBurgos

ABBY BURGOS
Notary Public - State of Florida
Commission # GG 941337
My Comm. Expires Dec 18, 2023
Bonded through National Notary Assn.

My Commission expires: 12-18-2023

Rev:022117

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.

Lucille Barnhill

Print name of applicant

Lucille Barnhill

Signature of applicant

Aug 25, 2022

Date

10/31/17

PZB APPLICATION FEE SCHEDULE

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

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

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

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

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

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

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

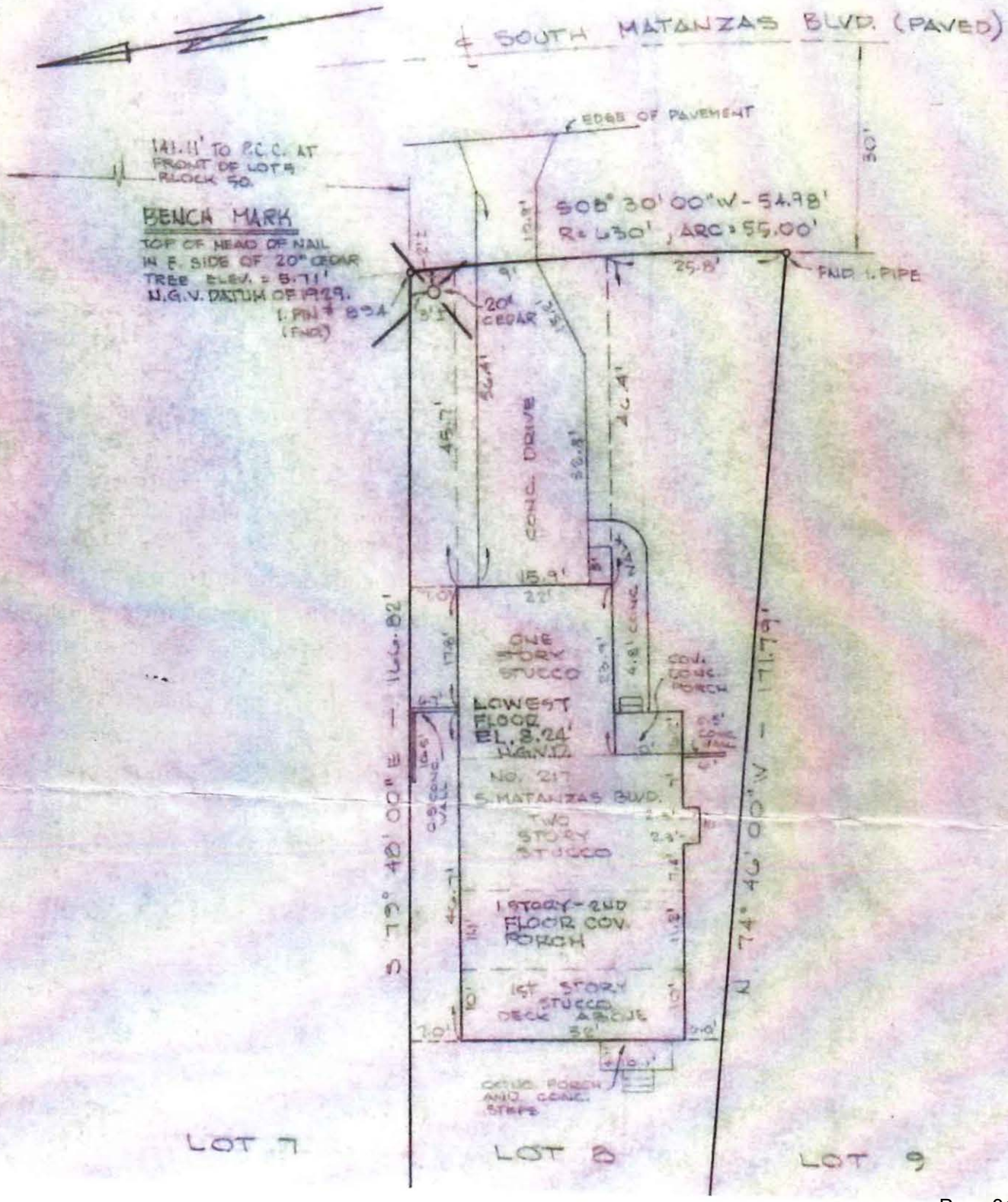
Project Address: 217 S. Matanzas Blvd

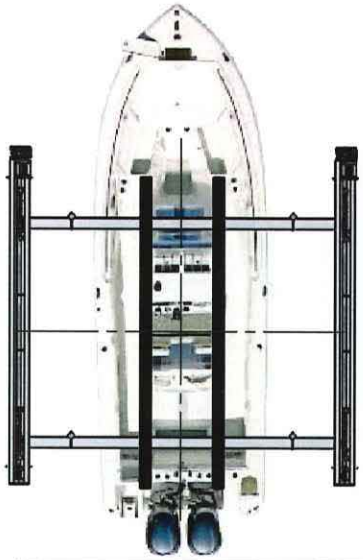
Applicant's Name: Lucille Barnhill Applicant's Signature: Lucille Barnhill

Owner's Name: Lucille Barnhill Owner's Signature: Lucille Barnhill

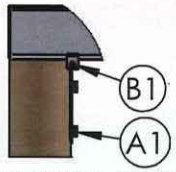
217 SOUTH MATANZAS BLVD
ST AUGUSTINE FLORIDA
32080

NOTES 1. BEARINGS BASED ON RECORD PLAT.
2. FLOOD HAZARD ZONE "AE" (9')

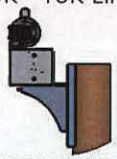




MOUNTING OPTIONS:	
PILING MOUNT	SIDE MOUNT
5K - 24K LIFTS	5K - 16K LIFTS

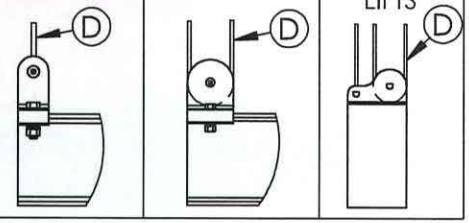


(A1) 2X 1/2" SS LAG BOLT 2" MIN. LENGTH
(B1) 2X 1/2" SS HEX NUT

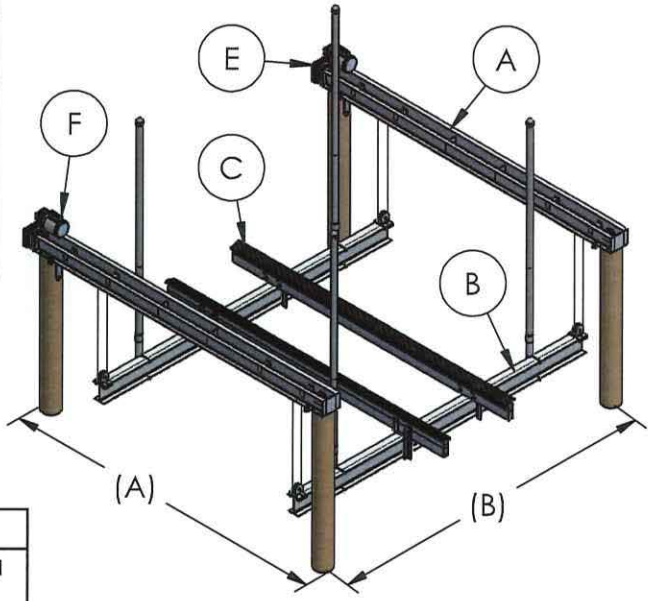


MOUNT HARDWARE: 5/8" X PILING DIA. DETERMINED BY CONTRACTOR 2X 1/2" X 2 SS HEX BOLT W/ LOCKS AND NUTS

CABLE ROUTING:		
SINGLE PULL	DOUBLE PULL	TRIPLE PULL
5K - 7K LIFTS	10K - 16K LIFTS	20K - 24K LIFTS



NOTE: LOAD SHOULD BE EVENLY DISTRIBUTED BY POSITIONING THE CENTER OF GRAVITY DIRECTLY IN THE CENTER OF THE LIFTING BEAMS AS SHOWN IN THE ILLUSTRATION



4 PILING BOAT LIFT SPECIFICATION SHEET

2018	TOP BEAM (A)	CRADLE BEAM (B)	BUNKS (C)	CABLE SIZE (D)	DRIVE (E)	H.P. MOTOR (F)	DRIVE SHAFT	MINIMUM PILING (SIZE & QTY.)
5,000 LB.	5" CHANNEL X 12' 6"	4" X 6" X 10'	8" ALUM	5/16" SS 7/19 (.313) SINGLE PULL	DIRECT DRIVE	3/4 H.P. (QTY. 2) 220V 4.9A EACH	1-1/2" (SCH 40)	8" (QTY. 4)
7,000 LB.	6" CHANNEL X 12' 6"	4" X 6" X 12' 6"				1 H.P. (QTY. 2) 220V 6.8A EACH		
10,000 LB.	7" CHANNEL X 12' 6"	5" X 8" X 12' 6"		5/16" SS 7/19 (.313) DOUBLE PULL		3/4 H.P. (QTY. 2) 220V 4.9A EACH		
13,000 LB.						1 H.P. (QTY. 2) 220V 6.8A EACH		
16,000 LB.	8" CHANNEL X 12' 6"	6" X 10" X 14'	10" ALUM					10" (QTY. 4)
20,000 LB.	9" CHANNEL X 14' 6"	6" X 10" X 15'		5/16" SS 7/19 (.313) TRIPPLE PULL		3/4 H.P. (QTY. 2) 220V 4.9A EACH		
24,000 LB.		7" X 12" X 16'				1 H.P. (QTY. 2) 220V 6.8A EACH		

4 PILING BOAT LIFT PILING SPACING

FOUR PILING LIFTS	(A) BOW TO STERN (OUTSIDES)	(B) PORT TO STARBOARD (CENTERS)
5,000 LB.	12 FT 6 IN	10 FT
7,000 LB.		12 FT 6 IN
10,000 LB.		
13,000 LB.		
16,000 LB.		14 FT
20,000 LB.	14 FT 6 IN	15 FT
24,000 LB.		16 FT

TITLE:

5K-24K 4 POLE BOAT LIFT ENGINEERING SHEET

SIZE	DWG. NO.	REV
A	ENGINEERING	1

SCALE: AS NOTED	DRAWN BY: ACC	DATE: 12-6-18	SHEET 1 OF 1

PH: 800-325-1116
FAX:252-747-4377
TIDETAMER.COM
P.O. BOX 1118
SNOW HILL, NC 28580

PROPRIETARY AND CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF TIDE TAMER INDUSTRIES. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF TIDE TAMER INDUSTRIES IS PROHIBITED.

ENGINEERING SEAL AFFIXED HERETO VALIDATES STRUCTURAL DESIGN AS SHOWN ONLY. USE OF THIS SPECIFICATION BY CONTRACTOR, et. al. IDEMNIFIES & SAVES HARMLESS THIS ENGINEER FOR ALL COST & DAMAGES INCLUDING LEGAL FEES & APPELLATE FEES RESULTING FROM MATERIAL FABRICATION, SYSTEM ERECTION & CONSTRUCTION PRACTICES BEYOND THAT WHICH IS CALLED FOR BY LOCAL, STATE, & FEDERAL CODES & FORM DEVIATIONS OF THIS PLAN, EXCEPT AS EXPRESSLY PROVIDED IN HEREIN, NO CERTIFICATION OR AFFIRMATIONS ARE INTENDED.
PAUL WELCH, INC. HAS NOT VISITED THIS JOB SITE. INFORMATION CONTAINED HEREIN IS BASED ON CONTRACTOR SUPPLIED DATA AND MEASUREMENTS. PAUL WELCH, INC. SHALL NOT BE HELD RESPONSIBLE OR LIABLE IN ANY WAY FOR ERRORNEOUS OR INACCURATE DATA OR MEASUREMENTS. WORK SHALL BE VERIFIED PRIOR TO CONSTRUCTION. PAUL WELCH, INC. SHALL BE NOTIFIED AND GIVEN AN OPPORTUNITY TO REEVALUATE OUR WORK UPON DISCOVERY OF ANY INACCURATE INFORMATION PRIOR TO MODIFICATION OF EXISTING FIELD CONDITIONS AND FABRICATION AND INSTALLATION OF MATERIALS.

ENGINEERS SEAL

Document Prepared By: FLMRSD3-5 08/25/04
RONALD E. MEHARG
When recorded return to:
DOCX, LLC
1111 ALDERMAN DR., SUITE 350
ALPHARETTA, GA 30005
770-753-4373
Project #: **R043MERSWF**
MIN #: 100013700003258835
VRU Tel.#: 888/679-MERS
Reference #: **685-3721632**

* 6 8 5 - 3 7 2 1 6 3 2 *

Secondary Reference #: **20050103 (R045)**
PIN/Tax ID #:
Property Address:
217 S. MATANZAS BLVD.
ST. AUGUSTINE, FL ~~32084~~ 32080

Public Records of St. Johns County, FL Clerk # 2004093268, O.R. 2339 PG 1631-1631 12/20/2004 at 03:43 PM, REC. $5.00 SUR. $5.00

MORTGAGE RELEASE, SATISFACTION, AND DISCHARGE

IN CONSIDERATION of the payment and full satisfaction of all indebtedness secured by that certain Mortgage described below, the undersigned, **Mortgage Electronic Registration Systems, Inc. "MERS" as nominee for Wells Fargo Bank, N.A. successor by merger to Wells Fargo Home Mortgage, Inc.**, whose address is **2701 WELLS FARGO WAY, MAC X9901-026, MINNEAPOLIS, MN 55467**, being the present legal owner of said indebtedness and thereby entitled and authorized to receive said payment, does hereby release, satisfy, and discharge said Mortgage in full and does hereby consent that the same be canceled and discharged of record.

Borrower(s): **JESSE E. BARNHILL, JR. AND LUCILLE S. BARNHILL, HIS WIFE**
Original Mortgagee: **FIRST UNION NATIONAL BANK OF FLORIDA**
Loan Amount: **$130,000.00** Date of Mortgage: **12/7/1988**
Date Recorded: **12/8/1988** Book: **804** Page: **1151** Instrument Number: **8831247**
Date Recorded 2: **7/31/1989** Book 2: **815** Page 2: **0763** Instrument #2: **897462**
Comments:

and recorded in the official records of **ST. JOHNS** County, State of **Florida** and affecting Real Property and more particularly described on said Mortgage referred to herein.

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed on this date of **12/16/2004**.

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

LINDA GREEN
VICE PRESIDENT

JESSICA LEETE
ASSISTANT SECRETARY

State of **GA**
County of **FULTON**

On this date of **12/16/2004**, before me, the undersigned authority, a Notary Public duly commissioned, qualified and acting within and for the aforementioned State and County, personally appeared the within named **LINDA GREEN** and **JESSICA LEETE**, known to me (or identified to me on the basis of satisfactory evidence) that they are the **VICE PRESIDENT** and **ASSISTANT SECRETARY** respectively of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS")**, and were duly authorized in their respective capacities to execute the foregoing instrument for and in the name and on behalf of said corporation and that said corporation executed the same, and further stated and acknowledged that they had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

Witness my hand and official seal on the date hereinabove set forth.

MARY L. KELLY

TO: Planning and Zoning Board

DATE: October 4, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0066**

AGENDA ITEM	8(h)
APPLICANT	Ryan Carter c/o Carter Environmental Services
OWNER	Jamie Pantling
LOCATION	81 Coquina Avenue / PID 221410-0000
REQUEST	To approve a modification to an existing dock, modifying the total length of the dock and relocating the boat lift and floating dock in 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

The applicant is seeking approval for after-the-fact dock modification and construction activities at 81 Coquina Avenue. Approval would include a new shed, boardwalk and observation pier, floating dock, and gangway within Conservation Overlay Zone 1.

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 74 feet of saltwater marsh 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 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 or non-point discharge will not be altered by the proposed works.

(5) Proposed soil stabilization and erosion control methods.

Soil and erosion control may be necessary during repair and 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, six feet or higher above mean high water. Therefore, shading will be minimal.

Lighting of the open water areas at night: The dock 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.

The initial access pier over vegetation and shellfish is existing and will not be modified.

(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 should not affect any manatees, vegetation, shellfish and wildlife or shoreline erosion.

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

N/A.

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

N/A.

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

N/A.

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

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 the pilings.

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) 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.

a) *There are no proposed plans for any boathouse, roofed structure or wall over open water. The proposed shed will be located on the land. The location of the shed should not impact any neighboring views of the water.*
b) *The deck will be at 6' above mean high waterline.*
c) *No boat lift is being proposed.*

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** the approval of a new shed, boardwalk and observation pier, floating dock, and gangway within Conservation Overlay Zone 1 at 81 Coquina Avenue / PID 221410-0000 if the board views the proposed shed as an acceptable location.

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

Jacob Fredriksson
Senior Planner
Planning and Building Department

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $165 (plus advertising costs) Project Number: 2022-0066

Receipt Number: 2455494 Meeting Date: Oct. 4, 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: Jamie Pantling Contact Number: 904-377-1129
   Business (*if applicable*):
   Address: 81 Coquina Ave City: St. Augustine State: FL Zip: 32084
   E-Mail Address:

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 42& N 8ft of Lot 43 Block: BLK 50
   Subdivision: Davis Shores Ocean View Parcel Number: 2214100000

4. PROJECT STREET ADDRESS: 81 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

04/18/2019

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

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

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

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

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

10. PREVIOUS 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.

	8-24-22
Signature of Applicant	Date
	9-1-22
Signature of Property Owner	Date

04/18/2019

CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER

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

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

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

Ryan Carter

Print name of applicant

Signature of applicant

8-24-22

Date

10/31/17

CITY OF
ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

Carter Environmental Services is/are hereby authorized TO ACT ON BEHALF OF _____, the owner(s) of those lands described within [X] 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: Jamie Pantling
Signature of Owner

Jamie Pantling
Print Name of Owner

904-377-1129
Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 1 day of September, 2022

By Jamie Pantling

Identification verified:

Oath sworn: ✓ Yes ____ No

Notary Signature: _____

NOTARY PUBLIC STATE OF FLORIDA
JULIANNA MARIA KIEFFER
Commission # HH 093999
Expires February 17, 2025
Bonded Thru Budget Notary Services

My Commission expires: 2/17/2025

Rev:022117

Attachment 1
Overlay Zone Application Narrative

81 Coquina Ave.
Overlay Zone Development Application Supplement
September 1, 2022

This narrative is intended to supplement the Conservation Overlay Zone Development Application. The applicant installed new decking material over an existing 1766 sq. ft. deck, built an approximate 20 X 20 (400 sq ft) shed on the deck, then commenced a construction/ installation of a gangway leading to a 10' X 20' floating dock. The applicant was not aware a permit was required. City code enforcement inspected and placed a stop work order on the applicant's activities. The applicant submits this request to modify the current dock layout.

The existing deck was repaired because a derelict vessel damaged the it. All pilings were left unharmed and repairs were only made to the decking. No alterations have been made to the original decking structural design that has been in place for decades.

During decking reconstruction, the applicant added an approximate 20' x 20' shed that sits on the repaired deck. The applicant proposes to relocate the shed landward toward the North Western corner of the parcel, see Figures 5 and 6.

In regards to the currently unpermitted 3' x 12' gangway and 10' x 20' floating dock, the applicant seeks approval to relocate the floating dock and gangway Northwest of the current location by approximately 30', see Figures 5 and 6..

Lastly, the applicant requests permission to construct an approximate 50' pile supported boardwalk that connects to a 10' x 20' observation pier.

The proposed 10' x 20' floating dock will allow the owners access to Quarry Creek. Total decking and dock area over open water/salt marsh will be approximately 2,564 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.*

Currently the only vegetation is along the bulkhead and waterward of the existing deck present. The proposed dock orientation is designed to avoid mangroves and any marsh grass. The proposed dock is to be 5' above mean high water, high enough as to not shade any future 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.*

   The repaired dock could be considered as 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 74 feet of saltwater marsh 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 repair & 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.*

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

   <u>Lighting of the open water areas at night</u>: 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.

   <u>Increased noise from day users</u>: 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:

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

    <u>Negative</u>: Extremely small loss of juvenile habitat from the placement of the pilings.

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

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

    <u>Negative</u>: None

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

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

    <u>Negative</u>: 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 over open water. The proposed shed will be located on the land.

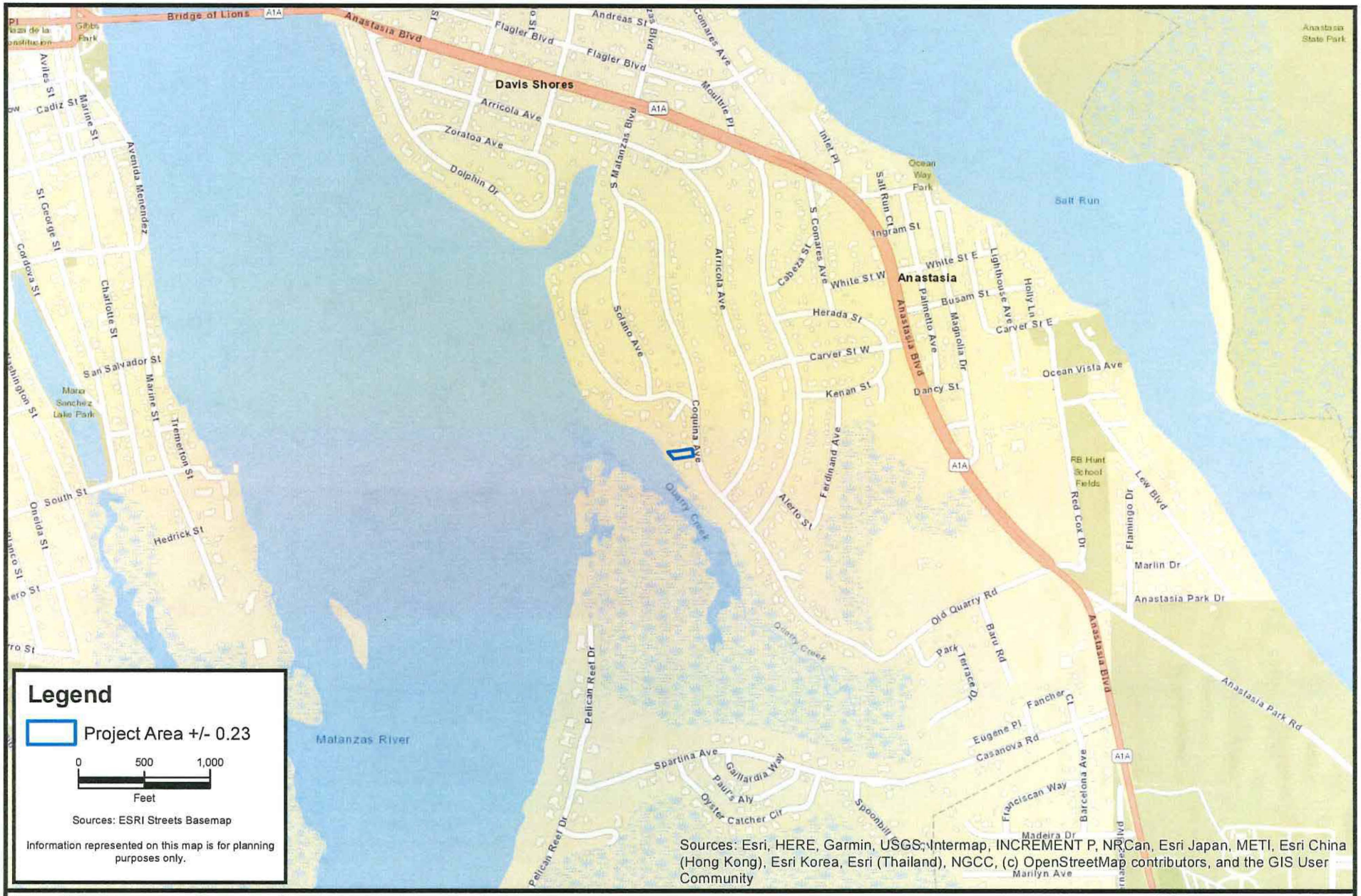
b) *The deck of any private boat dock shall not exceed six (6) feet in height above the mean high water line.*

The deck will not exceed 6' above MHW.

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

No boat lift is being proposed.

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

81 Coquina Ave.

Project: 5.22405	St. Augustine, FL	Date: Aug 24 2022	Figure: 1

CARTER ENVIRONMENTAL SERVICES, INC.
CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

Current Aerial

81 Coquina Ave.

Project: 5.22405	St. Augustine, FL	Date: Aug 24 2022	Figure: 2

CARTER ENVIRONMENTAL SERVICES, INC.

CES

42 Masters Drive
St. Augustine, FL 32084
904-540-1786

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Neighboring Structures

81 Coquina Ave.

Project:	5.22405	St. Augustine, FL	Date: Aug 24 2022	Figure:	3

CARTER ENVIRONMENTAL SERVICES, INC.
CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

Exisitng Dock

81 Coquina Ave.

Project: 5.22405	St. Augustine, FL	Date: Aug 24 2022	Figure: 4

CARTER ENVIRONMENTAL SERVICES, INC.

CES

42 Masters Drive
St. Augustine, FL 32084
904-540-1786

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Proposed Dock Alignment

81 Coquina Ave.

Project: 5.22405	St. Augustine, FL	Date: Aug 29 2022	Figure: 5

CARTER ENVIRONMENTAL SERVICES, INC.

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42 Masters Drive
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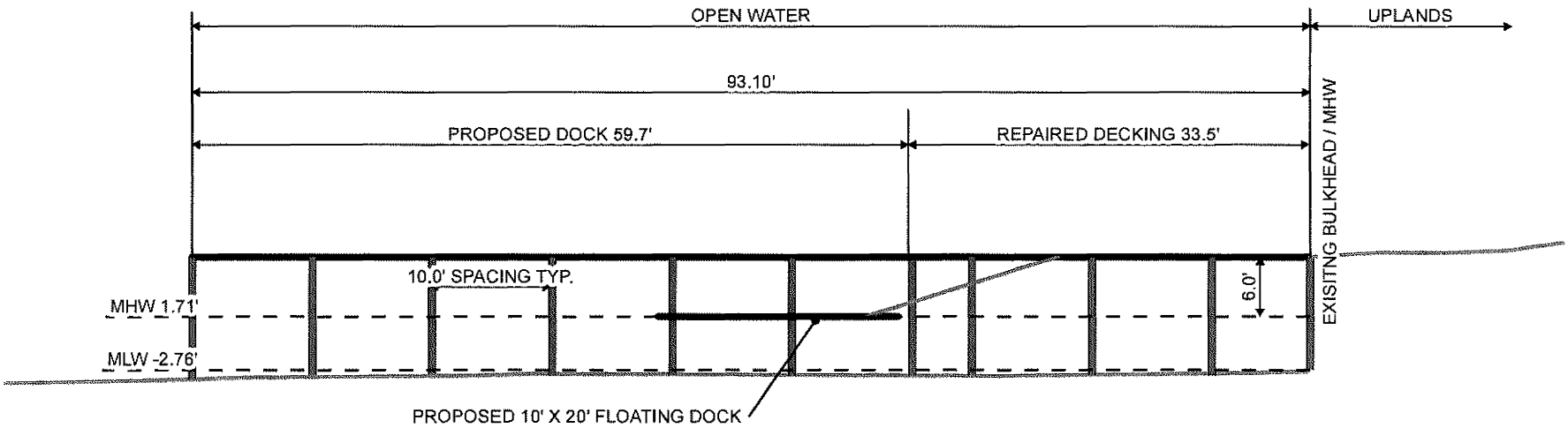
Proposed Dock Dimensions

81 Coquina Ave.

Project:	5.22405	St. Augustine, FL	Date: Aug 29 2022	Figure:	6



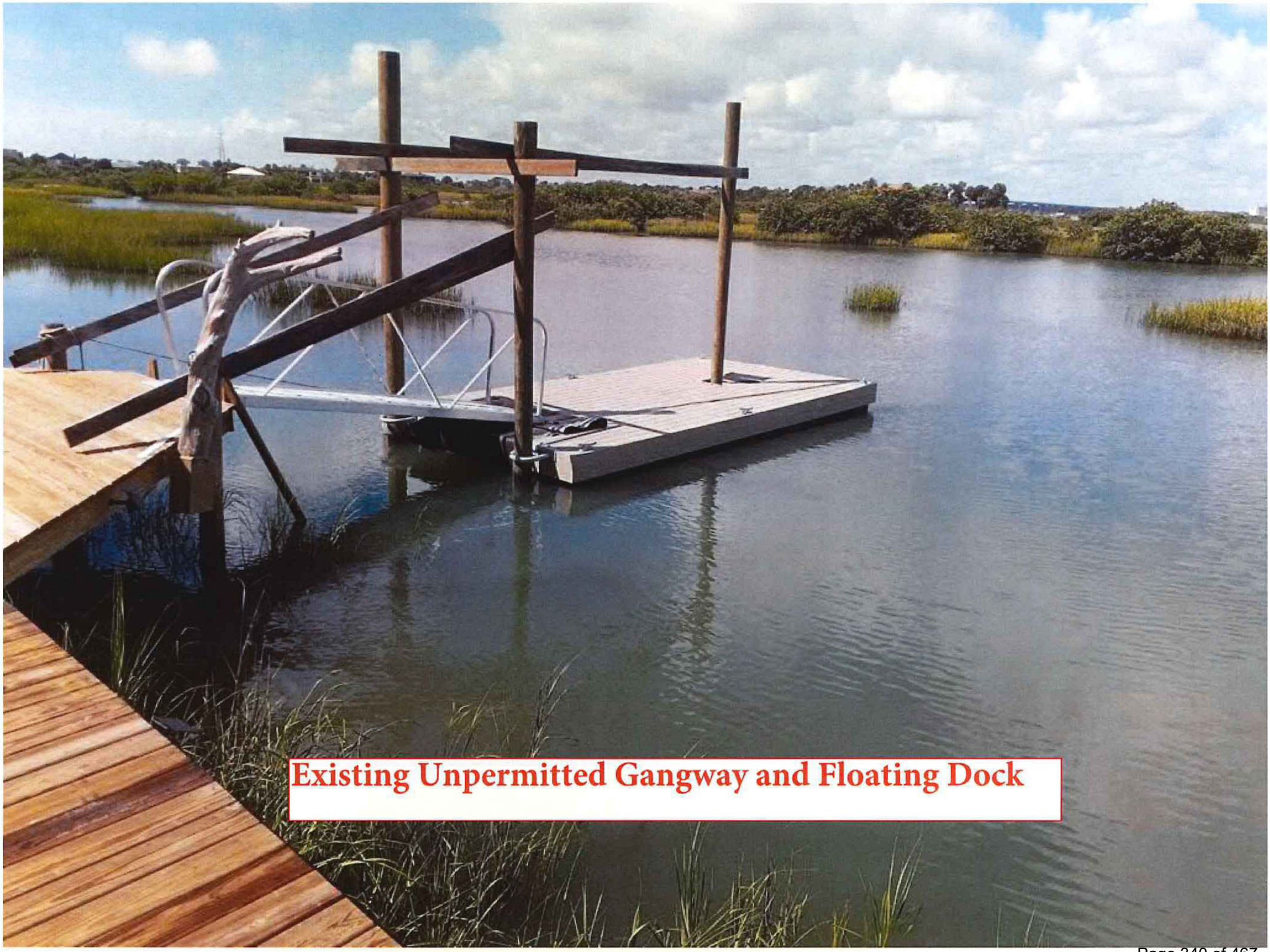
CARTER ENVIRONMENTAL SERVICES, INC.
CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

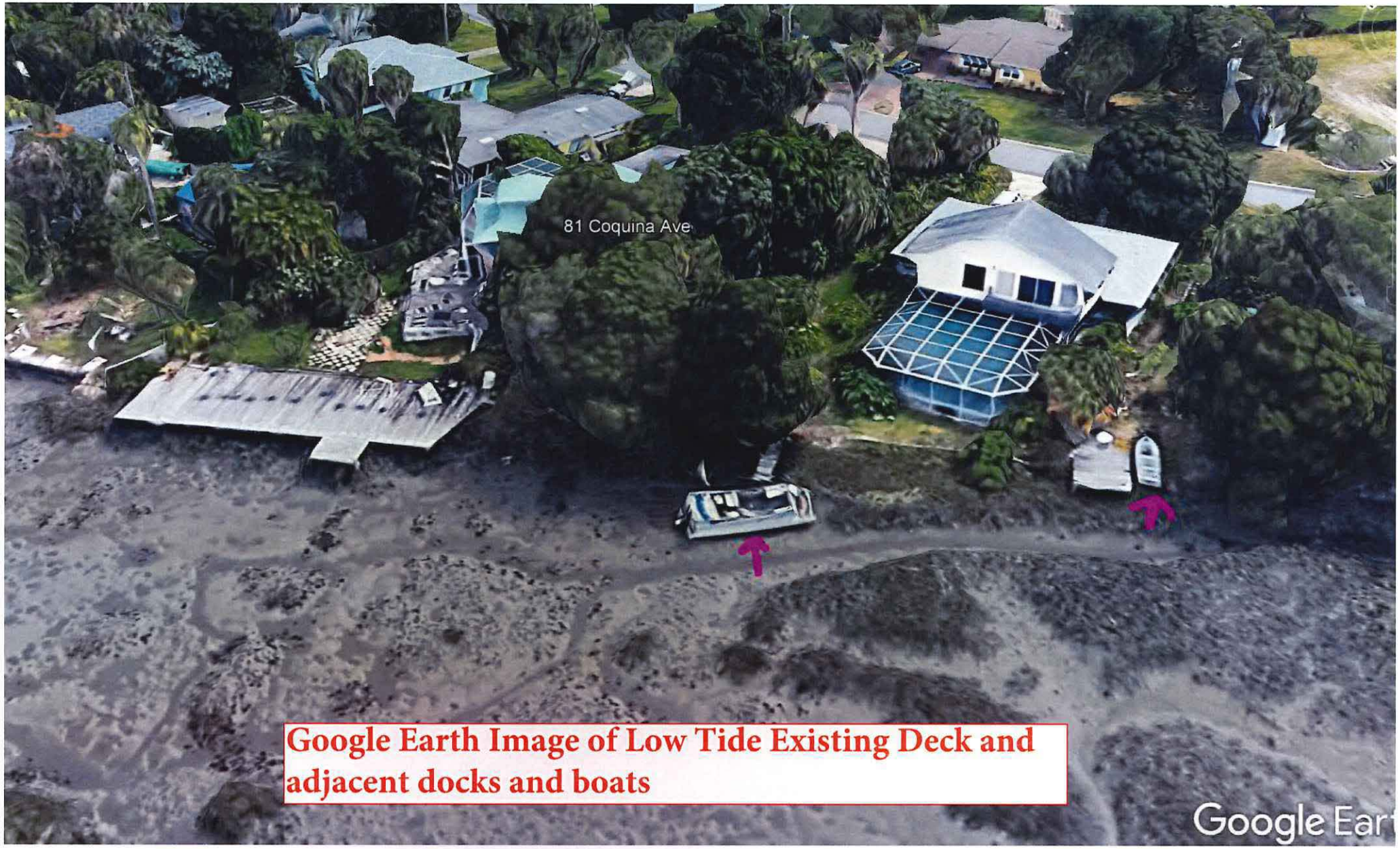
Profile View

81 Coquina Ave.

Project: 5.22405	St. Augustine, FL	Date: Aug 29 2022	Figure: 7

Attachment 3
Overlay Zone Application Photos


Existing Unpermitted Gangway and Floating Dock



Google Earth Image of Low Tide Existing Deck and adjacent docks and boats

St. Johns County, FL

Apply for Exemptions

Apply for Exemptions

Sales Questionnaire Form

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

Sales Questionnaire

2021 TRIM Notice

2021 TRIM Notice (PDF)

Summary

Parcel ID	2214100000
Location	81 COQUINA AVE
Address	SAINT AUGUSTINE 32080-0000
Neighborhood	Davis Shores (ICWFR) (590.05)
Tax Description*	3-101 DAVIS SHORES LOT 42 & N 8FT OF LOT 43 BLK 50 & RIP RGT & 8-71 LUWANNA SUB OF DAVIS SHORES S5FT OF LOT 6 & PT OF GL 1 LYING W'LY & ADJ OR5120/1295(P/R) & 5120/1297 *The Description above is not to be used on legal documents.
Property Use Code	Single Family (0100)
Subdivision	Davis Shores Ocean View Section
Sec/Twp/Rng	20-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.270
Homestead	Y

Clicking Image Opens Cyclomedia Viewer In a New Tab

No Image Available

Owner Information

Owner Name	Pantling Jamie 100%
Mailing Address	81 COQUINA AVE SAINT AUGUSTINE, FL 32080-0000

Exemption Information

Exemption Type	Status	Amount
Homestead		$50,000

Map

Valuation Information

	2022
Building Value	$413,500
Extra Features Value	$29,300
Total Land Value	$231,840
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$674,640**
Total Deferred	$71,607
Assessed Value	**$603,033**
Total Exemptions	$121,607
Taxable Value	**$553,033**

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	$278,257	$29,300	$207,000	$0	$0	$514,557	$514,557	$0	$514,557
2020	$282,017	$29,300	$207,000	$0	$0	$518,317	$518,317	$0	$518,317
2019	$259,251	$23,742	$215,280	$0	$0	$498,273	$404,852	$143,421	$354,852
2018	$263,240	$23,742	$215,280	$0	$0	$502,262	$397,303	$154,959	$347,303
2017	$271,216	$23,690	$215,280	$0	$0	$510,186	$389,131	$171,055	$339,131
2016	$275,205	$20,175	$215,280	$0	$0	$510,660	$509,714	$946	$509,714
2015	$227,921	$20,175	$215,280	$0	$0	$463,376	$463,376	$0	$463,376
2014	$217,535	$20,178	$215,280	$0	$0	$452,993	$452,993	$0	$452,993
2013	$223,578	$21,341	$215,280	$0	$0	$460,199	$433,899	$26,300	$433,899
2012	$206,005	$22,504	$165,945	$0	$0	$394,454	$394,454	$0	$394,454
2011	$208,752	$23,667	$193,752	$0	$0	$426,171	$426,171	$0	$426,171
2010	$211,498	$23,939	$215,280	$0	$0	$450,717	$450,717	$0	$450,717

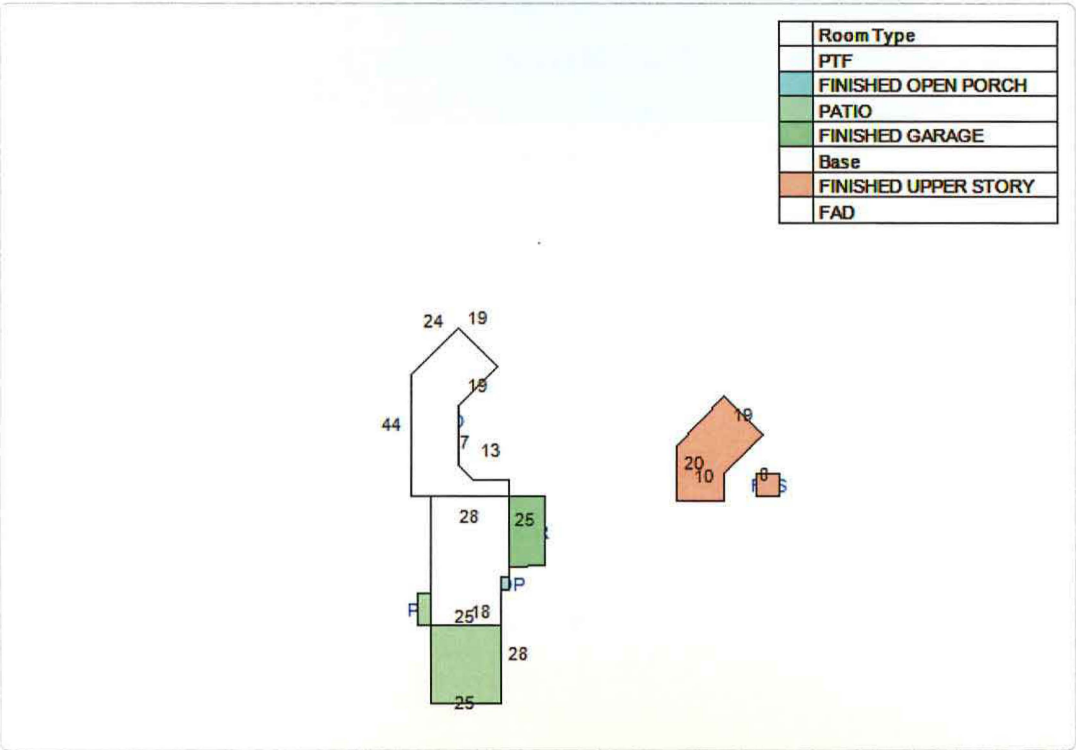
Building Information

Building	1
Year Built	1957
Actual Area	4595
Conditioned Area	3224
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Stucco

Roof Cover	Metal
Roof Structure	Gable Hip
Interior Flooring	Hardwood, Carpet, Ceramic Tile
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	3
Baths	3.5

Description	Square Footage
FRAME ADDITION	1209
FINISHED UPPER STORY	689
BASE AREA	1262
FINISHED UPPER STORY	64
FINISHED GARAGE	332
PATIO	700
FINISHED OPEN PORCH	15
PATIO	60
PATIO - FORCED	264
Total SqFt	4595

Sketch Information



Extra Feature Information

Code Description	Status	Value
Boat Dock (Average)		7100
Pool (Concrete)		9360
Deck (Unattached)		2192
Pool Enclosure (Average)		5670
Bulkhead (Average)		4978

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	69	173	69	FF	$231,840

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
12/9/2020	11/30/2020	$525,000.00	WARRANTY DEED	5120	1297	U	I	WILLIAMS ALLISON FREES ET AL	PANTLING JAMIE
12/9/2020	11/24/2020	$100.00	PERSONAL REP	5120	1295	U	I	FREES JACK C ESTATE	PANTLING JAMIE
6/7/2019	6/7/2019	$0.00	LETTERS OF ADMN	4738	106	U	I	FREES JACK C (DECD)	FREES JACK C ESTATE
	6/11/1999	$368,300.00	WARRANTY DEED	1417	314	Q	I	CHARLES MICHAEL J & SANDRA C	FREES JACK C
	8/20/1992	$135,000.00	WARRANTY DEED	953	1684	Q	I	PATTISON MARION F	CHARLES MICHAEL J,SANDRA C
	8/20/1992	$100.00	WARRANTY DEED	953	1683	U	I	PATTISON MARION F	PATTISON MARION F
	8/20/1992	$100.00	QUIT CLAIM DEED	953	1682	U	I	PATTISON MARION F	PATTISON MARION F
	11/1/1990	$0.00		876	1646	U	I		PATTISON MARION F
	3/1/1989	$95,000.00		814	355	Q	I		
	2/1/1985	$82,000.00		666	1787	Q	I		

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: 8/13/2022, 12:41:57 AM

Version 2.3.212

Developed by Schneider GEOSPATIAL

Datums for 8720576, ST. AUGUSTINE FL

NOTICE: All data values are relative to the NAVD88.

Elevations on NAVD88

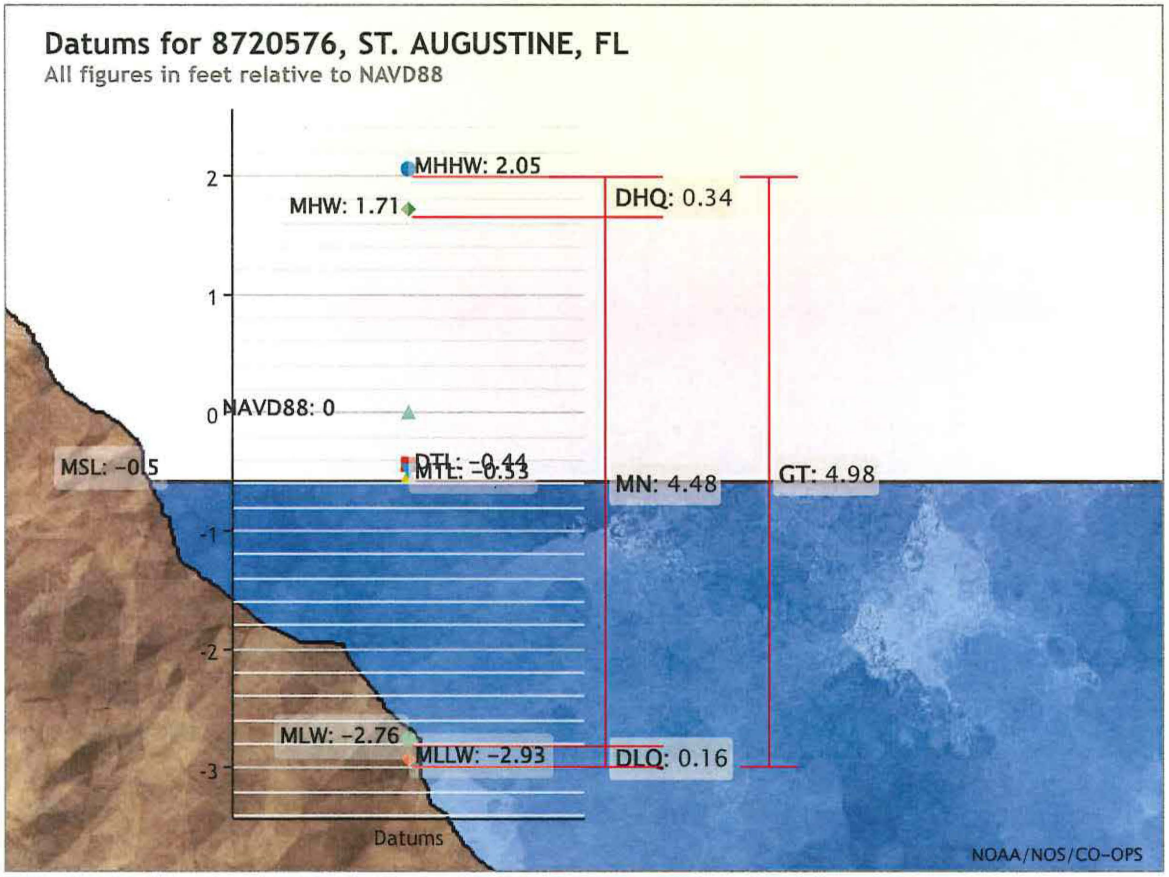
Station: 8720576, ST. AUGUSTINE, FL
Status: Accepted (May 22 2012)
Units: Feet
Control Station: 8720220 Mayport (Ferry Depot), FL
T.M.: 75
Epoch: (/datum_options.html#NTDE) 1983-2001
Datum: NAVD88

Datum	Value	Description
MHHW (/datum_options.html#MHHW)	2.05	Mean Higher-High Water
MHW (/datum_options.html#MHW)	1.71	Mean High Water
MTL (/datum_options.html#MTL)	-0.53	Mean Tide Level
MSL (/datum_options.html#MSL)	-0.50	Mean Sea Level
DTL (/datum_options.html#DTL)	-0.44	Mean Diurnal Tide Level
MLW (/datum_options.html#MLW)	-2.76	Mean Low Water

Datum	Value	Description
MLLW (/datum_options.html#MLLW)	-2.93	Mean Lower-Low Water
NAVD88 (/datum_options.html)	0.00	North American Vertical Datum of 1988
STND (/datum_options.html#STND)	-4.70	Station Datum
GT (/datum_options.html#GT)	4.98	Great Diurnal Range
MN (/datum_options.html#MN)	4.48	Mean Range of Tide
DHQ (/datum_options.html#DHQ)	0.34	Mean Diurnal High Water Inequality
DLQ (/datum_options.html#DLQ)	0.16	Mean Diurnal Low Water Inequality
HWI (/datum_options.html#HWI)	1.03	Greenwich High Water Interval (in hours)
LWI (/datum_options.html#LWI)	7.28	Greenwich Low Water Interval (in hours)
Max Tide (/datum_options.html#MAXTIDE)	4.13	Highest Observed Tide
Max Tide Date & Time (/datum_options.html#MAXTIDEDT)	11/03/1978 15:18	Highest Observed Tide Date & Time
Min Tide (/datum_options.html#MINTIDE)	-5.58	Lowest Observed Tide
Min Tide Date & Time (/datum_options.html#MINTIDEDT)	04/05/1977 19:06	Lowest Observed Tide Date & Time
HAT (/datum_options.html#HAT)		Highest Astronomical Tide
HAT Date & Time		HAT Date and Time
LAT (/datum_options.html#LAT)		Lowest Astronomical Tide
LAT Date & Time		LAT Date and Time

Tidal Datum Analysis Periods

01/01/1977 - 12/31/1978



Showing datums for

8720576 ST. AUGUSTINE, FL

Datum

NAVD88

Data Units
- (●) Feet
- ( ) Meters

Epoch
- (●) Present (1983-2001)
- ( ) Superseded (1960-1978)

Submit

Show nearby stations

Products available at 8720576 ST. AUGUSTINE, FL

TIDES/WATER LEVELS

Water Levels

NOAA Tide Predictions (/noaatidepredictions.html?id=8720576)

Harmonic Constituents

Sea Level Trends

Datums (/datums.html?id=8720576)

Bench Mark Sheets (/benchmarks.html?id=8720576)

Extreme Water Levels (/est/est_station.shtml?stnid=8720576)

Reports (/reports.html?id=8720576)

METEOROLOGICAL/OTHER

Meteorological Observations

Water Temp/Conductivity

PORTS®

This station is not a member of PORTS®

OPERATIONAL FORECAST SYSTEMS

This station is not a member of OFS

INFORMATION

Station Home Page (/stationhome.html?id=8720576)

Data Inventory (/inventory.html?id=8720576)

Measurement Specifications (/measure.html)

Website Owner: Center for Operational Oceanographic Products and Services

National Oceanic and Atmospheric Administration (http://www.noaa.gov)
National Ocean Service (http://oceanservice.noaa.gov)
Privacy Policy (/privacy.html)
Disclaimer (/disclaimers.html)
Take Our Survey (/survey.html)
Freedom of Information Act (https://www.noaa.gov/foia-freedom-of-information-act)
Contact Us (/contact.html)

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: October 4, 2022

RE: **REZONING 2022-0059**

AGENDA ITEM	9(a)
APPLICANT	Ellen Avery-Smith Esq. c/o Rogers Towers, P.A.
OWNER	Sebastian Hotel, LLC
LOCATION	333 S Ponce de Leon Boulevard / PID 119350-0000
REQUEST	To modify the development plan for an existing Planned Unit Development (PUD) to allow the existing buildings located on the site to be used as dormitories for Flagler College with related amenities and to retain a hotel use as an allowed use in the PUD.
LAND USE	Residential Low Density / Mixed Use
ZONING	Planned Unit Development (PUD)

APPLICABLE CODES/ORDINANCES

Sec. 28-30. Comprehensive plan amendments, rezonings and amendment of chapter.

(a) General. This chapter may from time to time be amended, supplemented or changed; the land use plan and land use map established by the comprehensive plan may also be amended and the zoning atlas may from time to time be revised by the rezoning ofland as provided in this section.

(b) Initiation of proposals. An ordinance for the rezoning ofland may be proposed only by the city commission or any member thereof, by the planning and zoning board or by the owner of subject property, its attorney or duly authorized agent. An amendment to this chapter may be proposed for adoption only by the city commission or any member thereof, or by the planning and zoning board. Proposals to amend this chapter shall be submitted in writing, accompanied by all pertinent information which may be required for proper consideration of the matter.

(c) Nature and requirements of board report. The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:

(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.

(d) Board report to commission. If the board recommends approval of the amendment or rezoning, the board shall forward its recommendation and report to the city commission. The report and recommendation of the board shall be advisory only and shall not be construed to be binding upon the city commission. If the board recommends denial of the amendment or rezoning, the property owner or other person aggrieved may proceed with an appeal to the city commission pursuant to section 28-29(g) of the City Code.

(e) Limitations on rezoning of land:

- No ordinance to rezone land shall contain conditions, limitations or requirements not applicable to all other land in the zoning district to which the particular land is rezoned, except as provided in article III, division 8.
- Whenever the city commission has, by ordinance, changed the zoning classification of land, the board shall not then consider any application for rezoning of any part or all of the same land for a period of one (1) year from the effective date of such ordinance.
- Whenever the city commission has denied an application for the rezoning of land, no fmiher application shall be filed for the same rezoning of any part or all of the same land for a period of six (6) months from the date of such action. In the event that two (2) or more applications for the same rezoning for any part or all of the same land has been denied, no further application shall be filed for the same rezoning or any part or all of the same land for a period of one (1) year from the date of such action denying the last application filed.
- Land use plan amendments shall be made consistent with the State of Florida's Community Planning Act F.S. ch. 163, as may be amended from time to time.

(f) Waiver of time limits. The time limits of subsection (e) may be waived by three (3) affirmative votes of the city commission when such action is deemed necessary to prevent injustice or to facilitate proper development of the city.

(g) City commission action. Upon receipt of a favorable report of the board as required by subsection (d) hereof, the city manager shall set the date for a public hearing before the city commission. The date of such public hearing to be set by the city manager shall be the first regular meeting of the city commission after ten (10) days following receipt of a report. At the conclusion of the public hearing, the city commission shall either deny the proposed amendment or rezoning or by ordinance adopt such amendment or rezoning.

(h) Process, public hearings and notification for amendments to this chapter or rezoning of land (city commission public hearing). The amendment process, including public hearings and notification regarding amendments to this chapter which change the actual list of permitted, conditional or prohibited uses within a zoning category or which change the actual zoning map designation of land in the city shall be as required by F.S. [chapter] 166. Public hearings for ordinances initiated by other than the city that change the actual zoning map designation of a parcel or parcels of land, required to be enacted pursuant to F.S. 166.041(3)(a) shall be noticed in accordance with section 28-59(a) of the City Code.

(i) Process, public hearings and notification for comprehensive plan amendments (city commission pubic hearing). The amendment process, including public hearings and

notification for comprehensive plan amendments, shall be consistent with the State of Florida's Community Planning Act, F.S. ch. 163, as may be amended from time to time.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed PUD is consistent with the city's Comprehensive Plan 2040. The following Goals, Objectives and Policies illustrate the Comprehensive Plan's support for the addition of dormitories as an existing use within the existing PUD.

City Comprehensive Plan Future Land Use Element **("FLUE")** 6.4.5 states that Residential Low Density Mixed Use areas include those neighborhoods designated for single and multiple-family dwellings and uses, as well as those non-residential uses compatible with and complementary to low-density residential uses, so as to create and maintain a mixed low density residential character. A maximum of fifty percent (50%) of the Residential Low Density Mixed Use land use designation shall be allocated for non-residential uses. Non-residential uses shall be limited to low intensity commercial, public and institutional uses including schools consistent with the Public Schools Facilities Element, recreation and Open Land (Conservation) as appropriate. Public and institutional uses are limited to the density and intensity of the most restrictive adjacent land use. In the case of the Property, the adjacent land uses are all commercial and designated with a Commercial Medium Intensity FLUM designation.

FLUE Objective 5 encourages the use of innovative and sustainable land development practices that maximize the use of existing services and facilities, such as planned unit developments. The Rivers View Hall project is a residential dormitory PUD, with the option to continue the use of the existing buildings as hotel rooms, and will connect to existing utilities and other infrastructure, which are already serving the Property. The Property is located adjacent to Ponce de Leon Boulevard/U.S. Highway I, which is a public road. The project will provide parking for boarding student residents with vehicles. These residential students will no longer be commuting to campus, thus reducing traffic as they can walk and bike around the campus and to the city center.

FLUE Policy 1.1.1 and Conservation and Coastal Management **("CCM")** Policy 1.3.1 require the City to use the latest version of the Flood Insurance Rate Maps promulgated by the Federal Emergency Management Agency **("FEMA")** to determine the location of the I percent or I 00-year floodplain and flood prone areas of the City and to require development within such areas to be constructed so that the lowest floor elevation is at least one foot above the base flood elevation established by FEMA. The Rivers View Hall will be operated in conformance with the aforementioned requirement, as detailed in Section 3 .c of this text. The project will also comply with FLUE Policies I. I. IO and 1.1.11 and FLUE Objective 4.3 with respect to stormwater, drainage and construction to address sea level rise.

FLUE Policy I. I .4 requires the City to ensure that adequate open space is provided through landscaped buffers, areas devoted to drainage and stormwater retention and landscaping requirements. The project will provide all of the aforementioned open space.

FLUE Policy 2.2.1, FLUE Goal 5 and its related policies and FLUE Goal 8 require the

City to encourage and prioritize redevelopment and development of enclaves within developed areas to utilize existing facilities efficiently and reduce urban sprawl. FLUE Policy 2.2.1 and FLUE Goal 5 require the City to prioritize infill, redevelopment and mixed-use developments, as well as compact and contiguous developments. FLUE Policies 5.1.2, 5.4.2, 5.5.3 and 6.1.5 encourage the City to achieve infill development through the use of higher density and intensity land use designations and mixed-use designations. This project accomplishes all of these goals by providing higher-density infill housing for the College's existing students within walking distance of the City's downtown core, consistent with the Property's Residential Low Density Mixed Use future land use designation, and utilizing existing infrastructure where capacity to serve the project is available.

FLUE Objective 5.2 and its related policies require new development to encourage principles that minimize the emission of greenhouse gases and reduce vehicle miles of travel, as opposed to conventional development patterns that encourage urban sprawl. The project meets these requirements by providing an infill development near the downtown core where students can park their cars and walk, bike or use publicly available transit to travel to the College and around the City. The design is pedestrian-friendly and is interconnected with the City's street network.

The Transportation and Mobility Element **("TME")** emphasizes the maintenance of a coordinated multimodal transportation system which provides for the safe, efficient and economical movement of people, goods and services and protects the City's natural, cultural and historical resources. The project is located near downtown St. Augustine, within walking distance of most destinations. Student residents can park their cars in the designated campus parking facilities and walk and bike to destinations throughout downtown. Ample parking will be available at and in proximity of the Property, as explained below.

TME Objective 1.6 requires the City to identify and pursue strategies to reduce the vehicle miles traveled by establishing locations for compact, mixed-use development, increasing opportunities for job creation proximate to higher density residential, facilitating future opportunities for transit-oriented development and encouraging new developments to be connected by roadways, bikeways and pedestrian systems that encourage travel between neighborhoods and access to transit without requiring use of the major thoroughfare system. The PUD is connected to downtown St. Augustine and Lincolnville by roadways, bikeways and pedestrian systems.

The Infrastructure Element requires the provision of sanitary sewer, potable water and solid waste services to support intended development. The existing buildings that will comprise Rivers View Hall are connected to the City's existing sanitary sewer and potable water systems. The building expansion will meet all applicable levels of service for these facilities/services and will make any improvements to existing facilities needed to serve the project, in conformance with the requirements of the City Code. The project will use water-wise landscaping where practicable. The project will also utilize City solid waste services. The Stormwater Management Sub-Element requires developments to provide its own stormwater management system. The project will comply with this requirement.

TME Policies 1.3.3 and 1.3.4 require the City to encourage infill development in the existing urban area of the City and to recognize that "certain roadway corridors will be congested, and that congestion will be addressed by other means than solely considering adding capacity for single occupant vehicles." The project meets this goal by providing infill development near the downtown core and providing student residents with transportation options other than single vehicles.

TME Policy 3.4.2 requires the City to establish policies that allow for a private development to conduct a shared parking plan and program for redevelopment. The project has proposed such a shared parking plan for the project, which will provide the "park once" environment sought by TME Objective 3.4.

Housing Element Goals 1 and 5 and their related policies and objectives encourage the City to promote quality housing through reuse of existing buildings and assist the private sector in providing adequate housing to meet current and future needs. The project meets these requirements by providing quality housing near the downtown core for current students.

The CCM Element Goal is to 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 and Coastal Management Policy 1.1 requires the City to maintain three (3) Conservation Overlay Zones **("COZs").** Conservation Overlay Zone I allows passive recreation, wildlife preservation and conservation areas, green space, and fishing piers and other water dependent uses, including boat ramps and marinas. Conservation Overlay Zone 2 allows for all of the uses within Zone I, as well as specialized, scenic or linear parks and boardwalks, off-street parking areas, and residential development, provided that they are (I) located so as to minimize impacts to Conservation Overlay Zone I vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category. Conservation Overlay Zone 3 allows a variety of land uses and development subject to performance standard requirements governed by the City's Comprehensive Plan, including the underlying Future Land Use Category, and the City's land development regulations. Section 11-27 of the Code states that Conservation Overlay Zone 3 is comprised of uplands and urban/residential areas which are inland from Zones I and 2, and which require special environmental consideration. The existing buildings located on the Property that will be converted to use as dormitories for Flagler College have already undergone COZ review and no additional COZ review is needed.

STAFF SUMMARY AND ANALYSIS

The applicant's application states that the modification to the PUD is reflective of "Flagler College's need for additional student housing due to increasing rental rates in the City and its surroundings." Flagler College proposes to purchase the Property and convert the existing buildings to dormitory use, with student rooms, dining facilities, an exercise room and other recreational facilities, and other amenities typically found in college dormitory buildings. The applicant states that the reason for retaining the use of a hotel in the PUD language is in the event Flagler College does not purchase this property or in the future decides to sell it.

STAFF RECOMMENDATION

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.

Jacob Fredriksson
Senior Planner
Planning and Building Department

ROGERS | TOWERS
ATTORNEYS AT LAW

Ellen Avery-Smith

904 . 824 . 0879 . x5207
EAverysmith@rtlaw.com

100 Whetstone Place • Suite 200
St. Augustine, Florida 32086

904 . 396 . 0663 Fax
www.rtlaw.com

August 17, 2022

RECEIVED
AUG 24 2022
Planning / Building Dept.

Ms. Amy Skinner
Planning and Building Director
City of St. Augustine
75 King Street
St. Augustine, Florida 32084

Re: Flagler College/Application for Planned Unit Development Modification - REVISED

Dear Amy:

Our client, Flagler College, Inc. (the "College"), is the contract purchaser of the property located at 333 S. Ponce de Leon Boulevard, St. Augustine, Florida 32084 (the "Property"). The existing Sebastian Hotel is located on the Property.

The College would like to modify the existing Planned Unit Development ("PUD") for the Property, called the Rivers View Hotel PUD, Ordinance No. 2008-02, to allow either the conversion of the existing hotel buildings located on the site to dormitory use for its students, or for the existing hotel use to continue on the site. No changes are proposed to the site plan approved by the City Commission in Ordinance No. 2008-02.

To that end, enclosed is an application to modify the Rivers View Hotel PUD (changing the name to Rivers View Hall), along with updated PUD text, the approved site plan and other supporting documents, as well as an application fee check in the amount of $400.00, payable to the City of St. Augustine.

We look forward to working with you and your colleagues on this application.

Sincerely yours,

Ellen Avery-Smith

cc: John Delaney
Laura Stevenson
Beth Sweeny

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $400 (plus advertising costs) Project Number: 2022-0059

Receipt Number: 2445668 Meeting Date: Oct. 4, 2022

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

---

1. NAME OF APPLICANT: Ellen Avery-Smith, Esq. Contact Number: 904-825-1615
   Business (*if applicable*): Rogers Towers, P.A.
   Address: 100 Whetstone Place, Ste. 200 City: St. Augustine State: Florida Zip: 32086
   E-Mail Address: eaverysmith@rtlaw.com

2. NAME OF PROPERTY OWNER: Sebastian Hotel, LLC Contact Number:_____
   Business (*if applicable*):_____
   Address: 812 North 4th Street City: Bruce State: Wisconsin Zip: 54819
   E-Mail Address:_____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 30-45 Block: F
   Subdivision: Wildwood Park Parcel Number: 119350-0000

4. PROJECT STREET ADDRESS: 333 S. Ponce de Leon Boulevard

5. SPECIFIC PROPOSED USE: Modify the development plan for existing PUD (Ord. No. 2008-02) to allow the existing buildings located on the site to be used as dormitories with related amenities, as well as retaining the existing hotel use.

6. ACTION REQUESTED:
   - ☐ Conservation Zone Development
   - ☐ Appeal of Staff Determination
   - ☐ Exception
   - ☐ Land Use Plan Amendment
   - ☐ Variance
   - ☒ Rezoning
   - ☒ Other: See specific proposed use (#5).

7. DESCRIPTION OF ACTION REQUESTED: Flagler College, Inc. ("Applicant") is the contract purchaser of the project property. The Owner and the Applicant seek to modify the development plan for the existing Rivers View Hotel PUD (Ord. No. 2008-02) to allow the existing buildings located on the site to be used as dormitories with related amenities for Flagler College as well as retaining the existing hotel use.

8. JUSTIFICATION FOR ACTION REQUESTED: The proposed project reflects Flagler College's need for additional student housing due to increasing rental rates in the City and its surroundings.

04/18/2019

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

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

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

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

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

10. PREVIOUS APPPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

Signature of Applicant — Date: 8/16/22

Signature of Property Owner — Date

04/18/2019

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

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

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

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

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

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Signature of Applicant — Date

Alexander Damardzic — 8/15/22

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.

Ellen Avery-Smith
Print name of applicant

Signature of applicant

8/16/22
Date

10/31/17

City of St. Augustine

Application to Planning and Zoning Board

Supplemental Information

Legal/Authorized Agent for Applicant:

Beth Sweeny
Flagler College, Inc.
74 King Street
St. Augustine, Florida 32084
bsweeny@flagler.edu
904.826.8679

Owner's Authorization For Agent

Ellen Avery-Smith, Esq. of Rogers Towers, P.A. is/are hereby authorized TO ACT ON BEHALF OF, Sebastian Hotel, LLC the owner(s) of those lands described Withinthe attached application, 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:

☐ Historic Architectural Review Board

☑ Planning and Zoning Board

property located at 333 S. Ponce de Leon Boulevard

BY: Alexander Samardzich
Signature of Owner

Alexander Samardzich
Print Name of Owner

715.403.0521
Telephone

Sworn to and subscribed before me on this 16th day of August, 2022

Notary Public: Kim M Benson Kim M Benson

My Commission expires on 6/26/25
Wisconsin, Rusk Cty

KIM M. BENSON NOTARY PUBLIC STATE OF WISCONSIN

Owner's Authorization For Agent

Ellen Avery-Smith, Esq. of Rogers Towers, P.A. is/are hereby authorized TO ACT ON

BEHALF OF, Flagler College, Inc. the Applicant and contract purchaser of those lands described within the attached application, 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:

☐ Historic Architectural Review Board

☑ Planning and Zoning Board

property located at 333 S. Ponce de Leon Boulevard

BY: _____
Signature of Applicant / Contract Purchaser

Laura Stevenson Dumas
Print Name of Applicant / Contract Purchaser

904-819-6205
Telephone

Sworn to and subscribed before me on this 16 day of August, 2022

SARA SCHULZ
Notary Public-State of Florida
Commission # HH 211079
My Commission Expires
December 26, 2025

Notary Public: Sara Schulz

My Commission expires on 12/26/2025

Rivers View Hall Planned Unit Development

City of St. Augustine, Florida

August 16, 2022

Team Roster

Owner:

Sebastian Hotel, LLC
333 S. Ponce de Leon Boulevard
St. Augustine, Florida 32084

Applicant:

Flagler College, Inc.
Beth Sweeny
74 King Street
St. Augustine, Florida 32084

Legal/Authorized Agent for Owner:

Rogers Towers, P.A.
Ellen Avery-Smith, Esq.
100 Whetstone Place, Suite 200
St. Augustine, Florida 32086
(904) 825-1615

Exhibit List:

Exhibit "A" – Legal Description of the Property
Exhibit "B" – Site Plan
Exhibit "C" – Architectural Elevations
Exhibit "D" – Public Facility Impact Analysis

AMENDED AND RESTATED RIVERS VIEW HALL PLANNED UNIT DEVELOPMENT
(f/k/a Rivers View Hotel PUD)

A. Purpose and Intent.

Pursuant to Section 28-286 of the City of St. Augustine Code (the "**Code**"), the purpose of a planned unit development ("**PUD**") zoning district is to provide an option and process for the provision of unique, individually planned developments that are consistent with the City's Comprehensive Plan and the categories outlined in the Comprehensive Plan, but may allow for more creative, flexible and innovative designs for projects than the regular zoning districts allow. The intent of a PUD is to permit this flexibility from the strict application of traditional zoning district regulations by identifying each waiver, variance or exception to such regulation and providing an alternative development condition for that specific PUD.

The purpose of this application is to modify the development plan for the Rivers View Hotel PUD (Ordinance No. 2008-02) (the "**Original PUD**") to allow hotel rooms and related amenities located within the existing buildings on the site either (i) to be used as hotel rooms in their existing configuration, or (ii) to be converted for use as dormitory rooms for Flagler College. The exteriors of the existing buildings will not be materially altered but may be painted or otherwise changed on the surface to appear more conformance with other buildings owned or leased by Flagler College.

The Original PUD provided for 95 hotel rooms and supporting amenities in two buildings on approximately 2.25 acres located at 333 South Ponce de Leon Boulevard, St. Augustine (the "**Property**"). Ancillary approved uses included a restaurant/breakfast space, conference and meeting rooms, and recreational and exercise facilities. The maximum approved building height was 50 feet, as measured from the base flood elevation to the top of the occupied space (i.e., the highest point of the interior ceiling (the "**Habitable Space**"). Appurtenances placed above the Habitable Space and not intended for human occupancy were approved to be constructed to a maximum height of 68 feet, four (4) inches (the "**Overall Building Height**"). A hotel was constructed on the Property, in conformance with the Original PUD, and is in operation today.

Flagler College proposes to purchase the Property and convert the existing buildings to dormitory use, with student rooms, dining facilities, an exercise room and other recreational facilities, and other amenities typically found in college dormitory buildings. No changes are proposed to the exteriors of the buildings except to repaint, relandscape or otherwise change the appearance of the buildings to be more in conformance with other buildings owned or leased by the College. In the event Flagler College does not purchase the Property or in the future needs to sell the Property or otherwise change its use, the owner would like to retain the right for the buildings to be used for hotel rooms and related amenities.

The PUD text incorporates site-specific regulations to address development and topographic conditions and transitioning land uses. The PUD text, including all exhibits hereto, complies with all applicable provisions of City Code Chapter 28.

B. Site Information.

1. Location

The Property subject to this PUD ordinance is located at 333 South Ponce de Leon Boulevard, St. Augustine. The Property has St. Johns County Parcel Identification No. 119350-0000. A legal description of the Property is attached as **Exhibit "A"**. The Property includes approximately 2.25 acres.

2. Owner, Applicant and Agent

The owner of the Property is Sebastian Hotel, LLC (the "**Owner**"). The Applicant is Flagler College, Inc. ("**Applicant**" or the "**College**"). The agent for the Owner and Applicant is Ellen Avery-Smith, Esq., Rogers Towers, P.A. (the "**Agent**"). Addresses for the Owner, Applicant and Agent are in the team roster on page 2.

3. History, Existing Approvals

The Future Land Use Map ("**FLUM**") designation of the Property is Residential Low Density Mixed Use. The FLUM category allows the uses proposed in this PUD Ordinance.

The Original PUD allows for development of a 95-room hotel, restaurant/breakfast space, conference and meeting rooms, and recreational and exercise facilities. Parking was provided in 98 parking space, with four (4) handicapped spaces. A hotel was constructed and has been operating on the Property for a number of years.

4. Summary of Proposed Development

The Owner and Applicant are proposing to amend and restate the development plan of the Original PUD (i) to allow the hotel use in its existing configuration, and (ii) to permit the conversion of the existing buildings to dormitories, with student rooms, dining facilities, exercise room and other recreational facilities, and other amenities typically found in college dormitory buildings. No changes are proposed to the exteriors of the buildings, except to repaint, relandscape or otherwise change the appearance of the buildings to be more in conformance with other buildings owned or leased by the College.

The proposed development plan reflects the College's increasing need for additional on and near-campus student housing for currently enrolled students. The College needs additional housing for students because of increasing rental rates in the City and its surroundings and the growing number of vacation rental homes in the downtown area near the College. A site plan depicting the locations of the existing buildings either to be used as hotel rooms or to be converted to dormitory use is attached as **Exhibit "B"** (the "**Site Plan**"). City staff shall be permitted to approve minor deviations from the Site Plan to allow changes to the appearance of

the exteriors of the buildings to be more in conformance with the look of other buildings owned or leased by the College.

The Property includes approximately 2.15 acres of uplands and 0.1 acres of wetland.

C. <u>Proposed Development (Code Section 28-289 provisions in BOLD)</u>.

1. Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future Land Use Map category for the property.

As set forth in Section B.3 above, the Original PUD Property has a FLUM designation of Residential Low Density Mixed Use.

City Comprehensive Plan Future Land Use Element ("**FLUE**") 6.4.5 states that Residential Low Density Mixed Use areas include those neighborhoods designated for single and multiple-family dwellings and uses, as well as those non-residential uses compatible with and complementary to low-density residential uses, so as to create and maintain a mixed low density residential character. A maximum of fifty percent (50%) of the Residential Low Density Mixed Use land use designation shall be allocated for non-residential uses. Non-residential uses shall be limited to low intensity commercial, public and institutional uses including schools consistent with the Public Schools Facilities Element, recreation and Open Land (Conservation) as appropriate. Public and institutional uses are limited to the density and intensity of the most restrictive adjacent land use. In the case of the Property, the adjacent land uses are all commercial and designated with a Commercial Medium Intensity FLUM designation.

FLUE Objective 5 encourages the use of innovative and sustainable land development practices that maximize the use of existing services and facilities, such as planned unit developments. The Rivers View Hall project is a residential dormitory PUD, with the option to continue the use of the existing buildings as hotel rooms, and will connect to existing utilities and other infrastructure, which are already serving the Property. The Property is located adjacent to Ponce de Leon Boulevard/U.S. Highway 1, which is a public road. The project will provide parking for boarding student residents with vehicles. These residential students will no longer be commuting to campus, thus reducing traffic as they can walk and bike around the campus and to the city center.

FLUE Policy 1.1.1 and Conservation and Coastal Management ("**CCM**") Policy 1.3.1 require the City to use the latest version of the Flood Insurance Rate Maps promulgated by the Federal Emergency Management Agency ("**FEMA**") to determine the location of the 1 percent or 100-year floodplain and flood prone areas of the City and to require development within such areas to be constructed so that the lowest floor elevation is at least one foot above the base flood elevation established by FEMA. The Rivers View Hall will be operated in conformance with the aforementioned requirement, as detailed in Section 3.c of this text. The project will also comply with FLUE Policies 1.1.10 and 1.1.11 and FLUE Objective 4.3 with respect to stormwater, drainage and construction to address sea level rise.

FLUE Policy 1.1.4 requires the City to ensure that adequate open space is provided through landscaped buffers, areas devoted to drainage and stormwater retention and landscaping requirements. The project will provide all of the aforementioned open space.

FLUE Policy 2.2.1, FLUE Goal 5 and its related policies and FLUE Goal 8 require the City to encourage and prioritize redevelopment and development of enclaves within developed areas to utilize existing facilities efficiently and reduce urban sprawl. FLUE Policy 2.2.1 and FLUE Goal 5 require the City to prioritize infill, redevelopment and mixed-use developments, as well as compact and contiguous developments. FLUE Policies 5.1.2, 5.4.2, 5.5.3 and 6.1.5 encourage the City to achieve infill development through the use of higher density and intensity land use designations and mixed-use designations. This project accomplishes all of these goals by providing higher-density infill housing for the College's existing students within walking distance of the City's downtown core, consistent with the Property's Residential Low Density Mixed Use future land use designation, and utilizing existing infrastructure where capacity to serve the project is available.

FLUE Objective 5.2 and its related policies require new development to encourage principles that minimize the emission of greenhouse gases and reduce vehicle miles of travel, as opposed to conventional development patterns that encourage urban sprawl. The project meets these requirements by providing an infill development near the downtown core where students can park their cars and walk, bike or use publicly available transit to travel to the College and around the City. The design is pedestrian-friendly and is interconnected with the City's street network.

The Transportation and Mobility Element ("**TME**") emphasizes the maintenance of a coordinated multimodal transportation system which provides for the safe, efficient and economical movement of people, goods and services and protects the City's natural, cultural and historical resources. The project is located near downtown St. Augustine, within walking distance of most destinations. Student residents can park their cars in the designated campus parking facilities and walk and bike to destinations throughout downtown. Ample parking will be available at and in proximity of the Property, as explained below.

TME Objective 1.6 requires the City to identify and pursue strategies to reduce the vehicle miles traveled by establishing locations for compact, mixed-use development, increasing opportunities for job creation proximate to higher density residential, facilitating future opportunities for transit-oriented development and encouraging new developments to be connected by roadways, bikeways and pedestrian systems that encourage travel between neighborhoods and access to transit without requiring use of the major thoroughfare system. The PUD is connected to downtown St. Augustine and Lincolnville by roadways, bikeways and pedestrian systems.

The Infrastructure Element requires the provision of sanitary sewer, potable water and solid waste services to support intended development. The existing buildings that will comprise Rivers View Hall are connected to the City's existing sanitary sewer and potable water systems. The building expansion will meet all applicable levels of service for these facilities/services and will make any improvements to existing facilities needed to serve the project, in conformance with the requirements of the City Code. The project will use water-wise

landscaping where practicable. The project will also utilize City solid waste services. The Stormwater Management Sub-Element requires developments to provide its own stormwater management system. The project will comply with this requirement.

TME Policies 1.3.3 and 1.3.4 require the City to encourage infill development in the existing urban area of the City and to recognize that "certain roadway corridors will be congested, and that congestion will be addressed by other means than solely considering adding capacity for single occupant vehicles." The project meets this goal by providing infill development near the downtown core and providing student residents with transportation options other than single vehicles.

TME Policy 3.4.2 requires the City to establish policies that allow for a private development to conduct a shared parking plan and program for redevelopment. The project has proposed such a shared parking plan for the project, which will provide the "park once" environment sought by TME Objective 3.4.

Housing Element Goals 1 and 5 and their related policies and objectives encourage the City to promote quality housing through reuse of existing buildings and assist the private sector in providing adequate housing to meet current and future needs. The project meets these requirements by providing, quality housing near the downtown core for current students.

The CCM Element Goal is to 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 and Coastal Management Policy 1.1 requires the City to maintain three (3) Conservation Overlay Zones ("**COZs**"). Conservation Overlay Zone 1 allows passive recreation, wildlife preservation and conservation areas, green space, and fishing piers and other water dependent uses, including boat ramps and marinas. Conservation Overlay Zone 2 allows for all of the uses within Zone 1, as well as specialized, scenic or linear parks and boardwalks, off-street parking areas, and residential development, provided that they are (1) located so as to minimize impacts to Conservation Overlay Zone 1 vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category. Conservation Overlay Zone 3 allows a variety of land uses and development subject to performance standard requirements governed by the City's Comprehensive Plan, including the underlying Future Land Use Category, and the City's land development regulations. Section 11-27 of the Code states that 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. The existing buildings located on the Property that will be converted to use as dormitories for Flagler College have already undergone COZ review and no additional COZ review is needed.

2. **For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts.**

Not applicable.

3. **The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be**

allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception.

The Owner and Applicant desire to amend the Original PUD for the Property in order to provide an updated development plan that more fully meets current and future needs of the City in this area. The following development standards shall apply to the Property:

a. Allowable uses: Allowable uses within the Property shall include:

(i) Student dormitory housing with a maximum of 95 rooms, and on-site surface parking to accommodate the use. The student housing facility shall have exercise areas on the Property and access to all recreational facilities at the College (all of which are off-site) including, without limitation, a swimming pool, indoor gymnasium and fitness center, student center recreational room and other facilities. The project includes walking paths that connect to sidewalks along Ponce de Leon Boulevard and King Street for students' enjoyment.

(ii) Hotel with a maximum of 95 rooms and related amenities, and on-site surface parking to accommodate the use.

All accessory uses and structures allowed by Section 28-348 of the Code in effect at the time of approval of the PUD, including but not limited to recreational and other amenities to serve the development.

The locations of the proposed uses are depicted on the Site Plan, **Exhibit "B"**. The Site Plan depicts the existing buildings located on the Property.

b. Setbacks: The minimum building setbacks are as follows:

1. A minimum of five (5) feet from each property line; and 25 feet from the wetland jurisdictional line on the east side of the site. Sidewalks, landscaped areas and other horizontal improvements shall be permitted within these setbacks.

2. There shall be no building setbacks required within the interior of the Property.

c. Maximum building height: Buildings shall not exceed the Overall Building Height of 68 feet, four (4) inches. The buildings have already been constructed on the Property, pursuant to Ordinance No. 2008-02.

d. Minimum lot size: None.

e. Minimum lot width: None.

f. Maximum lot coverage: 50 percent for the Property.

g. Site Plan Details: The Site Plan is attached as **Exhibit "B"**. Minor adjustments to parking locations shall be permitted during site redevelopment per

engineering plans approved by the City. Any such minor adjustments must comply with the requirements of this PUD text.

h. Parking: The PUD shall include 98 parking spaces and four (4) handicap spaces.

i. Signage: Project signage will meet applicable Code provisions.

j. Roads: There are no roadways within the Property. Driveways within the Property will be owned and maintained by the Owner. The surface parking lots that serve the dormitory units may be access controlled.

k. Sidewalks: A sidewalk is located along Ponce de Leon Boulevard. The project will include internal sidewalks to connect to the external sidewalks. Primary pedestrian connections will be from Ponce de Leon Boulevard.

l. Bicycles/Multi-Modal: Bicycle racks will be provided within the Property.

m. Stormwater: The Owner will own and operate a stormwater management system for the development, in compliance with applicable City and St. Johns River Water Management District ("**District**") requirements.

n. Lighting. Project lighting shall comply with applicable Code provisions.

o. Accessory Uses. Project accessory uses shall comply with applicable Code provisions.

p. Temporary Uses. Project temporary uses shall comply with applicable Code provisions.

q. Utilities: Project shall comply with applicable Code requirements. Stormwater will be provided pursuant to a permit issued by the District.

r. Landscaping: Project landscaping will comply with all applicable Code provisions.

s. Architectural Style: The existing buildings will be used in their current configuration, as depicted on elevations attached hereto as **Exhibit "C"**.

t. Tree Mitigation: Any project tree removal and replacement will comply with applicable provisions of Code Chapter 25, Article III.

u. Conservation Overlay Zone Development: Chapter 11, Article II, Sections 11-26 through 11-30 of the Code set forth criteria for development within COZs. The Property is within COZ 3, and any redevelopment of the Property will comply with applicable provisions of Sections 11-26 through 11-30. Ordinance No. 2008-02 included approvals for Conservation Overlay Zone 1, 2 and 3 zones within the Property, including the construction of a retaining wall adjacent to

jurisdictional wetlands in COZ 1; removal of existing structures, construction of a hotel building of a width greater than 75 feet, and construction of fencing, a storage building and dumpster enclosure in COZ 2; and removal of certain trees located in COZ 3. The aforementioned improvements have already been made to the Property.

4. **Compliance with the purpose and intent and criteria in Code Section 28-286.**

The Rivers View Hall PUD complies with Code Section 28-286 by:

a. Promoting more efficient and economic use of land by offering urban infill redevelopment where students can live on-site and within walking distance of the Flagler College campus.

b. Encouraging a more compatible and harmonious development of contiguous lands by changing uses under an already approved and developed project.

c. Providing flexibility to meet changing needs, technologies, economics and consumer preferences in the Site Plan and this text.

d. Providing a process to assess a redevelopment's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole.

e. Providing an environment of consistent character compatible with the surrounding areas.

f. Permitting specific limitations and requirements in excess of those included in other zoning districts, based on the unique characteristics of the individual site, where necessary to the public health, safety or welfare, or for the protection or preservation of lands, neighborhoods or areas of the city deemed unique or historic based on the proposed location of the planned development.

5. **Compliance with Code Section 28-288 and justification for any zoning uses.**

As stated in Section C.3 hereof, the allowable uses within the Property shall be student housing of a maximum of 95 dormitory rooms or a hotel with a maximum of 95 guest rooms. A Site Plan depicting the locations of the proposed land use is attached as **Exhibit "B"**, Site Plan. The proposed uses are permitted in the proposed Residential Low Density Mixed Use FLUM designation for the Property.

Development standards for the Property are set forth in Section C.3 hereof. These standards will mitigate for any negative impacts of the development on surrounding lands.

Benefits to the community from the Rivers View Hall project include:

a. Utilizing existing infrastructure at no cost to the City.

b. Providing much-needed housing for College students in the downtown core, thereby reducing the number of students who rent homes in the Lincolnville, Model Land and other neighborhoods. **This will make much-needed long-term rental housing available to non-student City residents in the downtown area**.

c. The reduction of competition for the little long-term rental housing downtown should help reduce rental rates for such housing. At present, rental rates for apartments and other long-term rental housing ranges from $1,300 to $2,400 per month for apartments and $2,300 or more per month for houses (with very few houses or apartments available for rent).

d. Allowing currently enrolled students to board near campus, which **will limit daily commuters and thus reduce traffic in downtown St. Augustine overall**.

e. Allowing students to live and work in and near the downtown St. Augustine and Lincolnville areas, thus reducing traffic in downtown St. Augustine and providing student workers at downtown businesses.

6. **The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance or other related permit.**

The Rivers View Hall project has already been constructed. The Owner and Applicant will have three (3) years from the date on which the City Commission approves this PUD to make exterior improvements to the buildings as noted herein.

7. **Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement**.

The Applicant will provide for the operation and maintenance of project infrastructure.

8. **A termination date after which the PZB shall be required to evaluate whether all or part of the PUD has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) or other circumstances have contributed to the development delay, if so, one (1) year extension(s) may be granted by the PZB at an advertised public hearing, after two (2) such extensions if no activity has been initiated the city commission shall deem the PUD abandoned which shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule**.

This PUD shall terminate ten (10) years from its adoption by the City Commission unless otherwise extended or amended pursuant to the Code or Florida law.

9. **If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted**.

The proposed PUD is consistent with the proposed underlying FLUM designation of the Property.

10. **An infrastructure impact analysis or equivalent impact analysis to clearly outline the project's potential impact on transportation networks, circulation patterns, and infrastructure of the city.**

There are existing buildings located on the Property so there should be no additional public facility impacts.

11. **A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made in their application and at hearing relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing, termination and reversion clauses.**

See Section E hereof.

D. <u>Performance Standards (Code Section 28-291)</u>.

1. **Density of development**. The Property will include a maximum of 50 percent lot coverage by buildings.

2. **Open space**. The project will include a minimum of 10 percent of open space, as depicted on the Site Plan.

3. **Waiver of yard, dwelling unit, frontage criteria and use restriction**. None.

4. **Management and maintenance of open space areas**. Any common property within the Property will be owned, operated and maintained by the Applicant.

5. **Community facilities**.

a. **All utility facilities proposed for dedication to St. Augustine must be acceptable by the city as to the size, shape and location, and shown by the applicant to be of benefit to the general public.**

The project will connect to existing City utility lines and will make improvements to such systems to the extent required solely to serve the project. The Applicant will work with the City regarding any proposed dedication of utility lines, in compliance with applicable Code requirements.

b. **All requirements for off-street parking and loading shall apply to the PUD unless otherwise waived or modified.**

See Section C.3.h for parking requirements.

c. **Access and circulation shall adequately provide for firefighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries and debris removal.**

The project will provide adequate access and circulation for emergency and other access, including access for large vehicles.

d. **Provide for underground installation of utilities, including telephone, power and cable television in both public and private rights-of-way. Provisions shall be made for acceptable design and construction of storm sewer facilities, including grading, gutters, piping and treatment of turf to handle stormwater and prevent erosion and formation of dust.**

The project will provide for underground utilities to the extent practicable.

e. **Specifications for street design, publicly used driving and access aisles, sidewalks and pedestrian walkways, including those providing interconnectivity between phases of the PUD or between the PUD and adjacent properties, shall conform to the rules and regulations adopted by the City of St. Augustine.**

See Section C.3 for street and sidewalk design criteria. The Site Plan shows interconnectivity within the Property and with adjacent lands.

f. ***General development patterns.*** **Residential subdivisions and mixed-use subdivisions shall provide a master tree plan, a master stormwater plan, an overall signage plan, any applicable overall design standards, descriptions of interconnectivity between areas within the PUD and connections to areas outside of the PUD proper, and general descriptions of how the PUD will create a sense of place.**

Not applicable.

E. **Ownership Agreement.**

The Owner, on behalf of itself and its successors and assigns, hereby agrees and stipulates to proceed with the proposed development in accordance with the PUD ordinance for this application as adopted by the City of St. Augustine City Commission. The Owner also agrees to comply with all conditions and safeguards established by the St. Augustine City Commission with respect to this Planned Unit Development application.

Sebastian Hotel, LLC, a Florida limited liability company

By:_____
Name:_____
Title:_____
Date:_____

EXHIBIT "A"

Legal Description

PARCEL 1

Lots 30 and 31, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 32 and 33, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 2

Lots 34 and 35, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 3

Lots 36 and 37, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 4

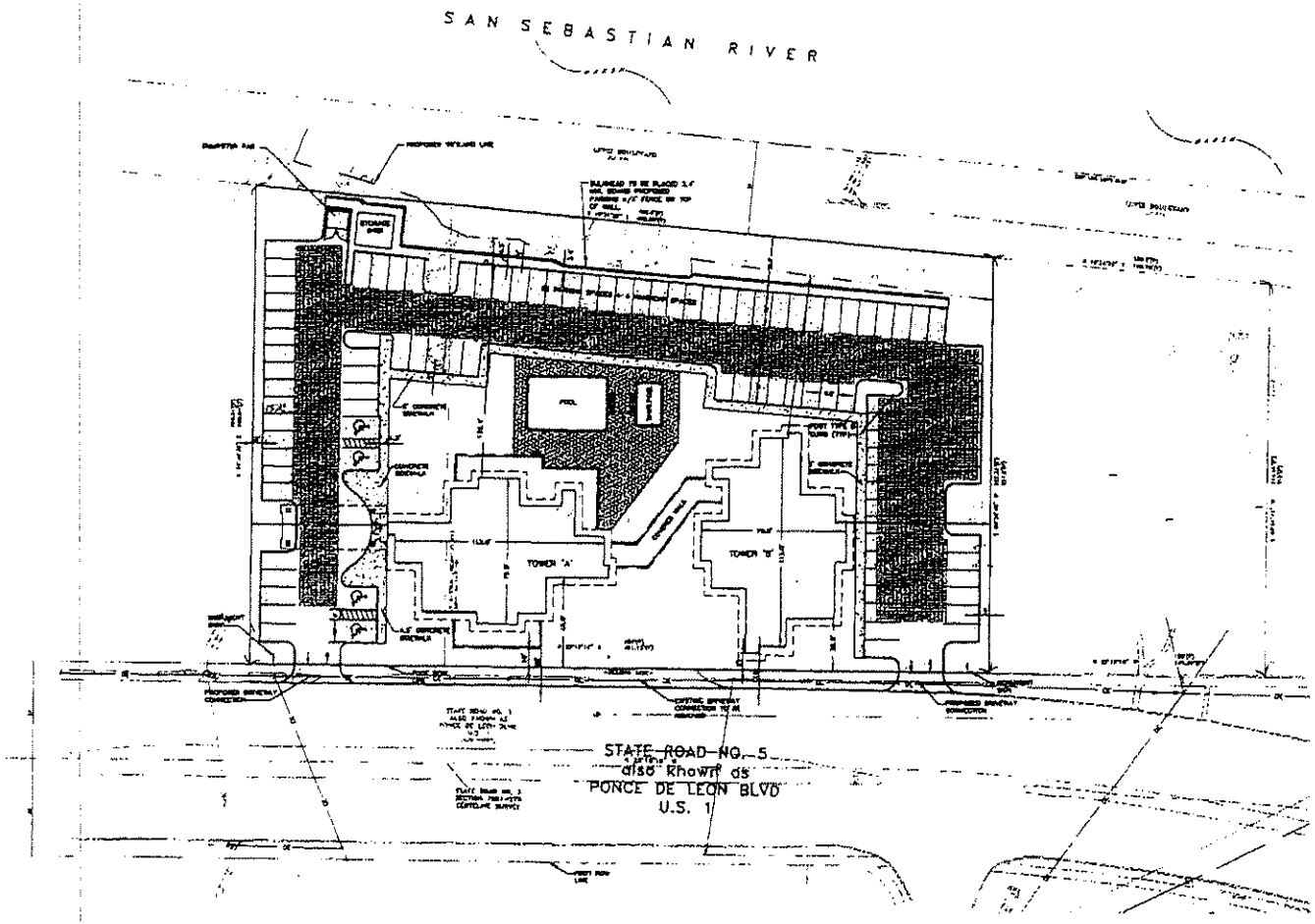
Lots 38, 39, 40, and 41, in Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded November 15, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 42 and 43 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 44 and 45 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Exhibit "B"

Site Plan



EXISTING TREES LEGEND

ABBREV	TREE TYPE
CDR	CEDAR
HIC	HICKORY
LIO	LIVE OAK
MLB	MULBERRY
SB	SABAL PALMETTO
TALO	TALLOW
TUP	TUPELO

PROPOSED ASPHALT PAVEMENT

PROPOSED CONCRETE SIDEWALK

PROPOSED PAVERS

PROPOSED UNDERGROUND INFILTRATION STORMWATER SYSTEM

RECEIVED

DEC 27 2007

Planning / Building Dept.

SITE AND BUILDING CALCULATIONS

HOTEL: TOWER "A" - 3 STORIES, 42 GUEST UNITS

TOWER "B" - 5 STORIES, 53 GUEST UNITS

95 GUEST UNITS TOTAL

LOT AREA = 97,874 SQ. FT. (2.25 ACRES)

FOOTPRINT AREA (BUILDING AREA UNDER PORCHES, COVERED WALK AND CANOPY) = 19,370 SQ. FT.

PROPOSED BUILDING COVERAGE: = 19,370 SQ. FT. / 97,874 SQ. FT. = 20%

MAXIMUM CEILING HEIGHT ALLOWED = 50'-0"

ACTUAL CEILING HEIGHT = 46'-2"

BUILDING HEIGHT ALLOWED = 55'-0"

ACTUAL BUILDING HEIGHT = 48'-4"

PARKING TABLE

9.5'x19' PARKING SPACES:	92
13'x20' HANDICAP SPACES:	1
93/2 ACLE	

LAND USE/ZONING

EXISTING ZONING: COMMERCIAL MEDIUM TWO (CM-2)

PROPOSED ZONING: PLANNED UNIT DEVELOPMENT (PUD)

EXISTING LANDUSE: COMMERCIAL MEDIUM INTENSITY

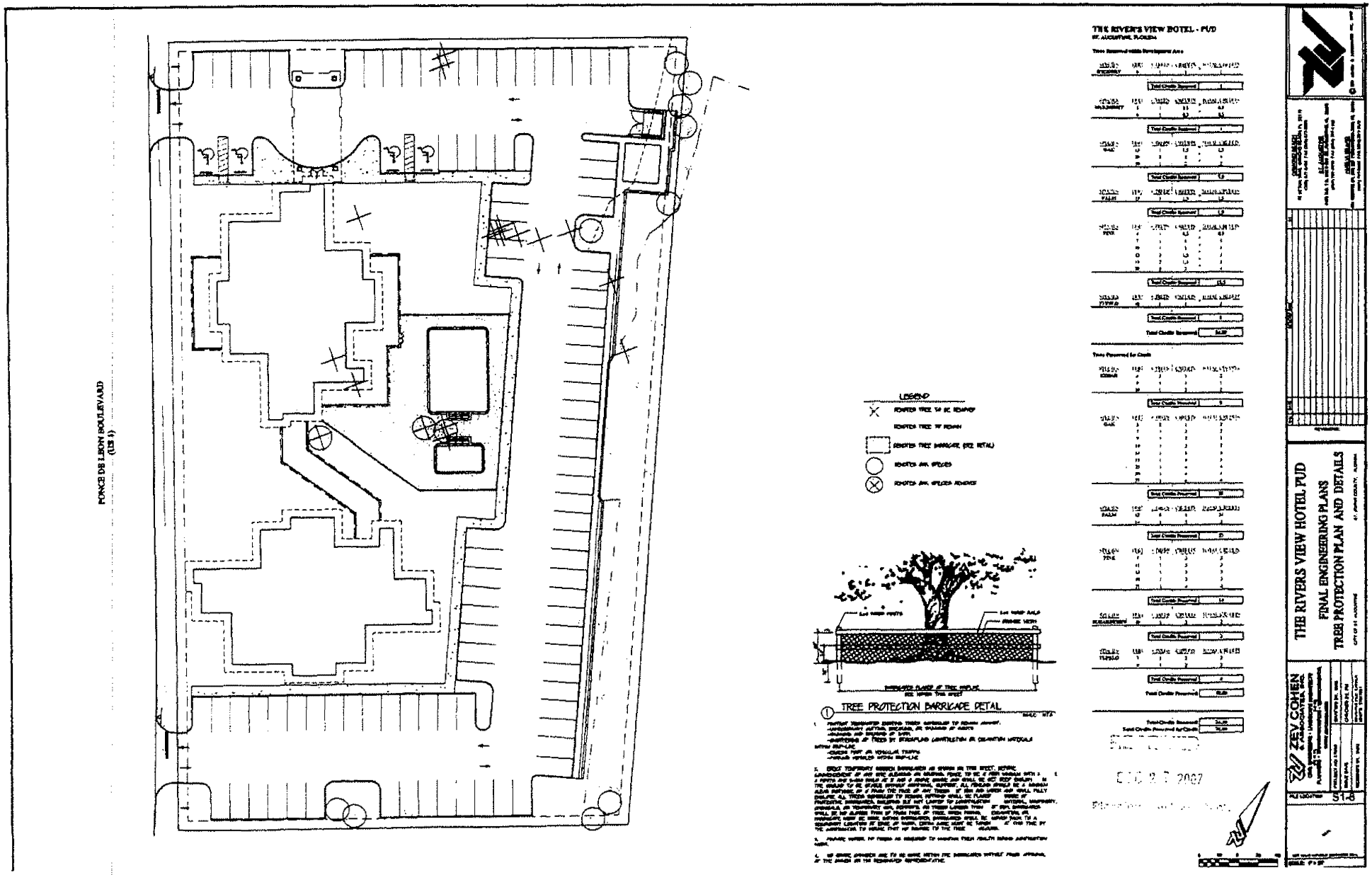
PROPOSED LAND USE: RESIDENTIAL MEDIUM INTENSITY MIXED USE

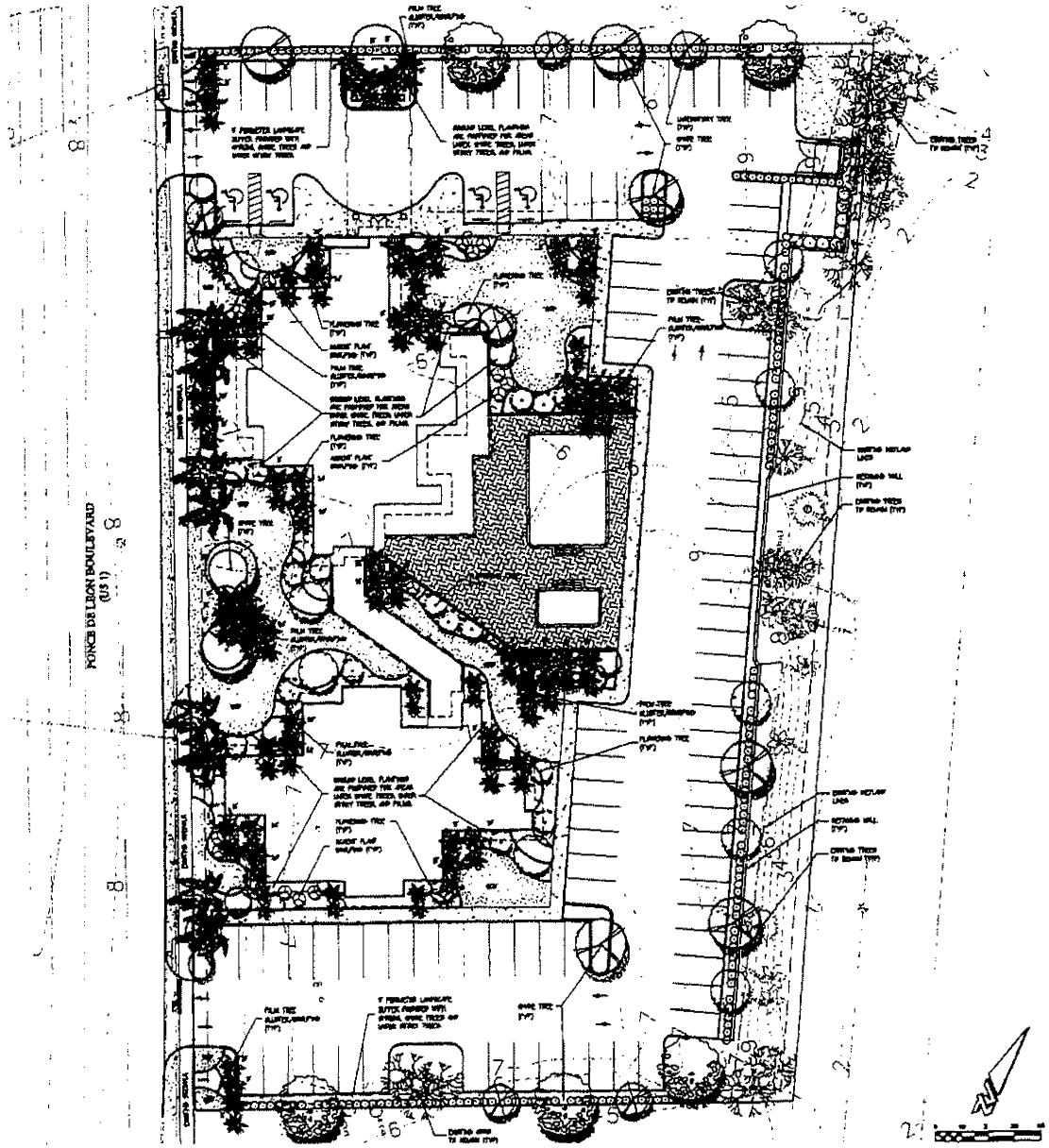
PARCEL NO. 119350-0000, 119390-0000, 119380-0000, 119370-0000

ZEV COHEN & ASSOCIATES, INC.

THE RIVERS VIEW HOTEL PUD

SITE LAYOUT PLAN


PONCE DE LEON BOULEVARD
(US 1)
THE RIVER'S VIEW HOTEL - PUD
ST. AUGUSTINE, FLORIDA
LEGEND
TREE PROTECTION BARRICADE DETAIL
THE RIVERS VIEW HOTEL PUD
FINAL ENGINEERING PLANS
TREE PROTECTION PLAN AND DETAILS
ZEV COHEN & ASSOCIATES, INC.
51-8



CONCEPTUAL TREE LEGEND

(FULL PLANT PLANS AND DETAILED PLANT LIST WITH SPECIFICATIONS SHALL BE PROVIDED WITH NEXT SUBMITTAL)

DENOTES PROPOSED LARGE CANOPY TREE:	LIVE OAK - MINIMUM 5 HT. 1 1/2" CALIPER
DENOTES PROPOSED MEDIUM CANOPY TREE:	MAGNOLIA - MINIMUM 5 HT. 1 1/2" CALIPER
DENOTES PROPOSED MEDIUM CANOPY TREE:	BALD CYPRESS - MINIMUM 5 HT. 1 1/2" CALIPER
DENOTES PROPOSED UNDERSTORY TREE:	HOLLIES - MINIMUM 6 HT. 1 1/2" CALIPER
DENOTES PROPOSED UNDERSTORY TREE:	LIGUSTRUM - MINIMUM 6 HT. 1 1/2" CALIPER
DENOTES PROPOSED UNDERSTORY TREE:	CRAPE MYRTLE - MINIMUM 6 HT. 1 1/2" CALIPER
DENOTES PROPOSED UNDERSTORY TREE:	OLEANDER - MINIMUM 6 HT. 1 1/2" CALIPER
DENOTES PROPOSED MEDIUM PALM TREE:	WASHINGTON, SABAL/WINDMILL - MINIMUM 6 GT
DENOTES PROPOSED ACCENT PLANT:	CANNA LILLY
DENOTES PROPOSED MEDIUM EVERGREEN SHRUB:	PINEAPPLE GUAVA, VARIEGATED PITTOSPORUM, MINIMUM 3 HT.
DENOTES PROPOSED LARGE EVERGREEN SHRUB:	WAX MYRTLE, MINIMUM 4 HT

EXISTING TREE LEGEND

DENOTES EXISTING OAKS

DENOTES EXISTING LOBLOLLY

DENOTES EXISTING PINES

DENOTES EXISTING PALMS

RECEIVED

DEC 27 2007

Planning / Building Dept.

ZEV COHEN & ASSOCIATES, INC.

THE RIVERS VIEW HOTEL PUD

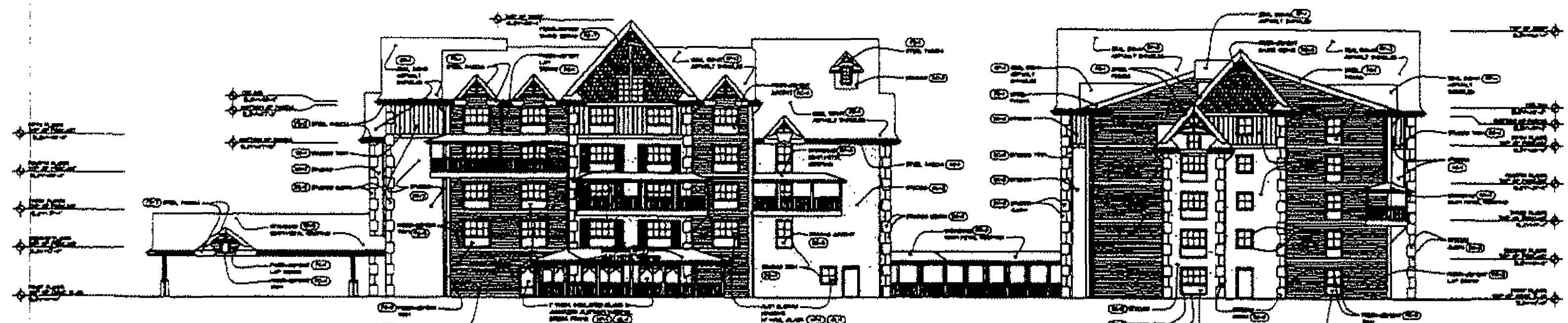
FINAL ENGINEERING PLANS

LANDSCAPE PLAN AND DETAILS

S1-6

EXHIBIT "C"

Architectural Elevations – Existing Buildings



WEST ELEVATION

COLOR SCHEDULE

MATERIAL	MANUFACTURER	PATTERN	COLOR
ARCHITECTURAL ASPHALT SHINGLES	[illegible]	[illegible]	[illegible]
ARCHITECTURAL ASPHALT SHINGLES	[illegible]	[illegible]	[illegible]
STANDING SEAM ROOFING	[illegible]		[illegible]
STEEL FASCIA	[illegible]		[illegible]
STEEL FASCIA	[illegible]		[illegible]
FIBER CEMENT LAP SIDING	JAMES HARDIE	SELECT CEDARMILL	[illegible]
FIBER CEMENT LAP SIDING	JAMES HARDIE	SELECT CEDARMILL	[illegible]
FIBER CEMENT ACCENT	JAMES HARDIE	HARDIE PANEL - SMOOTH	[illegible]
FIBER CEMENT ACCENT	JAMES HARDIE	HARDIE PANEL - SMOOTH	[illegible]
FIBER CEMENT TRIM	JAMES HARDIE	HARDIE TRIM - CEDARMILL	[illegible]
FIBER CEMENT SHAKE SIDING	JAMES HARDIE	HARDIE SHINGLE STAGGERED PANEL	[illegible]
FIBER CEMENT SHAKE SIDING	JAMES HARDIE	HARDIE SHINGLE STAGGERED PANEL	[illegible]
STUCCO		[illegible] FINISH	[illegible]
STUCCO		[illegible] FINISH	[illegible]
STUCCO		[illegible] FINISH	[illegible]
STUCCO		[illegible] FINISH	[illegible]
STUCCO		[illegible] FINISH	[illegible]
STUCCO		[illegible] FINISH	[illegible]
STUCCO		[illegible] FINISH	[illegible]
[illegible]			[illegible]
BRICK VENEER	COLONIAL BRICK CORP	STANDARD SIZE	[illegible]
WINDOW FRAMES			[illegible]
WINDOW FRAMES			[illegible]
CLEAR GLASS			CLEAR
TINTED GLASS		TINTED	[illegible]

RECEIVED
DEC 2 7 2007
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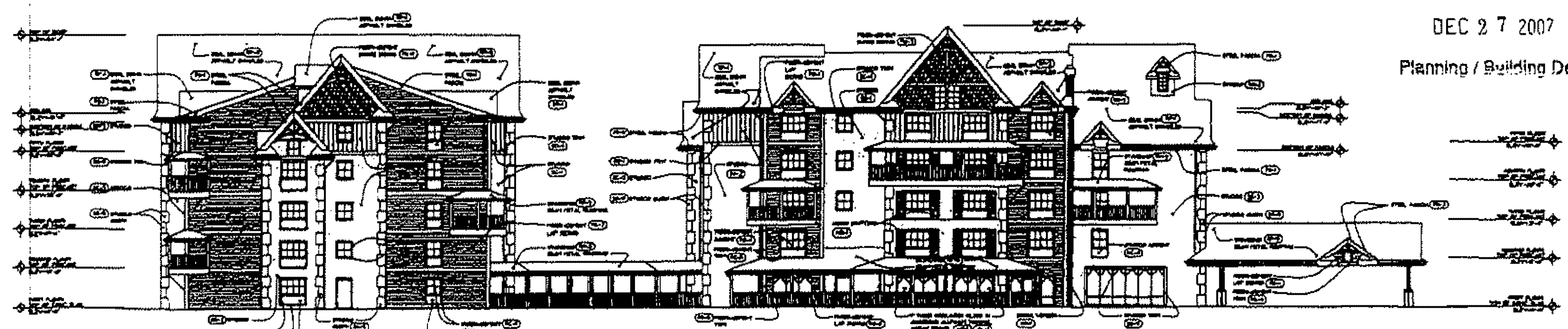


EAST ELEVATION

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

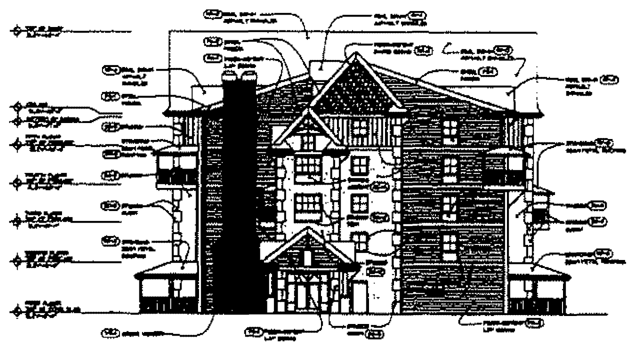
ST. AUGUSTINE, FLORIDA

TRUMAN HOWELL ARCHITECTS & ASSOC., INC.

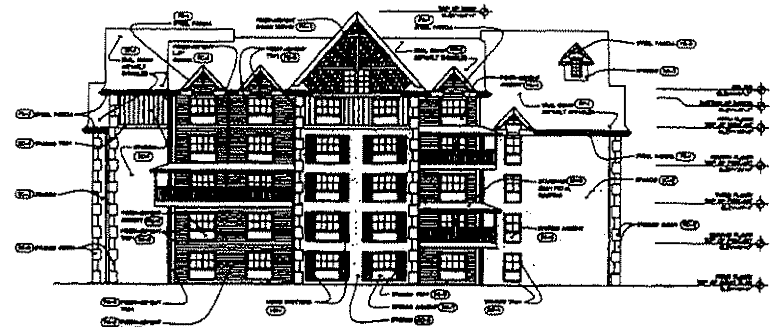
12/20/07

EXTERIOR ELEVATIONS

A2.0



① TOWER 'A' - NORTH ELEVATION



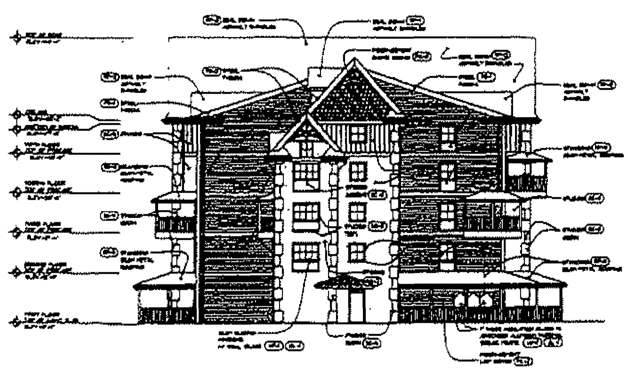
③ TOWER 'B' - SOUTH ELEVATION

COLOR SCHEDULE				
	MATERIAL	MANUFACTURER	PATTERN	COLOR
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]		[illegible]
[illegible]	[illegible]	[illegible]		[illegible]
[illegible]	[illegible]	[illegible]		[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]		[illegible]	[illegible]
[illegible]	[illegible]		[illegible]	[illegible]
[illegible]	[illegible]		[illegible]	[illegible]
[illegible]	[illegible]		[illegible]	[illegible]
[illegible]	[illegible]		[illegible]	[illegible]
[illegible]	[illegible]		[illegible]	[illegible]
[illegible]	[illegible]		[illegible]	[illegible]
[illegible]	[illegible]			[illegible]
[illegible]	BRICK VENEER	[illegible]	STANDARD SIZE	[illegible]
[illegible]	[illegible]			[illegible]
[illegible]	[illegible]			[illegible]
[illegible]	CLEAR GLASS			[illegible]
[illegible]	TINTED GLASS		TINTED	[illegible]

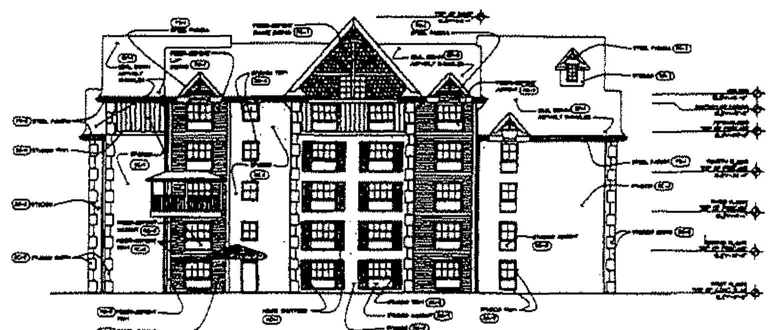
RECEIVED

DEC 2 7 2007

Planning / Building Dept.



[illegible]



TOWER 'B' - NORTH ELEVATION

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

ST. AUGUSTINE, FLORIDA

TRUMAN HOWELL ARCHITECTS & ASSOC., INC.

A2.1

EXHIBIT "A"

Legal Description

PARCEL 1

Lots 30 and 31, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 32 and 33, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 2

Lots 34 and 35, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 3

Lots 36 and 37, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 4

Lots 38, 39, 40, and 41, in Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded November 15, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 42 and 43 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 44 and 45 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

St. Johns County, FL

Apply for Exemptions

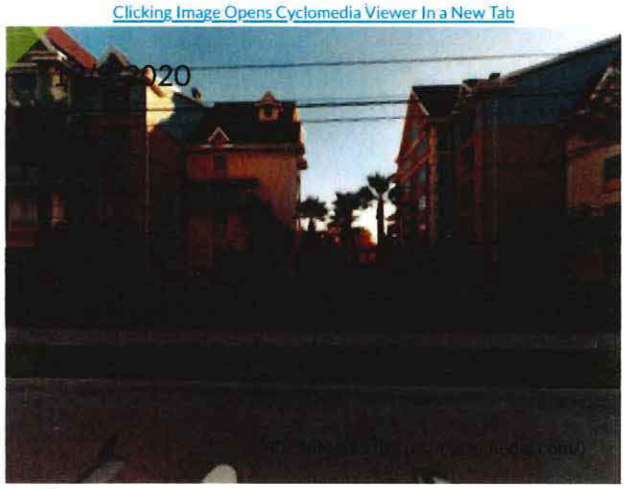
Apply for Exemptions

2021 TRIM Notice

2021 TRIM Notice (PDF)

Summary

Clicking Image Opens Cyclomedia Viewer In a New Tab



Parcel ID	1193500000
Location Address	333 A S PONCE DE LEON BLVD 333 B S PONCE DE LEON BLVD SAINT AUGUSTINE 32084-0000
Neighborhood	Hotel (Upper Midscale) Ponce Blvd (COM) (601.05)
Tax Description*	3-15 WILDWOOD PARK LOTS 30 THRU 45 BLK F OR3771/583 *The Description above is not to be used on legal documents.
Property Use Code	Hotels & Motels (3900)
Subdivision	Wildwood Park, Plat Amending Blocks F &
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	2.220
Homestead	N

Owner Information

Owner Name	Sebastian Hotel LLC 100%
Mailing Address	333 S PONCE DE LEON BLVD SAINT AUGUSTINE, FL 32084-0000

Map

Valuation Information

	2022
Building Value	$8,507,477
Extra Features Value	$125,454
Total Land Value	$1,646,144
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$5,377,100**
Total Deferred	$423,690
Assessed Value	**$4,953,410**
Total Exemptions	$0
Taxable Value	**$4,953,410**

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	$8,507,477	$133,425	$1,646,144	$0	$0	$4,503,100	$4,503,100	$0	$4,503,100
2020	$8,596,096	$143,844	$1,646,144	$0	$0	$7,505,100	$7,505,100	$0	$7,505,100
2019	$6,228,260	$145,891	$1,646,144	$0	$0	$8,020,295	$8,020,295	$0	$8,020,295
2018	$6,237,221	$155,929	$1,646,144	$0	$0	$8,039,294	$8,039,294	$0	$8,039,294
2017	$5,757,682	$144,533	$1,646,144	$0	$0	$7,548,359	$7,548,359	$0	$7,548,359
2016	$0	$0	$1,646,144	$0	$0	$1,646,144	$1,646,144	$0	$1,646,144
2015	$0	$0	$1,646,144	$0	$0	$1,646,144	$1,597,728	$48,416	$1,597,728
2014	$0	$0	$1,452,480	$0	$0	$1,452,480	$1,452,480	$0	$1,452,480
2013	$56,869	$7,120	$190,110	$0	$0	$254,099	$254,099	$0	$254,099
2012	$60,118	$7,120	$190,110	$0	$0	$257,348	$257,348	$0	$257,348
2011	$62,387	$7,120	$215,458	$0	$0	$284,965	$284,965	$0	$284,965
2010	$65,531	$7,120	$240,806	$0	$0	$313,457	$313,457	$0	$313,457

Building Information

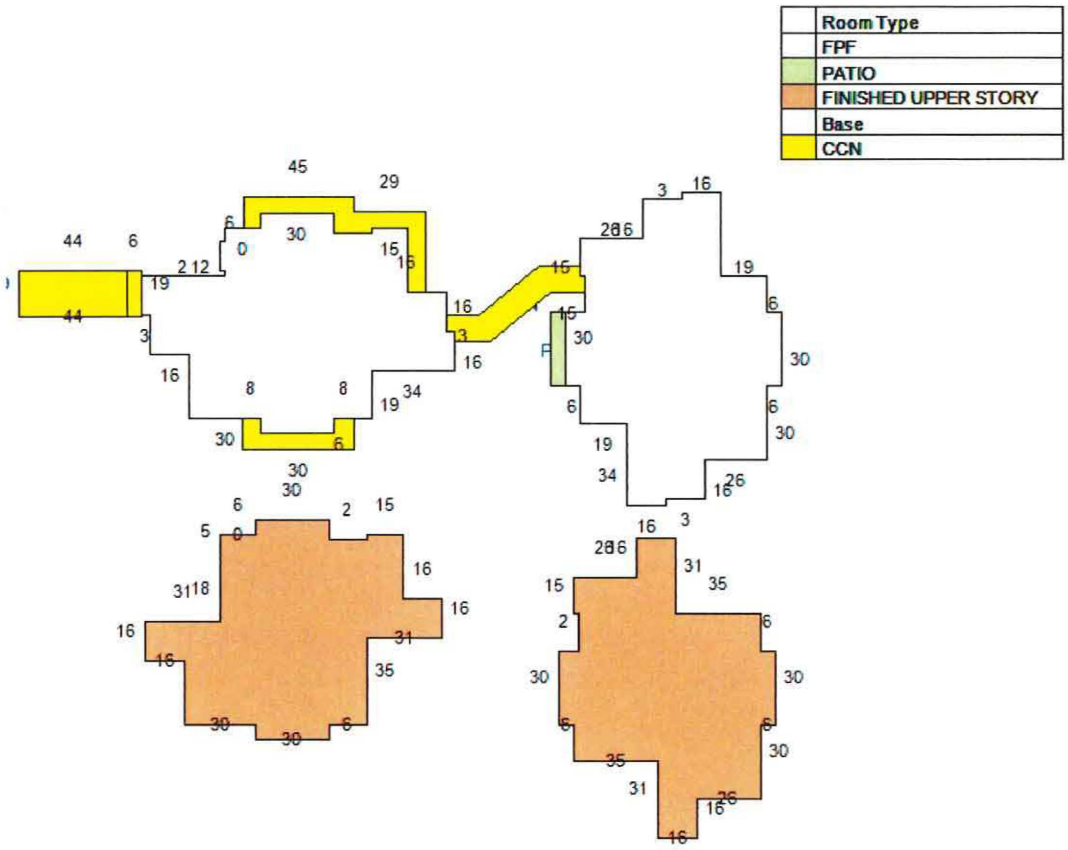
Building	1
Year Built	2016
Actual Area	79095
Conditioned Area	76020
Use	Hotel
Style	07
Class	N
Exterior Wall	Concrete Stucco, Concrete Siding

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

Description	Square Footage
CANOPY (COMMERCIAL)	836
CANOPY (COMMERCIAL)	114
BASE AREA	31336
FINISHED UPPER STORY	6722
FINISHED UPPER STORY	6722
CANOPY (COMMERCIAL)	418

BASE AREA	31240
CANOPY (COMMERCIAL)	707
CANOPY (COMMERCIAL)	820
PATIO	180
FINISHED OPEN PORCH - FORCED	1220
Total SqFt	80315

Sketch Information



Extra Feature Information

Code Description	Status	Value
Kool Deck (Commercial)		8759
Spa / Hot Tub (Commercial)		6300
Commercial Community Center Pool		19383
Concrete Paving (Commercial)		20237
Asphault Paving		44479
Curb		6123
Storage Building (Commercial)		4013
Pole Light		14410
Masonry Wall		1750

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Hotels	0	0	96832	SF	$1,646,144

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
8/5/2013	8/1/2013	$2,000,000.00	WARRANTY DEED	3771	583	Q	I	JONES MARSHALL C TRUST ETAL	SEBASTIAN HOTEL LLC
	8/20/1993	$0.00	WARRANTY DEED	1072	1037	U	I	JONES MARSHALL C,MARILYN R	JONES MARSHALL C

No data available for the following modules: Sales Questionnaire Form, Exemption Information.

User Privacy Policy
GDPR Privacy Notice

Last Data Upload: 8/2/2022, 1:02:07 AM

Developed by
Schneider GEOSPATIAL

Prepared by and after recording, please send to:
Craig M. Herzog
Action Title Services of St. Johns County, Inc.
3670 US 1 South, Suite 110, St. Augustine, Florida 32086
File Number:13-8880
Consideration: $2,000,000.00 (Two Million dollars & no cents)

This Warranty Deed

Made this August 1, 2013 A.D. By
Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005, and Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 1 and Parcel 4); Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust a/k/a Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 2); and Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust a/k/a Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 3) and Marilyn L. Jones, conveying her separate non-homestead property (as to all parcels) hereinafter called the grantor,
to **Sebastian Hotel, LLC, a Florida Limited Liability Company,** whose post office address is: **812 North 4th St., Bruce, WI 54819**, hereinafter called the grantee:

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

Witnesseth, that the grantor, for and in consideration of the sum of **$2,000,000.00 (Two Million dollars & no cents)** and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **St. Johns County, Florida**, viz:

PARCEL 1

Lots 30 and 31, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 32 and 33, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 2

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PARCEL 3

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PARCEL 4

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Lots 44 and 45 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Parcel ID Number: 119350-0000, 119370-0000, 1193
Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon as defined by Article X, Section 4 of the Florida Constitution, nor is it adjacent to or contiguous with any of his/their homestead(s).

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

SUBJECT TO covenants, restrictions, easements, limitations and reservations of record, if any. However, this reference does not reimpose same. Subject to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any. Subject to taxes and assessments for the current year.

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to **December 31, 2012.**

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

Signed, sealed and delivered in our presence:

[1]_____

Witness Printed Name Craig M. Herzog

[2]_____

Witness Printed Name David A. Graubard

Marilyn L. Jones (Seal)

Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005, and Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 1 and Parcel 4)

Address: 3602 Shore Dr., St. Augustine, FL 32086

Marilyn L. Jones (Seal)

Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust a/k/a Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 2)

Address: 3602 Shore Dr., St. Augustine, FL 32086

Marilyn L. Jones (Seal)

Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust a/k/a Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 3)

Address: 3602 Shore Dr., St. Augustine, FL 32086

Marilyn L. Jones (Seal)

Marilyn L. Jones, individually (as to all parcels)

Address: 3602 Shore Dr., St. Augustine, FL 32086

State of FLORIDA
County of ST. JOHNS

The foregoing instrument was acknowledged before me this August 01, 2013, by Marilyn L. Jones, individually (as to all parcels) and as Successor Trustee of the Marshall C. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005, and Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 1 and Parcel 4); Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust a/k/a Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 2); and Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust a/k/a Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 3), who is/are personally known to me or who has produced A VALID DRIVER'S LICENSE(S) as identification.

_____
Notary Public
Print Name: Craig M. Herzog
My Commission Expires: 01/27/2014

[NOTARY SEAL]

CRAIG M. HERZOG
MY COMMISSION # DD 947765
EXPIRES: January 27, 2014
Bonded Thru Notary Public Underwriters

Detail by Entity Name

Florida Limited Liability Company
SEBASTIAN HOTEL, LLC

Filing Information

Document Number	L07000040071
FEI/EIN Number	20-8902141
Date Filed	04/16/2007
Effective Date	04/13/2007
State	FL
Status	ACTIVE
Last Event	LC STMNT CORR
Event Date Filed	05/24/2018
Event Effective Date	NONE

Principal Address

333 S Ponce De Leon Blvd
St Augustine, FL 32084

Changed: 04/26/2022

Mailing Address

812 NORTH 4TH STREET
BRUCE, WI 54819

Registered Agent Name & Address

Gouze, Catherine
345 BAYSHORE BOULEVARD
#1208
TAMPA, FL 33606

Name Changed: 07/28/2014

Authorized Person(s) Detail

Name & Address

Title MGR

SAMARDZICH, ALEXANDER
812 NORTH 4TH STREET
BRUCE, WI 54819

Annual Reports

Report Year	Filed Date
2021	01/29/2021
2022	01/23/2022
2022	04/26/2022

Document Images

04/26/2022 -- AMENDED ANNUAL REPORT	View image in PDF format
01/23/2022 -- ANNUAL REPORT	View image in PDF format
01/29/2021 -- ANNUAL REPORT	View image in PDF format
01/15/2020 -- ANNUAL REPORT	View image in PDF format
02/08/2019 -- ANNUAL REPORT	View image in PDF format
05/24/2018 -- CORLCSTCOR	View image in PDF format
01/12/2018 -- ANNUAL REPORT	View image in PDF format
01/07/2017 -- ANNUAL REPORT	View image in PDF format
03/28/2016 -- ANNUAL REPORT	View image in PDF format
03/09/2015 -- ANNUAL REPORT	View image in PDF format
07/28/2014 -- AMENDED ANNUAL REPORT	View image in PDF format
01/11/2014 -- ANNUAL REPORT	View image in PDF format
02/08/2013 -- ANNUAL REPORT	View image in PDF format
03/12/2012 -- ANNUAL REPORT	View image in PDF format
04/11/2011 -- ANNUAL REPORT	View image in PDF format
04/25/2010 -- ANNUAL REPORT	View image in PDF format
01/07/2009 -- ANNUAL REPORT	View image in PDF format
01/27/2008 -- ANNUAL REPORT	View image in PDF format
04/16/2007 -- Florida Limited Liability	View image in PDF format

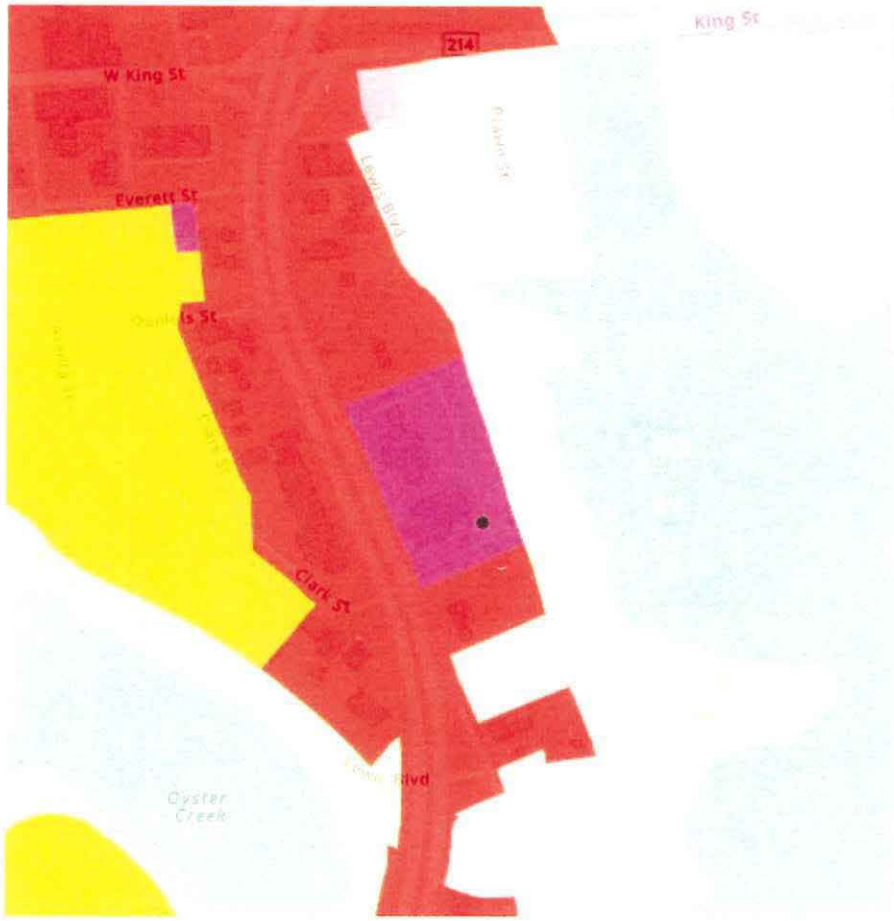
GENERAL LOCATION MAP

119350-0000

FUTURE LAND USE MAP

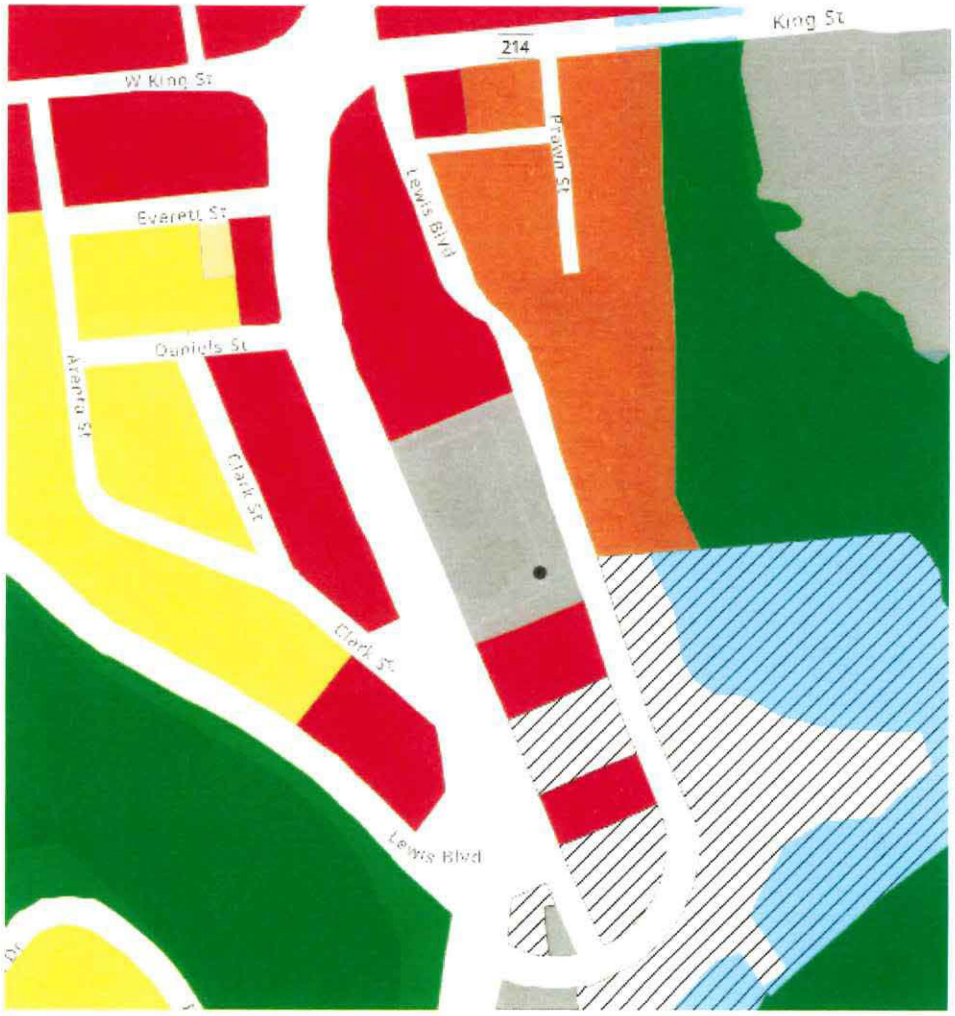
Residential Low Density / Mixed Use

119350-0000



ZONING MAP

Planned Unit Development / 119350-0000



ORDINANCE NO. 2008-02

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, ESTABLISHING THE RIVERS VIEW HOTEL PLANNED UNIT DEVELOPMENT (PUD) PURSUANT TO SECTION 28-289 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR TERMS AND CONDITIONS OF THE PUD; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3194, Florida Statutes, requires that after a comprehensive plan, or element or portion thereof, has been adopted in conformity with this act, all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such plan or element shall be consistent with such plan or element as adopted; and

WHEREAS, the St. Augustine Comprehensive Plan provides for a Residential Low Density/Mixed Use land use designation and associated use and density criteria for development within the designation; and

WHEREAS, Section 166.041, Florida Statutes, provides procedures for adoption of ordinances initiated by other than the municipality which change the actual zoning map designation of a parcel or parcels of land; and

WHEREAS, Sec. 28-289 of the Code of the City of St. Augustine provides procedures for the establishment of a Planned Unit Development (PUD); and

WHEREAS, on December 4, 2007, the City of St. Augustine Planning and Zoning Board reviewed a request to rezone property described in Exhibit "A," attached

hereto and incorporated herein by reference, and depicted in Exhibit "B," attached hereto and incorporated herein by reference, to PUD and made recommendation to the City Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Establishment of Planned Unit Development. The Rivers View Planned Unit Development (PUD) is hereby created for the property described in Exhibit "A," attached hereto and incorporated herein by reference.

Section 2. Terms and Conditions of the Planned Unit Development. The terms and conditions of the Rivers View Hotel Planned Unit Development are as presented in the Amended PUD Narrative, received by the Planning and Building Department on November 26, 2007, attached as Exhibit "B" and incorporated herein by reference. The development of the subject property shall be consistent with the City of St. Augustine Comprehensive Plan and the Residential Low Density/Mixed Use land use designation and in conformance with the development plans attached as Exhibit "C" and incorporated herein by reference.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so

construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. Effective Date. This ordinance shall be effective thirty-one (31) days after adoption in conjunction with Ordinance No. 2008-01 or, if Ordinance No. 2008-01 is challenged within thirty (30) days after adoption, effective upon issuance of a final order by the Department of Community Affairs or the Administration Commission.

PASSED by the City Commission of the City of St. Augustine, Florida this 11th day of February 2008.

Mayor-Commissioner

ATTEST:

Karen Rogers, CMC
City Clerk

CORPORATION OF THE CITY OF ST. AUGUSTINE

EXHIBIT "A"

LEGAL DESCRIPTION

Lots 30 and 31, Block "F", WILDWOOD PARK, according to Map or Plat thereof recorded in Map Book 3, Page 15, Public Records of St. Johns County, Florida.

Lots 32 and 33, Block "F", WILDWOOD PARK, according to Map or Plat thereof recorded in Map Book 3, Page 15, Public Records of St. Johns County, Florida.

Lots thirty-four (34) and thirty-five (35), Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION IN NEW AUGUSTINE, as shown by replat of Blocks "F" and "G" of said subdivision made by Peter Kendrick and filed and recorded on the 15th day of November 1923, in Map Book 3, Page 15, of the public records of St. Johns County, Florida.

Lots thirty-six (36) and thirty-seven (37), Block "F", of WILDWOOD PARK COMPANY'S SUBDIVISION IN NEW AUGUSTINE, as shown by the replat of Blocks "F" and "G" of said subdivision, made by Peter Kendrick and filed and recorded on the 15th day of November 1923, in Map Book 3, Page 15, of the Public Records of St. Johns County, Florida.

Lots thirty-eight (38), thirty-nine (39), forty (40) and forty-one (41), in Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION, in New Augustine, as shown by replat of Blocks "F" and "G" of said subdivision made by Peter Kendrick and filed and recorded on the 15th day of November 1923, in Map Book 3, Page 15, of the Public Records of St. Johns County, Florida.

Lots forty-two (42) and forty-three (43) of Block "F" of the amended plat of blocks "F" and "G" of WILDWOOD PARK, according to plat thereof recorded in Map Book 3, Page 15 of the Public Records of St. Johns County, Florida.

Lots forty-four (44) and forty-five (45) of Block "F" of the amended Plat of Blocks "F" and "G" of WILDWOOD PARK, according to plat thereof recorded in Map Book 3, Page 15, Public records of St. Johns County, Florida.

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISMENT

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **SARAH SELFRIDGE**

who on oath says that she is an Accounting Clerk of the St. Augustine Record,

a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement, being a **NOTICE OF HEARING**

in the matter of **ORD 08-02 RIVERS VIEW HOTEL**

was published in said newspaper **JANUARY 31, 2007.**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 1st **day of FEBRUARY 2008.**

by Sarah Selfridge who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

NOTICE OF PROPOSED ENACTMENT OF ORDINANCE 2008-02 BY THE CITY OF ST. AUGUSTINE, FLORIDA.

NOTICE IS HEREBY GIVEN OF A PUBLIC HEARING TO BE HELD BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE CONCERNING THE SECOND READING OF ORDINANCE 2008-02 THE PUBLIC HEARING WILL BE HELD ON FEBRUARY 11, 2008, BEGINNING AT 5:00 P.M., IN THE ALCAZAR ROOM, 1ST FLOOR, WEST WING, CITY HALL, 75 KING STREET, ST. AUGUSTINE. PUBLIC COMMENTS ARE INVITED ON THE FOLLOWING MATTER

ORDINANCE NO. 2008-02

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, ESTABLISHING THE RIVERS VIEW HOTEL PLANNED UNIT DEVELOPMENT (PUD) PURSUANT TO SECTION 28-289 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR TERMS AND CONDITIONS OF THE PUD; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Related documents may be inspected by the public at the office of the City Clerk, City Hall, Lobby B, second floor, 75 King Street, St. Augustine, FL 32084, during the hours of 8:00 A.M. and 5:00 P.M. except weekends and holidays.

All interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

In accordance with Florida Statute 286.0105; "If any person decides to appeal any decision made by the City Commission 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 notice. Telephone: Karen Rogers, CMC, City Clerk (904)825-1007; or 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

Karen Rogers, CMC
City Clerk
L244-8 Jan 31, 2008

Brian Fike
My Commission DD327588
Expires June 09, 2008

(Signature of Notary Public)
BRIAN FIKE

(Seal)

RECEIVED
FEB 05 2008
CITY CLERK

Exhibit "B"

AMENDED

PUD NARRATIVE

FOR

THE RIVERS VIEW HOTEL PUD

("THE PUD")

INTRODUCTION

Attached is the narrative required by the City Code for The Rivers View Hotel PUD. The Applicant, The Rivers View Hotel, LLC, agrees to proceed with the proposed PUD in accordance with the PUD ordinance and exhibits thereto, adopted by the City Commission of the City of St. Augustine. Further, the Applicant agrees to comply with all conditions and safeguards established by the City Planning and Zoning Board or City Commission regarding the PUD.

The PUD narrative includes the following:

1. Statement of Intended Plan of Development;
2. Statement of Schedule of Development;
3. Statement Regarding Maintenance of the PUD;
4. Statement Regarding Ownership of Common Facilities;
5. Statement Regarding Conservation Zone Development and Landscaping; and
6. Miscellaneous.

RECEIVED
NOV 2 6 2007
Planning / Building Dept.

1. STATEMENT OF INTENDED PLAN OF DEVELOPMENT

The PUD will be developed on approximately 2.25 acres fronting on U.S. 1 South (the "Property"). The 2.25 acres consists of approximately 2.15 acres of uplands and approximately a .10 of an acre of wetlands.

The Property is currently developed with three (3) existing buildings containing an equipment rental and repair business, recreational vehicle and equipment sales and repair business and mini-warehouses. All of these existing buildings will be demolished following approval of the PUD and, if applicable, HARB and the issuance of other necessary permits.

The PUD will consist of a hotel consisting of two (2) separate buildings and containing not more than 95 units and those amenities and ancillary uses typically associated with the operation of a hotel. Ancillary uses may include a restaurant/breakfast facility, the sale of alcoholic beverages for on premises consumption, conference rooms and meetings facilities and exercise and recreational facilities.

Access to the hotel buildings will be over the two (2) entrances and parking areas shown on the PUD Site Plan.

The maximum height of all buildings within the PUD will be fifty feet (50'), which shall be measured from the base flood elevation to the top of the occupied space i.e. highest point of interior ceiling ("Habitable Space"). Appurtenances placed above the Habitable Space and not intended for human occupancy may be constructed to a height not to exceed sixty-eight feet four inches (68'4").

All buildings will be set back a minimum of twenty-five feet (25') from the edge of the jurisdictional line. Building setbacks from property lines and building coverage are shown on the site plan.

The PUD will contain ninety-eight (98) parking spaces, and four (4) handicapped spaces.

Signage will consist of two (2) double-faced monument signs, of a height not to exceed ten feet (10'), containing not more than one hundred ten (110) square feet of sign space per side, located adjacent to the entrances as shown on the site plan. In addition the PUD may include signage on the building (not above the first floor level) and/or not more than two (2) free standing signs, so long as the total sign space within the PUD does not exceed the two hundred fifty (250) square feet maximum permitted under applicable City regulations.

Water and sewer for the PUD will be provided by the City of St. Augustine.

The Applicant may install up to two (2) construction trailers within the Property during the period of construction of the PUD. The construction trailers shall be removed within sixty (60) days following completion of all buildings and improvements within the PUD.

2. SCHEDULE OF DEVELOPMENT

The buildings and improvements to be constructed within the PUD shall be developed in one (1) phase. Development shall be commenced within eighteen (18) months of approval of the PUD and completed within five (5) years.

For purposes of the schedule of development, the term "development" shall include construction and installation of utility lines, drainage facilities, parking areas, entrance roads, signage, buildings and land clearing for all such improvements. The term "commencement" means the beginning of construction and installation of utility lines, drainage facilities, parking areas, signage, buildings and the beginning of land clearing for all such improvements.

3. STATEMENT REGARDING MAINTENANCE OF THE PUD

The Applicant shall provide for the maintenance of the PUD as follows;

(i) Water and sewer for the PUD shall be furnished by the City of St. Augustine.

(ii) Concerning drainage, the PUD shall conform to State, City, Federal and Water Management District requirements for storm water disposal by use of appropriate site retention criteria, consisting of curbs and gutters combined with an underground exfiltration system. (iii) Fire protection shall be afforded by fire hydrants, the location of which shall be shown on the utility plans to be submitted to the City. Also, the buildings will be sprinklered with external standpipes.

All entrances and parking areas within the PUD shall be private and constructed to City standards or equal thereto. The roads and parking areas shall be maintained by the Applicant and/or its assigns.

Any and all permanent utilities within the PUD shall be screened, landscaped and located underground.

Further, the Applicant shall comply with the City's tree and landscape ordinance and the City's archeological ordinance.

4. STATEMENT REGARDING OWNERSHIP OF COMMON FACILITIES

All common facilities located within the PUD for the common use and benefit of property owners within the PUD shall be owned and maintained by the Applicant and/or its assigns. All of these common facilities, including the entrances, drainage facilities and parking areas shall remain owned by the Applicant and/or its assigns and shall not be dedicated to the City.

5. STATEMENT REGARDING CONSERVATION ZONE DEVELOPMENT AND LANDSCAPING

CONSERVATION ZONE DEVELOPMENT

The Applicant requests approval to undertake the following development activities within Conservations Zones 1, 2 and 3;

Conservation Zone 1: Construction of a retaining wall adjacent to the jurisdictional wetlands line.

Conservation Zone 2: Removal of existing structures, construction of a hotel building of a width greater than seventy-five feet (75') and construction of fencing, a storage building and dumpster enclosure.

Conservation Zones 2 and 3: Removal of trees greater than twenty inches (20") in diameter but less than thirty inches (30") in diameter, in certain areas of the property located both within and outside of the footprint of the buildings and removal of one (1) tree greater than thirty inches (30") in diameter outside of the footprint of the buildings. The trees to be removed shall be designated on the tree survey.

LANDSCAPE PLAN

The Applicant will submit a site specific landscape plan to City Staff for review and approval by the Planning and Zoning Board and City Commission, in connection with the review and approval of the PUD.

MISCELLANEOUS

1. CONTINUATION OF EXISTING USES

All of the existing uses on the Property may be continued until such time as the existing buildings are demolished.

2. ARCHITECTURAL ELEVATIONS

The final architectural elevations are subject to the review and approval of the Planning and Zoning Board to ensure substantial conformity to the preliminary elevations submitted to the Planning and Zoning Board during review of the PUD. The final landscape plans shall also be subject to the review and approval of the Planning and Zoning Board.

Exhibit "C"

Source : 2005 DORTHO Color photos,
St. Johns County

Date : 12/17/07
Path : F:/55075/riversview.apr

200 0 200 400 Feet

RIVER'S VIEW HOTEL PUD
CITY OF ST. AUGUSTINE AERIAL
CITY OF ST. AUGUSTINE, FL

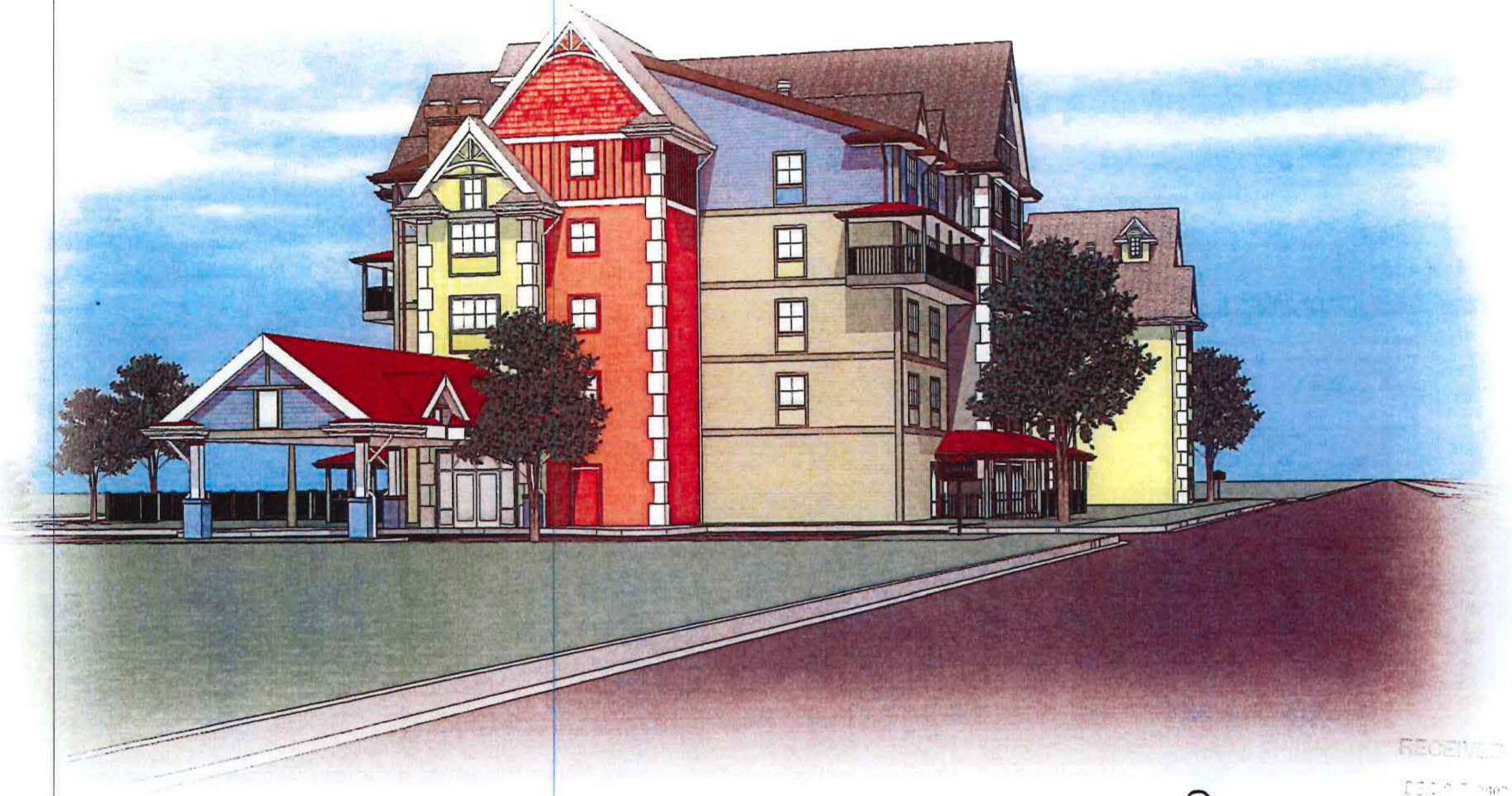
ZEVCOHEN
Civil Engineering · Landscape Architecture
Planning · Environmental Services
4475 US-1 South, Plaza S, Suite 601
St. Augustine, Florida 32086
ph 904.797.1610 · fx 904.797.4159
www.zevcohen.com

AmericInn

AmericInn - St. Augustine

TRUMAN HOWELL ARCHITECTS & ASSOC.,INC.

17815 Hutchins Drive
Minnetonka, MN 55345
Office: (952) 401-7889
Fax: (952) 401-7918



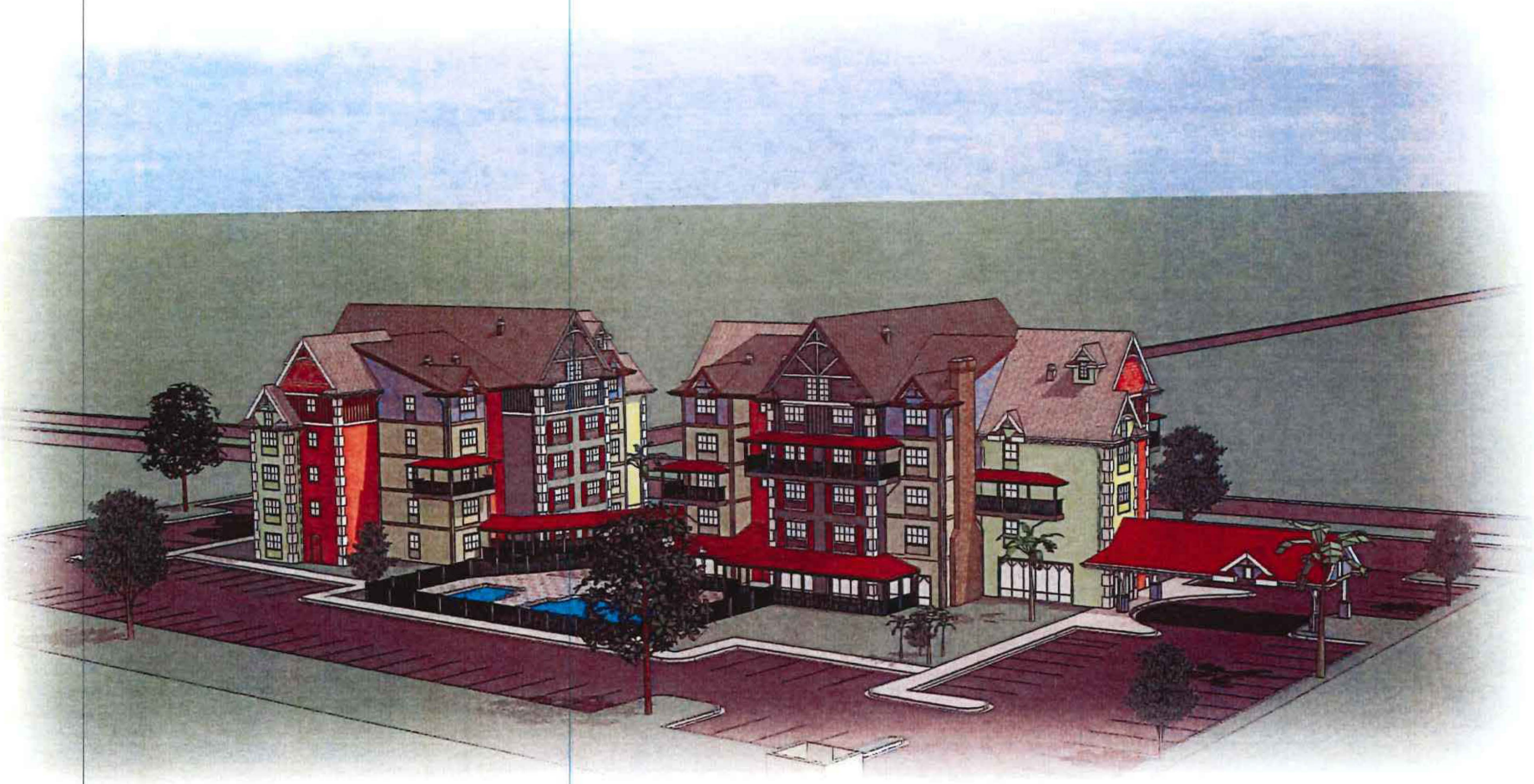
AmericInn

AmericInn - St. Augustine

TRUMAN HOWELL ARCHITECTS & ASSOC., INC.

17815 Hutchins Drive
Minnetonka, MN 55345
Office: (952) 401-7889
Fax: (952) 401-7918

TOWER A
TOWER B
PONCE DE LEON BOULEVARD
The Rivers View Hotel



AmericInn - St. Augustine

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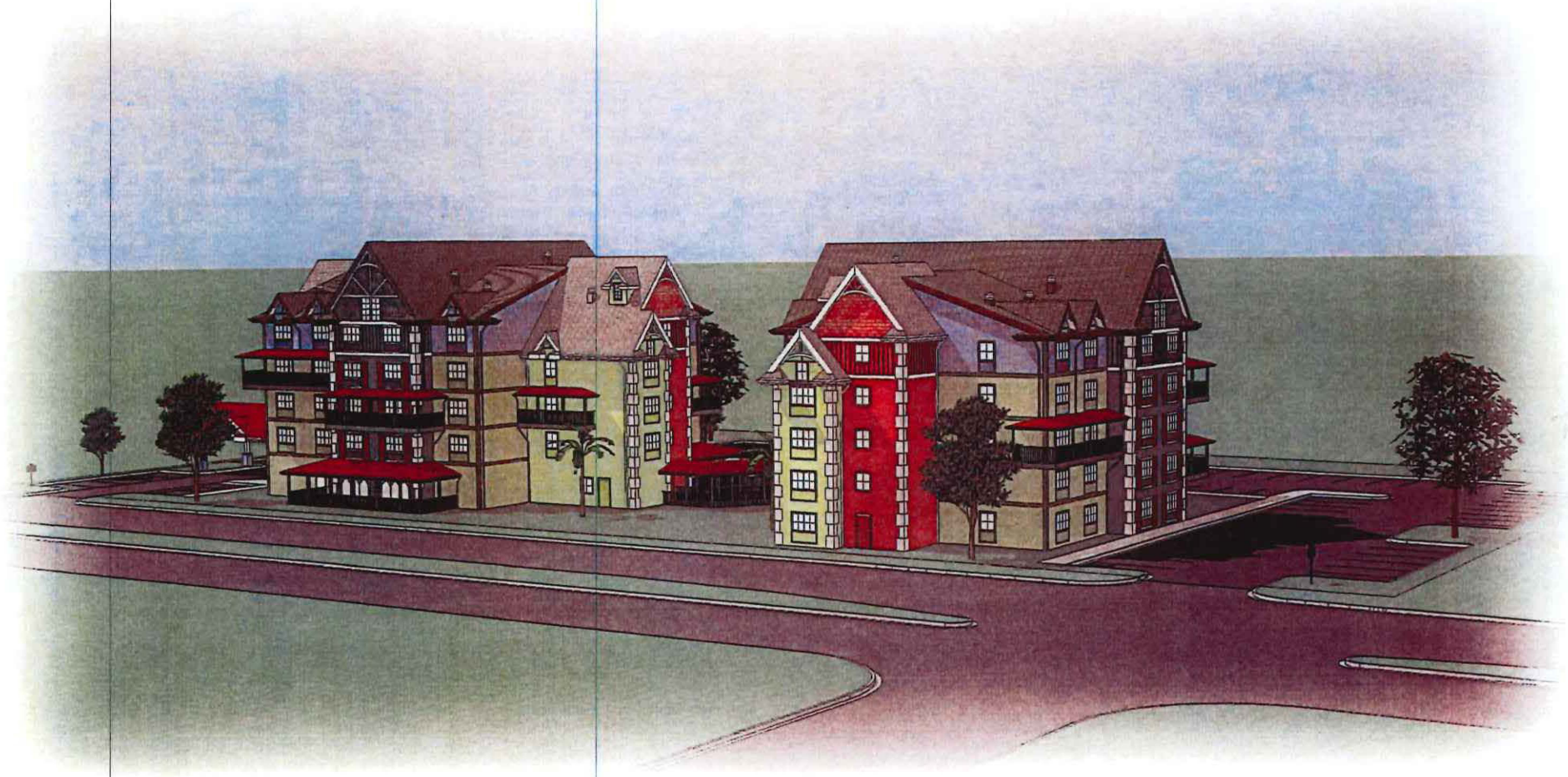

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TRUMAN
HOWELL
ARCHITECTS

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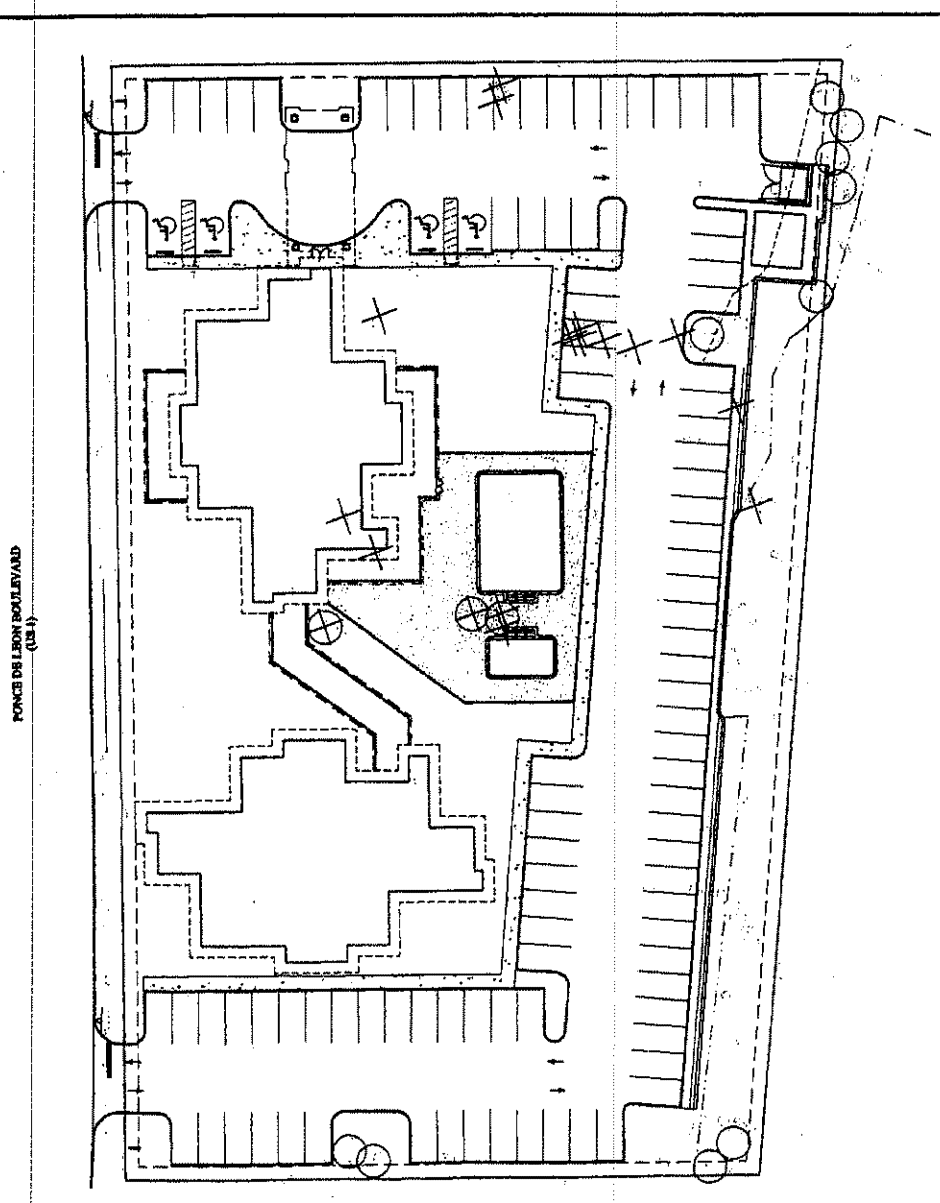
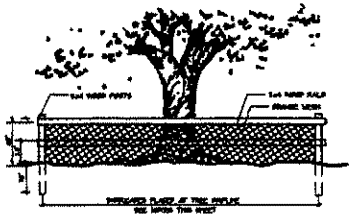


LEGEND

- X — EXISTING TREE TO BE REMOVED
- EXISTING TREE TO REMAIN
- EXISTING TREE BARRICADE (SEE DETAIL)
- EXISTING SMALL SPECIMEN
- EXISTING SMALL SPECIMEN REMOVED



① TREE PROTECTION BARRICADE DETAIL

1. PROTECT REMAINING EXISTING TREES IN ACCORDANCE TO SCHEDULE ABOVE:
   - ARRANGEMENT, GATHERING, BROCADING, OR BRANDING OF ROOTS
   - WOUNDING AND BRUISING OF TRUNK
   - AMPUTATION OF TREES BY STOCKPILING CONSTRUCTION OR DEMOLITION MATERIALS WITHIN DRIP LINE
   - DAMAGE TREES BY VEHICULAR TRAFFIC
   - PARKING VEHICLES WITHIN DRIP LINE

2. ERECT TEMPORARY WOODEN BARRICADES AS SHOWN ON THIS SHEET, BEFORE COMMENCEMENT OF ANY SITE CLEARING OR GRADING WORK. TIP OF A 2 INCH GRADING UNIT X 4 FEET IN HEIGHT AND 1-2 RAILS AT 2' AND 4 FEET ABOVE GRADE. ANY SYMBOL SHALL BE ACCEPTABLE BUT THE BARRICADE SHALL BE ERECTED WITHOUT CONTINUAL SUPPORT. ALL TREES SHALL BE A MINIMUM DISTANCE OF 4 FEET FROM THE FACE OF ANY TREE. AT THIS AND LARGER AND SHALL FULLY ENCLOSE ALL TREES SCHEDULED TO REMAIN. FITTING SHALL BE PLACED WHERE PROTECTIVE BARRICADES REQUIRED BUT NOT LIMITED TO CONSTRUCTION MATERIAL, EQUIPMENT, DEBRIS OR TEMPORARY SOIL STORAGE. AS TREES LARGER THAN 6" DBH BARRICADES SHALL BE NO SMALLER THAN 8' FROM FACE OF TREE. WHEN PRACTICAL, DEPARTURE FROM HERBACEOUS MUST BE MADE, WITH BARRICADES, BARRICADES SHALL BE MOVED BACK TO A REQUIRED LOCATION IF DAMAGE OF TRUNK, BRANCH AND ROOT BE TAKEN AT THE TIME BY THE CONTRACTOR TO REPAIR THAT HAS DAMAGE TO THE TREE.

3. PRUNING WORK TO TREES AS REQUIRED TO MAINTAIN TREE HEALTH DURING CONSTRUCTION WORK.

4. NO WORK OTHERWISE AND TO BE DONE WITHIN THE BARRICADES WITHOUT PRIOR APPROVAL OF THE OWNER OR THE REPRESENTATIVE.

THE RIVER'S VIEW HOTEL - PUD

ST. AUGUSTINE, FLORIDA

Trees Removed within Development Area

SPECIES	DBH	CREDITS	CREDITS	TOTAL CREDITS
SPECIES MAGNOLIA	6	1	0.5	0.5
			Total Credits Removed	0.5
SPECIES MAGNOLIA	6	1	0.5	0.5
			Total Credits Removed	0.5
SPECIES OAK	12	1	1.5	1.5
	18	2	3	6
	20	2	3	6
			Total Credits Removed	13.5
SPECIES PALM	12	1	1.5	1.5
			Total Credits Removed	1.5
SPECIES PINE	6	1	0.5	0.5
	7	1	0.5	0.5
	8	1	0.5	0.5
	10	1	1	1
	12	1	1.5	1.5
	13	1	1.5	1.5
	14	1	2	2
			Total Credits Removed	12.5
SPECIES TURKEY OAK	18	1	3	3
			Total Credits Removed	3
			Total Credits Removed	34.00

Trees Preserved for Credit

SPECIES	DBH	CREDITS	CREDITS	TOTAL CREDITS
SPECIES CEDAR	4	1	0.5	0.5
	6	1	0.5	0.5
	7	1	0.5	0.5
	10	1	1	1
			Total Credits Preserved	3
SPECIES OAK	5	1	1	1
	6	1	1	1
	7	1	1	1
	8	1	1	1
	9	1	1	1
	10	1	1	1
	11	1	1	1
	12	1	1	1
	13	1	1	1
	14	1	1	1
	16	1	1	1
	18	1	1	1
	20	1	1	1
			Total Credits Preserved	20
SPECIES PALM	12	1	1	1
	13	1	1	1
			Total Credits Preserved	21
SPECIES PINE	6	1	0.5	0.5
	7	1	0.5	0.5
	8	1	0.5	0.5
	10	1	1	1
	11	1	1	1
	12	1	1	1
	13	1	1	1
	14	1	1	1
	21	1	1	1
			Total Credits Preserved	12
SPECIES SWEETGUM	18	1	2	2
			Total Credits Preserved	2
SPECIES TURKEY OAK	7	1	0.5	0.5
	9	1	0.5	0.5
			Total Credits Preserved	1
			Total Credits Preserved	58.00

Total Credits Removed	34.00
Total Credits Preserved for Credit	58.00

Approved

DEC 27 2007

Planning & Building Dept.

ZEV COHEN & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS
PLANNERS • LANDSCAPE ARCHITECTS
ST. JOHNS COUNTY, FLORIDA

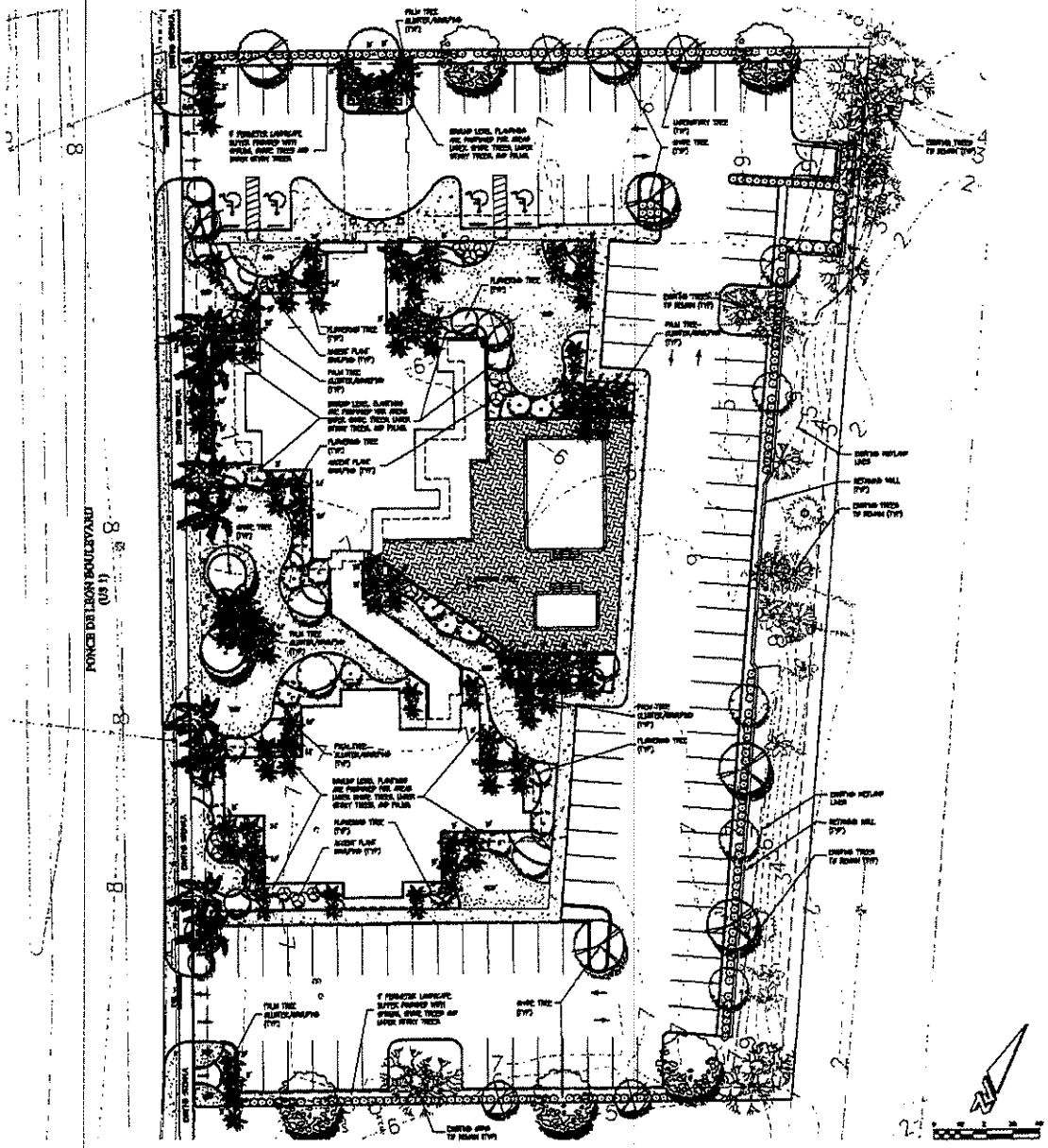
THE RIVERS VIEW HOTEL PUD

FINAL ENGINEERING PLANS

TREE PROTECTION PLAN AND DETAILS

CITY OF ST. AUGUSTINE

S1-8



CONCEPTUAL TREE LEGEND

(FULL PLANT PLANS AND DETAILED PLANT LIST WITH SPECIFICATIONS SHALL BE PROVIDED WITH NEXT SUBMITTAL)

DENOTES PROPOSED LARGE CANOPY TREE:	LIVE OAK – MINIMUM 5" HT. x 1 1/2" CALIPER
DENOTES PROPOSED MEDIUM CANOPY TREE:	MAGNOLIA – MINIMUM 5" HT. x 1 1/2" CALIPER
DENOTES PROPOSED MEDIUM CANOPY TREE:	SLASH CYPRESS – MINIMUM 5" HT. x 1 1/2" CALIPER
DENOTES PROPOSED UNDERSTORY TREE:	HOLLIES – MINIMUM 6' HT. 1 1/2" CALIPER
DENOTES PROPOSED UNDERSTORY TREE:	LIGUSTRUM – MINIMUM 6' HT. 1 1/2" CALIPER
DENOTES PROPOSED UNDERSTORY TREE:	CRAPE MYRTLE – MINIMUM 6' HT. 1 1/2" CALIPER
DENOTES PROPOSED UNDERSTORY TREE:	CLEANER – MINIMUM 6' HT. 1 1/2" CALIPER
DENOTES PROPOSED MEDIUM PALM TREE:	WASHINGTONIA, SABAL/MINEWALL – MINIMUM 6' CT.
DENOTES PROPOSED ACCENT PLANT:	CRINUM LILLY
DENOTES PROPOSED MEDIUM EVERGREEN SHRUB:	PINEAPPLE GUAVA, VARIEGATED PITTOSPORUM, MINIMUM 3' HT.
DENOTES PROPOSED LARGE EVERGREEN SHRUB:	WAX MYRTLE, MINIMUM 4' HT.

EXISTING TREE LEGEND

DENOTES EXISTING OAKS

DENOTES EXISTING CEDARS

DENOTES EXISTING PINES

DENOTES EXISTING PALMS

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ZEV COHEN & ASSOCIATES, INC.

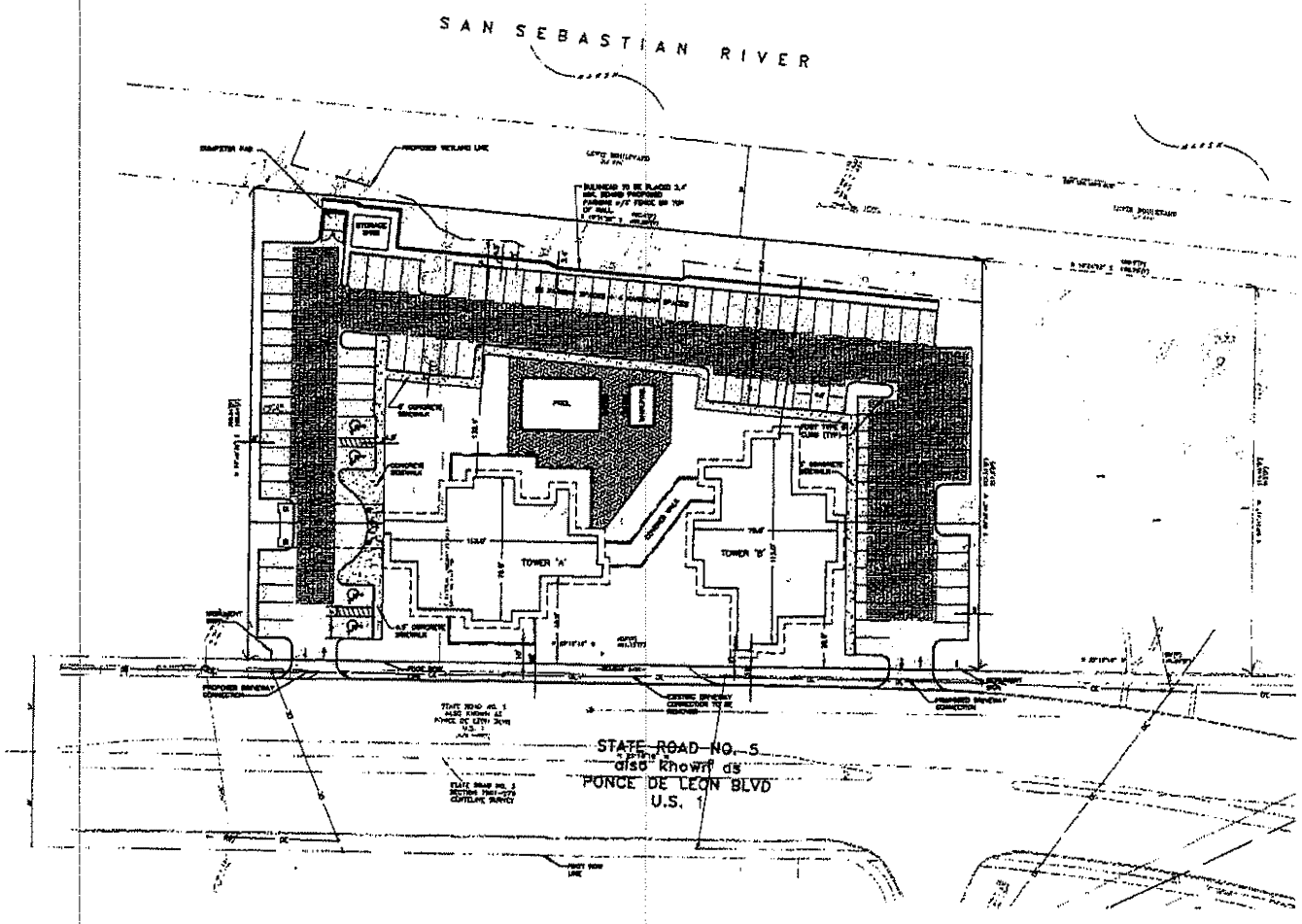
THE RIVERS VIEW HOTEL PUD

FINAL ENGINEERING PLANS

LANDSCAPE PLAN AND DETAILS

REVISIONS

S1-6



SCALE : 1" = 30'

EXISTING TREES LEGEND

ABBREV	TREE TYPE
CDR	CEDAR
HIC	HICKORY
LIO	LIVE OAK
MLB	MULBERRY
SB	SABAL PALMETTO
TALO	TALLOW
TUP	TUPELO

PROPOSED ASPHALT PAVEMENT

PROPOSED CONCRETE SIDEWALK

PROPOSED PAVERS

PROPOSED UNDERGROUND EXFILTRATION STORMWATER SYSTEM

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SITE AND BUILDING CALCULATIONS

HOTEL: TOWER "A" – 5 STORIES, 42 GUEST UNITS

TOWER "B" – 5 STORIES, 53 GUEST UNITS

95 GUEST UNITS TOTAL

LOT AREA = 97,874 SQ. FT. (2.25 ACRES)

FOOTPRINT AREA (INCLUDING AREA UNDER PORCHES, COVERED WALK AND CANOPY) = 19,370 SQ. FT.

PROPOSED BUILDING COVERAGE = 19,370 SQ. FT. / 97,874 SQ. FT. = 20%

MAXIMUM CEILING HEIGHT ALLOWED = 34'-0"

ACTUAL CEILING HEIGHT = 46'-2"

BUILDING HEIGHT ALLOWED = 35'-0"

ACTUAL BUILDING HEIGHT = 48'-4"

PARKING TABLE

8.5'x19' PARKING SPACES:	98
12'x20' HANDICAP SPACES: W/5' AISLE	6

LAND USE/ZONING

EXISTING ZONING: COMMERCIAL MEDIUM TWO (CM-2)

EXISTING LANDUSE: COMMERCIAL MEDIUM INTENSITY

PROPOSED ZONING: PLANNED UNIT DEVELOPMENT (PUD)

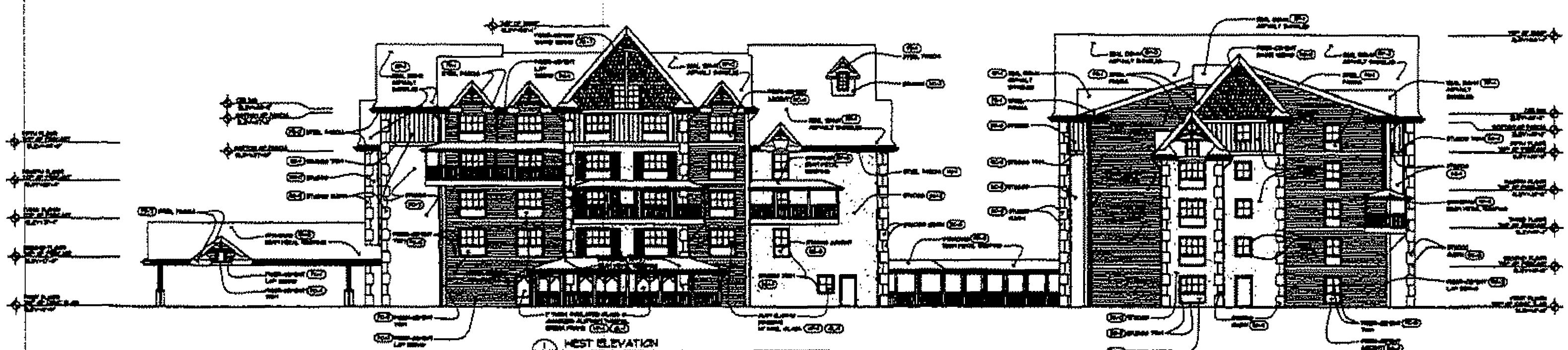
PROPOSED LAND USE: RESIDENTIAL MEDIUM INTENSITY MIXED USE

PARCEL NO. 119350-0000, 119390-0000, 119380-0000, 119370-0000

ZEV COHEN & ASSOCIATES INC.

THE RIVERS VIEW HOTEL PUD

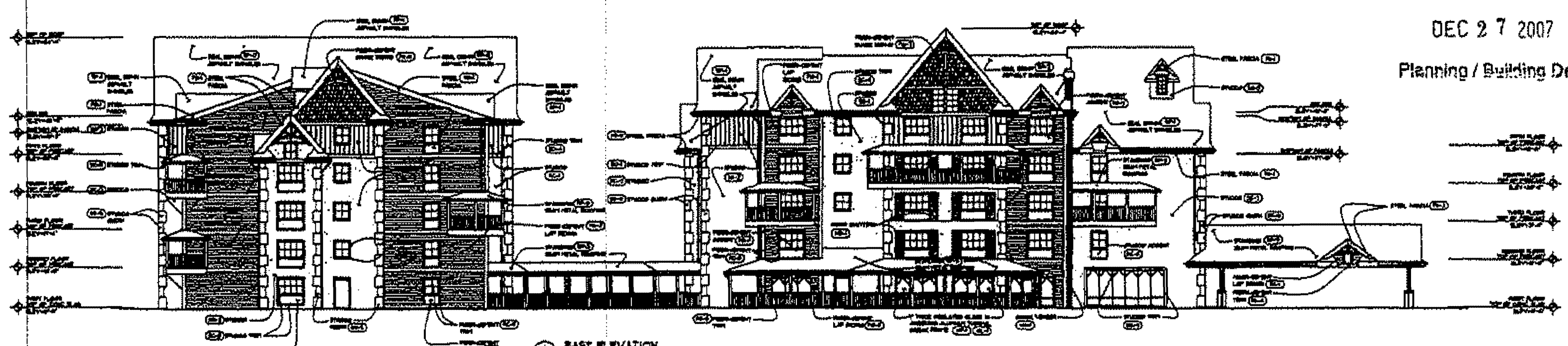
SITE LAYOUT PLAN



WEST ELEVATION

COLOR SCHEDULE

MATERIAL	MANUFACTURER	PATTERN	COLOR
ARCHITECTURAL ASPHALT SHINGLES	GAF	TIMBERLINE	WEATHERED WOOD BLEND
ARCHITECTURAL ASPHALT SHINGLES	GAF	TIMBERLINE	[illegible]
STANDING SEAM ROOFING	[illegible]		[illegible]
STEEL FASCIA	[illegible]		[illegible]
STEEL FASCIA	[illegible]		[illegible]
FIBER CEMENT LAP SIDING	JAMES HARDIE	SELECT CEDARMILL	[illegible]
FIBER CEMENT LAP SIDING	JAMES HARDIE	SELECT CEDARMILL	[illegible]
FIBER CEMENT ACCENT	JAMES HARDIE	HARDIE PANEL - [illegible]	[illegible]
FIBER CEMENT ACCENT	JAMES HARDIE	HARDIE PANEL - [illegible]	[illegible]
FIBER CEMENT TRIM	JAMES HARDIE	HARDIE TRIM - CEDARMILL	[illegible]
FIBER CEMENT SHAKE SIDING	JAMES HARDIE	HARDIE SHINGLE STAGGERED PANEL	[illegible]
FIBER CEMENT SHAKE SIDING	JAMES HARDIE	HARDIE SHINGLE STAGGERED PANEL	[illegible]
STUCCO		SANDPEBBLE FINISH	[illegible]
STUCCO		SANDPEBBLE FINISH	[illegible]
STUCCO		SANDPEBBLE FINISH	[illegible]
STUCCO		SANDPEBBLE FINISH	[illegible]
STUCCO		SANDPEBBLE FINISH	[illegible]
STUCCO		SANDPEBBLE FINISH	[illegible]
STUCCO		SANDPEBBLE FINISH	[illegible]
[illegible] SHUTTERS			[illegible]
BRICK VENEER	[illegible]	STANDARD SIZE	[illegible]
WINDOW FRAMES			[illegible]
WINDOW FRAMES			MEDIUM BRONZE
CLEAR GLASS			CLEAR
TINTED GLASS		TINTED	[illegible]



EAST ELEVATION

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PRELIMINARY PLANS
NOT FOR CONSTRUCTION

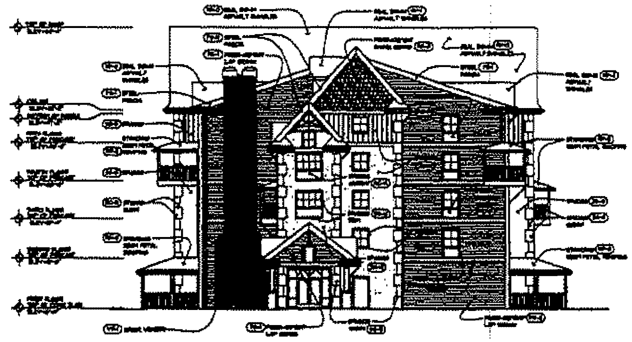
ST. AUGUSTINE, FLORIDA

TRUMAN HOWELL ARCHITECTS & ASSOC., INC.

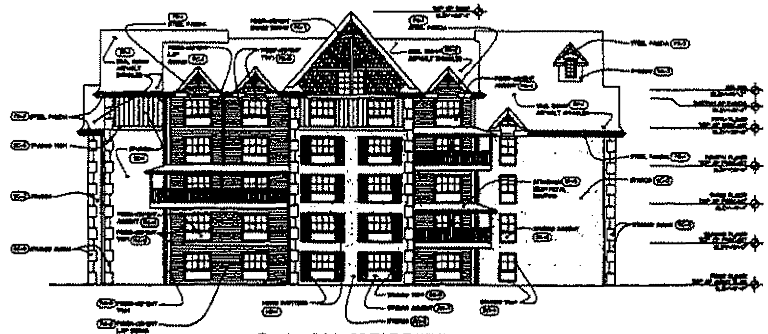
12/20/07

3/32" = 1'-0"

EXTERIOR ELEVATIONS



1/A2.1 TOWER 'A' - NORTH ELEVATION



2/A2.1 TOWER 'B' - SOUTH ELEVATION

COLOR SCHEDULE

	MATERIAL	MANUFACTURER	PATTERN	COLOR
[illegible]	ARCHITECTURAL ASPHALT SHINGLES	[illegible]	[illegible]	[illegible]
[illegible]	ARCHITECTURAL ASPHALT SHINGLES	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]		[illegible]
[illegible]	[illegible]	[illegible]		[illegible]
[illegible]	[illegible]	[illegible]		[illegible]
[illegible]	[illegible]	JAMES HARDIE	[illegible]	[illegible]
[illegible]	[illegible]	JAMES HARDIE	[illegible]	[illegible]
[illegible]	[illegible]	JAMES HARDIE	[illegible]	[illegible]
[illegible]	[illegible]	JAMES HARDIE	[illegible]	[illegible]
[illegible]	[illegible]	JAMES HARDIE	[illegible]	[illegible]
[illegible]	[illegible]	JAMES HARDIE	[illegible]	[illegible]
[illegible]	[illegible]	JAMES HARDIE	[illegible]	[illegible]
[illegible]	STUCCO		[illegible]	[illegible]
[illegible]	STUCCO		[illegible]	[illegible]
[illegible]	STUCCO		[illegible]	[illegible]
[illegible]	STUCCO		[illegible]	[illegible]
[illegible]	STUCCO		[illegible]	[illegible]
[illegible]	STUCCO		[illegible]	[illegible]
[illegible]	STUCCO		[illegible]	[illegible]
[illegible]	[illegible]			[illegible]
[illegible]	BRICK VENEER	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]			[illegible]
[illegible]	[illegible]			[illegible]
[illegible]	CLEAR GLASS			CLEAR
[illegible]	TINTED GLASS		TINTED	BRONZE

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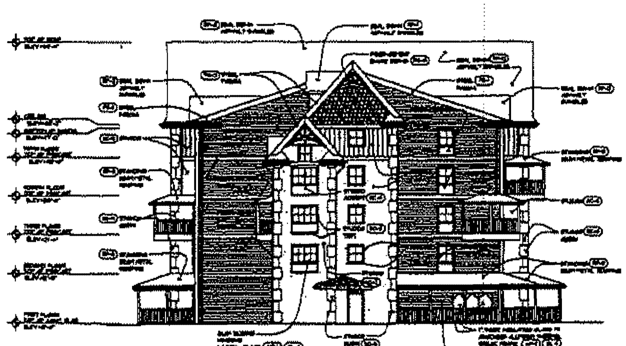
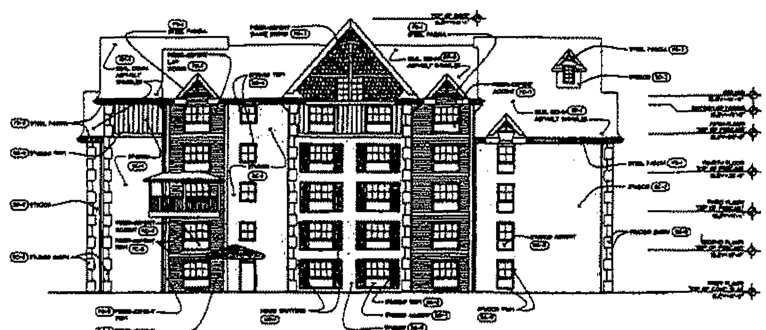


TOWER 'A' - SOUTH ELEVATION



TOWER 'B' - NORTH ELEVATION

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

ST. AUGUSTINE, FLORIDA

TRUMAN HOWELL ARCHITECTS & ASSOC., INC.

12/20/07

3/32" = 1'-0"

EXTERIOR ELEVATIONS

A2.1

CITY OF ST. AUGUSTINE EST. 1565

CITY OF ST. AUGUSTINE PLANNING AND ZONING BOARD
STAFF REPORT AND RECOMMENDATION

Prepared for October 4, 2022 Meeting

Application [2022-0067] Address: **110 Carver Street East**

Applicant: City of St. Augustine

Property Owner: City of St. Augustine

Project description: To amend the Future Land Use Map designation from Residential Low Density to Recreation/Open Space and to amend the zoning from Residential Single Family-one (RS-1) to Government Use (GU).

Archaeology Zone:	IIIB	Current Zoning	RS-1
Parcel number:	158730 0080	Proposed Zoning	GU
Agenda Item:	10a	Previous Action:	HARB Certificate of Demolition

- The current structure at 110 Carver Street East is in very poor condition.
- The conceptual design of the new Yacht Club Sailing Center and dock are exhibits to the lease. (see attached)
- The dock design will be submitted to PZB under separate application.
- The City Commission will approve the submerged land lease for the new dock.

CHRONOLOGY:

On October 19, 2019, the City Commission accepted the warranty deed to the property at 110 Carver Street East for development of a sailing center.

On November 8, 2021, the City Commission directed the city staff to finalize the language of the lease to the St. Augustine Yacht Club after gathering community input and to return to the City Commission for final approval of the lease.

On May 10, 2022 and June 21, 2022, city staff attended Lighthouse Park Neighborhood Association meetings and received community input on the proposed lease and also changes to the warranty deed. City staff sent the community's input and private citizen input to the Yacht Club and they agreed to most of the public's requested changes to the lease and warranty deed.

On July 11, 2022, the City Commission and the property owner accepted the terms of the lease and revised warranty deed for the property. The warranty deed was recorded on August 23, 2022. The warranty deed requires the property to be rezoned to Government Use with the accompanying Recreation/Open Space FLUM designation. (see attached)

CURRENT ZONING

Sec. 28-161. Residential, single-family-one: RS-1.

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

(1) *Permitted uses and structures.* Single-family dwelling; home office, private.
(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, seventy-five (75) feet.
    b. Minimum lot area, one-quarter acre (10,890 square feet).
(5) *Maximum lot coverage by all buildings and structures.* Twenty-five (25) percent.
(6) *Minimum yard requirements:*
    a. Front, twenty (20) feet minimum.
    b. Side, fifteen (15) feet minimum.
    c. Rear, twenty (20) feet minimum.
(7) *Maximum height of structures.* Thirty-five (35) feet.

PROPOSED ZONING

Sec. 28-266. Government use district: GU.

Intent. It is the intent of this division that certain lands, which are owned by federal, state or local government and are used for a purpose which is particularly and peculiarly related to governmental functions, shall be placed in a government use—GU district. Any lawful governmental activity is permitted upon such lands without restriction so long as the title to the land is vested in the government. Provided, however, that as to lands the title of which is vested with the government but leased to private persons, firms or corporations, such lands may be used for any private lawful purpose specifically authorized by the lease agreement under which the tenant holds possession. Any lands in a GU district which are converted to private ownership shall be rezoned to a district other than GU as lands in the GU district are restricted exclusively to governmental functions. This provision shall not, however, be deemed to prevent the use by any government of lands located in districts other than GU, provided such use is in compliance with all provisions of this chapter applicable to such other districts.

FUTURE LAND USE MAP DESIGNATION (CURRENT)

Residential Low Density

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 such as churches, child care centers, public and institutional uses, including schools consistent with the Public Schools Facilities Element, recreation and Open Land (Conservation) as appropriate to maintain a stable low intensity residential character.

For Residential Uses a maximum of 8 single family dwellings per acre; public and institutional uses are limited to the density and intensity of the most restrictive adjacent land use.

FUTURE LAND USE MAP DESIGNATION (PROPOSED)

Recreation/Open Space

Lands public or private devoted to and operated for recreational uses, such as parks, sports fields, and historic sites, but not commercial business or commercial tourist attractions.

The density and intensity will adhere to the most restrictive adjacent land use designation.

CITY CODE REFERENCE – PROCEDURES FOR REZONING PROPERTY

Sec. 28-30. Comprehensive plan amendments, rezonings and amendment of chapter.

(a) *General.* This chapter may from time to time be amended, supplemented, or changed the land use plan and land use map established by the comprehensive plan may also be amended and the zoning atlas may from time to time be revised by the rezoning of land as provided in this section.

(b) *Initiation of proposals.* An ordinance for the rezoning of land may be proposed only by the city commission or any member thereof, by the planning and zoning board or by the owner of subject property, its attorney or duly authorized agent. An amendment to this chapter may be proposed for adoption only by the city commission or any member thereof, or by the planning and zoning board. Proposals to amend this chapter shall be submitted in writing, accompanied by all pertinent information which may be required for proper consideration of the matter.

(c) *Nature and requirements of board report.* The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:

(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.

(d) *Board report to commission.* If the board recommends approval of the amendment or rezoning, the board shall forward its recommendation and report to the city commission.

The report and recommendation of the board shall be advisory only and shall not be construed to be binding upon the city commission. If the board recommends denial of the amendment or rezoning, the property owner or other person aggrieved may proceed with an appeal to the city commission pursuant to section 28-29(g) of the City Code.

(e) *Limitations on rezoning of land.*

(1) No ordinance to rezone land shall contain conditions, limitations or requirements not applicable to all other land in the zoning district to which the particular land is rezoned, except as provided in article III, division 8.

(2) Whenever the city commission has, by ordinance, changed the zoning classification of land, the board shall not then consider any application for rezoning of any part or all of the same land for a period of one (1) year from the effective date of such ordinance.

(3) Whenever the city commission has denied an application for the rezoning of land, no further application shall be filed for the same rezoning of any part or all of the same land for a period of six (6) months from the date of such action. In the event that two (2) or more applications for the same rezoning for any part or all of the same land has been denied, no further application shall be filed for the same rezoning or any part or

all of the same land for a period of one (1) year from the date of such action denying the last application filed.

(4) Land use plan amendments shall be made consistent with the State of Florida's Community Planning Act, F.S. ch. 163, as may be amended from time to time.

(f) *Waiver of time limits.* The time limits of subsection (e) may be waived by three (3) affirmative votes of the city commission when such action is deemed necessary to prevent injustice or to facilitate proper development of the city.

(g) *City commission action.* Upon receipt of a report of the board as required by subsection (d) hereof, the city manager shall set the date for a public hearing before the city commission. The date of such public hearing to be set by the city manager shall be the first regular meeting of the city commission after ten (10) days following receipt of a report. At the conclusion of the public hearing, the city commission shall either deny the proposed amendment or rezoning or by ordinance adopt such amendment or rezoning.

(h) *Process, public hearings and notification for amendments to this chapter or rezoning of land (city commission public hearing).* The amendment process, including public hearings and notification regarding amendments to this chapter which change the actual list of permitted, conditional or prohibited uses within a zoning category or which change the actual zoning map designation of land in the city shall be as required by F.S. [chapter] 166. Public hearings for ordinances initiated by other than the city that change the actual zoning map designation of a parcel or parcels of land, required to be enacted pursuant to F.S. § 166.041(3)(a), shall be noticed in accordance with section 28-59(a) of the City Code.

(i) *Process, public hearings and notification for comprehensive plan amendments (city commission public hearing).* The amendment process, including public hearings and notification for comprehensive plan amendments, shall be consistent with the State of Florida's Community Planning Act, F.S. ch. 163, as may be amended from time to time.

STAFF SUMMARY AND ANALYSIS

The Planning and Zoning Board is responsible for making a recommendation to the City Commission regarding amendments to the Future Land Use Map (FLUM) designation of a property and amendments to the zoning designation of a property using the following criteria. **(staff summary in bold)**

(1) The need and justification for the change.

The proposed FLUM amendment from Residential Low Density to Recreation/Open Space and the zoning change from RS-1 to GU are necessary to develop the property as a sailing center. These conditions are identified on the deed of the property and were approved by the City Commission on July 11, 2022. The FLUM amendment will contain a site specific text amendment (*asterix) to limit the building height to 20 feet and it can contain further land development restrictions if desired by the City Commission.

(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.

The property at 110 Carver Street East is directly adjacent to the Lighthouse Neighborhood Park. The Lighthouse Neighborhood Park contains the Yacht Club facilities, a boat ramp, tennis courts and a passive park with benches and a public bathroom. This park is identified in the city's Future Land Use Map as Recreation/Open Space and the zoning atlas identifies this park as Government Use (GU) zoning. The proposed use of 110 Carver Street East as a sailing center is consistent with the proposed Recreation/Open Space FLUM designation and Government Use (GU) zoning and it is compatible with the adjacent Lighthouse Neighborhood Park. The Recreation/Open Space FLUM designation will include a site specific text amendment to identify the maximum height of buildings.

(3) Consistency with the comprehensive plan.

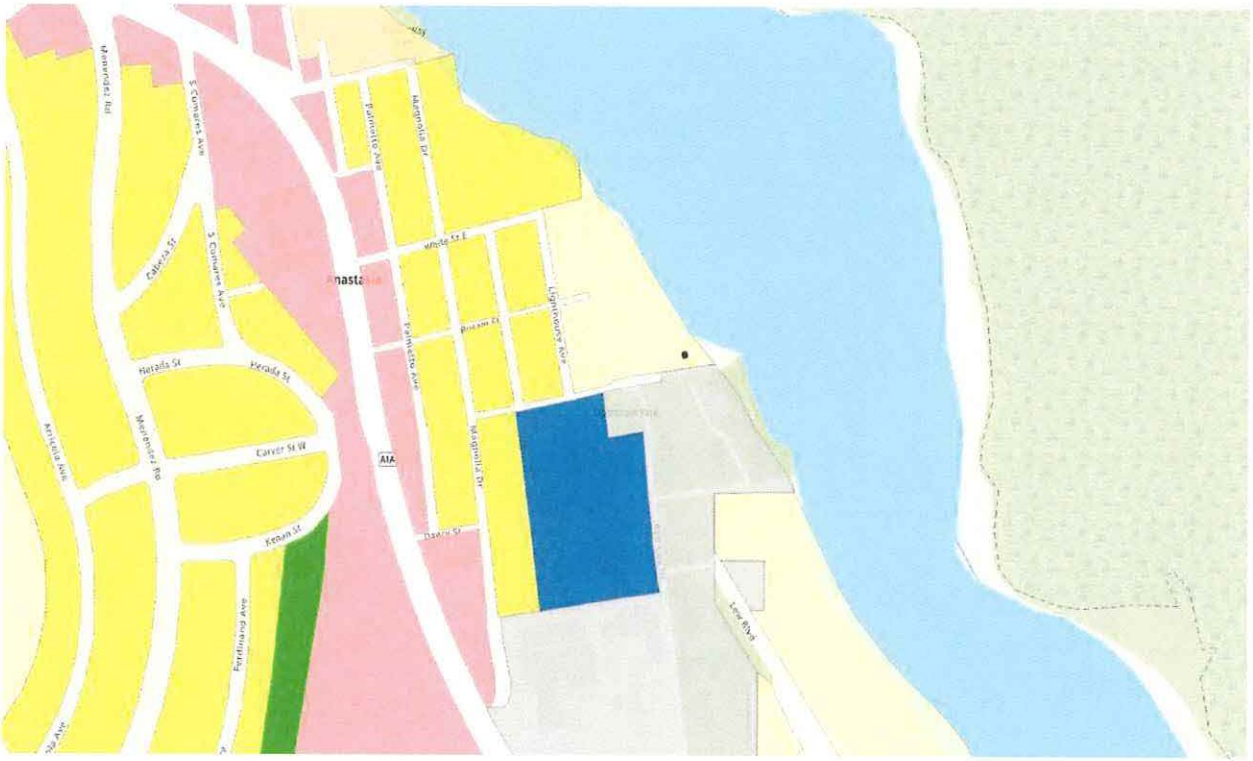
The proposed FLUM and zoning amendments will allow the property to be used as a sailing school. The overall goal of the city's Recreation and Open Space Element in the Comprehensive Plan is "To provide open space, recreation sites and recreation facilities which meet the needs of residents and visitors, support City conservation efforts and provide a healthy and aesthetically pleasing environment." The proposed sailing center is consistent with this overall goal.

STAFF RECOMMENDATION

City staff do not make recommendations concerning amendments to the FLUM designation of property or the rezoning of property. The Planning and Zoning Board makes recommendations directly to the City Commission.

David Birchim, AICP
Assistant City Manager

Zoning Map



Light Yellow – Residential Single Family-one (RS-1)
Grey – Government Use (GU)
Blue – Maritime Use District (MUD) – (St. Augustine Lighthouse)

Attachments:

- Warranty Deed
- Lease with exhibits
- Survey
- Minutes of July 11 City Commission Meeting

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SEP 0 2 2022

Planning/Building Dept.

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee:_____(plus advertising costs) Project Number: 2022-0067

Receipt Number:_____ Meeting Date: Oct. 4, 2022

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

1. NAME OF APPLICANT: City of St. Augustine Contact Number: 904-825-1006
   Business (*if applicable*):_____
   Address: 75 King Street City: St. Augustine State: FL Zip: 32084
   E-Mail Address: dbirchim@citystaug.com
2. NAME OF PROPERTY OWNER: City of St. Augustine Contact Number: 904-825-1006
   Business (*if applicable*):_____
   Address: 75 King Street City: St. Augustine State: FL Zip: 32084
   E-Mail Address: dbirchim@citystaug.com
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 8-9 Block:_____
   Subdivision: Keegan's Addition Parcel Number: 1587300000
4. PROJECT STREET ADDRESS: 110 Carver Street East
5. SPECIFIC PROPOSED USE: Yacht Club Sailing Center
6. ACTION REQUESTED:
   ☐ Conservation Zone Development ☐ Appeal of Staff Determination
   ☐ Exception ☐ Land Use Plan Amendment
   ☐ Variance ☒ Rezoning
   ☐ Other: Future Land Use Map (FLUM) Amendment
7. DESCRIPTION OF ACTION REQUESTED: To amend the FLUM designation from Residential Low Density to Recreation/Open Space (with a site specific asterix to define the maximum height of structures as 20 feet) and to amend the zoning designation from Residential Single Family-one (RS-1) to Government Use (GU).
8. JUSTIFICATION FOR ACTION REQUESTED: To redevelop the property as a sailing center as per the recorded deed and the approved lease.

04/18/2019

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

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

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

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

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

10. PREVIOUS 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.

David Buchin — 8/25/22

Signature of Applicant — Date

David Buchin — 8/25/22

Signature of Property Owner — Date

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

	Future Year Parcel
Parcel ID	1587300080
Location Address	110 CARVER ST E SAINT AUGUSTINE 32080-0000
Neighborhood	Keegans Addition (ICWFR) (630.42)
Tax Description*	6-33 KEEGANS ADDITION LOTS 8 & 9 OR5621/627 *The Description above is not to be used on legal documents.
Property Use Code	Municipally Owned (8900)
Subdivision	Keegan's Addition To Anastasia
Sec/Twp/Rng	21-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.380
Homestead	N

Owner Information

Owner Name	City Of Saint Augustine 100%
Mailing Address	PO BOX 210 SAINT AUGUSTINE, FL 32085-0000

Valuation Information

	2022
Building Value	$0
Extra Features Value	$0
Total Land Value	$0
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$0**
Total Deferred	$0
Assessed Value	**$0**
Total Exemptions	$0
Taxable Value	**$0**

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

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
8/23/2022	8/4/2022	$1,370,000.00	WARRANTY DEED	5621	627	U	I	PATRIS YC LLC	CITY OF SAINT AUGUSTINE

No data available for the following modules: 2022 TRIM Notice, 2021 TRIM Notice, Exemption Information, Historical Assessment Information, Building Information, Sketch Information, Extra Feature Information, Land Information.

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Brandon J. Patty,Clerk of the Circuit Court and Comptroller St. Johns County FL Recording $27.00 Doc. D $9,590.00

This instrument was prepared under the direction and supervision of Isabelle C. Lopez, City Attorney, P.O. Box 210, St. Augustine, Florida 32085

WARRANTY DEED

THIS INDENTURE made this 4th day of August, 2022, by and between **PATRIS YC, LLC**, a Florida limited liability company, whose address is 1093 A1A Beach Boulevard, #396, St. Augustine, Florida 32080 ("GRANTOR"), and the **CITY OF ST. AUGUSTINE, FLORIDA**, a Florida municipal corporation, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085 ("GRANTEE").

WITNESSETH:

That the said GRANTOR, for and in consideration of the sum of TEN AND NO/100 ($10.00) DOLLARS to it in hand paid by GRANTEE, the receipt of which is hereby acknowledged, has granted, bargained, and sold to GRANTEE, its heirs, successors and assigns forever, the following described land situate in St. Johns County, Florida, to wit:

LOT 8 AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE(S) 33, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

TOGETHER WITH THAT PORTION OF CARVER STREET VACATED BY ORDINANCE NO. 584 RECORDED IN DEED BOOK 186, PAGE 257 LYING ADJACENT TO LOTS 8, AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 6, PAGE 33 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL ID NUMBER: 158730-0000

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

Subject to the following covenant and reverter:

By the execution and acceptance of this deed, GRANTEE covenants as follows: GRANTEE may only use the land, structures, and fixtures thereon for the purpose of a sailing center operated by the St. Augustine Yacht Club as a not-for-profit corporation. Should the St. Augustine Yacht Club or its not-for profit corporation be unable or unwilling to continue the operations of the sailing center in the future, GRANTEE may use the land for the purpose of a passive park.

Additionally, GRANTEE shall endeavor to amend the Future Land Use category of the property to Recreation/Open Space and to rezone the property conveyed to the Government Use zoning district as described in the municipal code of the City of St. Augustine, consistent with state law and local regulations, with time being of the essence.

In the event GRANTEE cannot amend the Future Land Use category of the property to Recreation/Open Space and amend the zoning of the property to the Government Use zoning district, the land, fixtures, and structures thereon shall revert to GRANTOR.

TO HAVE AND TO HOLD the same in fee simple forever, together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said GRANTOR, either in law or equity, to the only proper use, benefit, and behalf of the said GRANTEE.

GRANTOR hereby covenants with said GRANTEE that the GRANTOR is lawfully seized of said land in fee simple; that the GRANTOR has good right and lawful authority to sell and convey said land; that the GRANTOR hereby fully warrants the title to said land and will defend same against the lawful claims of all persons whomsoever; and that the land is free of all encumbrances.

IN WITNESS WHEREOF, GRANTOR has caused this instrument to be executed on the date first written above.

Signed, sealed, and delivered
in the presence of:

Witness: _____

Print: Jason C. Hill

Witness: _____

Print: Maria E. Castillo

"GRANTOR"
PATRIS YC, LLC

By: Dail A Taylor

Its: MANAGING MEMBER

Print: DAIL A TAYLOR

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, by means of [✓] physical presence or [ ] online notarization, Dail Taylor, who is personally known to me or who has produced Florida DL as identification, who is the person described in and who executed the foregoing instrument and who acknowledged before me that he/she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 4th day of August, 2022.

_____
Notary Public, State of Florida

MARIA E. CASTILLO
NOTARY PUBLIC
MY COMMISSION EXPIRES 3-9-2026
STATE OF FLORIDA
COMMISSION NUMBER HH 298142

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

_____
Isabelle Lopez, City Attorney

IN WITNESS WHEREOF, GRANTEE has caused this instrument to be executed on the date first written above.

Signed, sealed, and delivered
in the presence of:

Witness:

Print: Richard Thibault

Witness:

Print: Erin C. Fountain

"GRANTEE"
CITY OF ST. AUGUSTINE, FLORIDA

By: David Birchim

Its: ASSISTANT CITY MANAGER

Print: DAVID BIRCHIM

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, by means of [✓] physical presence or [ ] online notarization, David Birchim, who is personally known to me or who has produced _____ as identification, who is the person described in and who executed the foregoing instrument and who acknowledged before me that he/she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 5th day of August, 2022.

Notary Public, State of Florida

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Isabelle Lopez, City Attorney

NOTARY PUBLIC STATE OF FLORIDA

ISABELLE C. LOPEZ
Commission # HH 047801
Expires January 26, 2025
Bonded Thru Budget Notary Services

LEASE AGREEMENT

THIS LEASE AGREEMENT (hereinafter referred to as "Lease") is made and entered into by and between **CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation organized and existing under and by virtue of the laws of the State of Florida (hereinafter referred to as "LESSOR"), whose mailing address is P.O. Box 210, St. Augustine, Florida 32085, and **ST. AUGUSTINE YACHT CLUB, INC**. (hereinafter referred to as "LESSEE"), whose mailing address is 442 Ocean Vista Avenue, St. Augustine, Florida 32080.

W I T N E S S E T H: That in consideration of the covenants herein contained and the Rent to be paid, LESSOR and LESSEE hereby agree as follows:

(1) **LEASED PREMISES:** LESSOR does hereby rent, lease and demise unto LESSEE, and LESSEE does take from LESSOR, for a Term hereinafter provided, and in all instances in the condition as presented as of the date of this Lease, the following described premises located in St. Augustine, St. Johns County, Florida (hereinafter referred to as "Leased Premises"), to-wit:

> LOT 8 AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE(S) 33, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.
>
> TOGETHER WITH THAT PORTION OF CARVER STREET VACATED BY ORDINANCE NO. 584 RECORDED IN DEED BOOK 186, PAGE 257 LYING ADJACENT TO LOTS 8, AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 6, PAGE 33 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.
>
> PARCEL ID NUMBER: 158730-0000

LESSEE must obtain a separate Submerged Lands Lease for the City of St. Augustine's submerged lands associated with dock structures on the leased property described in paragraph 8. The Submerged Lands Lease must be approved by the City Commission.

LESSOR and LESSEE acknowledge and agree that LESSOR acquired the Leased Premises, other than LESSOR's preexisting sovereign submerged lands, from Patris YC, LLC, a Florida limited liability company, via that certain Warranty Deed dated

_____ ___, 2022 and recorded in Official Records Book _____, Page _____, Public Records of St. Johns County, Florida (the "Deed").

The Deed requires the Leased Premises to be used as a not-for-profit sailing center. For the purposes of this Lease, such sailing center shall be focused primarily on teaching young people sailing and boating, with some limited training of adults in sailing and boating (the "Sailing Center"). No more than 20 percent of revenue generated in conjunction with the Leased Premises may be from adult sailing programs annually. Adults are people over 18 years of age. Adults must be residents of, or attend school in, St. Johns County. The sailing and boating activities of the Sailing Center may take place on the Leased Premises, on the Dock (as hereinafter defined) or in adjacent waterways.

(2) **TERM:** The Term of this Lease shall be 99 years, commencing September 1, 2022 at 12:01 a.m. and expiring August 31, 2121 at 11:59 p.m., subject to the terms and conditions set forth herein.

(3) **RENTAL:** The rental of the Leased Premises shall be in the amount of Nine Hundred and Ninety dollars and No/100 ($990.00) DOLLARS ("Rent"). This rental amount reflects the public interest in providing for recreational opportunities and access to the waterways, as well as, other valuable consideration the receipt thereof is acknowledged by LESSOR, over the Term of this Lease and shall be payable annually, at a rate of Ten and No/100 DOLLARS ($10.00), plus applicable taxes commencing on the first day of September, 2022 and on the first day of September each consecutive year thereafter during the Term of the Lease. The Rent shall be payable annually on September 1st, and shall be payable to LESSOR at:

CITY OF ST. AUGUSTINE
DEPARTMENT OF FINANCE, BUDGET, AND MANAGEMENT
P.O. BOX 210
ST. AUGUSTINE, FLORIDA 32085-0210

A late fee of fifteen (15%) percent of the annual lease will be assessed for any late payment received after the fifth day of each month of November. Failure to pay rent, in total, before the end of the fifth day of the month of November shall be a default of the Terms of this Lease.

In addition to the Rent payable hereunder, LESSEE shall be responsible, as Additional Rent, for the payment of any real estate taxes assessed during the Term of this Lease by any governmental agency having taxing authority. Real estate taxes shall be paid within thirty (30) days of the date an invoice for such taxes is transmitted to LESSEE by LESSOR.

LESSEE shall be responsible for timely payment of all personal property taxes, excise, use, sales or other taxes which may be levied for or on account of LESSEE'S occupancy or rental of the Leased Premises now or at any time during the Term of this Lease

(4) **UTILITIES:** All utilities and property and equipment related to the provision of said utilities are the responsibility of LESSEE. Those utilities include, but are not limited to, telephone and telecommunications, water, sewer, electricity and trash removal.

(5) **HEATING AND AIR CONDITIONING:** LESSEE agrees to furnish heating and air conditioning equipment for the Leased Premises and to maintain same in satisfactory operating condition at all times during the term of this Lease at the expense of LESSEE.

(6) **LICENSES:** LESSEE shall be responsible for obtaining and maintaining at LESSEE'S expense all licenses necessary and required for the operation of the business or businesses conducted by the LESSEE on the Leased Premises.

(7) **REPAIRS AND MAINTENANCE FOR LEASED PREMISES:** LESSEE shall keep and maintain all structures on the Leased Premises, including but not limited to, the interior and exterior of the structures, docks, parking lot, outdoor lighting, fence/wall and landscaping in good, sound condition, order and repair. LESSEE shall not cause or suffer any lien to be filed against the Leased Premises by reason of any repairs, restoration, reconstruction, alteration or change made thereon by LESSEE. A lien which is filed as a result of any action of LESSEE and which is not removed within ninety (90) days after being filed, shall constitute a default by LESSEE hereunder. LESSEE shall save LESSOR harmless from all legal costs and charges, including attorney's fees, reasonably incurred in and about the defense and/or prosecution of any

suit or proceeding in discharging the said premises, or any part thereof, from any lien caused by LESSEE.

(8) **MOORINGS and DOCK:** LESSEE may separately lease and occupy any available moorings in Salt Run near the Leased Premises on an as-needed basis under the same terms and conditions as are generally available to the public. LESSEE shall be allowed to design, permit and construct a dock on the Leased Premises and upon the submerged lands owned by LESSOR in Salt Run located adjacent to the Leased Premises (the "Dock"), at LESSEE's sole expense. The configuration of the Dock will be as depicted on **Exhibit "A"** attached hereto and incorporated herein by this reference (the "Dock Plans"). The Dock Plans provide for construction of the Dock in the same location as a prior dock that served the Leased Premises. The Dock must be approved and constructed pursuant to the requirements of applicable municipal codes and City permits. The pier for the Dock must be constructed within the footprint of the existing/former dock that served the Leased Premises for years. The Dock will also include a floating platform to be used for launching vessels. Failure to timely permit and construct the Dock shall constitute a default by LESSEE unless LESSEE can otherwise fulfill the terms of the deed for its intended purpose, as further described in paragraph 23(ii)(a). In the event the Dock is damaged or destroyed, LESSEE may, but shall have no obligation to, repair or reconstruct the Dock. In such event, LESSEE shall be permitted to continue the Lease, provided LESSEE can otherwise fulfill the terms of the deed for its intended purpose, as further described in paragraph 23(ii)(a). No Sailing Center member or guest, or any third party, may moor his or her boat at the Dock overnight.

(9) **INDEMNIFICATION:** LESSEE agrees, to the extent allowed by law and except and to the extent caused by the LESSOR'S gross negligence or intentional misconduct, to protect, defend, reimburse, indemnify and hold the LESSOR, its agents, employees and officers and each of them forever, free and harmless at all times from and against any and all claims, liability, expenses, losses, costs, fines and damages, including reasonable attorney fees, and causes of action of every kind and character by reason of any damage to property, or the environment, including, without limitation, any contamination of the Leased Premises, such as the soil or storm water, or by fuel, gas,

chemicals or any hazardous substances, or bodily injury, including death, incurred or sustained by any party to this Lease, any agent or employee of any party to this Lease or any other person or any governmental agency arising out of or incident to or in connection with the LESSEE'S performance under this Lease, the LESSEE'S use or occupancy of the Leased Premises, the LESSEE'S acts, omissions or operations hereunder or the performance, non-performance or purported performance of this Lease or any breach of the terms of this Lease. LESSEE recognizes the broad nature of this indemnification and hold harmless clause and voluntarily makes this covenant and expressly acknowledges the receipt of such good and valuable consideration provided by the LESSOR in support of this indemnification in accordance with laws of the State of Florida. This clause shall survive the termination of this Lease. Compliance with the insurance requirements described in paragraph 10, below, shall not relieve the LESSEE of its liability or obligation to indemnify the LESSOR as set forth in this paragraph. Notwithstanding anything to the contrary in the foregoing or within this Lease, the LESSOR shall not relinquish or waive any of its rights as a sovereign local government and the LESSOR reserves all rights and defenses under applicable sovereign immunity law.

(10) **HOLD HARMLESS; INSURANCE:** LESSEE agrees that LESSEE will at all times indemnify and save and keep LESSOR harmless from any and all claims for damage and liability to persons or property occasioned, either directly or indirectly, by the use and occupancy of the Leased Premises by the LESSEE and the LESSEE'S invitees, guests, agents and employees, including any court costs and attorney's fees, including any appeals, and shall defend the LESSOR against any such claims. LESSEE, at LESSEE'S expense, shall provide policies of insurance generally known as public liability and property damage insurance and/or "Owner's Landlord and Tenant Insurance" insuring LESSOR and LESSEE against all claims and demands made by any persons whomsoever for injuries of any type and/or kind to persons or property incurred in connection with the operation and/or maintenance of the Leased Premises in a coverage amount of not less than $1,000,000 for each occurrence for damages to persons or property and $500,000 for damages to the Leased Premises. **LESSEE shall obtain and deliver to LESSOR prior to or at commencement of this Lease a**

copy of the original policy showing the LESSOR as a named insured along with a corresponding certificate of insurance and thereafter shall provide copies of all renewals of said policy. Failure to so provide such a policy or renewals shall constitute a default hereunder. The LESSEE also shall provide to the LESSOR proof of current Worker's Compensation coverage to the extent such coverage is required by law.

(11) **NO WAIVER OF SOVEREIGN IMMUNITY:** Nothing in this Agreement shall be construed as a waiver of sovereign immunity beyond that provided in Section 768.28, Florida Statutes, nor shall anything in this Agreement be construed as increasing the limits of the sovereign immunity of the LESSOR as provided in Section 768.28, Florida Statutes.

(12) **USE CONDITIONS:** LESSEE shall not perform nor shall LESSEE permit anyone to perform any unlawful acts on said Leased Premises nor shall LESSEE permit or suffer any noise, disturbance, or nuisance on said Leased Premises detrimental to or annoying to LESSEE'S neighbors. LESSEE shall use the Leased Premises for the purpose of operating the Sailing Center. LESSEE shall open Leased Premises for the transaction of business and maintain an occupancy consistent with the established Fire Marshall maximum. The LESSEE's hours of operation will be from sunrise to sunset daily, with the exception of the months of October through March, which will allow operations for an additional hour after sunset. LESSEE will not nor will LESSEE allow any person to reside in the Leased Premises, however, LESSEE will be permitted to have security personnel on the Leased Premises overnight. LESSEE will use the primary building existing on the Leased Premises as part of the sailing center. LESSEE will construct certain improvements within the Leased Premises around the existing building, including a driveway, parent pick-up/drop off area, parking area, landscaping, an observation platform open only during daylight hours, and other improvements, as depicted on **Exhibit "B"** attached hereto and incorporated herein by this reference (the "Site Plan"). The primary structure currently located on the Leased Premises may not be expanded beyond its current footprint, and any expansion of the existing building or new structure shall be no taller than twenty (20) feet. The architecture of any expanded structure or new building on the Leased Premises shall be consistent with the architecture of structures in the Lighthouse Park neighborhood and shall be subject to

review by LESSOR'S staff. Where possible, night-time lighting shall be "dark-sky" friendly, exceptions may be made for safety or security purposes.

(13) **SPECIAL CONDITIONS:** LESSOR acknowledges and agrees that its deed to the Leased Premises and this Lease is conditioned upon LESSOR successfully amending its Future Land Use Map (FLUM) and rezoning the Leased Premises to a FLUM and zoning category that would permit the use of the Leased Premises for a not-for-profit sailing center. LESSOR further acknowledges and agrees that pursuant to the terms of that deed, LESSOR will cooperate in good faith with LESSEE to process and conduct all required hearings necessary in establishing the Sailing Center on the Leased Premises. LESSOR is required to hold quasi-judicial hearings to approve or disapprove any zoning code determination, and base its decision on competent, substantial evidence in the record. The terms of this Lease are not intended to create contract zoning, nor to promise a particular outcome of those hearings.

LESSEE acknowledges and agrees that its use of the Leased Premises is limited to those related to the operation of the Sailing Center, and that the Leased Premises are not a Special Event Venue as described in the municipal code. Furthermore, LESSEE shall not seek to use the Leased Premises as a Special Event Venue, a restaurant or bar, or any other more intensive use than contemplated for the not-for-profit sailing center. Parking for the Leased Premises is limited to on-site parking only, and LESSEE and LESSEE'S invitees are not permitted to park on adjacent property or right-of-way. LESSEE acknowledges and agrees that it shall maintain the public access of Carver Street East opened and unobstructed through the Leased Premises.

LESSEE shall store its vessels, other watercraft, and related equipment in a neat and appropriate manner such as on storage racks, tied up to or on the docks, or attached to a mooring ball. LESSEE shall not be permitted to store its vessels, other watercraft and related equipment directly on the ground or in a way that is not organized and becomes unsightly. In the event of a named storm, however, LESSEE shall be permitted to move all its sailing and boating vessels and equipment onto the Leased Premises and secure them in any way possible until such time as the named storm

passes. Following the named storm, LESSEE shall have a reasonable time to place such vessels and equipment in their customary storage locations.

LESSEE shall not be permitted to:

(a) Use said Leased Premises in any manner that will obstruct or interfere with the public access of Carver Street East, or encroach on the walks or approaches to said Leased Premises.

(b) Use the Dock for overnight docking or storing of vessels not owned or leased by the LESSOR or successors or assigns pursuant to paragraph 30 hereof.

(c) Store more than 50 vessels on the Leased Premises and Dock.

(d) Schedule any class or combination of simultaneous classes that, in combination, exceed 50 participants.

(e) Make or suffer any waste or unlawful, improper or offensive use of said Leased Premises or any use of which the LESSOR disapproves.

(f) Sell, serve, consume, allow the consumption of, or otherwise dispose of on said Leased Premises any intoxicating beverages of any type. Alcohol is prohibited on the Leased Premises.

(g) Hold or conduct any type of auction sales on said Leased Premises.

(h) Occupy the Leased Premises without obtaining all required city, county, and state licenses.

(i) Violate any of the Use Conditions found at paragraphs 12 and 13.

LESSOR reserves the right to require LESSEE to remove any item either stored, displayed, or for sale, or to conform its use to the Use Conditions, that LESSOR finds is objectionable or not compatible with the use of the Leased Premises. Upon written notification to LESSEE by LESSOR, the objectionable item(s) or Use Conditions violations will be immediately cured, with no recourse by LESSEE. Failure to comply constitutes a default hereunder and will result in termination of this Lease.

(14) **INSPECTION AND REPAIRS:**

(a) LESSOR and LESSOR'S agents shall have the right to make such inspection of the Leased Premises as LESSOR may from time to time desire, such inspection to be at reasonable times.

(b) If LESSOR or LESSOR'S agents find that the Leased Premises are not in good order and repair and in order to protect and preserve said Leased Premises, LESSOR may serve written notice upon LESSEE notifying LESSEE to make the desired repairs within fifteen (15) days after receipt of said notice. Upon the failure of LESSEE to make all such repairs within said fifteen (15) days, LESSOR may enter upon the Leased Premises and make repairs at LESSEE'S expense, and the costs of same shall be due and payable to LESSOR upon written demand. Failure to immediately pay for repairs made by LESSOR at LESSEE'S expense shall constitute a default hereunder.

In the event the building in which the Leased Premises is located is tented for termite infestation, LESSEE will be given thirty (30) days written notice and will vacate the Leased Premises within the thirty (30) days and will not return to the Leased Premises until notified by LESSOR and will hold LESSOR harmless for any loss of business or damage to LESSEE'S equipment, merchandise or property incurred as a result of the vacation of the Leased Premises or the tenting and treatment process.

(15) **SIGNS, ADVERTISING AND OTHER ITEMS:** No interior or exterior window signs, advertising, painting on the interior or exterior of the building or painting on the interior or exterior of the windows of the Leased Premises shall be permitted without the prior written approval of the LESSOR. Any such signs, advertising or painting shall conform to all existing laws and ordinances, including the Code of the City of St. Augustine relating to zoning. Except for vessels stored consistent with the terms of paragraph 13 herein and the placement of picnic tables, benches, chairs and other outdoor furniture related to the not-for-profit sailing center, LESSEE shall not place any other items, fixtures, merchandise or other items of any description at any location other than inside the Leased Premises.

(16) **ALTERATIONS, REPAIRS:** LESSEE shall not make changes in or to the interior or exterior of the Leased Premises without prior written consent of LESSOR. Any approved changes, additions, alterations, improvements, or repairs shall be made at the sole cost of LESSEE. Any such changes, additions, alterations, improvements, or repairs shall immediately become part of the realty and the property of LESSOR and shall remain upon said Leased Premises and be surrendered therewith upon expiration

or other termination of this Lease without any reimbursement being due LESSEE therefore, except for free-standing items not secured to the ceiling, walls, or floor.

(17) **ITEMS FURNISHED BY LESSEE:** LESSEE will furnish all equipment, fixtures, furnishings, supplies, housewares, decoration, floor coverings, drapes (all drapes will be lined with white material as approved by the LESSOR) and all other items as necessary to operate LESSEE'S not-for-profit sailing center on the Leased Premises. Items furnished by LESSEE under this paragraph shall remain the property of LESSEE and may be removed upon vacation by LESSEE.

(18) **ABANDONED PROPERTY:** BY SIGNING THIS LEASE, THE LESSEE AGREES THAT UPON SURRENDER OR ABANDONMENT, AS DEFINED BY FLORIDA STATUTES, THE LESSOR SHALL NOT BE LIABLE OR RESPONSIBLE FOR STORAGE OR DISPOSITION OF THE LESSEE'S PERSONAL PROPERTY AND MAY EXERCISE ALL RIGHTS OF A LESSOR AS PROVIDED BY FLORIDA LAW REGARDING DISPOSITION OF ABANDONED PROPERTY.

(19) **ASSIGNING AND SUBLETTING:**

(a) LESSEE shall not assign said Lease, or any part thereof, or mortgage this Lease or any interest therein, or, if LESSEE is a corporation, LESSEE'S shareholders shall not transfer a majority interest in the company to any party or parties other than the St. Augustine Yacht Club Foundation, Inc., a Florida not-for-profit corporation or the St. Augustine Yacht Club Sailing Center, Inc. a Florida not-for-profit corporation, except upon the prior written approval of LESSOR, which approval shall not be unreasonably withheld.

(b) Subleasing of the Leased Premises is strictly prohibited under this Lease. Any subleasing of the Leased Premises will be considered a violation of the Lease and considered a default for purposes of paragraph 23 on this Lease.

(c) Subleasing of slips on the Dock for mooring of vessels not involved in the operation of the Sailing Center is strictly prohibited under this Lease.

(20) **FORCE MAJEURE:** In the event the Leased Premises shall be damaged or rendered untenantable in whole or in part as a result of the consequences of fire or

other casualty, including all weather events and acts of God, during the term hereof, LESSEE at LESSEE'S option shall:

(a) Restore same to tenantable condition within a reasonable period, consistent with paragraph 23 section (ii) (d) herein; or

(b) Concur that Lessee cannot meet the deed condition and terminate this Lease without liability of any kind to LESSEE.

(21) **COVENANT TO OCCUPY:** LESSEE hereby covenants and agrees to continue in occupancy of said Leased Premises for the Sailing Center consistent with the terms of the Deed, and to pay the Rent as agreed during the entire Term of the Lease and hereby expressly covenants to be and remain liable for all damages sustained by LESSOR by virtue of the LESSEE'S failure to continue occupancy of said Leased Premises and failure to pay the Rent as required.

(22) **RESPONSIBILITY FOR DAMAGE TO CONTENTS:** LESSEE covenants and agrees to assume full responsibility for all damage to the personal property and contents of the Leased Premises, whether such personal property is owned by LESSEE or in possession of LESSEE, and agrees to hold LESSOR harmless for any damage to said personal property and contents from any cause whatever. LESSEE shall be responsible for all costs necessary to procure and maintain insurance coverage for the personal property and contents.

(23) **DEFAULT:**

(i) Rent: If the Rent herein reserved for LESSOR, or any part thereof, or any other moneys due LESSOR hereunder, shall not be paid when due or should LESSEE be in default under any other provision of this Lease and should remain in default after written notice to LESSEE of said non-payment or for other default, then in such event LESSOR, without further notice, may at any time thereafter:

(a) Terminate this Lease, reenter the Leased Premises and hold LESSEE liable in damages; or

(b) Reenter the Leased Premises and rent same, with or without the fixtures, furniture and equipment that may be therein, for the account of LESSEE, at such price and on such terms and for such duration of time as LESSOR may determine

and shall receive the rent, applying same to the payment of rent or other moneys due hereunder, and LESSEE shall be liable for any deficiency incurred; or

(c) Utilize any and all other remedies now or hereafter existing under the common and statutory laws of the State of Florida. All remedies granted hereunder are deemed cumulative and not exclusive.

(d) Use the Leased Premises consistent with the term of the deed.

(ii) Special conditions: If LESSOR is unable to modify its FLUM or zoning district to allow the use of the Leased Premises for the intended purpose of the Sailing Center, then this Lease shall automatically terminate, and the Leased Premises shall revert to its Grantor consistent with the terms of the deed. If LESSOR does modify its FLUM and zoning district to allow the use of the Leased Premises for the Sailing Center, then the following additional conditions apply:

(a) LESSEE must continuously occupy the Leased Premises for its intended purpose of the Sailing Center. The primary activity on site will be instructional sailing recreation.

(b) In order to allow for the necessary transition and rehabilitation of the site, as well as, to provide for operational restructuring, staffing, and program implementation, LESSEE will have one calendar year from the date of the final order rezoning the Leased Premises to engage in the primary activity on site. After this initial period, LESSEE must continuously maintain operations consistent with the primary activity on site, the use of the property, and the covenant to occupy described herein.

(c) If LESSOR has actual knowledge, information, documents, or facts demonstrating that LESSEE has breached the conditions found in paragraph 23 subsection (ii) (a) and (b) herein, LESSOR will serve written notice upon LESSEE notifying LESSEE of the breach. LESSEE shall have a right to cure the breach within sixty (60) days after receipt of said notice. Upon the failure of LESSEE to cure the breach within said sixty (60) days, LESSOR may enter upon the Leased Premises, retake management and control of the Leased Premises and shall convert the sailing center into a passive park consistent with the terms of the deed.

(d) If the breach described in paragraph 23 subsection (ii) (b) occurs as a result of a force majeure event, LESSOR and LESSEE will cooperate in good faith

to define a reasonably attainable timetable with appropriate benchmarks for LESSOR'S cure and compliance with the terms of this agreement. If LESSEE is unable or unwilling to cure, the terms of paragraph 20 subsection (b) shall apply.

(24) **LESSEE'S CANCELLATION RIGHT:** Provided no event of default exists when LESSEE delivers the Cancellation Notice, LESSEE may cancel the Lease upon thirty (30) days' notice to LESSOR, by delivering to LESSOR written notice thereof. Voluntary cancellation by LESSEE shall operate as a concurrence by LESSEE that LESSEE cannot meet the deed condition and terminate this Lease without liability of any kind to LESSEE.

(25) **ATTORNEY'S FEES AND COURT COSTS:** In the event LESSOR incurs any expense in collecting any sum of money due under this Lease for Rent or otherwise, in the event the LESSOR shall bring legal action for the purpose of evicting or ejecting LESSEE from the Leased Premises or if the LESSOR shall bring legal action for the purpose of enforcing performance by LESSEE of any of the several agreements, conditions and covenants contained herein, LESSEE, should the LESSOR prevail in such legal action, covenants and agrees to pay to LESSOR all such expenses and all expenses and costs of litigation, including any appeals, and including a reasonable attorney's fee for LESSOR'S attorney.

(26) **CHOICE OF LAW; VENUE:** This Lease shall be interpreted according to the laws of the State of Florida, and venue for any action regarding this Lease shall lie in a court of competent jurisdiction located in St. Johns County, Florida.

(27) **LEASE NOT RECORDABLE:** This Lease shall not be recorded in the public records of St. Johns County, Florida, and in the event that such Lease is recorded contrary to this provision, the Lease shall terminate, and LESSEE shall be responsible for all attorney's fees and court costs incurred by LESSOR in removing said Lease from said public records.

(28) **NOTICES:** Any notices called for hereunder that are required to be delivered to LESSOR shall be mail to LESSOR, postage prepaid, certified mail, return receipt requested, at the following address:

CITY OF ST. AUGUSTINE
GENERAL SERVICES DEPARTMENT
ATTN: TIMOTHY FLEMING
P.O. BOX 210
ST. AUGUSTINE, FLORIDA 32085-0210

For purposes of any notices or correspondence to LESSEE, LESSOR shall mail same, postage prepaid, certified mail, return receipt requested, to the following address:

ST. AUGUSTINE YACHT CLUB, INC.
442 OCEAN VISTA AVENUE
ST. AUGUSTINE, FLORIDA 32080

(29) **NO DISCRIMINATION:** The LESSEE shall not discriminate against employees, applicants for employment, or the public because of age, race, religion, creed, color, handicap, national origin, marital status, or sex.

(30) **SUCCESSORS AND ASSIGNS:** The terms, covenants, conditions, provisions, and agreements contained in this Lease shall in every case apply to, be binding upon, and inure to the benefit of the parties herein and their respective successors and assigns; it being agreed, however, that no assignment in violation of the provisions of this Lease shall vest any right or title in or to this Lease or to the leasehold estate thereby created.

(31) **PARTIAL INVALIDITY:** If any term or provision of this Lease or the application thereof to any person or circumstance to any extent, shall be held invalid or unenforceable, the remainder of this Lease shall not be affected thereby, and all other terms or provisions of this Lease shall be deemed valid and enforceable to the extent permitted by law.

(32) **NON-WAIVER:** No waiver or any covenants or condition of this Lease by either party shall be deemed to imply or constitute a further waiver of the same covenants or condition or any other covenants or condition of this Lease.

(33) **ENTIRE AGREEMENT:** This Lease is the entire agreement between the parties, and no amendment or modification to this Lease shall be effective unless made

in writing and signed by all parties and approved by the City of St. Augustine Commission.

.....

IN WITNESS WHEREOF, LESSOR has caused this Lease to be executed in its name by its duly authorized officers, and its corporate seal to be hereunto fixed, and LESSEE has hereunto set his hand and seal, this _____ day of _____, 2022.

"LESSOR"

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

ATTEST:

_____
Darlene Galambos, City Clerk

(SEAL)

BY:_____
John P. Regan, City Manager

** * * **SIGNATURES CONTINUE ON THE FOLLOWING PAGE** * * **

"LESSEE"

ST. AUGUSTINE YACHT CLUB, INC.

Signed, sealed, and delivered
in the presence of:

_____
Witness

Print Name:_____

_____
Witness

BY:_____

Print Name:_____

Its:_____

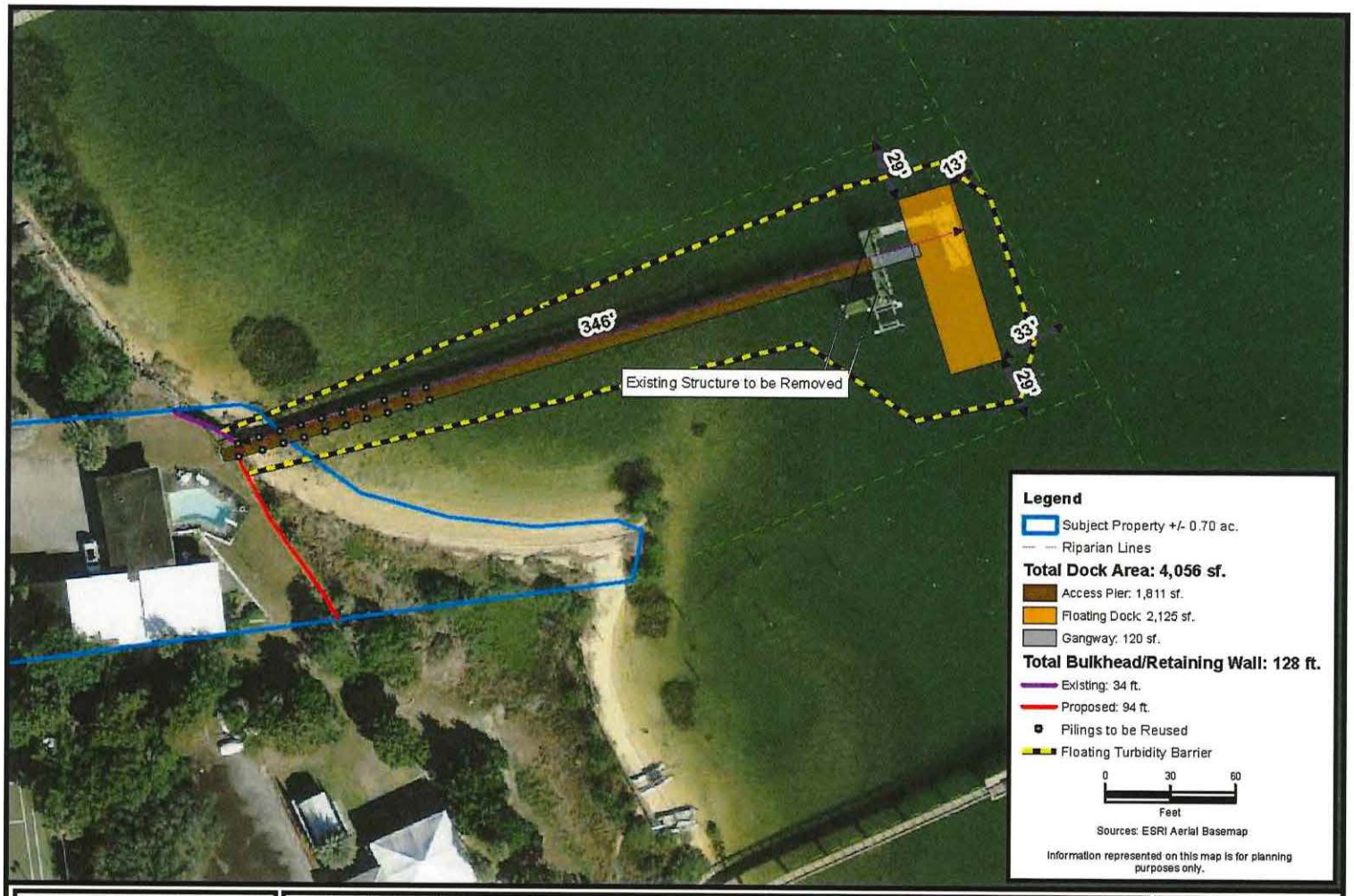
Print Name:_____

.....

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
_____
Isabelle C. Lopez, City Attorney

EXHIBIT "A"

Dock Plans

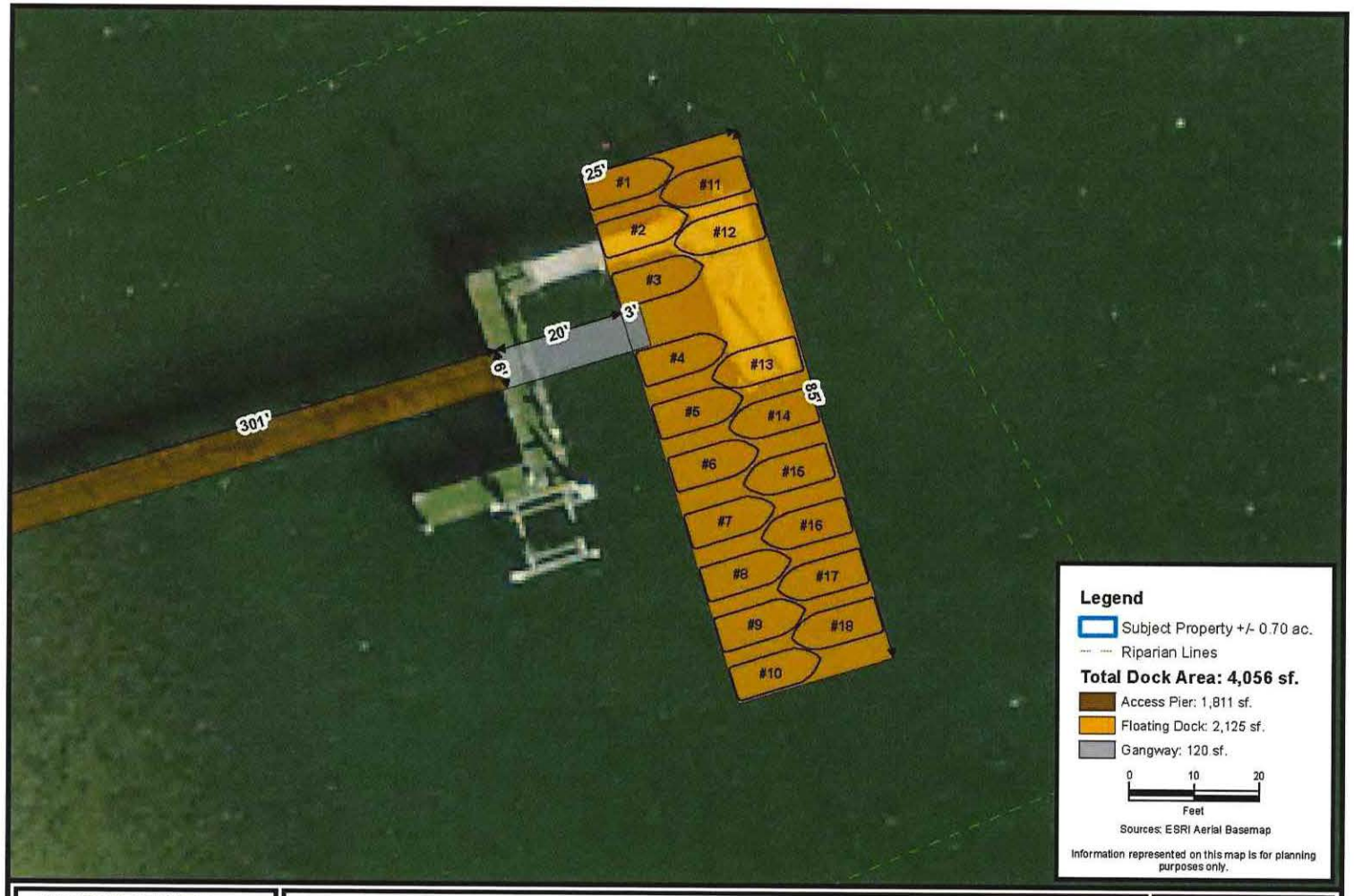


CARTER ENVIRONMENTAL SERVICES, INC.
CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

Proposed Dock Alignment

St. Augustine Yacht Club – Youth Sailing Center

Project: 5.19359	St. Augustine, St. Johns County, FL	Date: Mar 12 2021	Figure: 4



CARTER ENVIRONMENTAL SERVICES, INC.
CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

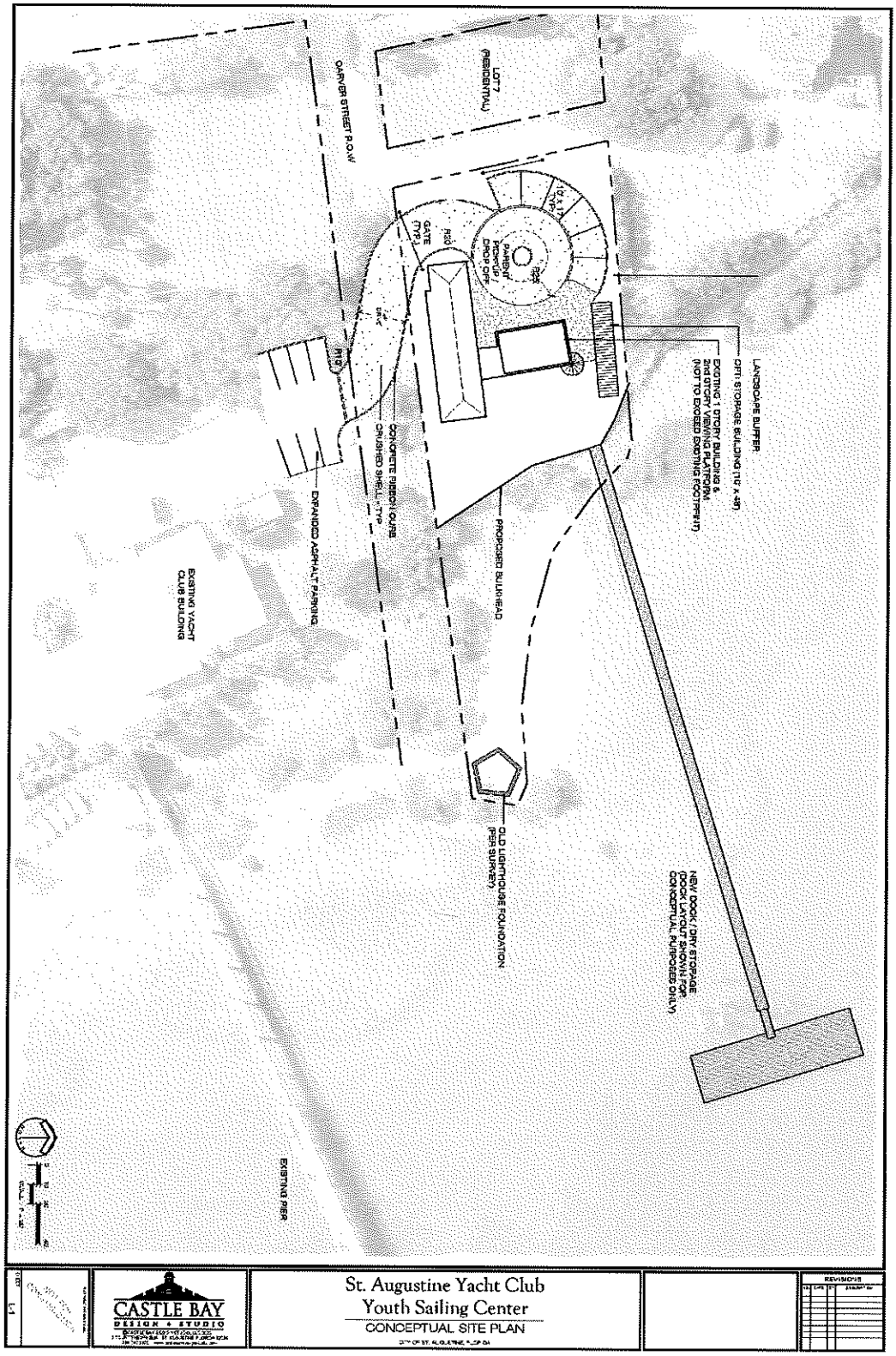
Proposed Dock Dimensions

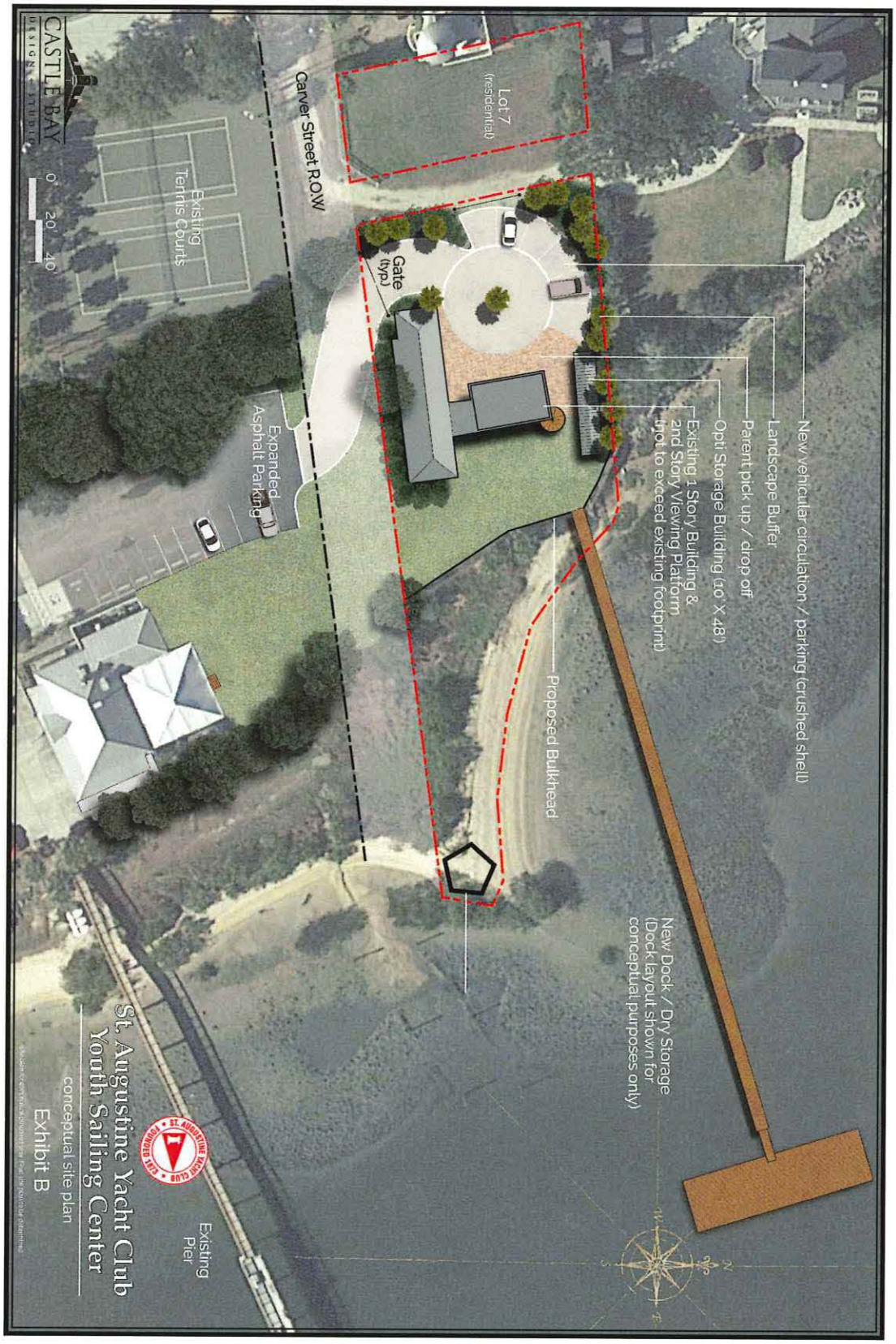
St. Augustine Yacht Club – Youth Sailing Center

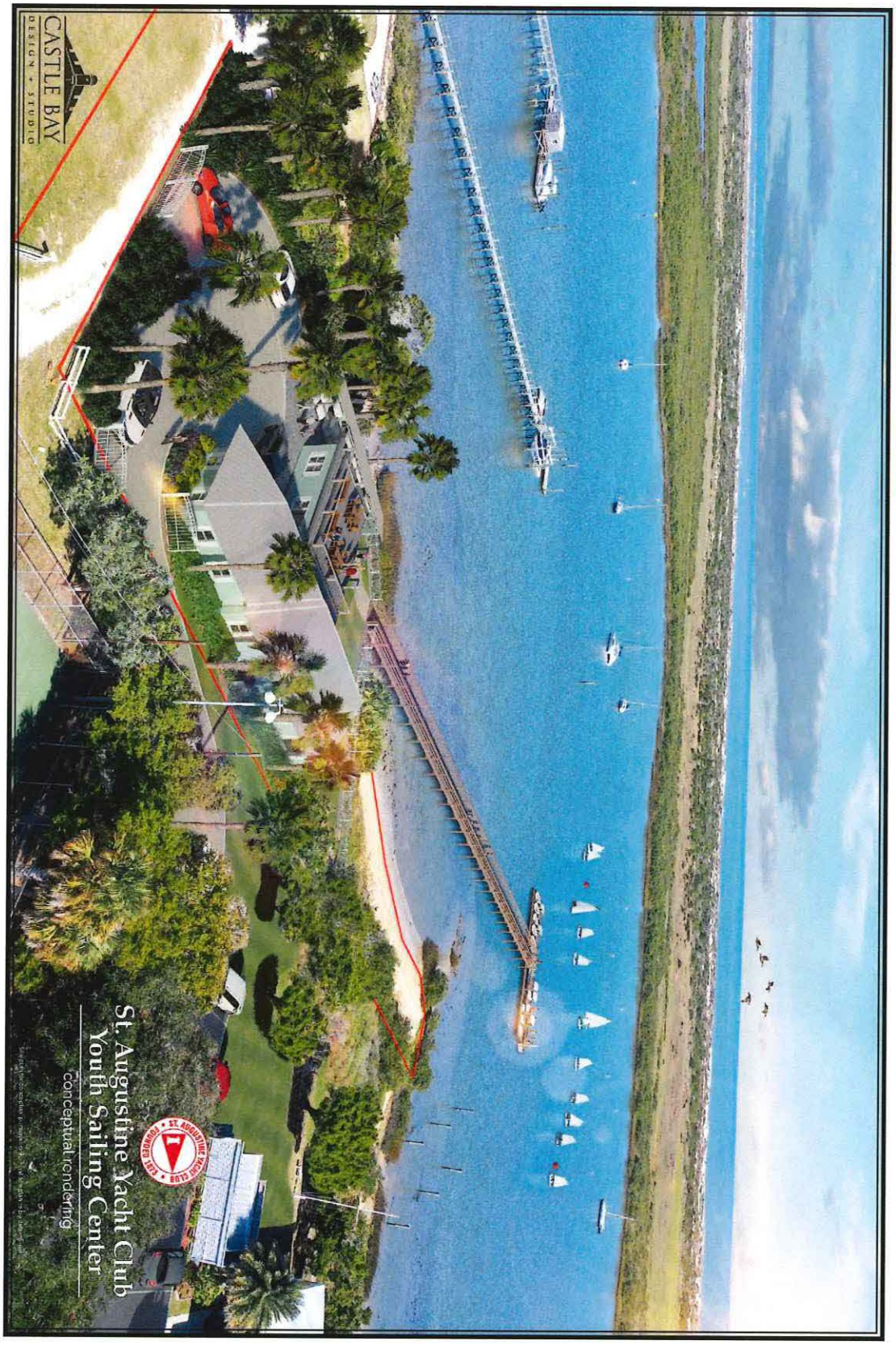
Project:	5.19359	St. Augustine, St. Johns County, FL	Date: Mar 05 2021	Figure:	5

EXHIBIT "B"

Site Plan




New vehicular circulation / parking (crushed shell)
Landscape Buffer
Parent pick up / drop off
Opt Storage Building (10' X 48')
Existing 1 Story Building &
2nd Story Viewing Platform
(not to exceed existing footprint)
Proposed Bulkhead
New Dock / Dry Storage
(Dock layout shown for
conceptual purposes only)
Existing
Pier
Lot 7
(residential)
Gate
(typ.)
Carver Street R.O.W
Existing
Tennis Courts
Expanded
Asphalt Parking
CASTLE BAY
DESIGN STUDIO
0' 20' 40'
St. Augustine Yacht Club
Youth Sailing Center
conceptual site plan
Exhibit B


CASTLE BAY
DESIGN + STUDIO
St. Augustine Yacht Club
Youth Sailing Center
conceptual rendering
ST. AUGUSTINE YACHT CLUB
FOUNDED 1880

** Item 9.B.1. moved to this section of the agenda*

9.B.1. Resolution 2022-25: Initial proposed millage rate for fiscal year 2023 budget. (Mark Simpson, Director Finance).

Mark Simpson, Director of Finance. reviewed the Resolution. He reminded the Commission that the millage rate was discussed at 3:00 P.M. Special Meeting and established it at 7.5 mills representing an increase of approximately 13.35% over the rolled back rate calculated at 6.6168 mills and would generate the same amount of tax from previous year.

MOTION

Commissioner Blonder MOVED to pass Resolution 2022-25. The motion was SECONDED by Commissioner Sikes-Kline.

VOTE ON MOTION:
AYES: Blonder, Sikes-Kline, Valdes, Upchurch
NAYES: None
MOTION APPROVED UNANIMOUSLY

6. Appeals

(None)

7. General Public Presentations, Items of Great Public Importance, and Other Items Requiring Public Hearings

7.A. General Public Presentations

7.A.1. [1] St. Augustine Yacht Club Sailing Center - Final Action Concerning the Lease and the Warranty Deed to 110 Carver Street East. (D. Birchim, Assistant City Manager)

Mr. Birchim stated that the property owner of 110 Carver Street East had offered the property to the City in exchange for a 99-year lease with the Yacht Club for a sailing center. He noted the proposal had been before the Commission for review on November 8th, 2021, and the Commission directed staff to gather more community input before a decision was made. Mr. Birchim stated the warranty deed and lease were being presented.

Mr. Birchim read Commissioner Horvath's prepared remarks. [2]

Mayor Upchurch opened Public Comment.

Dr. Paris stated that four years ago, he and his wife came before the Commission to offer the City a valuable waterfront property on Carver Street, adjacent to the St. Augustine Yacht Club so the City could lease the property to the Yacht Club to enhance, and make safer, its Youth Sailing Center. He stated that legal issues had been resolved and objections from neighbors had been heard at community meetings. He said all reasonable requests have been accommodated. He shared the property would include a learning center away from the Club's lounge and removed launching and retrieving of boats from the current boat ramp. He asked the Commission to approve receipt of the property and lease.

Justin Muller, Commodore of the St. Augustine Yacht Club, and a lifelong sailor expressed his desire to complete the project and move forward. He stated changes had been made to the draft lease based on consultation with the community and were intended to make the lease more restrictive. He reviewed the following changes:

Section 1: after the sentence beginning on the 6th line of 1st paragraph they would add the following: adults were people over 18 years of age and insert another sentence that read: adults must be residents of, or attend school in St. Johns County, Florida.

[1] Agenda Item 7.B.1. amended to become item 7.A.1.

[2] Commissioner Horvath's letter attached to original minutes

Section 12: on page 6 they would change the term Roof Top Deck to Roof Top Observation Platform.

Section 13: they would add an Item J to read that the Roof Top Observation Platform may only be occupied during daylight hours.

Mr. Muller shared the topic of Special Use Alcohol permitting had been intended for fundraising events and based on concerns heard they would restrict this use as follows:

Section 13, Item F would be changed to: sell, serve, consume, allow the consumption of, or otherwise dispose of said leased properties any intoxicating beverages of any type.

Marissa Burrier, Youth Sailing Director of the St. Augustine Yacht Club stated since 2019, she had seen 700 kids learn how to sail and over 1,200 kids total since 2012. She shared the following safety concerns:

- Launching from the beach during high tide since there were oysters and fishing lines around the launch space
- During low tide, the boat ramp possessed dangers such as high speed propellors and boat captains who were belligerent, and inexperienced.
- An average of two safety incidents each season and they now required an adult at the ramp and had cancelled weekly events where parents watched the skills their kids have learned.

Ms. Burrier stated the proposed sailing center would address those issues. She shared the kids became the next generation of instructors and many of them took on leadership roles within the program and went through extensive safety training and the U.S. Sailing Certification process.

The Commission hard from the following members of the public:

Sue Steger
Ethan Snyder
Sophia Masse
Cindy Wasserbauer
Jon Hodgin
Susan Hill
Bruce Butler
Alison Daniels Butler
Desmond Valdes III
Taylor Pelchat
Andrew Tyler
James Rohrbaugh
Roger Bansemer
Maureen Long
James Long
Chuck Meide
Brent Nettles
Melinda Rakoncay
Joan Szkutak
Ellen Avery-Smith
Adam Pulka
Marissa Burrier
B. J. Kalaidi
Tyrone Bennett
Debbie Wicker
Roy Jaeger

Public comment was closed.

Commissioner Sikes-Kline stated she appreciated the changes and noted outstanding issues for the neighbors include impact to the maritime archeologic site, addition of an educational component, observation deck, height limit, and daylight hours of operation. She requested further conversation about observation deck and height.

Mr. Birchim stated the height would be measured from the railing so the peak of the roof would be at 16-feet, it would be measured from grade, and if there was a deck, it would require a 4-foot railing.

Commissioner Valdes suggested the size of the dock head would keep boats and kids off the wetlands and mangroves and stated he supported an observation deck.

Mayor Upchurch stated if the property remained a residential single-family unit, it would be 35-foot tall and there were two tall structures just to the west of the site.

Commissioner Blonder said she would like the lease to explicitly prohibit alcohol use, add perimeters on the percentage of youth vs. adult receiving instruction and change the hours of operation.

The Commission discussed concerns and options on the program's hours of operation.

Mayor Upchurch asked about the reverter language and stated the intent of the Commission, if the property was not used as a sailing center, would become a passive park for the City of St. Augustine.

Attorney Lopez confirmed this provision in the draft language of the deed. She went on to read the following section:

Grantee may only use the land, structures, and fixtures there on for the purpose of a sailing center operated by the St. Augustine Yacht Club as a not-for-profit corporation, should the St. Augustine Yacht Club or its' not for profit corporation be unable or unwilling to continue the operations of the sailing center in the future, grantee may use the land for the purposes of a passive park.

Ms. Smith, a representative of Yacht Club clarified the deed language states that in the event the city of St. Augustine did not change the land use and zoning of the property to allow a sailing center, it would revert to Dr. Paris to use for single family residential purposes.

MOTION

Mayor Upchurch MOVED to approve the lease as drafted with the following changes:

- **Hours of operation for winter months defined as October – March and would be sunrise to one hour past sunset; summer operating hours would be sunrise to sunset.**
- **Youth to adult student ratio would be 80/20; adults were people over the age of 18 and must be residents of, or attend a school in St. Johns County, Florida.**
- **The term Roof Top Deck would be changed to Roof Top Observation Platform and can only be occupied during daylight hours.**
- **No sale, use or consumption of any alcohol on the property.**
- **Reverter language would be removed.**
- **The Submerged land lease would come back to the Commission for final approval.**

The motion was SECONDED by Commissioner Blonder.

VOTE ON MOTION:
AYES: Upchurch, Blonder, Valdes, Sikes-Kline
NAYES: None
MOTION APPROVED UNANIMOUSLY

Mayor Upchurch acknowledged the generous gift provided by Dr. Paris, the wonderful program provided by the Yacht Club and his appreciation of City staff's work with the Yacht Club and the neighborhood.[3]

7.A.2. Richard Clark, Director of Economic Development for the Jacksonville Transportation Authority will give a presentation on commuter rail in St. Augustine. (D. Birchim, Assistant City Manager)[4]

Presentation Link:
First Coast Commuter Rail (arcgis.com)

[3] Brief recess from 7:10 P.M. until 7:20 P.M.
[4] Agenda Item amended to become Item 7.A.2.

A MAP SHOWING A BOUNDARY SURVEY AND MEAN HIGH WATER LINE SURVEY

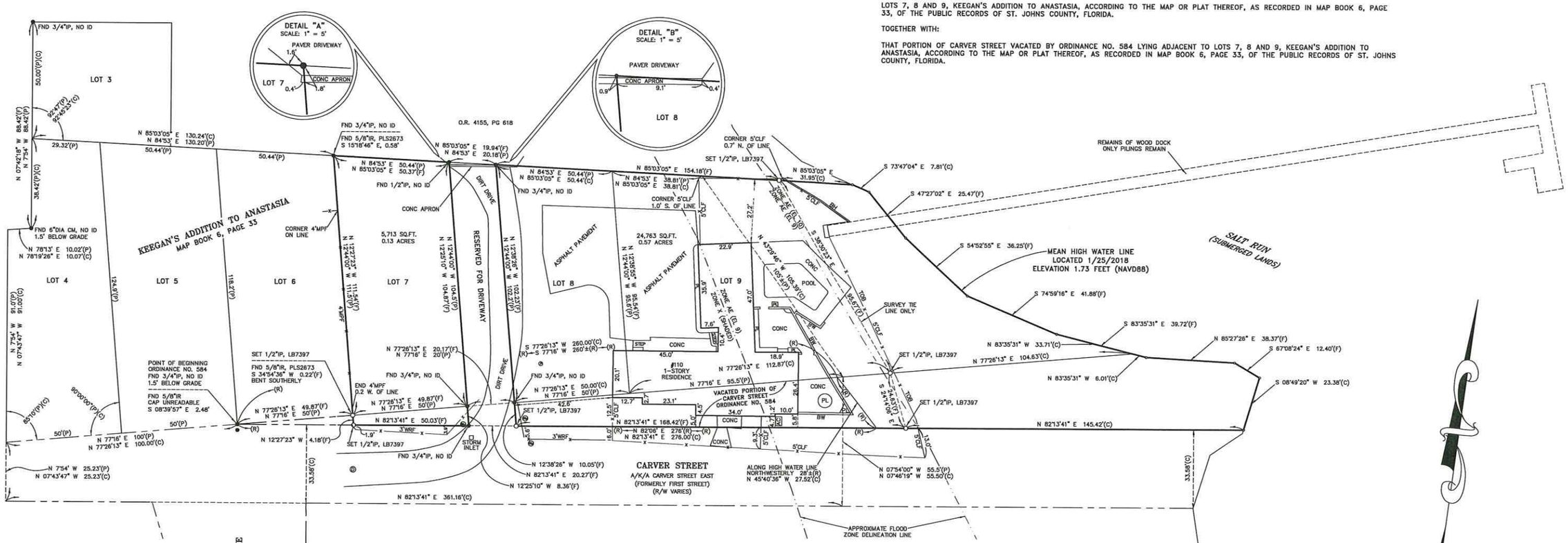
LYING IN
GOVERNMENT LOT 2, SECTION 21, TOWNSHIP 7 SOUTH, RANGE 30 EAST
CITY OF SAINT AUGUSTINE
SAINT JOHNS COUNTY, FLORIDA

DESCRIPTION

LOTS 7, 8 AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 6, PAGE 33, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

TOGETHER WITH:

THAT PORTION OF CARVER STREET VACATED BY ORDINANCE NO. 584 LYING ADJACENT TO LOTS 7, 8 AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 6, PAGE 33, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.



LEGEND

(C) ..... CALCULATED
(F) ..... FIELD MEASURED
(P) ..... PLAT INFORMATION
(R) ..... ORDINANCE 584 INFORMATION
AC ..... AIR CONDITIONER
BH ..... WOOD BULKHEAD
BW ..... BLOCK WALL
CLF ..... CHAIN LINK FENCE
CM ..... CONCRETE MONUMENT
CONC ..... CONCRETE
DIA ..... DIAMETER
FND ..... FOUND
IP ..... IRON PIPE
MPF ..... METAL PICKET FENCE
NO ID ..... NO IDENTIFICATION
O.R. ..... OFFICIAL RECORDS BOOK
PAVER ..... CONCRETE PAVER
PG ..... PAGE
PL ..... PLANTER
SQ.FT. ..... SQUARE FOOT
TOB ..... TOP OF BANK
WRF ..... WOOD RAIL FENCE
Ⓦ ..... WATER METER
Ⓓ ..... STORM MANHOLE
Ⓟ ..... PROPANE TANK LID

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

GENERAL NOTES

1.) THE BEARINGS SHOWN THUS (F) & (C) ARE BASED ON THE STATE OF FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (0901 FIPS), NORTH AMERICAN DATUM OF 1983 NAD(83)-(2011)-(Epoch 2010.0000). BEARINGS ARE REFERENCED TO THE NORTHERLY RIGHT-OF-WAY LINE OF CARVER STREET. BEARING BEING NORTH 82°13'41" EAST.

2.) THE MEAN HIGH WATER LINE ELEVATION AS SHOWN HEREON WAS ESTABLISHED BY EXTENDING THE MEAN HIGH WATER LINE ELEVATION SHOWN FOR MEAN HIGH WATER INTERPOLATION POINT IDENTIFICATION NUMBER 3798.

3.) THIS MEAN HIGH WATER LINE SURVEY COMPLIES WITH CHAPTER 177, PART II, FLORIDA STATUTES.

4.) NO ATTEMPT WAS MADE TO DETERMINE THE OWNERSHIP OF SUBMERGED LANDS.

5.) THE BENCHMARK OF ORIGIN IS NATIONAL GEODETIC SURVEY (NGS) PERMANENT IDENTIFICATION NUMBER "AQ0293", DESIGNATION "F 322". HAVING AN ELEVATION OF 9.44 FEET (NAVD88).

6.) AS SCALED FROM THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER "ST. AUGUSTINE, CITY OF 125145 0318 H", MAP NUMBER 12109C0318H, REVISED SEPTEMBER 2, 2004, LANDS SHOWN HEREON LIE IN FLOOD ZONE "X (SHADED)", "AE (EL 9)" AND "AE (EL 10)".

7.) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OR SEARCH OF TITLE, AND THEREFORE THE UNDERSIGNED AND R.D. RICHARDS SURVEYING, INC., MAKE NO CERTIFICATIONS REGARDING INFORMATION SHOWN OR NOT SHOWN HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, OVERLAPS, BOUNDARY LINE DISPUTES, AGREEMENTS, RESERVATIONS OR OTHER SIMILAR MATTERS WHICH MAY APPEAR IN THE ABSTRACT, OR SEARCH OF TITLE.

8.) THERE MAY BE OTHER MATTERS, PUBLIC AND/OR PRIVATE, AFFECTING THIS PROPERTY NOT KNOWN TO THIS SURVEYOR.

9.) UNDERGROUND FOUNDATIONS, UTILITIES AND/OR IMPROVEMENTS WERE NOT LOCATED.

10.) THE INFORMATION DEPICTED HEREON REPRESENTS THE RESULT OF A SURVEY ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THE TIME.

11.) ATTENTION IS DIRECTED TO THE FACT THAT THIS DRAWING MAY HAVE BEEN REDUCED OR ENLARGED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN SCALING DATA.

12.) THIS SURVEY MEETS THE STANDARDS OF PRACTICE ADOPTED BY THE FLORIDA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

DocuSigned by:
C774B3390C6C436...

DS

ROBERT D. RICHARDS
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERT. #5790
2/1/2018 | 1:28 PM EST

FIELD FILE:	18-100_ (SURVCE)
FIELD WORK:	2/1/2018
SCALE:	1"= 20'
JOB NO.:	18-100
DRAWING:	18-100BNDY

ROBERT D. RICHARDS SURVEYING, INC.
PROFESSIONAL SURVEYING & MAPPING
8567 C. R. 13 NORTH
SAINT AUGUSTINE, FL 32092
LICENSE BUSINESS NO. 7397
PHONE: (904) 940-0721 FAX: (904) [illegible]