

**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, MARCH 25, 2019 - 5:00 PM
ALCAZAR ROOM**

1. CALL TO ORDER

- ❖ Roll Call
- ❖ Invocation and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

3.A. Proclamation 2019-03: Proclaims March as Women's History Month. (L. Freeman, Vice-Mayor).

Proclamation 2019-04: Commemorates the 70th anniversary of the St. Augustine Community Chorus. (L. Freeman, Vice-Mayor).

4. PUBLIC COMMENTS FOR GENERAL PUBLIC COMMENTS OR FOR AGENDA ITEMS NOT REQUIRING A SEPARATE PUBLIC HEARING

- ❖ **3** minutes per individual

5. CONSENT AGENDA – Modification(s); Motion to Approve

6. APPEALS

- 6.A. Appeal of Planning and Zoning Board** recommendation not to amend the zoning of 7 Bridge Street from HP-1 to PUD. (*D. Birchim, Director, Planning and Building*).

7. GENERAL PUBLIC PRESENTATIONS, ITEMS OF GREAT PUBLIC IMPORTANCE, AND OTHER ITEMS REQUIRING PUBLIC HEARINGS

(Presentations (maximum of **10** minutes per presentation). Presentations for Commission meetings must be presented to the City Manager for approval no later than ten (10) working days prior to the next City Commission meeting. A Presentation Support Services Request (available on the City's website) MUST accompany all presentations. The Form is available at:

http://www.citystaug.com/document_center/Administration/CityClerk/PresentationSupportServicesRequest04152016.pdf

- A. GENERAL PUBLIC PRESENTATIONS**
- B. ITEMS OF GREAT PUBLIC IMPORTANCE**
- C. OTHER ITEMS REQUIRING PUBLIC HEARING**

8. ORDINANCES AND RESOLUTIONS – PUBLIC HEARING REQUIRED

- A. ORDINANCES – SECOND READING**
- B. ORDINANCES – FIRST READING (*ONLY IF REQUIRED BY LAW*)**
- C. RESOLUTIONS – PUBLIC HEARING (*ONLY IF REQUIRED BY LAW*)**

- 8.C. Resolution 2019-05:** Designates property at 409 Anastasia Blvd. as a "brownfield" property pursuant to requirement by Florida statute. (*I. Lopez, City Attorney*).

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

- A. ORDINANCES – FIRST READING**

- 9.A. Ordinance 2019-05:** Updates the City's nuisance code to include defined terms, remove redundant procedures, and provide the City Manager and Building Official authority to immediately abate life safety nuisances. (*I. Lopez, City Attorney*).

B. RESOLUTIONS

- 9.B. Resolution 2019-06:** Updates the King Street Design Standards as approved by the Planning and Zoning Board. (*D. Birchim, Director, Planning and Building*).

10. STAFF REPORTS AND PRESENTATIONS

- 10.A. Executive summary** presentation regarding the City's Resiliency and Adaptation program. (*M. Cullum, Director, Public Works*).

11. ITEMS BY CITY ATTORNEY (See Consent Agenda also)

- 11.A. Sunshine, Public Records and Ethics Minute.** No Presentation. Information provided by the City Attorney's office as an on-going series to keep the Commission abreast of relevant developments.

- 11.B. 2019 Legislative Bill Tracking** information. No Presentation.

- 11.C. Discussion** regarding the passing of a property registration ordinance by St. Johns County Board of County Commissioners. (*I. Lopez, City Attorney*).

12. ITEMS BY CITY CLERK (See Consent Agenda also)

- 12.A. Request for workshop** date regarding Vacation Rental ordinance. (*D. Galambos, City Clerk*).

- 12.B. Review of applications** received to fill term expiration and vacancy on the Historic Architectural Review Board. (*D. Galambos, City Clerk*).

13. ITEMS BY CITY MANAGER (See Consent Agenda also)

14. ITEMS BY MAYOR AND COMMISSIONERS

15. ADJOURN

NOTICES: In accordance with Florida Statute 286.0105: "if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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 (TDB) or 1-800-955-8770 (V) via Florida Relay Services. ***The City of St. Augustine encourages anyone wishing to present the invocation at city commission meetings to contact the City Clerk's office, to be placed on the rotation list, and encourages people of all religious affiliations or of no religious affiliation to present a non-denominational invocation to inspire us in the work of the City Commission.

CONSENT AGENDA – MARCH 25, 2019

CA.1. PREVIEW OF UPCOMING COMMISSION MEETINGS.

- a) **THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR 2ND READING ON APRIL 8, 2019:**
- Ordinance 2019-05
- b) **REMINDER OF UPCOMING MEETINGS:**
- April 3, 2019, 1:30 p.m., Charter Review
 - April 8, 2019, 5:00, Regular Meeting
 - April 22, 2019, 5:00 p.m., Regular Meeting
 - May 2, 2019, 8:30 a.m., Mid-Year Budget Meeting

CA.2. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:

- March 4, 2019, Special Meeting

CA.3. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S): NONE.

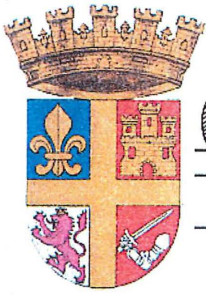
CA.4. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING). NONE.

CA.5. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: NONE.

CA.6. Updated task tracking list. (*J. Regan, City Manager*).

CA.7. Approval of License for Use of City Right-of-Way at 58 Lemon Street for the installation and maintaining landscaping. (*T. Grant, Deputy Director, Public Works*).

END OF CONSENT AGENDA



City of St. Augustine



La Lealísima y Valerosa Cuidad de San Agustín de la Florida

1565 - 2015

PROCLAMATION

Whereas, women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways, and;

Whereas, women have played and continue to play critical economic, cultural, and social role in every sphere of the life of the Nation and were particularly important in the establishment of early charitable, philanthropic, and cultural institutions and;

Whereas, The St. Johns Cultural Council will hold the tenth annual Recognizing Outstanding Women in the Arts (ROWITA) Awards Celebration on Sunday, March 31 at 3 p.m. in the Limelight Theatre;

Whereas, The Dr. Gail Pflaster ROWITA award recognizes the impact and influence women have made to the literary, visual and performing arts in St. Johns County and ; identifies women who have inspired and vitalized the arts community through their art and actions, and;

Whereas, through these and other efforts, supporting women throughout our society, recognizing that the successes of women strengthen our families, our community, our economy, and our Nation.

NOW, THEREFORE, the City Commission of the City of St. Augustine does hereby proclaim the month of March 2019, as **WOMEN'S HISORY MONTH** in St. Augustine; and recognizes the significant contributions of Outstanding Women in the Arts.

IN WITNESS WHEREOF, I hereunto set my hand and do cause the Seal of the City of St. Augustine to be affixed this 25th day of March, in the year of our Lord two thousand nineteen, and the four hundred and fifty-third year of the founding of St. Augustine, the Nation's Oldest City.

2019-03

Tracy W. Upchurch, Mayor

"Most Loyal and Valorous"

Title conferred upon the Presidio of St. Augustine by King Philip V of Spain, November 26, 1715

Dr. Gail Pflaster ROWITA Award Recipients

2019

Dorothy Barrett
Margaret Jameson
Linda McAnarney
Regina Gayle Phillips
Dr. Susanne Schuenke
Jo Sinclair

2018

Linda M Brandt
Carolyn Juliet Fisher
Deborah Dickey
Laurie Allen Klein

2017

No ceremony

2016

Elyse Brady
Manila Clough
Caren Goldman,
Jan Tomlinson Master
JoAnn Nance
Rosamond Parrish
Shirley Williams-Collins*

2015

Twila Fleming
Mary Rhopa la Cierra
Kerry Fradley
Felicia Rhoden

2014

Faith Tiberio *
Sally Ann Freeman
Margo Pope
Kathleen Vande Berg
Carolee Ackerson Bertisch
Phyllis Gibbs
Carol Gladstone
Wendy Mandel McDaniel

2013

Debbie McDade *
Mary Siess
Diane Bradley
Wendy Tatter
Patty Rang

2012

Shirley Bryce*
Sister Diane Couture
Barbara Minckley
Kay Burtin

2011

Betty Fell
Sally Walton
Mili Koger*
JoAnne Engelbert
Jean Troemel *
Georgie Altenbach

2010

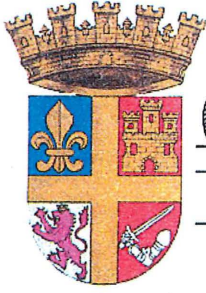
Carrie Johnson *
Luba Estes
Jan Miller
Chris Man *
Jean Rahner

2009

Emma Lee Carpenter *
Rozelyn Cole *
Eva Doolittle
Karen Harvey
Dr. Dorothy Israel
Anne Kraft
Monika Macbeth
Barbara Vickers

***Deceased**





City of St. Augustine



La Lealísima y Valerosa Cuidad de San Agustín de la Florida

1565 - 2015

PROCLAMATION

WHEREAS, the late William Dixon formed the originally named St. Augustine Choral Society in 1948, under the sponsorship of the St. Cecilia Society and has been connecting singers and sharing the joy of beautiful voices and beautiful music with the community; and

WHEREAS, The St. Augustine Community Chorus is a non-profit organization and depends on the good will of audiences and donors for support in their musical endeavors to keep the art of choral music thriving in St Augustine; and

WHEREAS, the St. Augustine Community Chorus is comprised of local and regional singers who love good music and enjoy sharing it with audiences; and

WHEREAS, the chorus traditionally presents three concerts a year: a holiday program; a mid-season program of popular music and show tunes; and a spring program featuring major choral works. The concerts are held downtown at such locations as the Cathedral Basilica, and Ancient City Baptist Church; and

WHEREAS, the St. Augustine Community Chorus celebrated its 70th season on March 8, 2019 with the Bursting With Blooms Gala held at the Riverview Club, which was a blooming spring evening of music, dinner and dancing to raise funds for the St. Augustine Community Chorus and the St. Augustine Orchestra; and

WHEREAS, with these and like concerts acknowledged the Anniversary on March 16 and 17, the St. Augustine Community Chorus endeavors to contribute to the musical enjoyment of both its community and its members.

NOW THEREFORE, the City Commission of the City of St. Augustine hereby celebrates and commemorates the St. Augustine Community Chorus 70th Anniversary, and encourages all residents to celebrate and support by participating in any scheduled activities by the St. Augustine Community Chorus.

IN WITNESS WHEREOF, I hereunto set my hand and do cause the Seal of the City of St. Augustine to be affixed this 25th day of March in the year of our Lord two thousand and nineteen, the four hundred and fifty-third year of the founding of St. Augustine, the Nation's Oldest City.

2019-04

Tracy W. Upchurch, Mayor

"Most Loyal and Valorous"

Title conferred upon the Presidio of St. Augustine by King Philip V of Spain, November 26, 1715

ITEM 6.A.
Appeal

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: March 25, 2019

RE: **Appeal of a Planning and Zoning Board Recommendation – PZB Recommended Not to Amend the Zoning of 7 Bridge Street from Historic Preservation one (HP-1) to Planned Unit Development (PUD)**

On January 8, 2019, the Planning and Zoning Board (PZB) denied an application to amend the zoning of 7 Bridge Street from Historic Preservation one (HP-1) to Planned Unit Development (PUD).

On February 7, 2019 an appeal of this PZB action to the City Commission was filed.

The Planning and Zoning Board is responsible for making formal recommendations to the City Commission concerning applications to rezone property. If the board denies a rezoning application, then the applicant must appeal that action to the City Commission.

Attached to this appeal application is a verbatim transcript of the PZB hearing, the application submitted to the PZB for the rezoning and accompanying staff report and analysis for the case and a mediated settlement agreement associated with the property that allows the property under the current HP-1 zoning to be rented for 30 day periods for events such as weddings and limited to 45 guests. The proposed PUD would allow the property to be used as a bed and breakfast and wedding event venue.

Section 28-29 (g) Review of board decisions by commission

(g) Review of board decisions by commission. Decisions of the board in the granting of appeals, preliminary subdivision plats, exceptions, conservation zone developments, variances, and comprehensive plan amendments and rezonings shall be subject to review by the city commission on appeal:

(1) An appeal may be taken by any person demonstrating sufficient standing consistent with Florida law and aggrieved by the decision of the board provided such appeal is filed with the planning and building department during regular office hours no later than thirty (30) days from the date of the rendered order which is the subject of such appeal. To be considered timely filed, appellant must file the required form and provide any required payment for filing fees at the time of filing. If the thirtieth (30th) day from the date of the rendered order falls on a date and time when the planning and building department is closed, any attempted filing on or after that date and time will be considered untimely and no additional time will be granted for late filing. The

party filing the appeal shall have legal standing, as determined under the laws of the State of Florida and rules of civil procedure or appellate procedure as established by the Supreme Court of the State of Florida.

(2) A notice of appeal shall be filed on the forms established and provided by the planning and building department and shall include all pertinent information required thereon and any applicable filing fee. A notice of appeal filed in compliance with code requirements by the owner of the property seeking a development permit shall be deemed legally sufficient to proceed to the substantive appeal hearing. If the property owner's notice of appeal is not filed in compliance with code requirements, the city commission will review the application for appeal for legal sufficiency prior to the appeal hearing. If the notice of appeal is filed by any other aggrieved person the city commission will review the application for appeal for legal sufficiency prior to the appeal hearing. If the application for appeal appears to lack legal sufficiency, the city commission may request that additional information be filed, in writing, in the form of a brief or other formal statement, or may allow for formal testimony under oath, and, based upon the application for appeal and such other information that is provided in the record, the city commission may affirm the order to be reviewed if it finds that the appeal lacks legal sufficiency. If the city commission finds that the application for appeal meets legal sufficiency, it shall set the appeal for a public hearing in the manner prescribed in [section 28-59](#)(a), (b).

(3) An appeal shall stay all administrative proceedings in furtherance of the action appealed until such time as a final determination has been made by the city commission on such appeal, and no action shall be taken by the applicant or the planning and building department during such time which would change the status of the matter being appealed.

(4) An appeal hearing before the city commission shall be scheduled at the next reasonably available city commission meeting. The hearing shall be based on the record below and no new evidence or testimony shall be considered unless the appellant requests a modification to the action under appeal. If a modification is requested, the only new evidence and testimony allowed shall be limited to the modification.

(5) The city commission shall find whether in its opinion error was made and within the terms of this section affirm, reverse or modify the action appealed as it deems just and equitable. If the applicant presents modifications to the action under appeal, the city commission may accept the modification and so modify the order, may remand the appeal back to the board for further review, or may deny the modification and affirm the action appealed.

Please place this appeal on the March 25, 2019 City Commission agenda. If you have any questions, please let me know.



David Birchim, AICP
Director, Planning and Building

**CITY COMMISSION – APPEAL OF PLANNING AND ZONING BOARD
DENIAL OF REQUEST TO REZONE PROPERTY FROM HP-1 TO PUD
PROJECT NUMBER: 2019-0014
7 BRIDGE STREET – SANCHEZ HOUSE**

1. EX PARTE DISCLOSURE

2. CITY ATTORNEY PROCEDURAL REMINDER

- ❖ No new evidence is to be presented; this is an appeal on the record of the Planning and Zoning Board hearing based on the right to appeal the denial of the request to rezone the property located at 7 Bridge Street from Historic Preservation One (HP-1) to Planned Unit Development (PUD) to the City Commission pursuant to section 28-29 (g).
- ❖ Public comment will be allowed but will be unsworn as it is limited to argument of facts already in the record of the January 8, 2019 hearing.

A. Required findings by the City Commission:

- ❖ City Code Section 28-29(g)(5) states that, “the city commission shall find whether in its opinion error was made and within the terms of this section **affirm, reverse or modify the action** appealed.”

- ❖ **City Code Section 28-29(g):**

- (4) An appeal hearing before the city commission shall be scheduled at the next reasonably available city commission meeting. **The hearing shall be based on the record below and no new evidence or testimony shall be considered unless the appellant requests a modification to the action under appeal.** If a modification is requested, the only new evidence and testimony allowed shall be limited to the modification.
 - (5) **The city commission shall find whether in its opinion error was made** and within the terms of this section **affirm, reverse or modify the action appealed** as it deems just and equitable. If the applicant presents modifications to the action under appeal, the city commission may accept the modification and so modify the order, may remand the appeal back to the board for further review, or may deny the modification and affirm the action appealed.
 - (6) **The decision of the city commission shall be the final administrative action**, and appeals from the decision of the city commission shall be appealed to the circuit court.

B. The standard of review for a quasi-judicial decision requires all of the following:

- a) Procedural due process was afforded to the applicant;
- b) The Planning and Zoning Board applied the correct law; and
- c) The decision was supported by competent, substantial evidence in the record.

3. STAFF PRESENTATION

- ❖ Overview presented by Planning & Building Director (*or other staff presentation*)
 - 20 minutes

4. PUBLIC COMMENT

- ★ *Can be before or after Appellant*
- ❖ Limited to argument on the record below; no new testimony or evidence.
 - 3 minutes per speaker

5. APPELLANT PRESENTATION

- ★ *If public comment is heard after Appellant, Appellant will be given an opportunity for rebuttal*
- ❖ Limited to argument on the record below; no new testimony or evidence.
 - 20 minutes
- ★ *If Appellant is not the Property Owner, the Property Owner will be given an opportunity to present a rebuttal)*
 - 20 minutes

6. CITY COMMISSION QUESTIONS

7. COMMISSIONER DELIBERATIONS AND VOTE

- ❖ Motion to approve the appeal, finding that the Planning and Zoning Board committed an error and the City Commission reverses the denial order: City Commission grants the request to rezone the property located at 7 Bridge Street from Historic Preservation One (HP-1) to Planned Unit Development (PUD).

or

- ❖ If a modification is presented, City Commission may
 - a) Deny the modification, or
 - b) Approve the modification, or
 - c) Motion to remand back to Planning and Zoning Board to have the Board review and consider the modification.

or

- ❖ Motion to deny the appeal and confirm the Planning and Zoning Board order: City Commission denies the request to rezone the property located at 7 Bridge Street from Historic Preservation One (HP-1) to Planned Unit Development (PUD).

The City Commission, through the Chair/Mayor, may extend the courtesies of the floor and allow for more time for an issue specific presentation as it deems necessary to ascertain the relevant facts in the record and law at issue consistent with due process.

**CITY OF ST. AUGUSTINE
APPLICATION TO APPEAL OFFICIAL, BOARD
OR STAFF DECISION**

CHECKLIST FOR COMPLETION OF APPLICATION

Appellant Name - SANDY WIEBER, MIKE WIEBER, BLAKE DEAL III

Address of Property (Subject of the Appeal) - 7 BRIDGE STREET

Project Number - 2019-0014

YES NO

- | | | |
|-------------------------------------|--------------------------|--|
| ☒ | ☐ | Has the applicant fee been paid? |
| ☒ | ☐ | Has line 4, application to appeal determination of the following been completed? |
| ☒ | ☐ | Has line 5, applicant name and contact information been completed? |
| ☒ | ☐ | Has line 6, legal description of property under appeal been completed? |
| ☒ | ☐ | Has line 7, street address of property under appeal been completed? |
| ☒ | ☐ | Has line 8, appellee contact information been completed? |
| ☒ | ☐ | Has line 9, description of action being appealed been completed? |

If no, what information is necessary to complete this section? _____

- | | | |
|-------------------------------------|--------------------------|--|
| ☒ | ☐ | Has line 10, date of action being appealed been completed? |
| ☒ | ☐ | Has the appeal been filed within the required time according to City Code? |
| ☒ | ☐ | Has line 11, description of impact of action on appellant been completed? |

If no, what information is necessary to complete this section? _____

☒ ☐

Has line 12, specific grounds for the appeal been completed?

If no, what information is necessary to complete this section? _____

☒ ☐

Has line 13, specific action being requested been completed?

If no, what information is necessary to complete this section? _____

☒ ☐

Is line 14, agreement been completed?

☒ ☐

Has line 15, signature of appellant been completed?

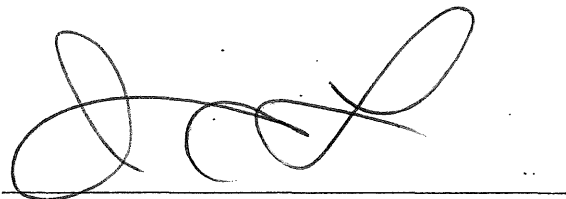
☒ ☐

Has a transcript been submitted to accompany this appeal application?

☒ ☐

Is the appellant an aggrieved party?

Comments:



City Attorney

02/13/2019

Date

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

TYPE OF REQUEST:

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

IN THE MATTER OF:

Case No.: 2018-0154
Applicant: Sandy & Mike Wieber
Owner: Blake F. Deal III
Address: 7 Bridge Street
Parcel Number: 1984300000

RE: Rezoning, pursuant to Section 28-30, City of St. Augustine Code, recommendation to rezone the property from Historic Preservation One (HP-) TO Planned Unit Development (PUD).

THE PLANNING AND ZONING BOARD HAS HEARD TESTIMONY AND EXAMINED EVIDENCE AT A PUBLIC HEARING HELD ON JANUARY 8, 2019, AND BASED ON THE TESTIMONY AND EVIDENCE, THE BOARD HAS DETERMINED AS FOLLOWS:

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. Applicant is the legal owner, occupant, and/or representative of the owner/occupant of the subject property and duly submitted an application with the owner's knowledge, and was duly notified of the hearing, in accordance with Chapter 28 of the Code of the City of St. Augustine. The applicant and/or representative ☒ was present at the January 8, 2019 Planning and Zoning Board meeting and testified under oath, or ☐ was not present.
2. A public hearing was held, with notice given as required by law, and ☒ members of the public testified under oath, or ☐ no members of the public spoke on this issue.
3. The subject property has a land use designation of Click here to enter text. and a zoning classification of Click here to enter text..
4. The above-described Rezoning is subject to Section 28-30 of the Code of the City of St. Augustine.

ORDER:

Based upon the evidence presented, the Planning and Zoning Board determined that the requested action **MEETS / DOES NOT MEET** the requirements of Section 28-30, City of St. Augustine Code, and **APPROVES / DENIES / CONTINUES** the Applicant's request to recommendation to rezone the property from Historic Preservation One (HP-) TO Planned Unit Development (PUD).

Subject to the following conditions:

- RECOMMENDATION TO DENY PUD Application
- _____
- _____
- _____
- _____
- _____
- _____
- _____

DONE AND ORDERED, at a public hearing on the 8 day of January, A.D., 2019, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

2018-0154 REQUEST **APPROVED / DENIED / CONTINUED**

Sign Name

GRANT MISTERLY

Print Name

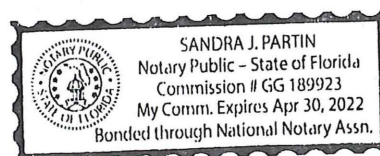
PLANNING AND ZONING BOARD
CITY OF ST. AUGUSTINE, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

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

Witness my hand and official seal, this 8th day of January, A.D., 2019.

Sandra J. Partin
Notary Public, State of Florida



CITY OF ST. AUGUSTINE
APPLICATION TO APPEAL OFFICIAL, BOARD
OR STAFF DECISION

1. Applicant Fee <u>\$200</u>	RECEIVED
2. Project Number <u>2019-0014</u>	FEB 07 2019
3. Receipt Number <u>1548476</u>	Planning/Building Dept.

PLEASE PRINT OR TYPE

4. APPLICATION TO APPEAL DETERMINATION(S) OF THE FOLLOWING:

☒ Planning and Zoning Board ☐ Historic Architectural Review Board ☐ Building Official ☐ Fire Marshall	☐ City Manager ☐ Planning and Building Director ☐ Other (please specify) _____
---	---

5. NAME OF APPELLANT Sandy & Mike Wieber/Blake F. Deal III Telephone (904) 824-4301

Business (if applicable) _____

Address 142 Avenida Menendez City St. Augustine State FL Zip 32084

6. LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THIS APPEAL

Lot 1, 1-A & 2 Block 22 Subdivision City of St. Augustine Parcel No. 198430-0000

Other (attach copy, if necessary) _____

7. PROPERTY STREET ADDRESS 7 Bridge Street, St. Augustine, Florida 32084

8. PROPERTY OWNER Blake F. Deal III Telephone (904) 571-3877

(This information may not be required if the appellant is the property owner, or may possibly be obtained from the Public Records maintained with the City of St. Augustine.)

Business (if applicable) _____

Address 2215 Third Street, Suite 100 City Jacksonville Beach State FL Zip 32250

9. DESCRIPTION OF ACTION BEING APPEALED Denial of PUD Zoning for Sanchez House

(e.g.: approval of a variance by the Planning and Zoning Board regarding lot coverage to construct a shed, or denial of a Certificate of Appropriateness by the Historic Architectural Review Board for a metal roof for an addition.)

10. DATE OF ACTION BEING APPEALED January 8, 2019

11. DESCRIBE IMPACT OF ACTION ON APPELLANT See attached.

In many instances, an appeal may only be filed by an aggrieved person, and the reviewing authority must find whether in its opinion error was made in order to reverse or modify the action appealed.

12. SPECIFIC GROUNDS FOR THE APPEAL See attached.

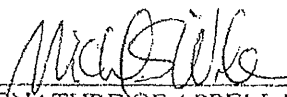
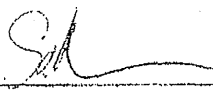
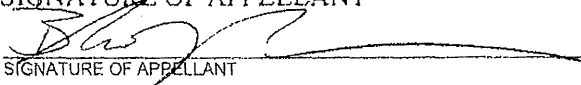
Section 28-29 of the Code of the City of St. Augustine, in part, states: "State with particularity, specific grounds for the appeal, including the factual and legal basis, which must be based on established law as it relates to the action taken by the official, board or commission upon which the appeal is filed. The official, board or commission which will hear the appeal as the reviewing authority may review the application for appeal prior to hearing and may request that additional information be filed, in writing in the form of a brief or other formal statement. Based upon the application for appeal and such other information that is filed, such reviewing authority may summarily affirm the order to be reviewed if the authority finds that no preliminary basis for reversal has been demonstrated, or may summarily reverse the order to be reviewed if the reviewing authority finds that no meritorious basis exists for affirmance and the order otherwise is subject to reversal." Attach additional information, if necessary.

13. SPECIFIC ACTION BEING REQUESTED See attached.

14. AGREEMENT

In filing 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.

In accordance with s. 286.0105, Florida Statutes: "If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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."

15.   1-31-19
SIGNATURE OF APPELLANT DATE
 2/4/19
SIGNATURE OF APPELLANT DATE

**In Re: Appeal of Michael and Sandy Wieber
and Blake F. Deal, III of Planning and
Zoning Board denial of Planned Unit
Development (PUD) for 7 Bridge St. on
January 8, 2019**

RECEIVED
FEB 07 2019
Planning/Building Dept.

BRIEF, PURSUANT TO CITY OF ST. AUGUSTINE ORD. S. 28-29

Appellants, Michael and Sandy Wieber, husband and wife, and Blake F. Deal, III,
show:

JURISDICTION

This is an appeal of City of St. Augustine Planning and Zoning Board denial of a
Planned Unit Development (PUD) request for 7 Bridge Street (the Sanchez House), on
January 8, 2019.

The City Commission has jurisdiction over this petition pursuant to City Ordinance
28-29.

STANDARD OF REVIEW

S. 28-29(g)(5) provides the standard of review:

- (5) The City commission shall find whether in its opinion error was made and within the terms of this section affirm, reverse, or modify the action as it deems just and equitable. If the applicant presents modifications to the action under appeal, the city commission may accept the modification and so modify the order, may remand the appeal back to the board for further review, or may deny the modification and affirm the action appealed.

STATEMENT OF FACTS

THE PARCEL

Appellants Wieber were the applicants for the PUD. Appellant Deal owns the
Sanchez House. The record attached shows the Sanchez House is a virtually unaltered

Spanish Colonial structure that is preserved like a museum by Deal. It is listed on the Florida Sites File as being of special significance. The Sanchez House owner, however, is entitled to substantial rights to lease the parcel 12 times a year for 30-day minimum periods, and to hold events there.¹

THE SURROUNDING AREA

The Sanchez House is located on a 0.11-acre parcel between two (2) motels across Bridge Street to the north, and two (2) bed and breakfast inns to the south. A main building of the Bayfront Marin Bed and Breakfast Inn is virtually adjacent to the house. The PUD zoning that the appellants seek is the same zoning that the two bed and breakfast inns to the south enjoy. While the City attempts to maintain Bridge Street as the southern boundary of commercial, the Sanchez House is, and has long been, an island or peninsula of HP-1 zoning use that is out of all scale with surrounding parcels. The parcel is fronted by Avenida Menendez and by Bridge Street along its physical front. In fact, the front door would literally open into traffic if it were not sealed shut.

ARGUMENT

Error was made below. The zoning refusal to allow one small parcel to be rezoned consistently with surrounding, substantially more dense and intense uses constitutes reverse spot zoning. *See, e.g., City Commission of the City of Miami v. Woodlawn Cemetery Co.*, 553 So. 2d 1227 (Fla. 3d DCA 1989) (zoning “peninsula” constitutes reverse spot zoning that is discriminatorily denied same commercial zoning as surrounding

¹ This is pursuant to a s. 70.51, Fla. Stat., settlement agreement in the record. While the City asserts this was intended to limit the number of events to 12, no such limiting language exists in the S. 70.51 document. *See, e.g., Rinker v. City of North Miami*, 286 So. 2d 552 (Fla. 1973) (unambiguous ordinance language read literally; zoning to be interpreted in favor of property owner); *Washingtonian Apt Hotel v. Schneider*, 75 So. 2d 907 (Fla. 1954) (applying same standard to any real property covenants).

parcels); *Tollius v. City of Miami*, 96 So.2d 122 (Fla. 1957) (same, where single family zoned property surrounded by subsequently commercially zoned property); *Kugel v. City of Miami Beach*, 206 So. 2d 282 (Fla. 3d DCA), *cert. den.*, 212 So. 2d 877 (Fla. 1968), *cert. den.*, 393 U.S. 1021 (1969) (same as to multi-family zoned parcel); *Olive v. City of Jacksonville*, 328 So. 2d 854 (Fla. 1st DCA 1976) (more intensive development allowed on three sides by commercial uses creates reverse spot zoning of single family); *Stokes v. City of Jacksonville*, 276 So. 2d 200 (Fla. 1st DCA 1973) (same).

The foregoing decisions predate *Brevard County v. Snyder*, 627 So. 2d 469 (Fla. 1995). They questioned reverse spot zoning decisions under the extraordinarily deferential “fairly debutable” standard that applied to rezonings before *Snyder*. Since *Snyder*, however, quasi-judicial rezonings that apply to a single parcel are reviewed under a less deferential standard. Once the landowner shows the proposed use is consistent with the comprehensive plan, and procedural requirements, the burden shifts to the board to show that maintaining existing zoning accomplishes a legitimate public purpose. *Snyder*, 627 So. 2d at 476. Our Fifth District Court of Appeal applied to a PUD rezoning that court’s decision in *Snyder*, which was modified² by the decision cited above. *ABG Real Est. Dev. Co. v. St. Johns County*, 608 So. 2d 59 (Fla. 5th DCA 1992), citing *Snyder v. Brevard County*, 595 So. 2d 65 (Fla. 5th DCA 1991), *subsequently quashed* by *Snyder supra*.

The applicants met their initial burden. The City staff acknowledged the PUD was consistent with the Plan and procedural requirements. The denial was based on findings of fact that left the reverse spot zoning in place.

² Only to change the local government burden from clear and convincing evidence to competent substantial evidence.

IMPACT ON APPELLANTS

Appellant Deal is entitled to appeal a quasi-judicial decision affecting his parcel. Appellants Wieber are entitled as applicants of record, whom the record reflects are under contract to purchase the Sanchez House. *See, e.g., Carillon v. Seminole County*, 45 So. 3d 7 (Fla. 5th DCA 2010), concerning the rights of parties to a quasi-judicial zoning proceeding.

REQUESTED RELIEF

Appellants request reversal of the Planning and Zoning Board denial.

UPCHURCH, BAILEY AND UPCHURCH, P.A.

SIDNEY F. ANSBACHER
JOHN D. BAILEY, JR.
ALLYSON BOYLES CURRIE
STEPHEN A. FAUSTINI
KATHERINE GAERTNER JONES
MICHAEL A. SIRAGUSA
FRANK D. UPCHURCH III
DONALD W. WALLIS

ATTORNEYS AT LAW
Established 1925
780 North Ponce de Leon Boulevard
St. Augustine, Florida 32084
www.ubulaw.com
Telephone (904) 829-9066
Facsimile (904) 825-4862
Please reply to:
Post Office Drawer 3007
St. Augustine, Florida 32085-3007

OF COUNSEL:
TRACY WILSON UPCHURCH

FRANK D. UPCHURCH, SR.
(1894-1986)
HAMILTON D. UPCHURCH
(1925-2008)
FRANK D. UPCHURCH, JR.
(1922-2012)

February 7, 2019

VIA HAND DELIVERY

City of St. Augustine
Planning and Zoning
City Hall
75 King Street, Elevator "B"
St. Augustine, Florida 32084

Re: Application for Appeal of a Planning and Zoning Board Decision
Mike & Sandy Wieber/Blake F. Deal, III – 7 Bridge Street/Sanchez House

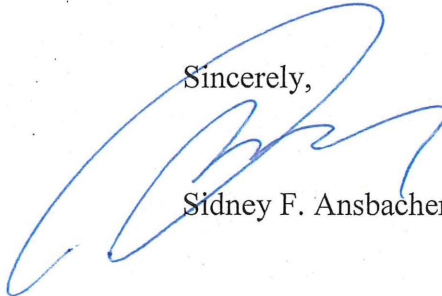
Dear Madam/Sir:

Enclosed is our Application for Appeal of a Planning and Zoning Board Decision related to the January 8, 2019 denial of a request for rezoning to Planned Unit Development (PUD) for property located at 7 Bridge Street, St. Augustine, Florida (Sanchez House). We also enclose the required verbatim transcript.

Also enclosed is our check in the amount of \$200.00 representing the filing fee. Please date stamp this cover letter to confirm receipt of the application being filed.

Thank you for your assistance in this matter. Please feel free to contact us if you have any questions.

Sincerely,


Sidney F. Ansbacher

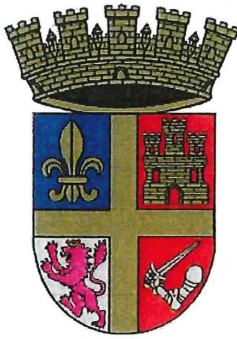
SFA/cs

Enclosures

RECEIVED

FEB 07 2019

Planning/Building Dept.



AGENDA

Planning and Zoning Board
City of St. Augustine, Florida

Tuesday, January 8, 2019 at 2:00 p.m.

Alcazar Room, City Hall
75 King Street

RECEIVED

FEB 07 2019

Planning/Building Dept.

-
1. Roll Call
 2. General Public Comments for Items Not on the Agenda
 3. Approval of Minutes
 4. Comprehensive Plan Amendment & Rezoning
 - (a) 2018-0142 Sean McInerney – Applicant
(Continued November 6, 2018) Scharf Roger W. Living Trust – Owner
60 West Avenue
To amend the Future Land Use Map designation from Residential Medium Density/Mixed Use to Commercial Medium Intensity & rezone from Planned Unit Development (PUD) to Commercial Medium-Two (CM-2).
 5. Use by Exception
 - (a) 2018-0158 Keith N. Waheed – Applicant & Owner
268 W. King Street
To approve a new single family home within the Commercial Medium 2 (CM-2) zoning category.
 6. Variance
 - (a) 2018-0169 Jon Benoit – Applicant
C/o BEHST Builders, Inc.
Steve Jacobs – Owner
38 Water Street
To approve variances to increase building height from thirty (30) feet to thirty-two (32) feet, decrease roof pitch from 5/12 to 8/12, & encroach into the six point nine (6.9) foot setback for a proposed building addition.

7. **Conservation Overlay Zone Development**

(a) 2018-0153

(Continued December 4, 2018)

Bart D. Piniatz – Applicant

Carlapooh LLC – Owner

121 Spoonbill Point Court

To approve removal of more than fifty (50) percent of the tree canopy, including twelve (12) preserved trees (Cedars) within Conservation Overlay Zone 3.

(b) 2018-0152

(Continued December 4, 2018)

Ryan Carter – Applicant

C/o Carter Environmental Services Inc.

St. Marks Development Authority – Owner

709 S. Ponce De Leon Boulevard

To approve a proposed dock within Conservation Overlay Zone 1, proposed retaining wall, building, and site improvements in Conservation Overlay Zone 2, and removal of preserved tree(s) (Oaks) within Conservation Overlay Zone 3.

(c) 2018-0163

Ryan Carter – Applicant

C/o Carter Environmental Services, Inc.

John Sebastian & James Farrell – Owners

919 Lew Boulevard

To approve a proposed dock within Conservation Overlay Zones 1 & 2.

(d) 2018-0167

Ryan Carter – Applicant

C/o Carter Environmental Services, Inc.

Fish Island Development, LLC – Owners

PIN#: **1622100016** (Area roughly bounded by Plantation Island Drive S. projected to the Matanzas River, Matanzas River, State Road 312, then Plantation Island Drive S.)

To approve removal of preserved trees (Oaks & Cedars) for a linear retention pond to serve the neighboring parcel locate at PIN#: **1622100021**.

(e) 2018-0157

Brian Lynn – Applicant

C/o Lynn Investments, LLC

Dominic Mercurio - Owner

C/o Mwm Acquisitions, LLC

1370 U.S. 1 South

To approve removal of more than fifty (50) percent of the tree canopy, including nine (9) preserved trees (Oaks) within Conservation Overlay Zone 3.

(f) 2018-0168

Matt Lahti – Applicant
C/o Gulfstream Design Group
Dave Quinney – Owner
C/o Palms on Plantation, LLC
700 Plantation Island Drive S.

To approve removal of more than fifty (50) percent of the tree canopy, including seven (7) preserved trees (Cedars and Oaks) within Conservation Overlay Zone 3.

8. Rezoning

(a) 2018-0154

Sandy & Mike Wieber – Applicant
Blake F. Deal III – Owner
7 Bridge Street

Recommendation to rezone the property from Historic Preservation One (HP-1) to Planned Unit Development (PUD).

9. Potential Business Items

- (a) Discussion and recommendation regarding changes to the Tree Code.
- (b) Discussion and recommendation regarding changes to the City Animal Code.
- (c) Update regarding Comprehensive Plan EAR based Amendments and Community Involvement Process for 2019.

10. 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.

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: January 8, 2019

RE: **REZONING - #2018-0154**

AGENDA ITEM 8(a)

APPLICANT Sandy & Mike Wieber

OWNER Blake F. Deal III

LOCATION 7 Bridge Street

REQUEST Recommendation to rezone the property from Historic Preservation One (HP-1) to Planned Unit Development (PUD).

APPLICABLE CODES/ORDINANCES FOR REZONING

Sec. 28-30. - Comprehensive plan amendments, rezoning's and amendment of chapter.

(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.

Sec. 28-183. - Historic preservation district: HP-1. (Current Site Zoning)

Intent. This district is intended to provide primarily residential uses that will encourage the preservation and restoration of historic structures in the district.

(2) *Permitted uses and structures:*

- a. Single-family. Owner occupied or rental dwelling unit. If a rental dwelling unit, rentals on a monthly or greater period of time.
- b. Accessory apartments, apartments and duplexes, rental dwellings being rented on a monthly or greater period of time.

(3) *Permitted uses by exception:*

- a. Public administrative and service facilities with structures and uses limited to business offices, museums and housing for employees.
- b. Churches.
- c. Schools.
- d. Nonprofit museums relating to the history of St. Augustine and the State of Florida.
- e. Nonprofit libraries relating to the history of St. Augustine and the State of Florida.

Sec. 28-184. - Historic preservation district: HP-2. (Areas north of Bridge Street)

Intent. This district is intended to provide a mix of commercial and residential uses that will encourage the restoration and reproduction of historic structures and maintain the historic and pedestrian scale of the neighborhood.

(2) Permitted uses and structures.

- a. Single-family.
- b. Multifamily.
- c. Tourist homes and bed and breakfast inns.
- d. Professional and business offices.
- e. Rooming and boarding houses.
- f. Banks and other financial institutions.
- g. Retail sales (excluding rental of motorized vehicles):
 - 1. New.
 - 2. Antique.
 - 3. Souvenir.
 - 4. Gift.
 - 5. Craft, such as specialty food stores (including beer and wine but not supermarkets), clothing, toy and hobby shops, bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, cameras, florist or gift shop, sundries and notions, business office supplies, records and tapes, furniture, art supplies and similar uses.
- h. Service:
 - 1. Barbershop or beauty shop.
 - 2. Shoe repair.
 - 3. Restaurant (but not drive-in).
 - 4. Interior decorator.
 - 5. Photographic, art, craft, dance or music studios, indoor theatres, tailoring, catering and clothing rental.
- i. Museums.

- j. Housing for the elderly.
 - k. Home office, private.
 - (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.
-

Sec. 28-286. - Purpose and intent.

The purpose of the 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 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 PUD process is a voluntary process initiated by an applicant to provide flexibility for their project, while at the same time providing an opportunity for the city planning and zoning board (PZB) and city commission to integrate potential benefits, limitations and regulations as it deems necessary to protect the public health, safety and general welfare.

The PUD process is designed to:

- (a) Promote more efficient and economic uses of land, including bypassed lands, land ripe for urban infill, and potential redevelopment projects;
- (b) Encourage a more compatible and harmonious development of contiguous lands;
- (c) Provide flexibility to meet changing needs, technologies, economics, and consumer preferences;
- (d) Provide a process to assess a development's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole;
- (e) Demonstrate the coordinating of architectural styles, building forms, and building relationships within a planned development, as well as, the planned developments relationship with the existing and preferred architectural context surrounding the project;
- (f) Provide an environment of consistent character compatible with the surrounding areas; and,
- (g) Permit 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.

The intent of a planned unit development (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. A PUD is a zoning category that can be beneficially utilized in order to create site-specific regulations to address specific development or topographic conditions, historic or architectural features, existing structures, neighborhood patterns or transitioning uses of land. PUDs may be created as in-fill development or redevelopment, or may be developed as traditional residential subdivisions of vacant land. The regulations found in this section may be generally applicable to all PUDs, while others, such as section 28-291, are intended for traditional residential or mixed use subdivisions of vacant land. Amendments to existing PUDs shall comply with the same requirements as found herein for PUD rezoning.

Sec. 28-287. - Defined.

A planned unit development (PUD) shall mean the zoning district for the development of a particular parcel of land under unified control which is planned and developed as a whole in a single or programmed series of operations and conditions, with uses and structures substantially related to the character of the entire development. A PUD, established pursuant to ordinance of the city commission, must also include an attached final development plan, and project narrative with specified development conditions and a program for the provision, maintenance and operation of all areas, improvements, facilities and necessary services for the common use of all occupants thereof. As a zoning district, the terms and conditions of a PUD shall be enforceable in the same manner as enforcement of all other city code provisions. All city rules, codes and regulations shall remain in full force and effect, and shall apply to the PUD unless a specific exemption, waiver or alternative condition is included in the approved PUD text and site development plan.

Sec. 28-289. - Procedures, application requirements and narrative PUD text.

- (c) *Action by the planning and zoning board and the city commission.* Following the public hearing as required for all applications for rezoning, the planning and zoning board may recommend and the city commission may enact an ordinance establishing a PUD, including any special conditions related thereto, based upon findings that:
- (1) No adverse effect finding. The proposed PUD does not adversely affect the orderly development of the city, the health and safety of residents in the area, the natural environment, the use and development of adjacent properties or the general neighborhood.
 - (2) Consistency with the Comprehensive Plan and PUD regulations finding. The proposed PUD is consistent with the comprehensive plan and meets the intent and criteria of sections 28-286 through 28-292, as applicable.
 - (3) Need and justification finding. In order to permit the use of more flexible land use regulations and the most advantageous techniques of land development, the PUD must affirmatively comply with each applicable PUD regulation found in this section and clearly identify the need and justification for rezoning to PUD. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers to produce residential, commercial, industrial or institutional developments, or combinations thereof, that effectively integrate existing historic and neighborhood patterns, or effectively transition between adjacent development uses.
 - (4) Site-specific conditions and mitigation finding. The site-specific development conditions for the proposed PUD:
 - a. Permit a creative approach to the development of land; and

- b. Accomplish a more desirable environment than would be possible through the strict application of the existing zoning district requirements; and
- c. Provide for an efficient use of land; and
- d. Improves the appearance of the area through the preservation and enhancement of historic and natural features, recreation areas and open space, and effectively transition from existing development patterns to the PUD; and
- e. Provide an environment of consistent character compatible with surrounding areas; and
- f. Retain property values over the years.

(f) Given the scale and complicated nature of PUDs the PZB shall require review of a planned unit development final development plan, and narrative requirements with at least two (2) public hearing(s) in an effort to garner as much information and public input as possible, as well as, to finalize any recommendations to the city commission. The PZB reserves the right to require only one (1) public hearing, if deemed appropriate by the PZB, the project may move straight to the city commission for rezoning.

STAFF SUMMARY OF REZONING

The Board will be making a recommendation to the City Commission for a small scale rezoning to Planned Unit Development (PUD) on 0.11 acres of land. Uses that are presently allowed under the HP-1 zoning are limited to single family homes and accessory apartments. The applicant has stated the uses currently in place are as allowed by the City in a settlement agreement (see attachment #8) and are as follows:

1. The house is leasable for a thirty (30) day period.
2. The house may be used for wedding, anniversary or similar events with the number of guests limited to forty-five (45).
3. The tenant must arrange for guest parking at one of the listed nearby local parking lots, and on-street parking in the neighborhood is prohibited.
4. Trash containers will not be placed in the street for pickup any further in advance that the day before trash pickup.

This rezoning to PUD will allow the applicant to set their own standards and consist of the following (*Staff input in italics*):

1. Proposes to preserve the exterior and interior of the Sanchez House by preservation easement. With the only material modifications to be made shall be to retile both bathrooms and replace the claw root tub with shower attachment with a shower in the other. There would be no footprint change to the bathrooms themselves.
2. No restriction on the number of weddings, but all weddings must be done by 8 P.M. Maximum guest count of sixty (60). *This seems to represent an overall increase the number of weddings (special events) since the applicant language reflects "no restriction on the number of weddings"*
3. No member of a wedding party may stay overnight at the Sanchez House, to ensure the property is clear of wedding party, guests and others associated with a wedding by 8 P.M.

4. Only on nights when no wedding is being held, the Sanchez House may be rented as two (2) units (upstairs and downstairs). *Note this would be similar to a bed and breakfast use under our Code.*
5. Parking will be provided for each unit, for a total of two (2) two guests.

This development will be required to have off street parking for the proposed bed and breakfast use. The PUD proposes one (1) on site space in the garage and four (4) additional spaces off-site at the Bayfront Marin House. This would meet the minimum number of parking spaces for the proposed new use.

Items such as signage will comply with its current signage zone and the architecture will consist of the current Spanish Colonial style. Also conformance with Architectural Guidelines for Historic Preservation, setbacks, height, lot requirements, building lot coverage shall comply with the current HP-1 zoning standards and have been incorporated into the PUD. However the applicant has requested waivers to keep the current front setback along Marine Street and Bridge Street. Development would consist of one (1) phase with proposed bathroom work to be commence within one (1) year and be completed within one (1) year. The applicant has indicated a termination date for the PUD will be fifteen (15) years after adoption by the City Commission. A neighborhood-developer meeting, in accordance with City Code, was held in regarding the development of the parcel; the legal notice is with the packet (see attachment #3). An additional voluntary meeting was to be held before the January 8, 2019 Board meeting date was indicated by the applicant.

The applicant is required to submit an (traffic) impact analysis per the PUD text and an engineered traffic impact study has been provided which indicates a net increase of twenty (24) peak hour trips for the requested new use and allowing more special event venues. This would be an almost one percent (1%) increase on road systems that have an "E" on the Florida Department of Transportation Level of Service Standard. This report has been attached to the packet.

STAFF ANALYSIS OF REZONING

The bed and breakfast use is not allowed within the HP-1 zoning district. Also the applicant indicates the special event use currently allowed by a settlement agreement with the City will increase in the number of allowed guests from forty-five (45) to sixty (60) and also indirectly indicates there would be no restriction on the number of weddings held on premises. With the new use and the extension of the weddings (special event venue) it has been indicated that the amount of generated trips would increase by twenty-four (24) and some of this traffic would be dispersed on local road systems such as Bridge Street, Avenida Menendez, & Granada Street.

The applicant has proposed preservation easement protection as a basis for the rezoning. However the current adopted Architectural Guidelines for Historic Preservation as allowed under the HP-1 zoning would protect any new or existing development with the exception of the building interior. With the priority being the building exterior, building location, and site layout. Also the applicant has indicated that specific uses not currently allowed under the HP-1 zoning are allowed by a settlement agreement with the City, with the exception of the bed and breakfast use and potential additional special event venue usage.

Rezoning Findings of Fact (Section 28-230.c, City Code) *Staff interpretation in italics*

- (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. *The special event venue (weddings) is an allowed use on the premises based on a settlement agreement with the City and the site is currently protected by the Architectural Guidelines for Historic Preservation given its current HP-1 zoning category. This rezoning would just incorporate the base zone standards of HP-1, the Architectural Guidelines for Historic Preservation, and incorporate a preservation easement for the exterior and interior changes for this rezoning to PUD. The new bed and breakfast use, allowed additional guest for the special event venue (weddings), and no restrictions for a special event venue (weddings) or indicated in the PUD.*

(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 proposed PUD provides for similar protections that currently exist under the HP-1 zoning category. This would be consistent with our Comprehensive Plan. The proposed PUD does appear to intensify the use of this property.

(3) Consistency with the comprehensive plan. *See staff comments under #2.*

Planned Unit Development Findings of Fact (Section 28-289.c, City Code), as applicable *Staff interpretation in italics*

(c) *Action by the planning and zoning board and the city commission.* Following the public hearing as required for all applications for rezoning, the planning and zoning board may recommend and the city commission may enact an ordinance establishing a PUD, including any special conditions related thereto, based upon findings that:

(1) No adverse effect finding. *The proposed PUD does not adversely affect the orderly development of the city, the health and safety of residents in the area, the natural environment, the use and development of adjacent properties or the general neighborhood. Staff believes the new bed and breakfast use, the increase in number of guests, and the expansion of the special event (wedding) use may affect the orderly development of the City by allowing additional traffic into an area as indicated in the traffic impact analysis and cause the expansion of a bed and breakfast use further closer to the HP-1 zoning category which allows for single family uses.*

(2) Consistency with the Comprehensive Plan and PUD regulations finding. *The proposed PUD is consistent with the comprehensive plan and meets the intent and criteria of sections 28-286 through 28-292, as applicable. The PUD appears to be generally consistent with the Comprehensive Plan. Staff cannot find a justifiable need to rezone the property to PUD based on the intensification of the commercial use of the property. Staff also does not find this PUD allows for a creative approach to the development of the property and that it accomplishes a more desirable environment than through traditional zoning in accordance with Section 28-289, City Code*

(3) Need and justification finding. *In order to permit the use of more flexible land use regulations and the most advantageous techniques of land development, the PUD must affirmatively comply with each applicable PUD regulation found in this section and clearly identify the need and justification for rezoning to PUD. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers to produce residential, commercial, industrial or institutional developments, or combinations*

thereof, that effectively integrate existing historic and neighborhood patterns, or effectively transition between adjacent development uses. *See staff comments under #1 & 2.*

(4) Site-specific conditions and mitigation finding. The site-specific development conditions for the proposed PUD:

- a. Permit a creative approach to the development of land; and
- b. Accomplish a more desirable environment than would be possible through the strict application of the existing zoning district requirements; and
- c. Provide for an efficient use of land; and
- d. Improves the appearance of the area through the preservation and enhancement of historic and natural features, recreation areas and open space, and effectively transition from existing development patterns to the PUD; and
- e. Provide an environment of consistent character compatible with surrounding areas; and
- f. Retain property values over the years

See staff comments under #1 & 2. Also the PUD would not be improving the appearance of the area through preservation and enhancement of historic features since the PUD is adopting the HP-1 standards and Architectural Guidelines for Historic Preservation, it would be staying the exact same. The additional preservation easement for the exterior and interior would not be an addition since our Codes and architectural guidelines already provide this external protection.

STAFF RECOMMENDATION

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

If the PZB requires a second public hearing, then the PZB should announce the required second public hearing date for this item beginning at 2:00 P.M. on February 8, 2019, Alcazar Room, City Hall, 75 W. King St., Saint Augustine, FL.

If the PZB does not require a second public hearing, and the Board **CAN** find there is a need & justification for the rezoning & it finds that the rezoning **DOES** support the general planning program & Comp Plan then the Board **CAN** approve the rezoning.

If the PZB does not require a second public hearing, and the Board **CANNOT** find there is a need & justification for the rezoning & it finds that the rezoning **DOES NOT** support the general planning program & Comp Plan then the Board **CANNOT** approve the rezoning.

SUPPLIMENTS

- Attachment 1 – Application & Historical Record.
- Attachment 2 – Proposed PUD.
- Attachment 3 – Neighborhood-Developer Meeting Information.
- Attachment 4 – Property Appraiser Info. & Location Map.
- Attachment 5 – Traffic Impact Analysis.
- Attachment 6 – Neighboring PUD Ordinance 1999-36.

Attachment 7 – Land Use, Zoning, Aerial Maps.
Attachment 8 – Current Settlement Agreement.

David Harrell, AICP
Senior Development Review Planner
Planning and Building Department

Attachment 1

Application & Historical Record



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED

NOV 06 2018

mwieber@comcast.net

Planning/Building Dept.

Application Fee: 400⁰⁰ (plus advertising costs)

Project Number: 2018-0154

Receipt Number: 1481079

Meeting Date: 12-4-18 01-03-19

Advertising Costs: \$ 91.74

Paid On: _____

Receipt Number: _____

1. NAME OF APPLICANT: Sandy and Mike Wieber Contact Number: (904) 824-4301

Business (if applicable): _____

Address: 142 Avenida Menendez City: St. Augustine State: Florida Zip: 32084

2. NAME OF PROPERTY OWNER: Blake F. Deal III Contact Number: (904) 571-3877

Business (if applicable): _____

Address: 2215 Third Street, Suite 100 City: Jacksonville Beach State: Florida Zip: 32250

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 1, 1-A & 2 Block: 22

Subdivision: City of St. Augustine Parcel Number: 198430-0000

4. PROJECT STREET ADDRESS: 7 Bridge Street

5. SPECIFIC PROPOSED USE: Bed & Breakfast via Planned Unit Development (PUD)

6. ACTION REQUESTED:

☐ Conservation Zone Development ☐ Appeal of Staff Determination

☐ Exception ☐ Land Use Plan Amendment

☐ Variance ☒ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Planned Unit Development (PUD) for Sanchez House, including facade easement to ensure perpetual protection of the historic building. The use would be less intensive than existing today, as explained in the attached.

8. JUSTIFICATION FOR ACTION REQUESTED: See 7., and attached written description.

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 & Zoning Board concerning any part of the subject property within the past year?

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

March 22, 2018, withdrawn before public notice; July 13, 2018, withdrawn before publication.

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."

Michael Stille
Signature of Applicant

Sandra L. [Signature]

9/30/18
Date

Signature of Property Owner

Date



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

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

Michael S. Wieber Sandra Wieber

Print name of applicant

Michael S. Wieber Sandra Wieber

Signature of applicant

9/30/18

Date

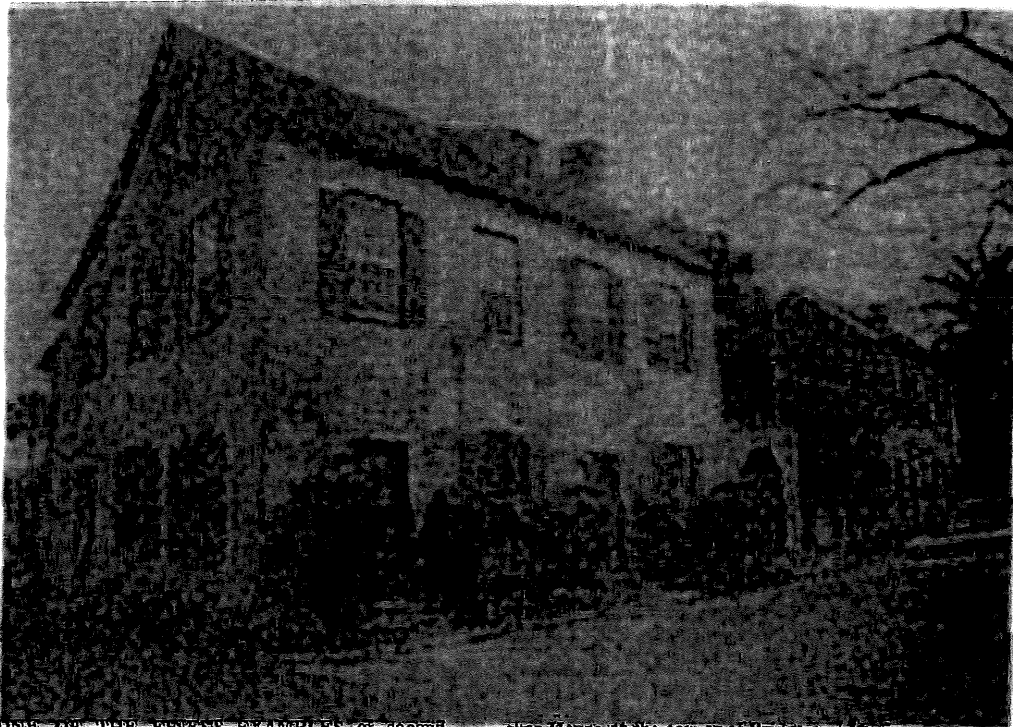
JOSE SIMEON SANCHEZ

Jose Simeon Sanchez was born in 1797 in Saint Augustine, Florida. His parents were Francisco Xavier Sanchez and Maria del Carmen Hill. At the time of his birth, and during his youth, the family life and public stage were both set to equip him with knowledge and experience that will result in a career that ranks him as one of the most prominent native sons of the Florida Territory and Statehood days.

Responsibilities were early thrown on his shoulders after his father died in 1807, leaving his large estate to his numerous children. During his youth, Jose Simeon served in the Spanish forces at Amelia Island and after 1821 in the Militia of the Territory of Florida. In 1829, he was promoted to the rank of Lieutenant Colonel. He became Sheriff of St. Johns County in 1827, and later served as marshall for East Florida, Justice of the Peace, Representative in the East Florida Territorial Council, Delegate to the 1839 Florida Statehood Convention, attorney, tax collector, administrator of various estates, and finally Mayor of Saint Augustine in 1847.

During all the time he was pursuing his public career he also gave attention to his own business affairs and to those of relatives. For many years, he was involved in long drawn out proceedings before land claim commissions set up by the United States to determine ownership of contested land.

Jose Simeon Sanchez died in September of 1853 in Saint Augustine. His death brought to an end one of the most notable careers of a native son of this City.



ONE OF THE FINEST EXAMPLES of second Spanish period architecture is the Jose Sixteen Sanchez House at the corner of Bridge and Marine.

THE HISTORY OF THE SANCHEZ HOUSE

by

Doris M. Quinn

In 1791, Jose Rosy built a little wooden house on King's Lot #164, block 22. When Francisca, his daughter, married Jose Dulcet ownership of the property was transferred to them, ~~approximately 1800~~. This was before the Royal gift of houses. Their home was just a cottage. On June 17, 1801 a clear title was given to them by virtue of Royal Cedula, a patrimony or royal donation. Their deed was dated February 18, 1802. The actual sale of the house to them was dated April 10, 1802 as not before was there a clear title to this lot with obligations and bond cancelled and vested in the Rosy family. It is said that in 1788, this lot was occupied by a delapidated wooden house. The property had evidently been the property of the crown.

The above named, Jose Dulcet was born in 1761, in Barcelona, Spain.

His surname can sometimes be seen with the spelling, Dulset or Dulzet. This can be noted with the surname Rosy, sometimes Rossi. Jose Dulcet's parents were Pedro Dulzet and Maria Secret Dulzet. Jose and Francisca had two daughters, Mariana Antonia, born in 1797, and Philipa Angela Francisca, born in 1799.

According to Escrituras at the Webb Memorial Library, as researched by Alberta Johnson, in November 1938, payment for the above property was due the Royal Treasury by mortgage. Description stated that it was bounded west by street of the Barracks, north by lane leading to the Marina, east by the Playa, south by Francisco Rovira. Original Spanish records, with signatures of contracting parties, may be seen at the St. John's County Archives Dead Book in County Judge's office. This book is in bad condition without covers. Refer to pages 445-447.

On July 7, 1804, Francisca Roca sold to George Long, Jr. the cottage, "which house I had with consent of my deceased husband from Jose Roca, my father; came to me by Royal patrimony deed 15, Feb. 1802, a Royal donation under the cedula 17 June 1801, no bond or promisory note." (This translation of the deed in Escrituras 1804, p. 145.)

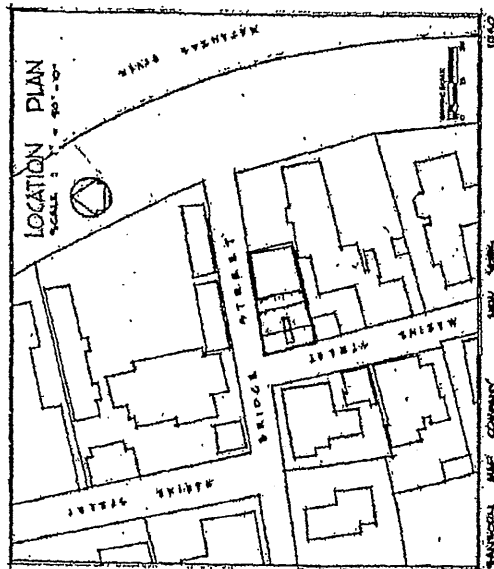
Evidently, the coquina house now standing was built after 1804 by above purchaser, George Long, Jr. The next record of title transfer, according to Deed Book "C", pages 140-141, was dated July 26, 1821 at Camden County, Georgia. This sale from Long is to Lewis Levy reading "all that certain house and lot situate in St. Augustine, built with masonry, two stories and shingled roof, situated on the street in front of the house occupied by the Father Curate Michael Crosby and leading direct to the Barracks, with the lot on which it stands, bounded on the north by a lane going to the river, on the west the aforesaid street and on the south by a house and lot of Francis P. Sanchez which did belong to Francisco Rovira and on the east by the river, containing in front 14 varas and in depth 23 varas ..."

It is claimed that this house is the "only historical home on waterfront in St. Augustine and is so shown on maps of St. Augustine Historical Restoration and Preservation Commission. According to John Griffin, Head of the St. Augustine Historic Commission, the house is the best preserved home in the city which has remained basically untouched since Spanish days. The south wall is believed to date from 1791. The rest of the house was completed sometime around 1804, as it now exists. The walls downstairs are nearly two feet thick. It has approximately 1147 square

THE

LONG - SANCHEZ HOUSE

43 MARINE STREET, ST AUGUSTINE, ST JOHNS COUNTY, FLORIDA
AT BRIDGE STREET



HISTORICAL NOTE

THE HOUSE WAS REBUILT BY GEORGE LONG BETWEEN 1874 AND 1881. IN THE GENERAL SURVEY OF 1884, IT IS LISTED AS THE PROPERTY OF JAMES S. (JOS. MEXIC.) SANCHEZ. SANCHEZ WAS PRESIDENT OF THE CITY IN 1870 AND 1871, AND WAS A MEMBER OF THE TERRITORIAL AND TERRITORY-SAVED REFORMS. THE HOUSE WAS DESIGNED IN THE SANCHEZ FAMILY UNTIL PURCHASED BY W. A. LEWIS IN 1885. THE HOUSE WAS REBUILT BY AN OTHER REBUILT BY ARCHITECT WILSON TAYLOR OF TONAWANDA, GEORGIA. BUT THIS WAS AFTER THE DEATH OF THE ORIGINAL OWNER. THE HOUSE IS AN EXAMPLE OF ST. AUGUSTINE DOMESTIC ARCHITECTURE OF THE SECOND SPANISH PERIOD.

THESE DRAWINGS WERE DONE BY THE EASTERN OFFICE OF THE DIVISION OF DESIGN AND CONSTRUCTION, NATIONAL PARK SERVICE, CHARLES E. PETERSON, SUPERVISING ARCHITECT, HISTORIC STRUCTURES, IN COOPERATION WITH THE ST. AUGUSTINE HISTORICAL PRESERVATION AND PRESERVATION COMMISSION. THE WORK FINANCED UNDER THE 'MISSION OF' PROGRAM. FIELD WORK UNDER THE SUPERVISION OF LEROY C. EDWARDS, ASSISTANT PROFESSOR OF ARCHITECTURE, UNIVERSITY OF PENNSYLVANIA, AND EXECUTED BY ARCHITECTURAL STUDENTS LEROY L. EDWARDS, UNIVERSITY OF PENNSYLVANIA, AND SUZY HOWELL, UNIVERSITY OF KANSAS.

FROM THE FILES OF
THE ST. AUGUSTINE
HISTORICAL SOCIETY

FILE NO.	1972	PLAT	1972	SECTION	1972
THE LONG-SANCHEZ HOUSE					
43 MARINE STREET AT BRIDGE STREET, ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA					
DATE	1972	BY	CHARLES E. PETERSON	FOR	NATIONAL PARK SERVICE

SUPPLEMENT FOR FMSF SITE FORMS

Site 8SJ2501

SITE NAME Sanchez House
NATURE OF SITE ☒ standing structure ☐ archaeological site ☐ both

A. NARRATIVE DESCRIPTION OF SITE

The colonial architecture of St. Augustine was influenced by a royal ordinance concerning the laying out of new towns issued by the King of Spain in 1573. It was decreed that in hot climates the streets should be narrow, and that: "All town houses are to be so planned that they can serve as a defense or fortress against those who might attempt to create disturbances or occupy the town. Each house is to be so constructed that horses and household animals can be kept therein, the courtyards and stockyards being as large as possible to insure health and cleanliness."

Thus in St. Augustine, the streets were narrow, and the houses built right upon them, with walls protecting the courtyards from the street.

The colonial house at 7 Bridge Street (which also uses the address 43 Marine Street), built during the Second Spanish Period, clearly shows the effects of these early regulations. It is built to the street line on two sides, Bridge and Marine, and a high wall of coquina and other rubble encloses the grounds to the north and east.

It is two-and-one-half stories, constructed of coquina, the porous native shellstone quarried on nearby Anastasia Island and plastered for protection from the elements. The stucco finish is basically smooth. This is one of the few colonial buildings in St. Augustine that has not lost its visible character through inharmonious modern stuccoing.

The wood shingled gable roof has a north-south orientation with one small shed-roofed dormer on each side. Toward the bayfront the roof is double pitched, and joined to a shed-roofed two-story open porch with chamfered posts and X-pattern balustrade.

Windows are double-hung 12/12 (1/1 on the dormers) with protective metal grates on the first floor. Shutters are not present, but hinges on the windows and stain marks on the walls show where they used to be.

The door on Bridge Street is six-panel cross pattern; the two on Marine Street are eight-panel cross pattern. The first story corner at Bridge and Marine has been chipped away by traffic over the years.

Two clashing inharmonious modern additions are the one-story parapet-roofed garage on the south side and the modern concrete block wall along the now overgrown, partially bricked garden to the east of the walled patio.

The main block of the house itself is one of the outstanding examples of Second Spanish Period architecture in St. Augustine, and part of an important collection along this section of Marine Street.

The area of the colonial city between Bridge and St. Francis Streets is one of mixed usages. Though primarily residential, it includes commercial tourist attractions, religious, and educational buildings. The narrow streets, some still brick, conform to the colonial town plan listed on the National Register of Historic Places. Construction dates in the area range from colonial through modern times. Many of St. Augustine's surviving colonial buildings are located along Marine and St. Francis Streets, including the Oldest House. Along the bayfront and on St. George Street are two of the outstanding Victorian neighborhoods of the city, with many elegant winter residences from the Flagler era. Some colonial-style buildings have been reconstructed, and other buildings have been remodeled in the St. Augustine Colonial Revival style. The area is bounded on the west by Cordova Street and on the east by the bayfront. The section of Avenida Menéndez between Bridge and St. Francis is the major waterfront residential street of the downtown area. The area has suffered many demolitions for parking lots and expanded school grounds over the years. A heavy toll has been taken among Flagler-era buildings. The area continues to feel pressure from the large amount of tourist and school traffic that passes through.

D. DISCUSSION OF SIGNIFICANCE

This Spanish colonial building was constructed of native shellstone (coquina). The narrow streets with houses and their courtyard walls built to the street line reflect the requirement of Royal decrees for New World towns. Except for a two-decade interlude (1763-1783) of British ownership, St. Augustine was a Spanish colonial outpost for two-and-one-half centuries. In 1821, when ceded to the United States, the city's Iberian defensive environmental elements were well established and have retained that character to the present.

C. HISTORY AND BIBLIOGRAPHY OF PAST WORK AT SITE

This section of the walled colonial city was first occupied in the 17th century as the early settlement expanded south towards the St. Francis convent. Most structures were destroyed in 1702 by the invading South Carolinians, but by mid-century, houses had been rebuilt on all streets except present-day Cordova Street, then the course of the early 18th-century Rosario defense line. The northern boundary of the area, Bridge Street, led to one of three late colonial San Sebastian River ferry crossings. The British demolished numerous buildings here, but were the first to build along the bayfront on the east side of Marine Street. The Spanish filled this low-lying land in the 1790s, and substantial residences were thereafter erected on the reclaimed land. The Spanish crown owned considerable property in this section of the colonial city, such as a school building near the south-east corner of Bridge and St. George Streets and the vacant land west of St. George Street where crops were raised by the garrison. Nine colonial buildings have survived in this section, particularly in clusters along Marine and St. Francis Streets: Sanchez, Marin, Puella, Jones and the two Rovira Houses on Marine; Tovar and Oldest House on St. Francis; and the St. Francis Inn on corner of St. George and St. Francis. The Llanabias House and the St. Francis Barracks lie on the south side of St. Francis Street. (1) The area remained essentially residential throughout the American period, although several religious structures were built along St. George Street (the non-existent 19th-century Presbyterian Church and the 20th-century Cathedral

Parish School complex) and along Cordova Street (the 20th-century Synagogue). Several boarding houses were scattered throughout the area, most notably the St. Francis Inn building and the Valencia Hotel. Taken as a whole, this section has a high concentration of 18th- and 19th-century buildings on all streets except Cordova which was developed primarily in the 1920s.(2)

A wooden house on the site of 7 Bridge Street (which also uses the address 43 Marine Street) was purchased in 1804 by George Long, a native of Ireland, who later lived in Pennsylvania and came to St. Augustine by 1793 to take advantage of the land grants provided to encourage settlement of East Florida during the Second Spanish Period. He received land in both the Julington Creek and Matanzas areas. He took possession of the Matanzas land about 1800 but the family was driven out by Indians prior to 1812. This may have been where they took refuge in St. Augustine, replacing the wooden house with the now existing stone one. Mrs. Long had previously been married to a planter named McIntosh and her two daughters by that marriage were raised in the Long family. One of them was the mother of William J. Mills, the first mayor of Jacksonville. When George Long died, the house was inherited by his son George Long, Jr., who sold it by 1821 to Lewis Levy.(3)

With the change of flags from Spanish to American rule, Levy sold the house to Belton A. Copp. Copp was born in Connecticut in 1796 but grew up in St. Augustine when his father, Daniel (1770-1822), sold his general store in Connecticut and headed to Florida in search of merchandising opportunities. Daniel was appointed a city alderman in 1821, but died the next year, leaving a wife and eight children. Belton Allyn Copp studied law and was practicing in Florida by 1823 when he was recommended by Judge Joseph Lee Smith (father of General Edmund Kirby Smith) for appointment as U. S. Attorney for East Florida to succeed Alexander Hamilton, Jr. Someone else received the appointment instead, and Copp practiced law in St. Marys, Georgia until 1838 when he returned to Connecticut to help look after his mother and the rest of the family.(4)

The house at Bridge and Marine was bought in 1829 by A. S. Willington, who sold it in 1835 to Charles Downing, who served as Florida's territorial delegate to the U. S. House of Representatives. Downing was acting as trustee for Mary, the wife of Joseph Simeon Sanchez (1797-1853) whose family would occupy the house for nearly a century.(5)

Sanchez was the most prominent of twenty children (the first nine black, the next eleven white) of Francisco Xavier Sanchez (1736-1807) a native Floridian who owned a large cattle ranch at Diego Plains and had wide real estate interests. Joseph Simeon Sanchez had a long career in public office, serving as city alderman, tax collector, mayor, justice of the peace, sheriff, marshal, representative to the legislative council and delegate to the Constitutional Convention. He was also president of the putative "Southern College" that was to be located in St. Augustine but never came to fruition. He married Mary Lopez in 1816. She died in 1841 and in 1847 he married Sabina Marin, the widow of naval officer Charles Hawkins.(6)

About the time of the death of the first Mrs. Sanchez, great changes were made in the house. On August 28, 1841 the house was leased for five years at

the rate of \$350 per year to John A. Roddy, Arthur Magee and George Center, who operated a wharf on the bayfront behind the house. On September 16, Magee contracted with Henry Wharton for repairs to the house, the specifications of which included:

"The stone and wooden partitions downstairs to be taken down. The terrace floor to be dug up and new beams laid, all the old floor of the house downstairs to be taken up and new Floor laid of 1/4 inch [1" x 4"] Yellow pine, Tongued + Grooved plank ... all the sashes to be repaired and glazed ... The flooring under Stair Case not to be touched, the Pantry under Stair Case closed up, The roof to be shingled (best quality of shingles) with two dormer windows and single Battened shutters. Plaza upstairs five feet wide and length of new stone wall, that has to be put up, with neat Handrail three feet high. New stone wall to be put up on the East Side of the House where it is now weather Boarded. Lathed and plastered and one door above and one below in same partition. The Ceiling of the large room up stairs to be all replastered with two coat work, all other plastering work of the Building inside to be Completely repaired, new Base up stairs in all the rooms. —Up Stairs—one single battened door, Two paneled doors, one new door frame, four pair Venetian Blinds, Six window frame Sashes all to be glazed complete for painting, Two paneled shutters, one pannel + Sash door, to go out to the plaza—with shutters for sash. The house to be plastered out side all over, and whitewashed inside throughout, all the doors + window shutters to be fastened in a Strong and substantial manner, the locks, Bolts + Hinges to be of the best quality..."(7)

A bill from Henry Wharton to Center, Magee and Co, submitted in 1845 shows that additional work was done on the property: repairing the wharf, fencing the lot, building an ice house, privy and warehouse, repairing the kitchen, putting shelves in the store. There was an addition to the south side of the 7 Bridge Street house.(8)

In 1847 Joseph Simeon Sanchez married the former Sabina Marin, whose family home was one house south on Marine Street. He died in 1853 and the house at Bridge and Marine was inherited by his children. One daughter, Cornelia Loring (sister-in-law of Confederate General William Wing Loring) sold her 1/8 interest to her sister Ellen, wife of Judge John Lott Phillips. A son, Frank Sanchez, traded his interest for the house at 53 Marine Street and other property. It came to be known as the house of the Sanchez sisters, or, as they called it, "Bleak House," after the popular novel by Charles Dickens.(9)

Some of the Sanchez sisters were Confederate firebrands during the Civil War. A popular story is told of the actions of daughter Christina while Union soldiers occupied the city and forbid display of the Confederate flag:

"The fiery Sanchez beauty conceived the idea of attaching a tiny Confederate flag to the door of her pet canary's cage. This cage she hung on a pole in front of her home where it could be plainly seen by all who passed. Upon hearing of her defiance a Yankee officer came to arrest her for treason. To the amazement and embarrassment of the officer she was acquitted because she claimed that she was innocent of the charge. She could not be held accountable if her pet canary chose to show its

loyalty to the cause of the south by planting the banner of the boys in Grey in the very eyes of the boys in Blue." (10)

Another sister, however, married one of the Union soldiers, Davis Foster. Their son, J. Clifford R. Foster, served as adjutant general of Florida for many years.

The local newspaper reported many years later that:

"...it is through the quartet of daughters that the most picturesque events attach to the old house. For example, one of the very old ladies declined to follow changing fashions. Instead, she insisted on clinging to styles she had liked years previous, so that when she emerged for a stroll to town, or for a social call, it would be clad in a "Grecian bend" gown and all accessories that went with that period. While her friends might smile, it was indulgently, and she was described as a "very sweet old lady".

"Then there was the very controversial one, who had many disputes, and seemed destined to be continually involved in some argument in which she distributed much very positive printed and written, even chalked up, language. It is said there is still a house in town on which she declared she had put an eternal jinx. The owner of the house laughs at the idea but admits there's been plenty trouble since it came into their possession. This woman preserved her Spanish type of good looks, having a striking appearance with Castilian form of face and her satiny black hair parted and smoothed down both sides of her face.

"Another one of the "beautiful Sanchez girls" is said to have been on her honeymoon in another State when she sent her husband downstairs in the hotel to find out "what the row down there was all about." He was shot." (11)

The octogenarian sisters began to die off in the decade of the twentieth century, and in the 1920s part of the house was used for different purposes. In 1920 the Hook Mill Shop and Tea Room was located there. In 1924 the Orange and Blue Tea Room opened. In 1925 Mam Lindy's Coffee House was the tenant. In 1926 and 1927 it was headquarters for the Galleon Art Club, forerunner of the St. Augustine Art Association. (12)

Finally in 1931 the last of the Sanchez sisters died. The local press reported:

"St. Augustine lost yesterday one of its oldest and most beloved residents when Miss Christina Sanchez quietly passed away at sunset in her quaint little home on the corner of Bridge and Marine Streets. She was in her 93rd year.

"The deceased was the daughter of the late Joseph S. Sanchez, one of the most prominent men in the territorial days of Florida, he being one of the first legislators when Florida was a territory. Miss Sanchez was the last of a large family of sisters and brothers, and was the aunt of the late General J. Clifford R. Foster, who had tenderly cared for her for many years. Since the general's death, Mrs. Foster had assumed this responsibility.

"Miss Tina," as she was affectionately known to her friends, will be missed by many people in all walks of life, for she was one of the kindest and most lovable of the city's old residents. She was extremely interested in people and displayed the utmost pleasure whenever friends came to call. She was always alert and intelligent, keeping in touch with all current events of the world. She was utterly unselfish, never complaining, and was a devout member of the Catholic Church.

"Miss Tina" was ill with a cold only two days, and quietly, and with no pain, she passed away yesterday afternoon between 5 and 6 o'clock in the picturesque old coquina dwelling, known as "Bleak House." (13)

After a period of vacancy, the house was sold in the 1930s to William Aquilla and Beulah Robinson Lewis of Mount Eccentric, The Plains, Virginia, who also bought the colonial Marin house at 47 Marine Street and the attached Victorian apartment at 142 Avenida Menendez. Mr. Lewis was general manager of the Robinson Improvement Company, founded by his father-in-law, which had large timber and pulpwood holdings in Duval and St. Johns Counties. (14)

"Bleak House," which they renamed "Arequipa," had fallen into extreme disrepair. They restored it, submitting the plans to Dr. Verne Chatelaine and the historic restoration program for advice. Project architect was Wilbur Tollerton of Thomasville, Georgia. The local paper reported: "This evidence of cooperation is one of the most delightful phases of the early endeavors of the Restoration Program. The house will have modern conveniences, and be essentially livable, but olden charm will prevail." (15)

The Lewises used it as a winter home, spending several months there each year. When W. A. Lewis died in 1960 at the age of 85, a six-acre plot of ground for a wayside park at Tocoi Road—former route of the St. Johns Railway—was donated in his memory. Beulah Robinson Lewis died in 1966. Since then the property has gone through a series of short-term owners, most of them absentee. (16)

1. Kathleen Deagan, et al, "A Sub-Surface Survey of the St. Augustine City Environs," (Tallahassee, 1976); Juan Jose Elixio de la Puente, "Plano . . . de la Plaza de San Agustín," January 22, 1764; Mariano de la Rocque, "Plano Particular de la Ciudad de San Agustín," April 25, 1788; East Florida Papers, Escrituras, 1784-1821; Albert Manucy, The Houses of St. Augustine, 1565-1821 (St. Augustine, 1962), pp. 22-25 and 41-47.

2. Anon., "Copy of a Plan of the City of St. Augustine," 1833; 1885 and 1894 Birds-Eye Views; Sanborn Fire Insurance Maps, 1888-1958.

3. St. Augustine Historical Society biographical cards, "Long"; Spanish Land Grants in Florida (Tallahassee, 1940), Volume I, p. 206; Volume IV, pp. 66, 126-7, 201; St. Johns County Courthouse, Deed Book C, p. 140.

4. Deed Book C, pp. 64, 141; SAHS biographical cards, "Copp"; Florida Gazette, September 1, 1821; Clarence E. Carter (ed.), Territorial Papers of the United States (Washington, 1956), Volume XXII, pp. 678, 806.

5. Deed Book H, p. 340; Deed Book M, pp. 8-11.

Attachment 2
Proposed PUD

WRITTEN DESCRIPTION

This Written Description explains the benefits of the proposed use to the community and compatibility with surrounding uses consistent with s. 28-288, City Land Development Code.

The Sanchez House, located at 7 Bridge Street, St. Augustine, Florida, is an historical building located in the Historic Preservation 1 ("HP-1") District of the City of St. Augustine. The Sanchez House was built in 1793 by Jose Simeon Sanchez. Sanchez was a leading statesman in St. Augustine's first Spanish colonial period. The Sanchez House is virtually unchanged, from its coquina exterior to its impeccably restored interior.

The HP-1 zoning provisions currently applicable to the Sanchez House are the following:

- Section 28-183 delineates the permitted uses of a building structure in the HP-1 District to include: "Single Family. Owner occupied or rental dwelling unit. If a rental dwelling unit, rentals on a monthly or greater period of time."
- Section 28-2 defines a "dwelling unit" as "a building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation for not more than one family."
- Section 28-2 further defines "family" as "one (1) or more persons related by blood, marriage, adoption, guardianship or similar relationship, or a group not to exceed three (3) unrelated persons living together as a single housekeeping unit."

The Sanchez House may currently be rented to persons under the terms of an agreement by and between the City of St. Augustine and current owner, Blake Deal pursuant to s. 70.51, F.S., mediation; a written lease that of the premises must contains the following provisions:

- The lease is for a 30-day minimum period;
- The house may be used for wedding, anniversary or similar events with the number of guests limited to 45;
- The tenant must arrange for guest parking at one of the listed nearby local parking lots, and on-street parking in the neighborhood is prohibited;
- Trash containers will not be placed in the street for pickup any further in advance than the day before trash pickup.

The City has expanded the existing loading zone on Avenida Menendez in front of the Bayfront Marin House for use by the Sanchez House and other businesses. Sanchez

House, special event or guests shall not use Marine Street or Bridge Street for loading and unloading.

Deleted: and tenants

The applicant proposes to preserve the Sanchez House both inside and out through a Planned Unit Development (PUD) under Article 28, Division 8, of the City Code. The City's Historical Architectural Review Board typically only addresses the exterior of a historic property. The applicant proposes to go beyond HARB authority to preserve both the exterior and interior of the Sanchez House. The only material modifications to be made shall be to retile both bathrooms and replace the shower in one of the bathrooms, and replace the clawfoot tub with shower attachment with a shower in the other. There will be no footprint change to the bathrooms themselves. Otherwise, the only changes allowed shall be to comply with life safety standards. The applicant shall record a deed of preservation easement on the entire exterior of the building (including the front, sides, rear, and height). The easement shall bar any change to the exterior that is inconsistent with the Sanchez House's historic character. Consistent with Natural Park Service and other criteria, the Sanchez House's significant interior space shall be preserved as well.

Deleted: install a new

Consistent with federal standards, the public will have visual access to the façade, as the Sanchez House remains a prominent bayfront fixture for over two centuries. Thousands pass by the house on 7 Bridge Street.

The easement will be granted in perpetuity to a qualified organization under IRC S. 170(c), with both a conservation purpose and written commitment to enforce the easement.

In return for the preservation easement, the applicant seeks the following:

1. No restriction on the number of weddings, but all weddings must be done by 8 PM. Maximum guest count of 60.
2. No member of a wedding party may stay overnight at the Sanchez House, to ensure the property is clear of wedding party, guests and others associated with a wedding by 8 PM.
3. Only on nights when no wedding is being held, the Sanchez House may be rented as two units (upstairs and downstairs).
4. Parking will be provided for each unit, for a total of two (2) two guests.

Deleted: .

Consistent with federal standards, the public will have visual access to the façade, as the Sanchez House remains a prominent bayfront fixture for over two centuries. Thousands pass by the house's prominent location bordered by Bridge St., Marine St, and Avenida Menendez. All three of these routes are utilized by pedestrians, as well as tour trams, horse carriage rides, and other tour operations.

The easement will be granted in perpetuity to a qualified organization under IRC S. 170(c), with both a conservation purpose and written commitment to enforce the easement.

Deleted: ¶

Deleted: 11.6.18

PARKING

Parking will be provided for one vehicle in the existing garage, and off-site by sublease from the Bayfront Marin House at one (1) for each of the units and two (2) for the owner/manager (albeit that the owner/manager is intending to be at the Bayfront Marin next door at most times), for a total of four (4) parking spaces. As stated above, the City has expanded the loading zone in front of the next door Bayfront Marin House for use by the Sanchez House and other businesses. The Sanchez House and its guests will not, however, use the loading zone for loading and unloading

Deleted:

Deleted: unit

SIGNAGE

Signage will strictly comply with Code.

FENCING/SCREENING

The existing historic perimeter walls shall remain in place, consistent with the Spanish Colonial Period.

COMPLIANCE WITH S. 28-289(c):

a. FUTURE LAND USE

FLUE POLICY 1.3

The City shall maintain the following densities and intensities of land use for the Future Land Use classification indicated. These densities and intensities shall be implemented by zoning district regulations adopted in the City Code and shall apply to all new development and all redevelopment in the City. Calculations of densities and intensities of use are based on net developable land, not gross acreage. Developable land includes all land contained within the boundaries of a parcel except lands within a public right-of-way; marshlands, swamps, or other environmentally sensitive lands where local, state, or federal regulations prohibit development; and actual or man-made bodies of water such as ponds, lakes and reservoirs.

* * *

Historic Preservation

This district is included to provide primarily residential uses that will encourage the preservation and restoration of historic structures in the district. This district is also intended to provide a mix of residential uses and compatible nonresidential uses that will encourage the restoration and reproduction of historic structures and maintain the historic and low intensive ambiance of the neighborhood, and pedestrian scale of the neighborhood.

For All Uses

Deleted: 11.6.18

Minimum lot area of 1,750 square feet; maximum lot coverage of 70%; maximum height restriction of 35 feet.

The proposed use will meet or exceed all of the dimensional criteria and maintain design and integrity consistent with its Colonial heritage and surrounding development.

(1) NO ADVERSE EFFECT FINDING

The currently approved use allows 30-day minimum leases, together with special events with up to 45 guests. The proposed use would maintain special events, while ensuring preservation of one of the City's most significant Spanish Colonial structures, constitute a bed and breakfast consistent with surrounding and nearby uses, and would be dramatically less intense than what the City permits today for adjacent property.

Deleted: .

(2) COMPREHENSIVE PLAN COMPLIANCE

1. HISTORIC PRESERVATION

HP GOAL

Maintain and enhance the historic integrity and ambiance within the City of St. Augustine while encouraging economic growth and the identification, preservation, continued use and adaptive reuse of existing historic structures.

* * *

HP POLICY 1.3

The Architectural Guidelines for Historic Preservation (AGHP), as amended from time to time by the City Commission, including by reference as part of the City Code shall continue to contain the specific architectural development guidelines for all of the architectural styles represented in the City, and shall continue to be used as the standard for review for ... adaptive reuse in the local historic preservation districts

HP OBJECTIVE 3

Continue to identify, preserve, and encourage the adaptive reuse of historic structures in all areas of the City. This objective is implemented by HP Policies 1.3, 1.4, 3.8, 3.11, 3.12, A, D and E and Housing Policies 4.1 and 4.5¹. The measurable targets for this objective are: [1] conditions of the buildings listed on the Master Site File

¹ HP Policies 1.4 and 3.8 do not appear applicable. There is no HP Policy 3.11 or 3.12. Housing Policy 4.1 does not appear applicable. There is no Housing Policy 4.5.

Deleted: 11.6.18

The building and grounds are being preserved consistent with the attached Master Site File entry for the Sanchez House.

PUD REGULATION COMPLIANCE

PUD regulation compliance with sections 28-286 through 28-292, as applicable, is set forth above, as well as throughout this analysis of 28-289(c).

(3) NEED AND JUSTIFICATION FINDING

The proposed intensity effectively preserves existing historic and neighborhood patterns by maintaining a small-scale use between two larger and more intensive uses, while preserving the historic structure itself.

Deleted: deintensification

(4) SITE-SPECIFIC CONDITIONS AND MITIGATION FINDING

a. Permit a creative approach to the development of land. The proposed use preserves the key historical aspects of the Sanchez House, while maintaining an intensity that is compatible with its neighbors, but at a lesser level.

Deleted: utilizes a far less intensive use than is currently permitted, while preserving

b. Accomplish a more desirable environment than would be possible through the strict application of the existing zoning district requirements. Transportation and related impacts, are minimal.

Deleted: .

Deleted: .

Deleted: remain

c. Provide for an efficient use of land. The use would remain of low intensity, while maintaining the exact same streetscape, because no external changes shall take place.

Deleted: .

d. Improves the appearance of the area through the preservation and enforcement of historic and natural features, recreation areas and open space, and effectively transition from existing development patterns to the PUD. The use will maintain a classic Spanish colonial structure, unchanged in the exterior, and ensure that preservation through facade easement. this will ensure the historic appearance and underlying historic value are maintained.

e. Provide an environment of consistent character consistent with surrounding areas. d. is restated. The Spanish colonial structure is consistent with surrounding HP-1 uses and the desired nature and appearance of the surrounding areas.

f. Retain property values over the years. The intensification of use and facade easement are calibrated to ensure this condition is met.

Deleted: de-

DIMENSIONAL CRITERIA

The primary purpose of this PUD is preservation of the existing, virtually pristine and unchanged Second Spanish Colonial structure. Both in its existing condition, and in the event of destruction as contemplated by s.s 28-188 and 28-289.6.4, City Code, the

Deleted: 11.6.18

Sanchez House will maintain, and as necessary be restored or rebuilt, to its existing dimensions. The façade easement will further ensure this protection.

Deleted: d

Per Section 28-188, the existing, historic Spanish Colonial structures meets or exceeds the lot, yard and height requirements otherwise applicable in HP-1 as follows, with limited exception as noted:

28-188 Lot, yard and height requirements for historic preservation districts 1, 2 and 3

Formatted: Indent: Left: 1", Right: 1"

(a) All new buildings or structures within these historical districts shall conform to the Architectural Guidelines for Historic Preservation of the City of St. Augustine. New construction, whenever practical, should conform to old foundation lines in order that the original scale and pattern of development can be preserved.

Formatted: Indent: Left: 1", Hanging: 0.5", Right: 1",
Tab stops: 1.25", Left

The exterior, and the vast majority of the historical, original Sanchez House is virtually unaltered, but for the existing garage, and covered hall behind it.

(b) The following lot, yard, and height requirements shall be applicable to new construction reflecting the Colonial period, in historic preservation in district 1 and to all new construction in historic preservation districts 2 and 3:

(1) Minimum lot requirements

a. Minimum lot

b. Minimum lot area, one thousand seven hundred fifty (1,750) square feet.

(2) Maximum lot coverage by all buildings:

a. The lesser of seventy (70) percent or seven thousand (7,000) square feet.

Deleted: to

b. Main structure, the lesser of two thousand five hundred (2,500) square feet or fifty (50) percent of total lot size.

(3) Maximum and minimum yard requirements:

a. Front. Main building not be located on the street frontage. The main building shall not exceed the lesser of eighty (80) percent of the lot width or forty (40) feet.

Deleted: 11.6.18

REQUESTED WAIVER: The historic main building has a street address facing Bridge Street. The historically accurate, virtually unchanged front contains a door that opens onto the right of way, and is thus blocked for access for safety reasons. The main building is, and is intended to remain facing on, with zero setbacks from, Bridge Street, to maintain its historic accuracy.

Formatted: Indent: Left: 1.5", Hanging: 0.5", Right: 1",
Tab stops: 1.75", Left

1. Secondary buildings which connect to a main building shall be set back the lesser of forty (40) percent of total lot depth or forty (40) feet.

2. Main buildings on the same lot shall be separated by minimum of twenty (20) feet.

b. Rear. Three (3) feet minimum.

c. Side. Three (3) feet minimum, except that Spanish Colonial reproduction structures may be located on the north property line when no windows or doors are located in the north facade and there is a six-foot minimum setback on the south property line.

REQUESTED WAIVER: Waiver is requested from (3) c. because the western side of the building lies along the Marine Street right-of-way, with zero setback. Additionally, the applicant requests a waiver because the frontage is on the north, not the side, property line; for information only, a door and six windows exist on the north side.

Formatted: Indent: Left: 1.75", Hanging: 0.25", Right: 1"

(4) Maximum height of structures:

a. No portion of peaked roof main buildings or structures shall exceed thirty-five (35) feet, two and one-half (2 1/4) stories. No portion of flat-roofed main buildings or structures shall exceed thirty (30) feet, two stories.

b. No portion of secondary buildings or structures and connections shall exceed fifteen (15) feet.

Deleted: 11.6.18

STATEMENT OF RESPONSIBILITY FOR MAINTENANCE AND OWNERSHIP OF COMMON FACILITIES

Formatted: Underline

Deleted: _____

Formatted: Underline

Formatted: Underline

The obligation to maintain and own all common facilities shall bind the Owner, and shall run with title. The grassed area shown on the survey attached as Exhibit A and the site plan attached as Exhibit B shall be and shall remain open space in perpetuity pursuant to s. 28-291.4, City Code.

PHASING

The phasing of the PUD or PUD amendment, including all subphases: 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.

There will be only one phase, as such, which will be the bathroom work discussed above. That will commence within one (1) year, and be completed within one (1) year of commencement. "Commencement" shall be defined as obtaining all City permits required for the work, and "completion" shall mean approval of as-builts.

TERMINATION DATE

This PUD shall terminate fifteen (15) years after adoption by the city unless otherwise extended as amended pursuant to City Code.

REVERSION

The proposed PUD is consistent with underlying future land use designation for the property.

INFRASTRUCTURE IMPACT ANALYSIS

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.

A public facility impact analysis that outlines the project's impact on transportation networks, circulation patterns and infrastructure of the city is attached as Exhibit _____. Other than that transportation analysis, virtually no net change will take place that should materially affect the infrastructure for the Sanchez House.

COMMUNITY FACILITIES

- a. All utility facilities proposed for dedication to St. Augustine must be acceptable to the city as to the size, shape, and location and shown by the applicants to be of benefits to the general public.

The on-site utilities are already connected to the City. If and to the extent the City so requires, on-site utilities will be dedicated to the City in compliance with applicable City Code Requirements.

Formatted: Indent: Left: 0.5", No bullets or numbering

Deleted: 11.6.18

b. All requirements for off-street parking and loading shall apply to the PUD unless otherwise waived or modified.

As stated above, the PUD will provide four (4) parking space, based on a requirement of one (1) each for the guest rooms and two (2) for the owner/manager even though the owner/manager will typically be at the Bayfront Marin next door.

Formatted: Indent: Left: 0.5", No bullets or numbering

c. Access and circulation shall adequately provide for firefighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries and debris removal.

The PUD will continue to provide adequate access and circulation for emergency and other access, including access for large vehicles.

Formatted: Indent: Left: 0.5", No bullets or numbering

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 structures and prevent erosion and formation of dust.

The Project will provide 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 adopted by the City of St. Augustine.

The PUD's intent includes interconnectivity on the pedestrian sides, to the west and east, with the Bayfront Marin Inn to the south, and otherwise as part of the Historic District.

Formatted: Indent: Left: 0.5", No bullets or numbering

f. General development patterns

N/A.

Formatted: List Paragraph

Formatted: Underline

BINDER OF APPLICANTS, OWNERS AND SUCCESSORS IN TITLE

Pursuant to s. 28-289.a.4, City Code, the Applicants and Owner voluntarily acknowledge and agree to be bound to every commitment made in this application and at hearing related to all rights, terms, conditions, and limitations of the PUD text narrative and final development plan, including but not limited to the phasing, termination and reversion clauses.

Formatted: Right: -0.06"

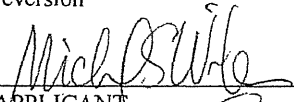
APPLICANT

OWNER

APPLICANT

Deleted: 11.6.18

hearing related to all rights, terms, conditions, and limitations of the PUD text narrative and final development plan, including but not limited to the phasing, termination and reversion clauses.



APPLICANT



APPLICANT

OWNER

December 27, 2018

Mr. David Harrell
City of St. Augustine
Planning and Zoning
75 King Street, Elevator "B"
St. Augustine, Florida 32084

Re: Parking

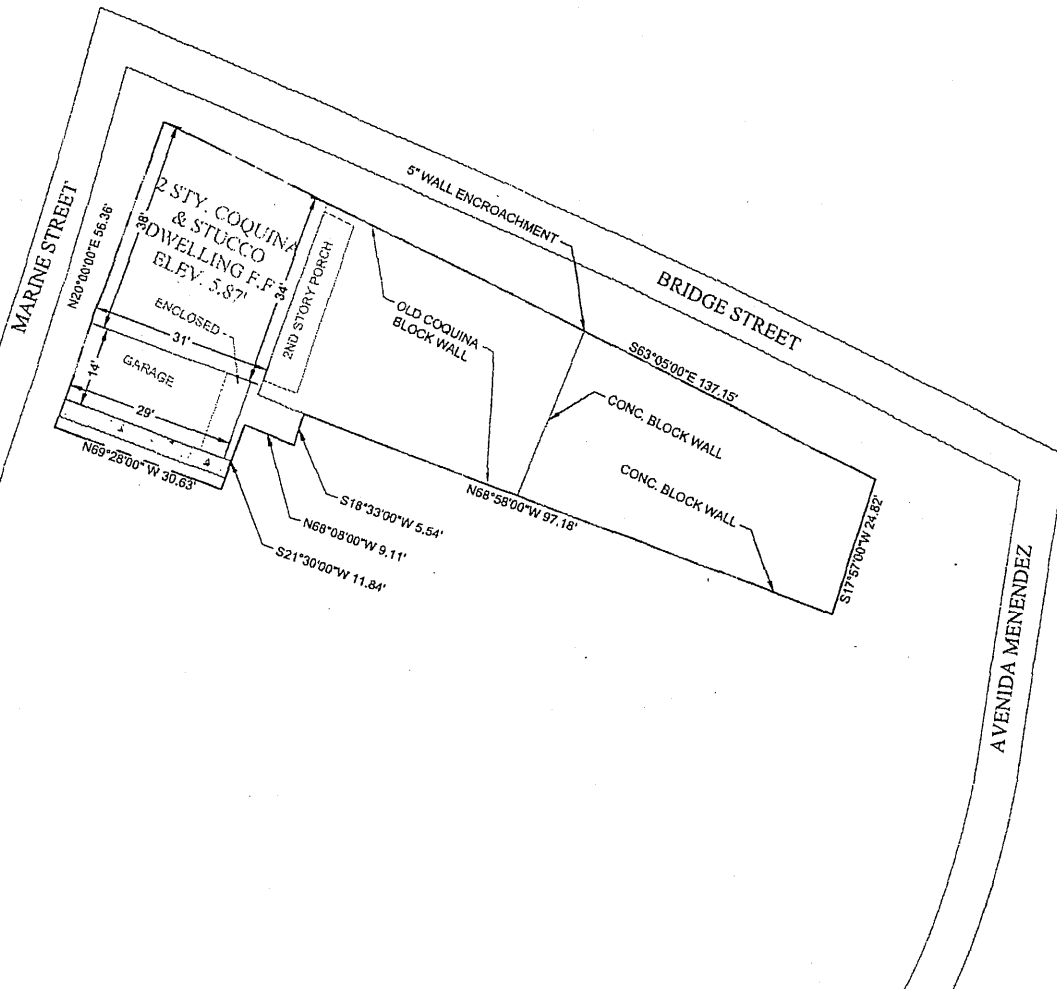
Dear Mr. Harrell:

We own Bayfront Marin House. We have leases for parking spaces at 154 Cordova St. We have authority to provide three (3) parking spaces for the use of the Sanchez House.

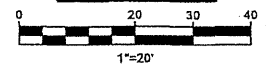
Sincerely,

/s/ Mike Wieber

Mike Wieber



GRAPHIC SCALE



SITE DATA TABLE			
TOTAL SITE	0.11 AC		4,828 SF
EXISTING BUILDING			1,704 SF
TOTAL IMPERVIOUS			1,788 SF
TOTAL PERVIOUS			3,130 SF
TOTAL IMPERVIOUS %			36%
TOTAL PERVIOUS %			64%
% BUILDING COVERAGE			35%
TOTAL FLOOR AREA			2,823 SF
FLOOR AREA RATIO (FAR)			57.3%
PARCEL NUMBER(S)			198430 0000
911 ADDRESS			7 BRIDGE STREET
FEMA PANEL NUMBER			12109C0318J
FLOOD ZONE			AE

MATTHEWS DESIGN GROUP
P.O. BOX 3126, 7 WALDO STREET
ST. AUGUSTINE, FL 32084
PHONE: 904.826.4447
INFO@MATTHEWSGROUP.COM

DATE: 10/27/16
DRAWN BY: JAM
CHECKED BY: JAM
DESIGNED BY: JAM

SITE PLAN
SANCHEZ HOUSE
7 BRIDGE STREET
CITY OF SAINT AUGUSTINE, FLORIDA

1

Attachment 3

Neighborhood-Developer Meeting Information

December 27, 2018

Mr. David Harrell
City of St. Augustine
Planning and Zoning
75 King Street, Elevator "B"
St. Augustine, Florida 32084

Re: Neighborhood Meetings

Dear Mr. Harrell:

We are the applicants for 7 Bridge Street/ Sanchez House. We previously conducted a community meeting, as well as with the Old City South Neighborhood Association Board, concerning the proposed use that is currently before the City. That is, we addressed the possibilities of:

1. Preserving the Sanchez House;
2. Maximum public event capacity of 60, no later than 8 PM end;
3. Upgrading and modifying the two guestrooms and limiting that use.

We are conducting one more community meeting at the request of the Association's board prior to the Planning and Zoning Board Meeting on this application.

Sincerely,

/s/ Mike Wieber

Mike Wieber

**To: NEIGHBORHOOD COUNCIL OF SAINT AUGUSTINE
52 N. ST AUGUSTINE BOULEVARD
SAINT AUGUSTINE, FLORIDA 32080**

NEIGHBORHOOD NOTICE

Project Name:	Sanchez House/7 Bridge Street Planned Unit Development
Property Owner:	Blake Deal
Applicants:	Mike and Sandy Weiber
Existing Zoning:	Historic Preservation 1 (HP-1)
Requested Zoning:	Planned Unit Development (PUD)
Project Address:	7 Bridge Street, St. Augustine, Florida 32084
Project Description:	Preservation of the Sanchez House both interior and exterior through PUD and recording of deed of preservation easement on entire exterior of building, and use for Bed & Breakfast and weddings.
Project Coordinator:	Sidney F. Ansbacher, Esq. Upchurch, Bailey and Upchurch, P.A. Post Office Drawer 3007 St. Augustine, Florida 32085-3007 Telephone: (904) 829-9066 Email: sfansbacher@ubulaw.com

Please contact the developer's project coordinator directly if a courtesy neighborhood informational meeting is requested of the developer. The courtesy neighborhood informational meeting will be presented by the developer, not by City staff. It is not an official City meeting or hearing on the project application. The developer neighborhood notice is not intended to be a legal notice, nor should it be relied upon to provide affected party status or standing. The developer neighborhood notice is an additional, courtesy informational tool provided to the public to facilitate early, voluntary and direct communication between the City's neighborhoods or defined communities and PUD development applicants. This document was prepared by the developer and the City does not warrant its accuracy. The official complete application public record will be available for review after filing at the City of St. Augustine Planning and Building Department, 75 King Street, St. Augustine, Florida, during regular office hours.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
☒ Complete items 1, 2, and 3. ☒ Print your name and address on the reverse so that we can return the card to you. ☒ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Neighborhood Council of St. Augustine 52 N. St. Augustine Boulevard St. Augustine, Florida 32080		A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) <i>SEAN M BELL</i> C. Date of Delivery <i>11/17/201</i> D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
2. Article Number (Transfer from service label) 7017 1000 0000 1775 1571		3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500) ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☒ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

USPS TRACKING #	
9590 9402 3570 7305 6301 88	First-Class Mail Postage & Fees Paid USPS Permit No. G-10
United States Postal Service	
• Sender: Please print your name, address, and ZIP+4® in this box* Upchurch, Bailey and Upchurch, P.A. Attn: Sidney F. Ansbacher, Esq. Post Office Drawer 3007 St. Augustine, Florida 32085-3007	

7 Bridge St PAD

Attachment 4

Property Appraiser Info. & Location Map



St. Johns County, FL

Quick Links

[My Tax Bill](#)
[Tax Estimator](#)
[Proposed Hx](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

2017 TRIM Notice

[2017 TRIM Notice](#)

Summary

Parcel ID 1984300000
Location Address 7 BRIDGEST
 SAINT AUGUSTINE 32084-0000
Neighborhood City/Bayfront Residential (612)
Tax Description* CITY OF ST AUGUSTINE PT OF LOTS 1 1-A & 2 BLK 22 24.83FT ON AVENIDA MENENDEZ OR2228/1840 & 3733/489(TRUSTEES DEED)
 *The Description above is not to be used on legal documents.
Property Use Code Single Family (0100)
Subdivision City of St Augustine
Sec/Twp/Rng 17-7-30
District City of St Augustine (District 452)
Millage Rate 20.2171
Acreage 0.110
Homestead N

View Map

Owner

Owner Name Deal Blake F III 100%
Mailing Address 2215 THIRD ST S STE 100
 JACKSONVILLE BEACH, FL 32250-0000

Valuation

	2018
Building Value	\$176,098
Extra Features Value	\$4,323
Total Land Value	\$292,859
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$473,280
Total Deferred	\$0
Assessed Value	\$473,280
Total Exemptions	\$0
Taxable Value	\$473,280

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

Historical Assessments

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2018	\$178,808	\$4,323	\$0	\$0	\$0	\$475,990	\$475,990	\$0	\$475,990
2017	\$184,226	\$4,323	\$292,859	\$0	\$0	\$481,408	\$481,408	\$0	\$481,408
2016	\$186,935	\$4,323	\$292,859	\$0	\$0	\$484,117	\$484,117	\$0	\$484,117
2015	\$192,353	\$4,323	\$245,485	\$0	\$0	\$442,161	\$442,161	\$0	\$442,161
2014	\$183,589	\$4,323	\$223,090	\$0	\$0	\$411,002	\$411,002	\$0	\$411,002
2013	\$188,688	\$4,323	\$223,090	\$0	\$0	\$416,101	\$416,101	\$0	\$416,101
2012	\$191,238	\$4,323	\$223,090	\$0	\$0	\$418,651	\$418,651	\$0	\$418,651
2011	\$193,788	\$4,323	\$248,069	\$0	\$0	\$446,180	\$446,180	\$0	\$446,180
2010	\$196,338	\$4,323	\$272,000	\$0	\$0	\$472,661	\$472,661	\$0	\$472,661

Building Information

Building	1	Roof Structure	Gable Hip
Actual Area	2059	Roof Cover	Wood Shingle
Conditioned Area	2530	Interior Flooring	Hardwood
Actual Year Built	1800	Interior Wall	Drywall
Use	Single Family Residence	Heating Type	Air Duct
Style	01	Heating Fuel	
Class	N	Air Conditioning	Central
Exterior Wall	Concrete Stucco	Baths	2

Category

Type

Pct

Category	Type	Pct
Exterior Wall	Concrete Stucco	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Wood Shingle	100%
Interior Walls	Drywall	100%
Interior Flooring	Hardwood	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	12 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Concrete Slab	100%
Condition	Good	100%

Description	Conditioned Area	Actual Area
2 STORY	2418	1209
FINISHED OPEN PORCH	0	222
FINISHED OPEN PORCH	0	222
FINISHED GARAGE	0	294
MASONRY ADDITION	112	112
Total SqFt	2530	2059

Extra Features

Code Description	BLD	Length	Width	Height	Units
Masonry Wall	0	0	0	0	724

Land Line

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	25	136	4922	SF	\$292,859

Sales

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
9/16/2016	9/6/2016	\$0.00	MC	4257	720	U	I	DEAL BLAKE F III	DEAL BLAKE F III ETAL
5/20/2013	10/5/2012	\$0.00	TR	3733	489	U	I	ABBOTT DOREEN TRUSTEE	DEAL BLAKE F III
	6/14/2004	\$795,000.00	WD	2228	1840	Q	I	BAUMGARTNER THOMAS H,CAMILA I	DEAL BLAKE F III
	7/17/1998	\$333,000.00	WD	1334	1683	U	I	MARTIN CHARLES D JR,SHARON K	BAUMGARTNER THOMAS H,CAMILA I
	8/1/1984	\$150,000.00		652	1887	Q	I		MARTIN CHARLES D JR,SHARON K

Area Sales Report

[Recent Sales in Area](#)

Clerk of Court

[Clerk of Court](#)

Tax Collector

[My Tax Bill](#)

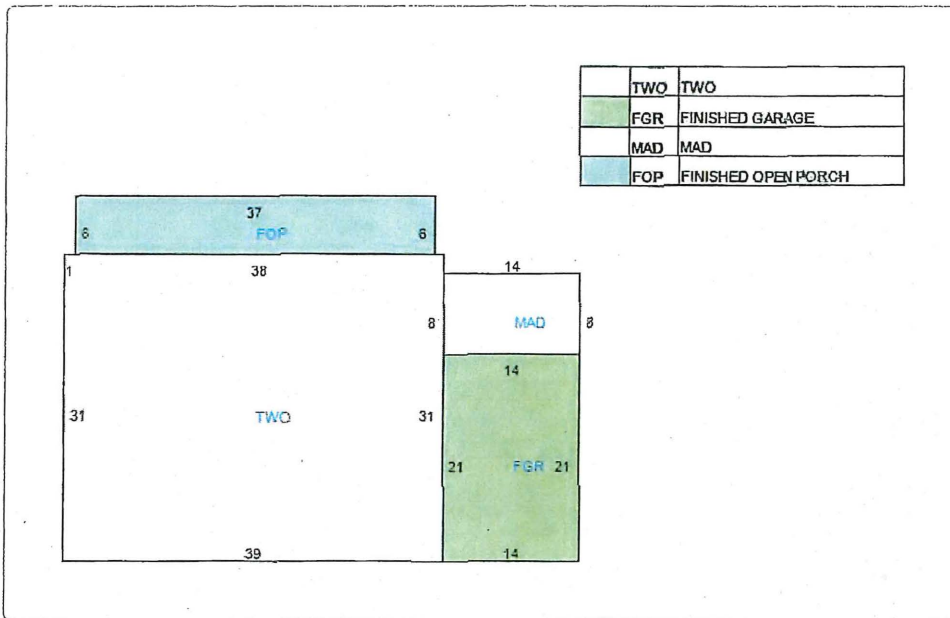
Tax Estimator

[Tax Estimator](#)

Map



Sketches

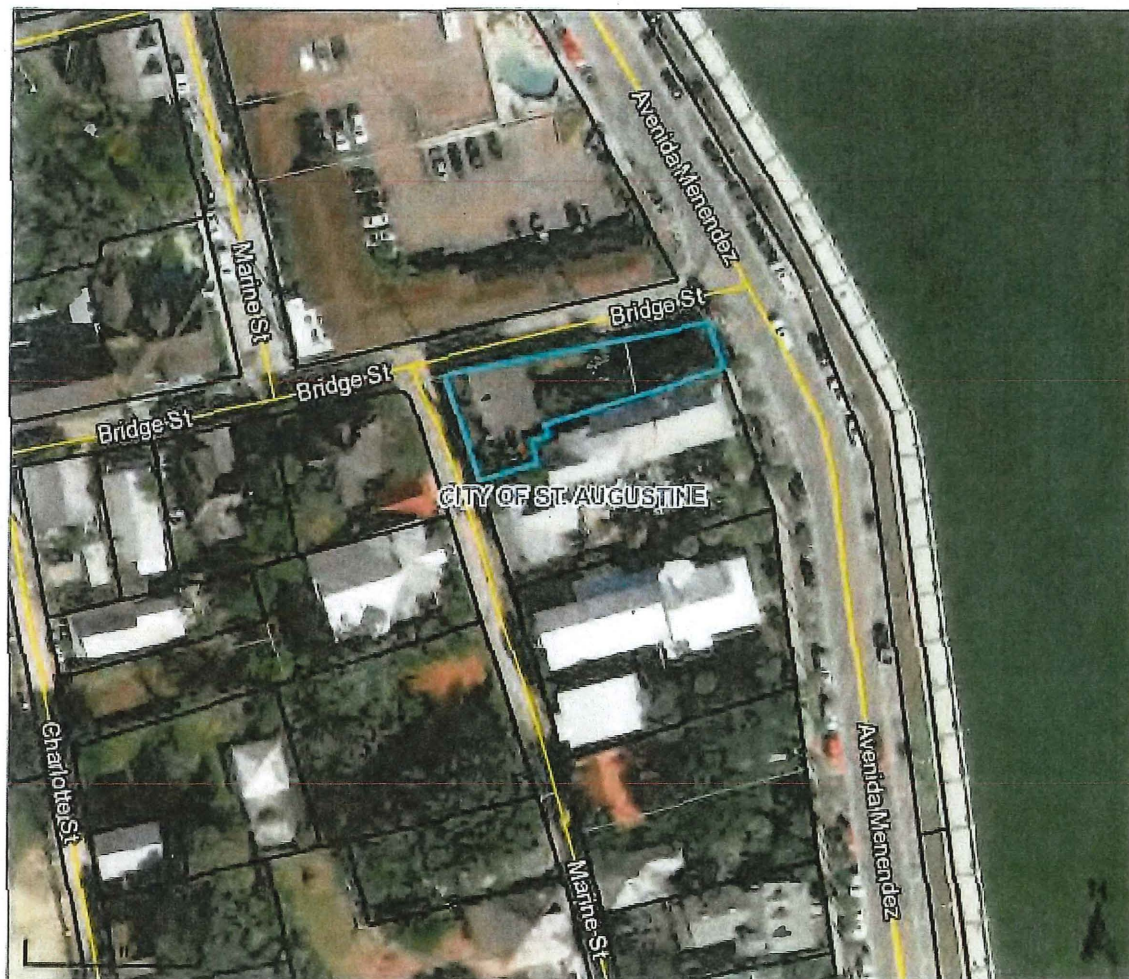


No data available for the following modules: Exemptions.

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.

Last Data Upload: 11/6/2018, 3:26:39 PM

Developed by
 **Schneider**
GEOSPATIAL



Overview



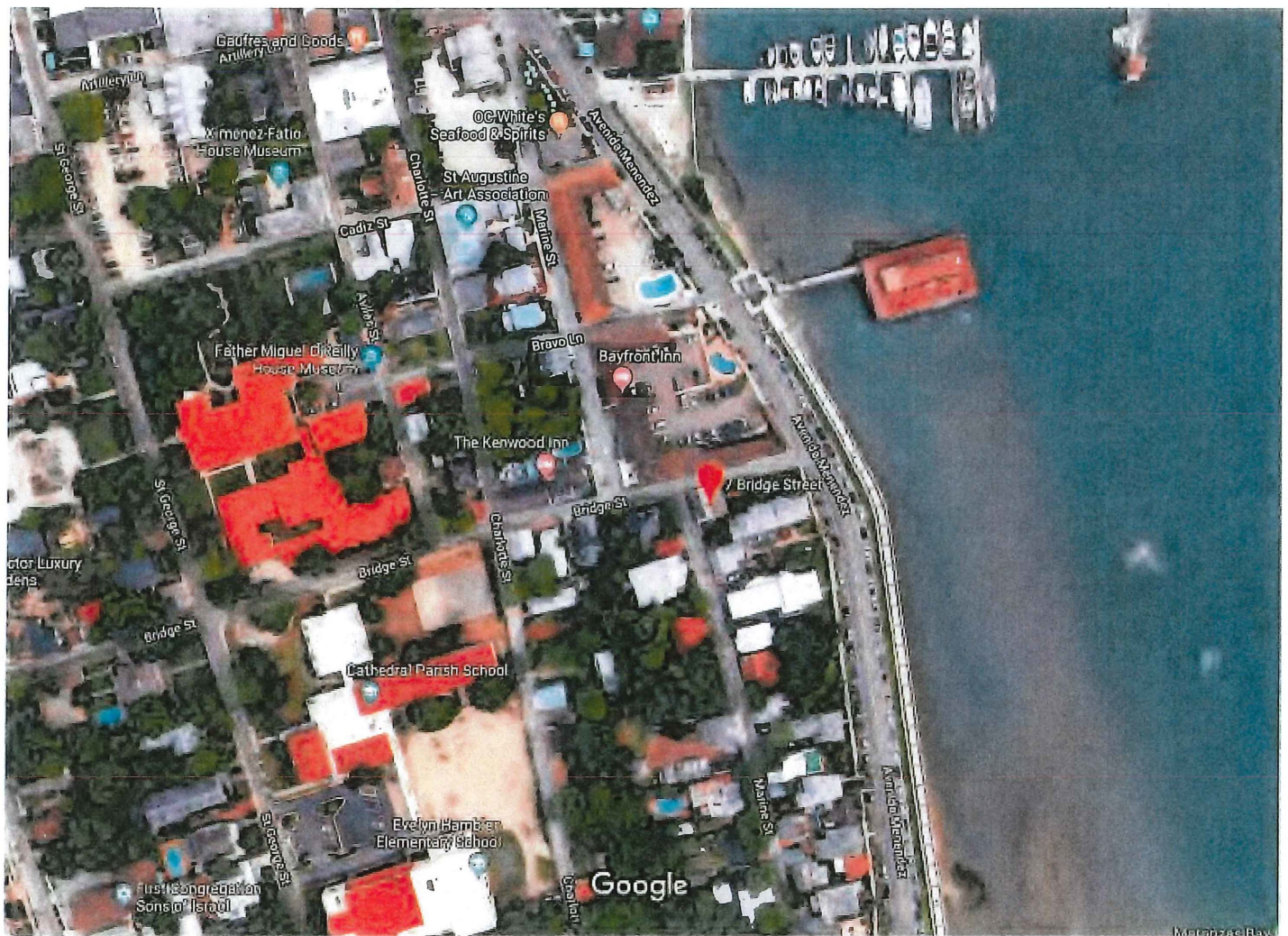
Legend

- Parcels
- Cities

Parcel ID	1984300000	Physical	7 BRIDGE ST	Building Value	\$176,098	Last 2 Sales			
Property	0100 - Single	Address	SAINT AUGUSTINE	Extra Feature	\$4,323	Date	Price	Reason	Qual
Class	Family	Mailing	DEAL BLAKE F III	Value		6/14/2004	\$795000	01	Q
Taxing	City of St	Address	2215 THIRD ST S STE 100	Total Land	\$292,859	7/17/1998	\$333000	11	U
District	Augustine		JACKSONVILLE BEACH FL	Value					
Acres	0.11		32250-0000	Just Value	\$473,280				
				Total Deferred	N/A				
				Assessed Value	\$473,280				
				Total	N/A				
				Exemptions					
				Taxable Value	\$473,280				

Date created: 11/6/2018
Last Data Uploaded: 11/6/2018 3:26:39 PM

Developed by  Schneider
GEOSPATIAL



Imagery ©2018 Google, Map data ©2018 Google 100 ft



7 Bridge St
St Augustine, FL 32084

Attachment 5
Traffic Impact Analysis

Kimley»Horn

February 28, 2018

Sidney F. Ansbacher, Esquire
Upchurch, Bailey and Upchurch, P.A.
780 North Ponce de Leon Boulevard
Mailing Address: Post Office Drawer 3007
St. Augustine, Florida 32085-3007

**RE: *Traffic Impact Assessment
Sanchez House – 7 Bridge Street
St. Augustine, Florida***

Dear Mr. Ansbacher:

At your request, Kimley-Horn has performed a Traffic Impact Assessment (TIA) for the Sanchez House historical building, located at 7 Bridge Street in St. Augustine, Florida. The Sanchez House property (the "Property" or "Project") is identified by the St. Johns County Property Appraiser as having Parcel Identification Number (PIN) 198430-0000.

Background

Kimley-Horn understands that the property owner (the "Applicant") plans to preserve the Sanchez House both inside and out through a Planned Unit Development (PUD) under Article 28, Division 8 of the City Code. The Sanchez House is currently within the Historic Preservation 1 ("HP-1") District. Within this zoning district, the Sanchez House currently may be rented to persons under a written lease and used to host weddings and similar events, provided the tenancy meets the following zoning provisions:

- The lease is for a 30-day minimum period;
- The house may be used for wedding, anniversary or similar events with the number of guests limited to 45;
- The tenant must arrange for guest parking at one of the listed nearby local parking lots, and on-street parking in the neighborhood is prohibited;
- Trash containers will not be placed in the street for pickup any further in advance than the day before trash pickup.

As part of the proposed PUD, the Applicant seeks the following changes to the tenancy requirements:

- No restriction on the number of weddings, but all weddings must be done by 8 PM. Maximum guest count of 60.
- No member of a wedding party may stay overnight at the Sanchez House, to ensure the property is clear of wedding party, guests and others associated with a wedding by 8 PM.
- Only on nights when no wedding is being held, the Sanchez House may be rented as two units (upstairs and downstairs).
- Parking will be provided for each unit, for a total of two (2) spaces.

This TIA evaluates the peak hour traffic impacts anticipated for a wedding event at the Sanchez House as this condition will result in a higher generation of peak hour trips than use of the Property as a two-unit rental, thereby representing the worst-case scenario. The following sections outline the TIA performed for the Sanchez House.

Project Trip Generation

Typically, the trip generation potential for a proposed land use is calculated using data published by the Institute of Transportation Engineers (ITE) in the *Trip Generation Manual, 10th Edition*. However, there is no data in the *Trip Generation Manual* that is specific to a wedding venue. Therefore, the worst-case peak hour trip generation has been calculated using assumptions and engineering judgement. Since the proposed PUD restricts the Sanchez House venue to a maximum of 60 guests, the peak hour entering and exiting trip generation has been calculated for a wedding with 60 guests. It is assumed that prior to the wedding, trips will predominantly be entering, and after the wedding, trips will predominantly be exiting. Given a typical wedding's duration, the peak hours of entering and exiting trips is not expected to occur within the same peak hour. Additionally, it is anticipated that the entering (arrival) trips will likely be more concentrated than the departure trips. Therefore, it is likely that the peak hour of trip generation for the wedding will occur prior to the wedding starting time in association with the entering (arrival) trips.

An average vehicle occupancy of 2.0 was assumed. This occupancy was assumed because a high percentage of guests typically travel to weddings in a vehicle containing multiple occupants. It is also assumed that 80 percent of the wedding guests will arrive within a one-hour period prior to the start of the wedding. To consider the worst-case scenario, it has been

assumed that all wedding guests will travel to/from the wedding venue via automobile even though it is anticipated that many guests will likely stay in local area hotels, inns, or bed and breakfast establishments and will walk to the venue. Using these assumptions, a wedding with 60 guests is anticipated to generate approximately 24 inbound vehicular trips during the peak hour. The following summarizes the calculations:

$$60 \text{ guests} * 80\% \text{ peak hour arrival} / 2.0 \text{ guests per vehicle} = \underline{24 \text{ peak hour vehicles}}$$

Project Trip Assignment

It is assumed that all wedding guests will park in nearby local parking lots or in the on-street parking spaces designated along Avenida Menendez. The project trips were distributed to the surrounding roadway network based on a review of the major transportation system and associated area land uses. The proposed project trip distribution is illustrated in Figure 1 (attached). The project traffic was then assigned to the surrounding roadway network based on the project trip distribution. The project trip assignment is shown in Table 1.

Table 1: Project Trip Assignment

Roadway	From	To	Adopted Level of Service Standard	Peak Hour Two-Way MSV ¹	Project Traffic Distribution	Project Trips	Project Trips as Percentage of MSV
W King Street	Palmer Street	US 1	D	1,512	10%	2	0.13%
	US 1	Riberia Street	E	1,512	60%	14	0.93%
	Riberia Street	MLK Avenue	E	1,512	60%	14	0.93%
	MLK Avenue	Cordova Street	E	1,512	50%	12	0.79%
	Cordova Street	Avenida Menendez	E	1,512	5%	1	0.07%
US 1	SR 207	W King Street	D	3,580	20%	5	0.14%
	W King Street	W Castillo Drive	D	3,580	30%	7	0.20%
SR A1A (Bridge of Lions)	Avenida Menendez	N St. Augustine Boulevard	E	1,600	5%	1	0.06%
Riberia Street	South Street	W King Street	D	1,200	10%	2	0.17%
	W King Street	W Castillo Drive	D	1,200	10%	2	0.17%
MLK Avenue	South Street	W King Street	D	1,200	10%	2	0.17%
Granada Street	Brige Street	W King Street	D	1,580	35%	8	0.51%
Bridge Street	Riberia Street	Avenida Menendez	D	1,200	30%	7	0.58%
Cordova Street	South Street	W King Street	D	1,200	15%	4	0.33%
	W King Street	Orange Street	D	1,200	5%	1	0.08%
Avenida Menendez	South Street	W King Street	D	1,200	30%	7	0.58%
	W King Street	W Castillo Drive	E	2,280	20%	5	0.22%

¹ King Street MSV Determined as within 15.5 percent of October 1, 1991 existing volume, or 1991 vehicles. All other MSVs determined using the FDOT Quality/Level of Service Handbook

Table 1 also summarizes the adopted level of service (LOS) standard for each roadway segment, as designated in the City of St. Augustine Comprehensive Plan, and provides the

corresponding roadway's maximum service volume (MSV). The MSV for King Street was developed based on criteria contained within the Comprehensive Plan and the remaining MSVs are based on the Florida Department of Transportation's (FDOT's) Quality/LOS Handbook. As demonstrated by the table, the Project's anticipated worst-case scenario traffic impacts on the area roadways will be less than one percent of the MSV's for all the roadway segments evaluated.

Conclusion

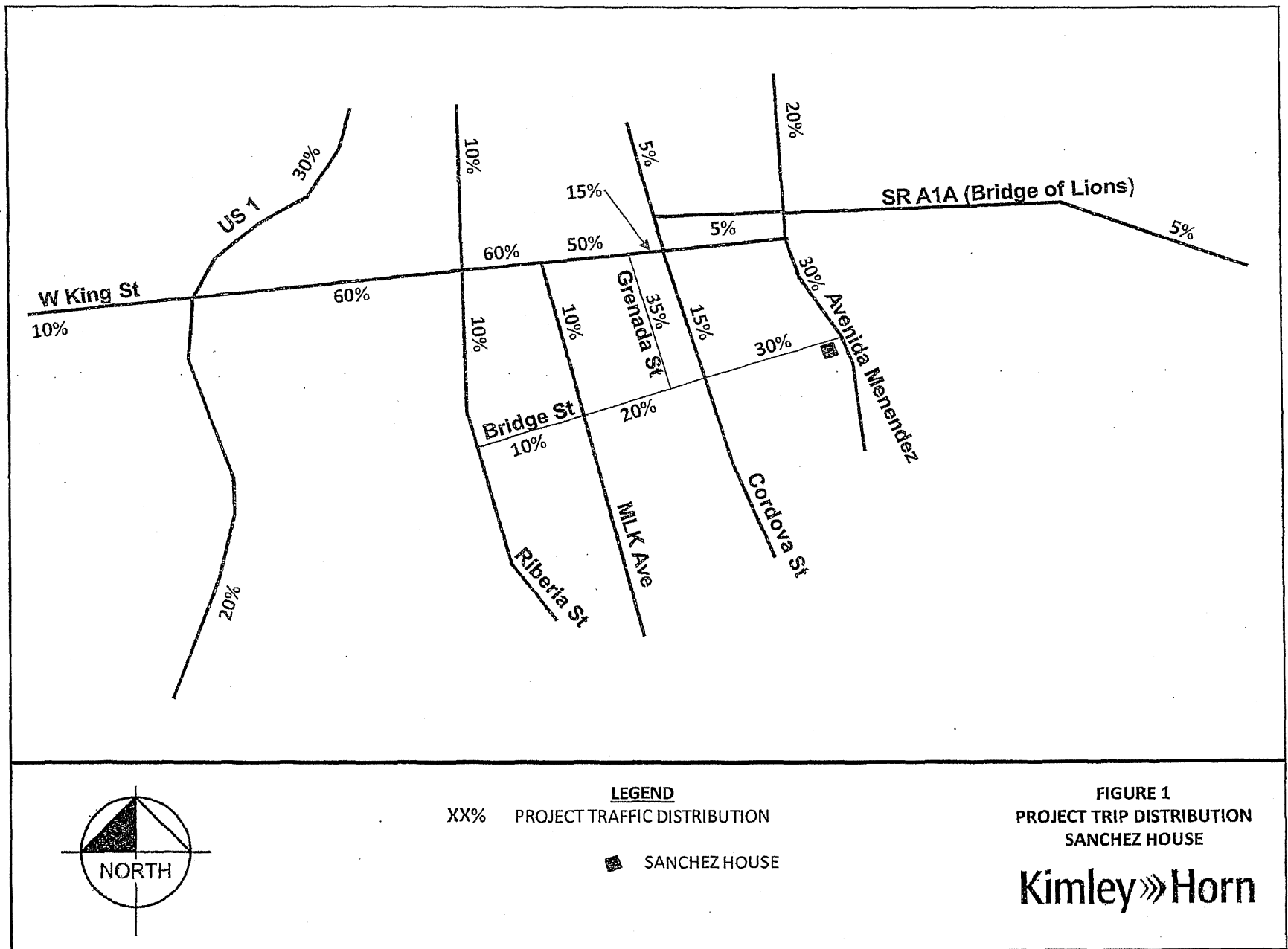
On behalf of the Applicant, Kimley-Horn conducted a Traffic Impact Assessment (TIA) for the Sanchez House in support of the proposed PUD application. The TIA anticipates use of the Sanchez House for a wedding with 60 guests will result in the worst-case traffic scenario of the possible uses allowed for the Property. Kimley-Horn estimates that this scenario will result in the arrival of 24 peak hour vehicles to the Sanchez House area public parking facilities. Accordingly, a Project traffic distribution was developed and project trips were distributed to the area roadway network (summarized in Table 1). Table 1 demonstrates that the Project traffic is anticipated to result in less than a one percent impact to all area roadways. This indicates that the Project traffic will have a negligible impact to the area roadways. It is important to note that weddings hosted at the Sanchez House typically occur on weekends, and therefore, the worst-case Project peak hour scenario considered in this letter would typically not coincide with the traditional weekday peak hour of the area roadways. Based on the traffic analyses considered for the Project, Kimley-Horn has concluded that the Project traffic will not have a significant impact on the City's roadway network.

Please do not hesitate to contact me at (904) 828-3900 or bill.schilling@kimley-horn.com should you have any questions regarding the information contained herein.

Very truly yours,
KIMLEY-HORN AND ASSOCIATES, INC.

William J. Schilling Jr., P.E.
Senior Vice President

Attachments: Figure 1: Project Trip Distribution



Attachment 6
Neighboring PUD Ordinance 1999-36

**Planned Unit Development
Westcott House/Villas de Marin Expansion
Final Development Plan Narrative**

October 13, 1999

Revised per Planning and Zoning Board Stipulations of September 7, 1999

Submitted on behalf of:
Robert Graubard, Trustee
2676 U.S. 1 South
St. Augustine, Florida 32084

Authorized Agent for Property Owner:

Amy McClure Skinner, AICP
Ivey, Harris & Walls, Inc.
81 King Street, Suite A
St. Augustine, Florida 32084

Development Plan Narrative

Introduction

This project narrative is intended to outline and supplement required materials for rezoning property to a Planned Unit Development (PUD) by the City of St. Augustine Zoning Code. This rezoning request is filed on behalf of the property owners.

The PUD provision of the City Code is intended to encourage ingenuity, imagination and flexibility in use and design efforts. The property subject to this rezoning application consists of approximately a half acre, as described by the attached legal descriptions and surveys. The property is located on the bayfront along Avenida Menendez. Currently, the property is zoned Historic Preservation District-One (HP-1), and contains two existing businesses. One of the businesses is an existing nonconforming "bed and breakfast" with nightly rentals, and the other is an existing nonconforming business allowing weekly rentals.

The proposed PUD attempts to outline a narrative to bring these properties into conformance with the Historic Preservation land use designation. Thus, allowing for the maintenance and upgrading of the properties to further enhance the beautification of the City's bayfront.

The Westcott House is a frame vernacular structure built circa 1893. The adjacent wood frame structure on the Villas de Marin site is also frame vernacular, and was, also built around 1893. The owners of this structure, that largely made it what it is today, renovated and connected the frame vernacular front building to the colonial structure to the rear, between 1899 and 1904. As with almost everything in St. Augustine, these structures have weathered the test of time. Now, it is incumbent on the current owners to maintain, and try to improve these historic structures.

This PUD attempts to establish compatible uses in the area to ensure a positive contribution to the bayfront and the district. The prominent location and unique history of these buildings present an opportunity to, as well as, create a desire to allow the use of the property in a manner that benefits the City and the general public.

As described in this narrative and in accordance with the conditions stipulated within this application, and the subsequent enacting ordinance, this PUD request meets City zoning requirements, and is consistent with the Comprehensive Plan. Consistent with the PUD section of the City code, this application will not adversely affect the orderly development of the City of St. Augustine. The proposed PUD will not adversely impact the more residential area south of St. Francis Street. And, the use is compatible with the surrounding uses and the land use designation, and will be a benefit to the area and the residents of the City.

Intended Plan of Development

Site Characteristics

The site is developed, including two (2) large frame vernacular structures, and a smaller Second Spanish Period building on the Marine Street side of the property. The site is located toward the southern end of the area known as the "bayfront", facing the Matanzas River. The colonial structure was built facing Marine Street per the colonial town plan stipulations, however, in the 1790's the Spanish filled in the area along the River, allowing the bayfront development to take place. The property is currently zoned HP-1, which only allows rentals for a monthly or longer period of time. Although, this district is predominantly residential there are some substantial institutional uses, as well as, a mix of uses, including bed and breakfasts in this area. Additionally, from Bridge Street south to St. Francis Street there is a significant number of converted multifamily structures. Since 1911, the Villas de Marin property has been utilized as rental units. Currently, the property is only 40 feet from the boundary line where daily rentals are permitted, and, where there are several existing hotel/motel, and bed and breakfast type uses.

On the attached Rezoning Site Plan prepared by IH&W Building "A" is the existing Villas de Marin building. Building "B" is the existing Westcott House, Building "C" is an existing garage structure, Building "D" is an existing wood shed, and Building "E" is a proposed storage shed type structure.

Development Plan

The development plan proposes to operate the entire site as a bed and breakfast/daily rental establishment. This is in an effort to upgrade buildings A and B and showcase the entire site. Immediate upgrading includes improving the existing buildings, and allowing for the expansion of the dining area for building B, and the construction of enclosed porches and the relocation of several staircases for building A. Additionally, it is proposed to convert Building C into a garage apartment/honeymoon suite, construct a storage structure, and replace an existing wooden structure with a gazebo. See below for a more detailed description.

The maximum number of rental units will be limited to 30 units total for both properties with a resident manager to be maintained in each building. Only breakfast items or light fair will be served for patrons of the bed and breakfast. There will be no "restaurant" facilities or service at all on either site.

Building Configuration

The buildings will remain much as they are. However, as part of the owner's desire to upgrade the property, there are several immediate alterations contemplated. These alterations include, enclosing a portion of the existing porch and constructing an addition to improve the dining area in the Westcott House. This will expand the existing dining area, as well as, the open porch area. On the Villas de Marin property the PUD includes: converting an existing wood shed into a

gazebo; relocating two (2) existing exterior staircases; and, constructing an enclosed porch area in the middle of the Villas de Marin building fronting and along side Unit 9. It is also proposed to enclose the porch outside unit 12 to the rear of the property to expand the kitchen facility, and construct a secondary storage structure to the rear of both the properties.

Lot Coverage

The site lot coverage will not exceed 50%, however the maximum building size already exceeds 2,500 square feet, and will continue to exceed this limitation for main buildings.

HARB Purview

The property is within the Historic Preservation land use designation, requiring that development be consistent with the City's Historic Architectural Review Board (HARB) guidelines and review requirements. Any new construction or work to the exterior of the buildings will be appropriately reviewed, and any required Certificate of Appropriateness from the HARB issued. The rehabilitation of the Villas de Marin will be appropriate for its exterior elements, and include repainting the structure. It is suggested that the buildings continue to be separately distinguished to maintain the streetscape and avoid the appearance of a large scale development. Additionally, a courtyard similar to the Westcott House brick patio area will be created for the Villas de Marin patrons to enjoy. The current Westcott House will remain generally as it is today, with improved maintenance, and cosmetic repairs.

Landscaping

Existing trees will, generally remain, and landscape treatments will be greatly enhanced between the properties. Materials and features will be appropriately reviewed by HARB. Currently, the property includes a wall that encloses the property fronting Marine Street, and a low wall in front along the bayfront. These will be maintained and enhanced with better care and maintenance. A courtyard area is proposed between the buildings. This area will utilize similar materials as the existing brick area for the Westcott House. Extensive landscaping is planned. One tree to the rear of the properties may need to be removed to construct the new storage shed, however any replacement requirements will be met.

Off-Street Parking

The applicant has secured off-street parking for their patrons' vehicles. The off-street parking will be provided on a one-for-one basis for the number of rental rooms. Decreasing the number of vehicles currently impacting the neighborhood by this rezoning is a benefit to the area. This off-street parking solution can only be accomplished by the increased revenues produced from nightly rentals. Additionally, one (1) on-site parking space will be provided for the business vehicle, the appropriate location, of which, will be determined by HARB. A valet or shuttle type service to and from the off-site parking facility will be provided on weekends, including Friday evenings through Sunday.

Stormwater

Any applicable State or local stormwater requirements will be met.

Archaeological Significance

The owners will comply with any archaeological evaluation requirements, as per the rules and regulations established by the Archaeological Protection Ordinance.

Conclusion

The property owners agree to proceed with the proposed development in accordance with the PUD Ordinance, including any conditions or safeguards recommended and adopted by the City Commission of the City of St. Augustine. The applicant also agrees to comply with any stipulations, regulations or restrictions outlined by the City in the PUD Ordinance approving this application. The property owners further agree to bind all successors to the same ordinance as adopted by the City Commission. In addition, except as outlined in this application and the subsequent adoption ordinance, all building codes, zoning ordinances and other land use and development regulations of the City of St. Augustine, as may be amended from time to time, shall be applicable to this development.

As stipulated the PUD will encourage an efficient use of land, enhance the area, and create a more desirable environment for those living in the area. The applicant and all successors in title are bound by the development standards outlined in this PUD, and provide for strict regulation and maintenance of this project. To that end the applicant agrees to establish mechanisms for the maintenance of common facilities, and abide by the attached Schedule of Development.

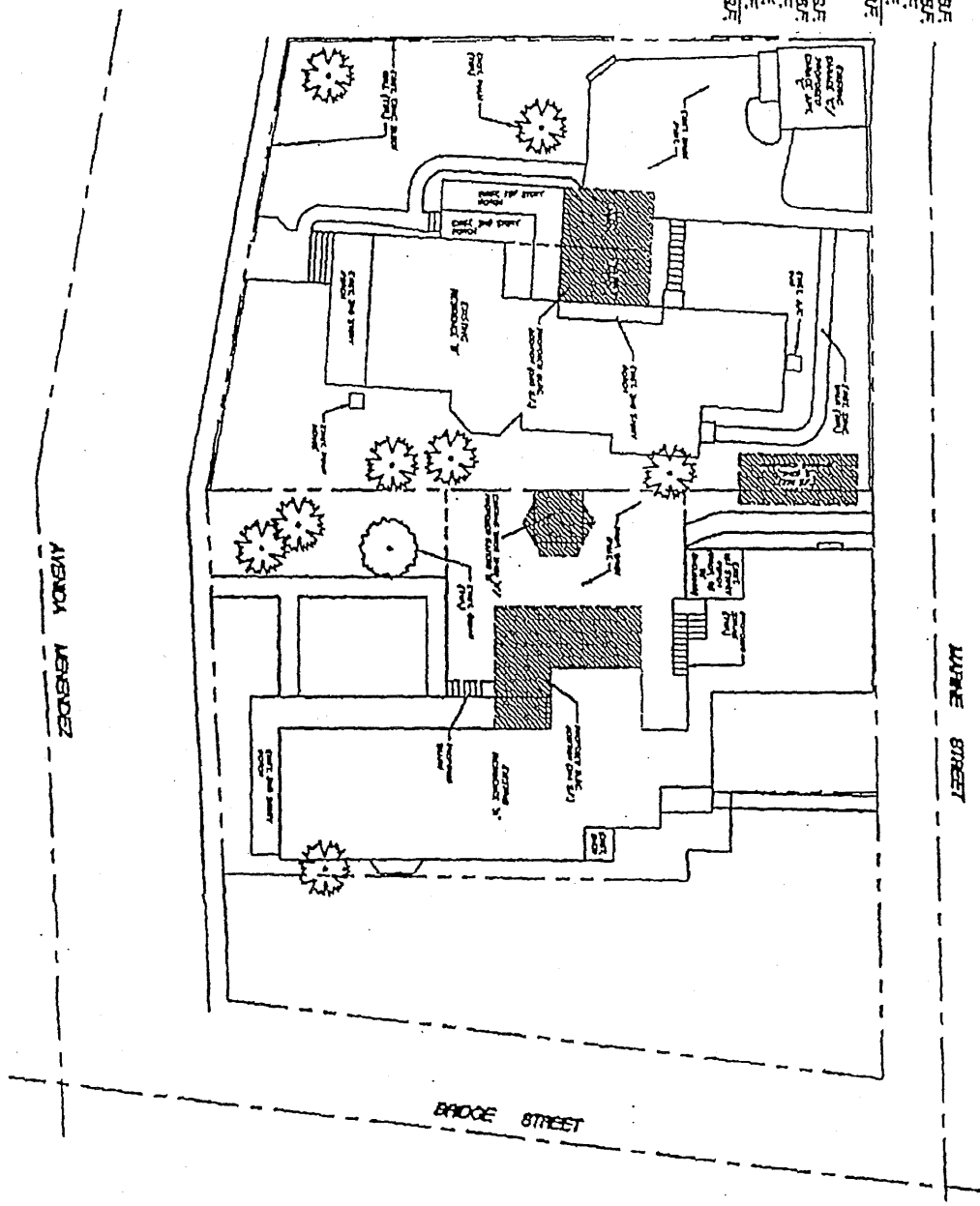
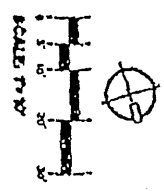
The applicant believes the district is benefited by greatly improving the existing units aesthetically. Improving the properties, especially the Villas de Marin, would attract a different clientele, that would have only one vehicle per unit, while existing units commonly have two or more. Other benefits for the district would be increased bed tax revenues, as well as, increased use of neighborhood restaurants, shops and tourist attractions.

The applicant believes they have justified their application by providing for the efficient use of these two properties, which would retain property values over the years. These properties require a greater economic base than presently allowed under the standard zoning classification. The specific proposed use as a nightly bed and breakfast for both properties is requested in an effort to improve these properties, which would accomplish a more desirable environment for the neighborhood, as well as enhance the appearance of the area. This requested use is compatible with the surrounding area and will provide an environment of stable character and a creative approach to the continued use of these properties.

Note: Historical dates and references are taken from the Florida Master Site File, Historic Properties Inventory Form (See attached).

SITE DATA

Overall Site Area	0.50 AC
Existing Building Area*	
Building A	4,023 S.F.
Building B	5,062 S.F.
Garage C	208 S.F.
Hood Shop D	208 S.F.
Total Building Area	7,499 S.F.
Proposed Building Area*	
Building A	4,537 S.F.
Building B	5,222 S.F.
Garage Apartment C	208 S.F.
Garage D	200 S.F.
Storage Shed E	250 S.F.
Total Building Area	8,257 S.F.
Total Existing Bldg Coverage	94%
Total Proposed Bldg Coverage	41%
*Includes attached porches	



REZONING SITE PLAN

SP-1

Revisions

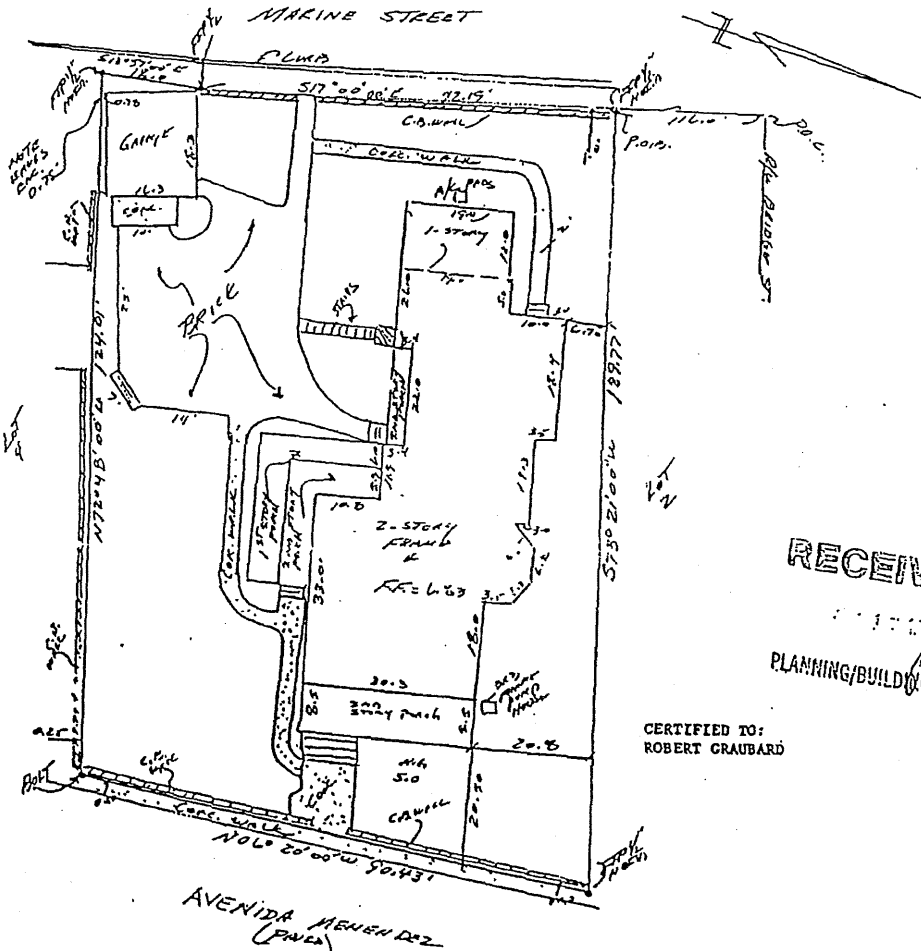
No.	Description	Date
1	Initial Design	10/1/07
2	Revised Design	10/1/07
3	Final Design	10/1/07

VILLAS DE MARIN/ WESTCOTT PUD

10141 Avenida Mariner
St. Augustine, Florida 32084
Contact: Robert D. Dandridge
Phone: 386 787-2077

MAP SHOWING SURVEY OF

Lot 3 Block 22 City of St Augustine Florida as described in Deed recorded in Deed Book 140 page 76 public records of St Johns County, Florida and being more fully described as follows: Commencing at the intersection of the East line of Marine Street with the South line of Bridge Street; thence South 17°00' East on said East line of Marine Street 118.00 feet to the Point of Beginning at the Northwest corner of the herein described Lot 3; thence continuing South 17°00' East on said East line of Marine Street 72.19 feet to an angle point in said East line of Marine Street; thence South 13°57' East on the East line of Marine Street 18.00 feet; thence North 72°48' East 124.01 feet to the West line of Bay Street; thence North 06°20' West on said West line of Bay Street 90.43 feet; thence South 73°21' West 129.77 feet to the Point of Beginning.



RECEIVED

PLANNING/BUILDING DEPT.

CERTIFIED TO:
ROBERT GRAUBARD

LEGEND:

- F.I.P. - FOUND IRON PIPE/PIV
- F.I.R. - FOUND IRON ROD
- S.I.R. - SET IRON ROD (L.B. 8072) 5/8"
- F.C.M. - FOUND CONCRETE MONUMENT
- S.C.M. - SET CONCRETE MONUMENT
- CONC. - CONCRETE
- I.O. - SURVEYOR'S IDENTIFICATION MARK
- R/W - RIGHT OF WAY
- C - CENTERLINE
- R - RADIUS
- CD - CHORD DISTANCE

- L - ARC LENGTH
- CB - CHORD BEARING
- T.B.M. - TEMPORARY BENCH MARK
- B.M. - BENCH MARK
- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- P.C. - POINT OF CURVE
- P.T. - POINT OF TANGENCY
- P.C.C. - POINT OF CONCAVE CURVATURE
- P.R.C. - POINT OF REVERSE CURVATURE
- P.I. - POINT OF INTERSECTION

- ELEV/EL. - ELEVATION
- M.C.V.D. - NATIONAL GEODETC VERTICAL DATUM
- F.F. - FINISHED FLOOR ELEVATION
- O.R. - OFFICIAL RECORDS BOOK
- N.T.S. - NOT TO SCALE
- (U) - DEED MEASUREMENT
- (H) - FIELD MEASUREMENT
- (P) - PLAT MEASUREMENT
- B.L.K. - BLOCK
- P.R.M. - PERMANENT REFERENCE MONUMENT
- P.C.P. - PERMANENT CONTROL POINT
- (TYP) - TYPICAL

NOTES:

- According to the Federal Emergency Management Agency Flood Map No. 15145-A-01 effective 11-1-72, the property described herein appears to be in Zone A-1 (1')
- Basis of bearing structure: WESTERN PLUM AVENUE
- MEASURED 106° 20' 00" W
- Encroachments as shown herein are only those above ground, visible objects observed by the surveyor.
- No underground structures, utilities or foundations were located or determined by this survey.
- This survey does not reflect or determine ownership.
- This survey made without benefit of an abstract of title. No right-of-way or easements of record were furnished to this firm except as shown.
- All distances, bearings or angles are as field measured. Deed or plat measurements are noted if different.
- Basis of elevations: 111.11
- The certification of this survey is a professional opinion based on the existing field and documentary evidence available at the time this survey was prepared.

JOB NO. 99-2504	DATE	F.B.	PAGE	REVISIONS
Boundary	3-20-99	LL	-	
SCALE: 1"=20'				
DEVINO & Associates, Inc. ENGINEERS • SURVEYORS 3505 U.S. 1 SOUTH, SUITE #3 ST. AUGUSTINE, FLORIDA 32086 904-797-1867 FAX 904-797-2049				
not valid without the signature and the original related part of a Florida licensed surveyor and mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties. 3-25-99 <i>Nicholas H. Franklin</i> NICHOLAS H. FRANKLIN Professional Land Surveyor L.S. #4620 FOR DEVINO AND ASSOCIATES L.B. #6072				



The St. Augustine Historical Society

August 4, 2003

To: Planning and Zoning Board,
City of St. Augustine

From: Taryn Rodriguez-Boette,
Executive Director

Re: Information re: Parking Lot at 271 Charlotte St.

Committed to present and interpret the history of St. Augustine and environs, to maintain a library and museums, and to discover and collect any material which may help to establish or illustrate the history of the area. Provide for the preservation of such materials and for its accessibility, as far as may be feasible. Cooperate with officials in insuring the preservation and accessibility of the records and archives of the county. Undertake the preservation of historic buildings, monuments and markers and historic sites.

The parking lot at 271 Charlotte St., owned by the St. Augustine Historical Society, is being managed by Central Parking System since February 15, 2003. This arrangement is based on a contract subject to a yearly renewal. Mr. Robert Graubard leases 10 parking places, on a monthly basis, from Central Parking System. For more information, please contact me or Mr. John Daniels, General Manager of Central Parking System, 904-358-6543.

Mailing Address:
271 Charlotte Street
St. Augustine, Florida
32084

Office: 904.824.2872
Email: oldhouse@aug.com

Library: 904.825.2333
Email: sahs@aug.com

Fax: 904.824.2569

Website:
www.oldcity.com/oldhouse

*The González-Alvarez House • Tovar House • Webb Museum of Florida History
Page L. Edwards, Jr. Gallery • Segui-Kirby Smith House • Fernández-Llambias House*



AGREEMENT

File No.: 02-21784

State of Florida, County of St. Johns

Seller(s): ROSALIE GORDON-MILLS, conveying separate non-homestead property

Buyer(s): ROBERT GRAUBARD, TRUSTEE OF THE GRAUBARD REVOCABLE TRUST DATED MAR. 31, 1999.

Loan Number:

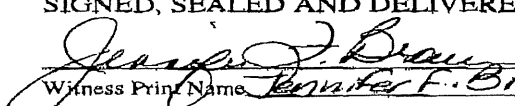
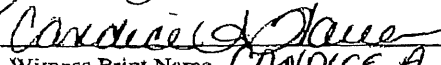
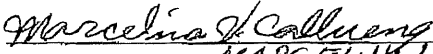
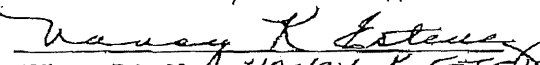
Property Address: 255 & 261 W. KING STREET, Saint Augustine, Florida 32084

THE SELLER SHALL ALLOW THE BUYER TO RENT PARKING SPACES AT 74 BRIDGE ST., ST. AUGUSTINE, FL ON AN "AS NEEDED" BASIS, AS PARKING SPACES ARE AVAILABLE. THIS AGREEMENT WILL BE IN EFFECT FOR A PERIOD OF (6) MONTHS FROM THE TIME RENOVATIONS ARE COMPLETED AT VILLAS DE MARIN AND WESTCOTT INN. THE RENTAL RATE WILL BE ON A DAILY BASIS OF \$1.15 PER DAY PER SPACE AND WILL BE PAID MONTHLY BY THE 5TH OF EACH MONTH FOR ALL USE FOR THE PRIOR MONTH. THIS AGREEMENT WILL BE AUTOMATICALLY RENEWABLE IN (6) MONTH INCREMENTS AS LONG AS PAYMENT IS MADE ACCORDING TO THE ABOVE AGREEMENT.

NOTE: SELLER(S) AND BUYER(S)/ BORROWER(S) IS/ARE TO SIGN EXACTLY AS HIS/HER/THEIR NAMES APPEAR. NAMES SHOULD BE CONSISTENT ON ALL DOCUMENTS.

DATED effective September 03, 2002.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:


Witness Print Name Jennifer F. Brown
ROBERT GRAUBARD
Witness Print Name CANDICE A. WARREN
Witness Print Name MARCELINA V. CALLUENG
ROSALIE GORDON-MILLS
Witness Print Name NANCY K. ESTÉVEZ

MONTHLY PARKING AGREEMENT
CENTRAL PARKING SYSTEM OF FLORIDA, INC.

Central Parking System of Florida, Inc., hereby grants to:

Robert Grubard Trustee Grubard Revocable Trust
Lessee's Name146 Avenida Menendez St Augustine FL 32084
Billing Address City State ZipBayfront Manhattan Bayfront Westcott House St Augustine FL 32084
Business Name and Address City State Zip804
Business Phone: 824-4341Home Phone: 282-5077

The privilege of utilizing 10 space(s) in the Old Historical Society parking Lot. This agreement to become effective on Feb. 18, 2003. The term of the Agreement to be one month, automatically renewable each month upon the timely receipt by the Operator of the prevailing fee. This Agreement may be canceled by 30 days written notice from either party. Lessee will be responsible for all rental charges incurred until cancellation date.

Lessee agrees to pay Central Parking System \$35.00 per month for each space as rental for said parking space(s) by the 1st of each month for which the space is used. Access card will be disabled upon non-payment by the 5th of the month. Central Parking System reserves the right to increase or decrease the monthly rental for said parking space(s) through 30 days written notice in advance of said change.

Charges are for parking spaces only. Central Parking System assumes no responsibility whatsoever for loss or damage of any vehicle or its contents, however caused. VEHICLES SHOULD BE LOCKED AND VALUABLES SHOULD NOT BE LEFT IN THE VEHICLE

Lessee agrees to abide by any and all regulations pertaining to the use of the facility as may from time to time be prescribed by Central Parking System, and further, agrees to park all vehicles in any area within the facility designated by Central Parking System.

No refunds, credits or allowances will be granted to Lessee for absence, vacation or other non-use of the parking facility under this Agreement.

Lessee shall defend, indemnify and hold Central Parking System harmless from and against any and all actions, costs, claims, losses, expenses and/or damages sustained by Lessor attributable to the recklessness, carelessness or negligence of Lessee or any of its agents, servants, or employees from any cause, including, without limitation by specification, property damage and/or injury or death to any person or persons.

Lessee:

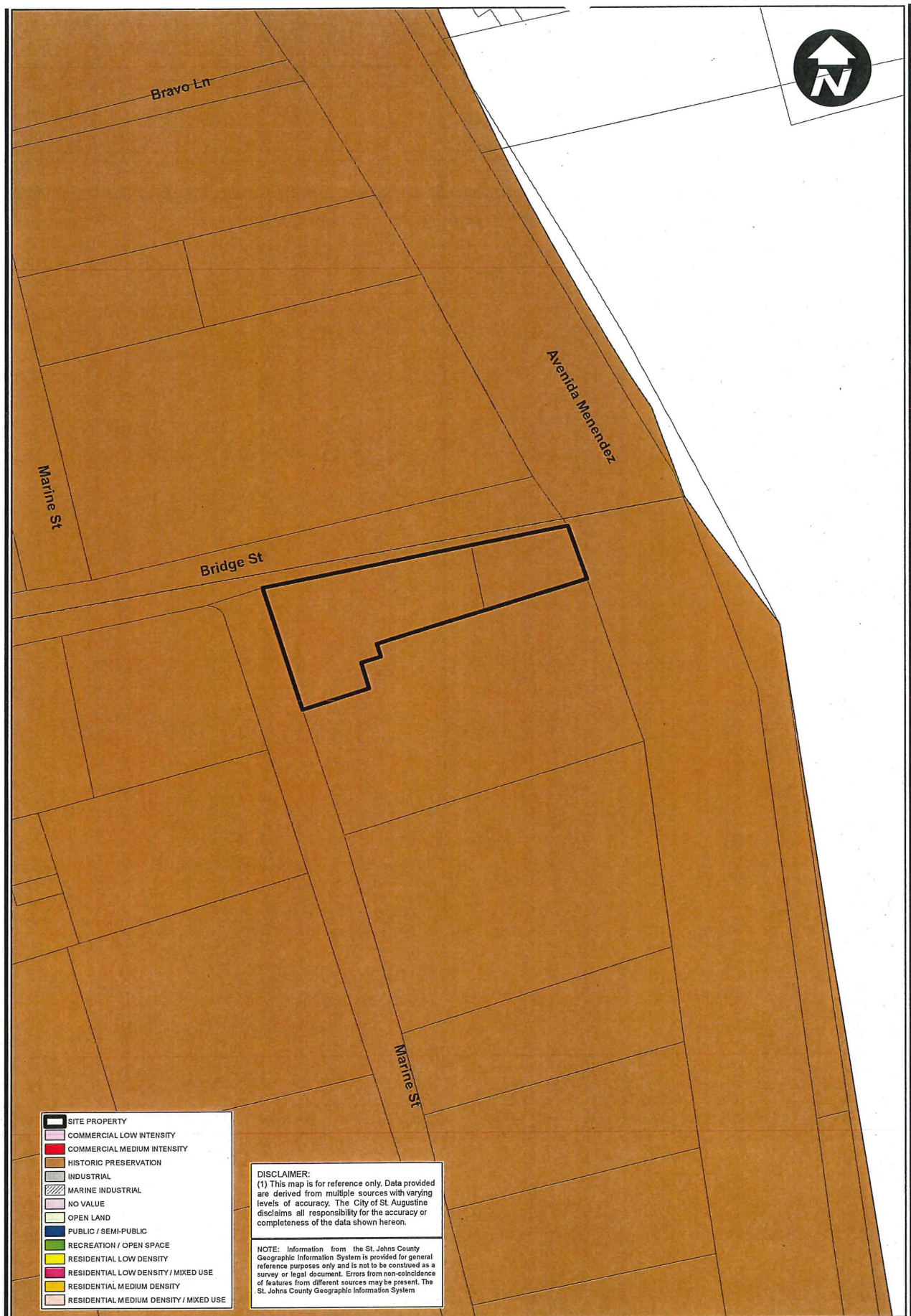
Robert Grubard TrusteeDate: 2-20-03

CPS:

DailumeDate: 2-15-03

Attachment 7

Land Use, Zoning, Aerial Maps



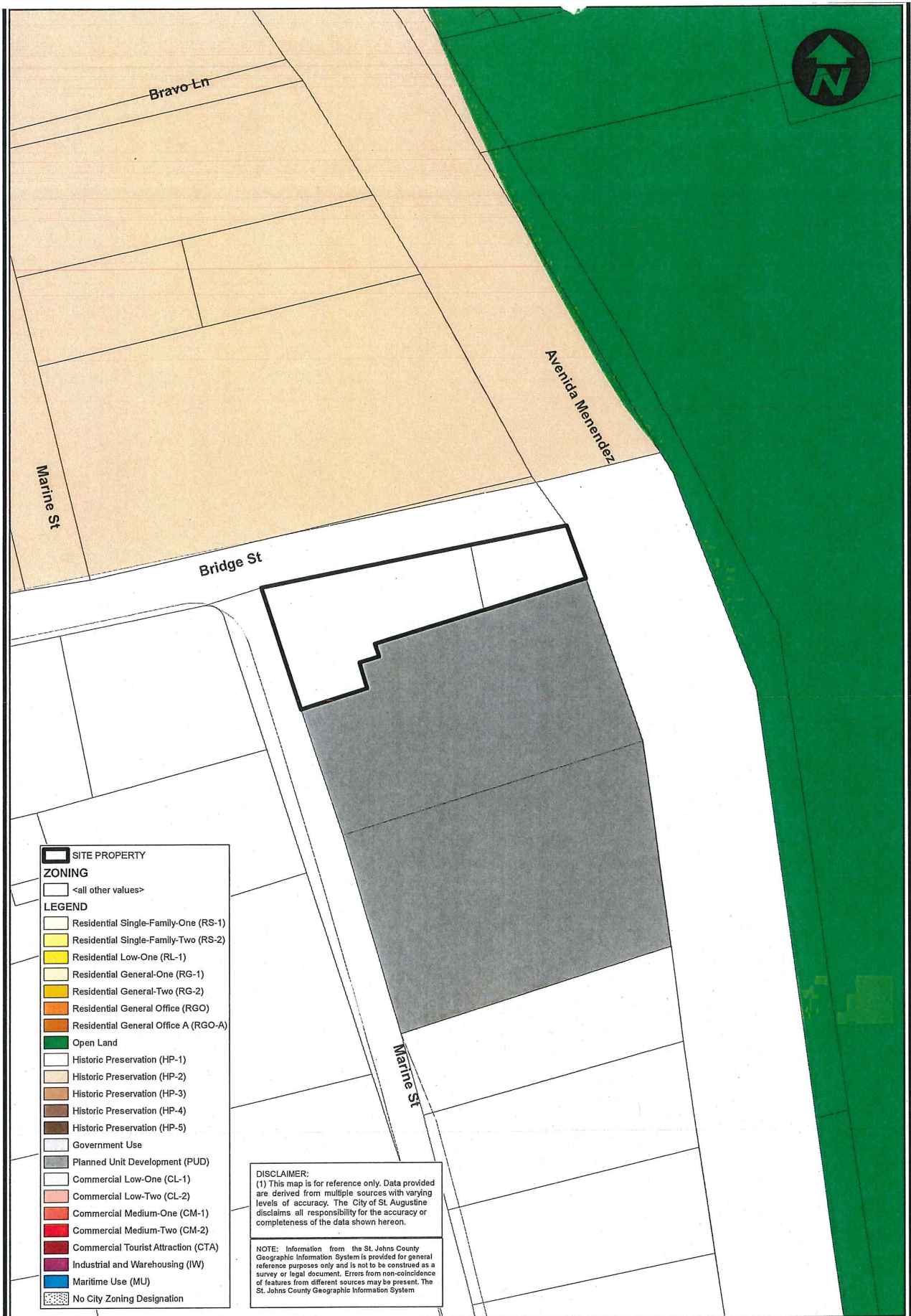
City of St. Augustine

PLANNING AND BUILDING DEPARTMENT
P.O. Box 210, St. Augustine, FL 32085 Phone: (904) 825-1065

FULU

SHEET

1 of 1



City of St. Augustine

PLANNING AND BUILDING DEPARTMENT
P.O. Box 210, St. Augustine, FL 32085 Phone: (904) 825-1065

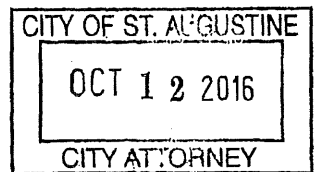
ZONING

SHEET

1 of 1



Attachment 8
Current Settlement Agreement



Mediated Settlement Agreement
In the Section 70.51, Florida Statutes, Proceeding
By Blake F. Deal, III, on Order Finding Violation and Imposing Fine Issued by
the Code Enforcement, Adjustment and Appeals Board, City of St. Augustine
on May 10, 2016
Appeal Case: 2016-4472

The hearing was held on this matter on August 5, 2016, after due notice to the parties, owners of contiguous property, and all substantially affected persons.

In attendance at the hearing were Blake F. Deal, III, representing himself as the petitioner; Denise May, Esq., Counsel for the City, David Birchim, Director, Planning and Building Department, and John Regan, City Manager, all on behalf of the City of St. Augustine; and substantially affected persons Jay Piriz, Marlene Piriz, Burry Gowen, B.J. Kalaidi, and Susan Rathbone.

During the mediation portion of the hearing, the parties successfully resolved their differences based on the following relevant facts;

1. Mr. Deal is the owner of The Sanchez House located at 7 Bridge Street, St. Augustine, Florida.
2. The Sanchez House is an historical building located in the Historic Preservation 1 ("HP-1") District of the City of St. Augustine.
3. The HP-1 zoning provisions applicable to the Sanchez House and this proceeding are the following:
 - Section 28-183 delineates the permitted uses of a building structure in the HP-1 District to include: "Single Family. Owner occupied or rental dwelling unit. If a rental dwelling unit, rentals on a monthly or greater period of time." (emphasis added)
 - Section 28-2 defines a "dwelling unit" as "a building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation for not more than one family."
 - Section 28-2 further defines "family" as "one (1) or more persons related by blood, marriage, adoption, guardianship or similar relationship, or a group not to exceed three (3) unrelated persons living together as a single housekeeping unit."

4. Mr. Deal purchased the Sanchez House in 2004, intending to use it then as a part-time residence and ultimately a full-time residence at such time as he retired from the active practice of law.
5. Approximately two years after he purchased the property, one of his employees asked if she could hold her wedding at the Sanchez House.
6. Mr. Deal contacted Mark Knight, the then Planning and Building Director for the City, to ask what requirements needed to be met for him to be able to rent the Sanchez House for his employee's wedding. Mr. Knight has stated in an affidavit that he told Mr. Deal that the City owned the Llambias House within the HP-1 zoning district and leased it to the St. Augustine Historical Society which rented it on a monthly basis to persons who were then free to hold a wedding at the house during the rental period. For that reason, Mr. Knight told Mr. Deal he believed Mr. Deal could do the same thing with the Sanchez House.¹
7. Mr. Knight also stated that he advised Mr. Deal he could seek to rezone the Sanchez House to a less restrictive use because it was located between two hotels, but Mr. Deal did not want to rezone it to a commercial category because he ultimately wanted to occupy it is a personal residence.
8. Mr. Deal also submitted the affidavit of William Harris, the City Manager of St. Augustine from 1998 to 2010. Mr. Harris stated that he understood the Llambias House required a minimum one-month rental for use of the house as a wedding venue. Accordingly, he advised Mr. Deal he also could rent the Sanchez House to persons for a 30-day period who might then use the house for a wedding during the rental period. Mr. Deal stated at the mediation that the conversation with Mr. Harris took place in 2006 at approximately the same time Mr. Deal spoke to Mr. Knight.
9. Based on what he had been told, Mr. Deal authorized his employee to hold her wedding at the Sanchez House. Following the wedding, the employee put pictures of her wedding on her Facebook page.

¹ The City disputes its alleged ownership and/or control of the Llambias House because the previous owner, Carnegie Institute, originally named the City solely as trustee in an indenture and reserved all management and control to itself and a board of trustees it appointed. The Carnegie Institute subsequently vested all management and control of the Llambias House in the St. Augustine Historical Society ("SAHS") which has operated the Llambias House since then. The indenture under which the house is operated specifically permits its use by the St. Augustine Garden Club and others. The City contends the Llambias House can be used for wedding events because it was used for such purposes before 1975 when the HP-1 zoning regulations became effective. Mr. Deal contends there is historical record evidence that the SAHS attempted unsuccessfully to establish that it had been continuously used for weddings since 1975. The City contends that it was subsequently determined that the Llambias House did qualify to be grandfathered into its use of the house for weddings, and the differences between Llambias House and the Sanchez House make the comparison between the two for this purpose irrelevant.

10. Subsequently, other persons asked Mr. Deal if they could hold a wedding or wedding reception at the Sanchez House. Based on the advice he had been given, Mr. Deal rented the Sanchez House to such persons for a 30-day term. Although the "tenants" could use the house for the full 30-day term, few, if any did, and it was generally understood the house would be used for only a few days before and after the wedding function. Mr. Deal also began advertising the Sanchez House for wedding events on the internet.
11. That process continued from 2006 to January 2012, when an anonymous complaint was filed which stated that the owner of the Sanchez House was "running a business inside city HP-1 without a business license." The complaint was assigned to Mr. Curtis Boles, the Code Enforcement Officer. Mr. Boles contacted Mr. Deal to determine if weddings were being held at the Sanchez House and, if so, on what basis.
12. Mr. Deal referred Mr. Boles to Mr. Knight to confirm that the use of the Sanchez House for weddings was permitted so long as the rental was for a 30-day residential period.² . At the April 12, 2016, hearing described below, Mr. Boles confirmed his conversation with Mr. Deal in 2012. He also stated that after he spoke to Mr. Knight, no further action was taken on the complaint. Mr. Boles also noted on the complaint file: "Owner is operating on a daily basis and has agreed to change website. Site now showing 30-day occupancy and 12-month boking per year."
13. Between January 2012 and December 2015, Mr. Deal rented the Sanchez House for weddings on average 4 to 6 times per year and never as much as 12 times per year. No complaints were filed by anyone during that time.
14. Mr. Deal also continued to advertise the Sanchez House on various wedding web sites and on Airb&b, a computer site for persons looking for short-term rentals. The computer listings featured pictures of weddings that had been held at the Sanchez House and clearly promoted the use of the Sanchez House for wedding functions. The advertisements also used such terms as "WEEKEND – Accommodations & Event: Includes occupancy by up to 6 guests from Thursday at noon to Sunday at noon." However, the advertisements also stated: "We are presently limited to 12 bookings per year by local zoning codes...."
15. In November 2015, a wedding was held at the Sanchez House. Following the wedding, a complaint was filed with the Code Enforcement Department by an interested citizen and a citation was issued to Mr. Deal for "operating

² All parties at the mediation agreed that a monthly rental of a residence in the HP-1 zoning district did not require the owner/landlord to obtain a business license.

wedding-hall, chapel with exterior gardens, reception area inside Historic Preservation District (HP-1)."

16. A hearing was held on April 12, 2016, before the Code Enforcement, Adjustment and Appeals Board. At the hearing, evidence was submitted that showed weddings held at the Sanchez House and advertisements on various websites that advertised the Sanchez House for weddings using language similar to that described above, and Mr. Deal testified to the historical facts described above.
17. Following the hearing, the Board issued an Order Finding Violation on April 12, 2016, ordering Mr. Deal to cease and desist from holding weddings at the Sanchez House and notifying Mr. Deal that if he violated the Order, he would be subject to a \$250 per day fine and a possible maximum fine of \$500 per day if he violated the Order.
18. On April 16, 2016, another wedding was held at the Sanchez House, and another complaint was filed with the Code Enforcement, Adjustment and Appeals Board. Mr. Deal stated at the mediation that after the April 12, 2016 Order was entered, he immediately cancelled all future weddings and returned all deposits for those weddings except the April 16, 2016, wedding. He allowed that wedding to go forward because of the short period of time between the April 12 Order and the April 16 scheduled wedding.
19. A hearing was held on that citation on May 10, 2016. Mr. Deal was unable to attend that hearing but sent his paralegal in his stead.
20. After considering the evidence presented at the hearing, the Board closed the file on the Case No. 2016-4468, without imposing a fine, and opened a new case on the April 16, 2016 violation, Case No. 2016-4472. The Board then found Mr. Deal to have engaged in a repeat violation of the ordinance and imposed a fine of \$500 per day from April 16, 2016 to May 10, 2016, for a total fine of \$12,000.
21. Mr. Deal timely filed two requests for relief pursuant to Section 70.51, Florida Statutes, and each party filed their statements in support of their respective positions. Those statements and the record of the two hearings were the subject of the Section 70.51, Florida Statutes, proceeding on August 5, 2016.
22. At the hearing, Mr. Deal and City representatives made their respective presentations to the mediator, and each of the interested persons present was given the opportunity to be heard on the issues presented by the parties. One of the issues raised by an interested person was that Mr. Deal's website indicated there had been wedding functions attended by more than 100 people. Mr. Deal acknowledged that was a fact on some occasions, but the

average wedding was attended by 30 – 40 guests. He also indicated he was willing to consider reasonable limits on the number of guests as part of the resolution of this matter.

Based on the presentations of the parties and interested persons, the special magistrate engaged the parties in settlement negotiations with the specific purpose of arriving at a compromise resolution that would eliminate the risks of litigation and the substantial legal expenses each party would incur if the special magistrate was forced to issue a recommended order determining whether the enforcement action was unreasonable, in whole or in part, or unfairly burdened the use of the owner's property. In the event one or both parties objected to such a recommended order, time-consuming and expensive litigation would ensue in the Circuit Court.

The principal issues that were the subject of the mediation and would potentially be the subject of litigation in the absence of a settlement were:

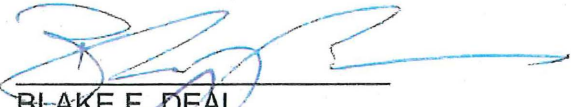
1. Whether Section 28-183 of the HP-1 zoning code prohibited the use of the Sanchez House for wedding events if the house is not rented for less than a 30-day period.
2. Whether the City was estopped to prohibit the use of the Sanchez house as a venue for wedding events by the advice given to Mr. Deal by Mr. Knight and Mr. Harris in 2006 and the continued use of the Sanchez House for wedding events from 2006 to 2015 without objection (other than the 2012 complaint which was closed with no action taken by the City).
3. Whether the City has engaged in selective enforcement of Section 28-183 by enforcing it as to the Sanchez House but not enforcing it as to the Llambias House.
4. Whether the Sanchez House is properly located in the HP-1 zoning district since it is located between a commercial motel to the immediate north zoned HP-2 and a multi-family commercial bed and breakfast to the immediate south that is a PUD.

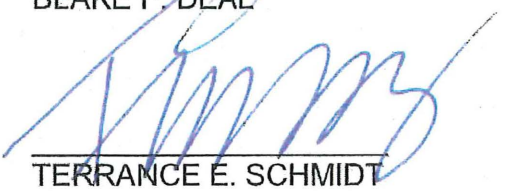
Following several hours of discussion and negotiation, the parties agreed to the following terms of this settlement:

1. Mr. Deal will ensure that his website indicates that any rental of the Sanchez House must be for a period of 30 days. He shall also ensure that the website does not contain pictures showing gatherings of more than the permitted number of guests as set forth below.
2. Mr. Deal may rent the Sanchez House to persons under a written lease that contains the following provisions:

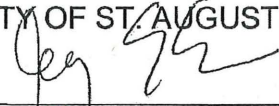
- The lease is for a 30-day minimum period;
 - The house may be used for wedding, anniversary or similar events with the number of guests limited to 35 for one year from the date of this agreement and 45 thereafter;
 - The tenant must arrange for guest parking at one of the listed nearby local parking lots, and on-street parking in the neighborhood is prohibited;
 - Trash containers will not be placed in the street for pickup any further in advance than the day before trash pickup.
3. The City will reduce the fine to \$2000 (i.e. 4 days at \$500 per day).
 4. The City will expand the existing loading zone on Avenida Menendez in front of the Bayfront Marin House for use by the Sanchez House and other businesses. Sanchez House, Mr. Deal and tenants or guest will not use Marine Street or Bridge Street for loading and unloading.
 5. Except as set forth in this agreement, the Sanchez House and Mr. Blake F. Deal, III, are subject to all federal, state, and local statutes, ordinances, rules and regulations as may be amended.
 6. This settlement is subject to approval by the St. Augustine City Commission after due notice as required by law.
 7. Counsel for the City will recommend approval of this settlement agreement to the City Commission.
 8. The mediator recommends approval of this settlement agreement to the City Commission.
 9. This agreement may be signed in counterparts transmitted to the mediator by facsimile at 9904) 398-7073 or e-mail at tes@bledsoejacobson.com.

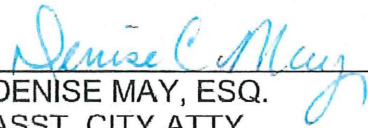
Dated: September 30, 2016


BLAKE F. DEAL

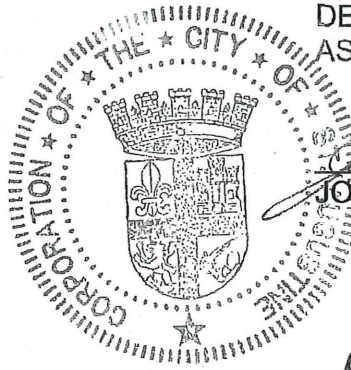

TERRANCE E. SCHMIDT
MEDIATOR

CITY OF ST. AUGUSTINE

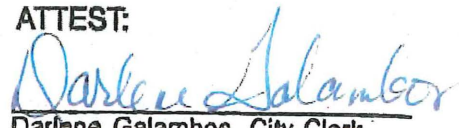

By NANCY SHAVER
Its MAYOR-COMMISSIONER


DENISE MAY, ESQ.
ASST. CITY ATTY


JOHN P. REGAN, CITY MGR.



ATTEST:


Darlene Galambos, City Clerk

TRANSCRIPT OF PROCEEDINGS

1 PLANNING AND ZONING BOARD
2 CITY OF ST. AUGUSTINE, FLORIDA
3 TUESDAY, JANUARY 8, 2019
4 ALCAZAR ROOM, CITY HALL
5 75 KING STREET

RECEIVED
FEB 07 2019
Planning/Building Dept.

6 REZONING

7 ITEM 8-A

8 2018-0154, SANDY AND MIKE WIEBER- APPLICANT
9 BLAKE F. DEAL, III - OWNER
7 BRIDGE STREET
RECOMMENDATION TO REZONE THE PROPERTY FROM HISTORIC
10 PRESERVATION ONE (HP-1) TO PLANNED UNIT DEVELOPMENT (PUD)

11

12

TRANSCRIPT OF PROCEEDINGS

13

(PROCEEDINGS RECORDED AND TRANSCRIBED VIA CD-DIGITAL RECORDING)

14

BOARD MEMBERS:

15

GRANT MISTERLY, CHAIR

KAREN ZANDER, VICE CHAIR

16

J. CARL BLOW, BOARD MEMBER

SARAH SHIPP RYAN, BOARD MEMBER

17

JON DEPRETER, BOARD MEMBER

18

STAFF:

DAVID HARRELL, SENIOR DEVELOPMENT REVIEW PLANNER

19

DAVID BIRCHIM, DIRECTOR PLANING AND BUILDING DEPARTMENT

JOHN CARY, ASSISTANT CITY ATTORNEY

20

CANDICE SEYMOUR, RECORDING SECRETARY

21

ON BEHALF OF THE WIEBERS:

22

SID ANSBACHER, ESQUIRE

UPCHURCH, BAILEY AND UPCHURCH

23

NORTH PONCE DE LEON BOULEVARD

ST. AUGUSTINE, FLORIDA 32084

24

25

1 P R O C E E D I N G S

2 - - -

3 CHAIRMAN MISTERLY: Next item. This is item
4 Rezoning 2018-0154, Item 8-A, 7 Bridge Street.

5 Is the applicant here? Are you the applicant,
6 Sid?

7 MR. ANSBACHER: The applicant is right behind
8 me.

9 CHAIRMAN MISTERLY: Okay. Sid, I was going to
10 let staff do their report and then you can offer
11 any additions that you would like.

12 MR. HARRELL: Yes. This is the board would be
13 making a recommendation to the city commission for
14 a small scale rezoning to a Planned Unit
15 Development from the current zoning of HP, I
16 believe it is, HP-1 on .11 acres of land. The uses
17 currently in place are allowed by the city in a
18 settlement agreement. That settlement agreement is
19 in your packet.

20 This development will be required to have off
21 street parking for the proposed bed and breakfast
22 use. This PUD proposes one on-site space in the
23 garage and four additional spaces off site at the
24 Bayfront Marin House. Items such as signage,
25 architecture, the architectural guidelines for

1 Historic Preservation setbacks, height, lot
2 requirements, building lot coverage, the language
3 from the HP-1 district have been incorporated into
4 the PUD in regards to this item. However, the
5 current locations of the building the applicant has
6 provided documentation through waivers to allow
7 deviations to those standards even though they are
8 incorporated into your PUD.

9 An engineer tracking impact study has been
10 provided which indicates net increases in 20 -- to
11 24 peak hour trips for the new use and the enlarged
12 special event use which is the weddings. This
13 would be a one percent increase on the road systems
14 that have a E designation from the Florida
15 Department of Transportation level of service
16 standard as well.

17 The analysis -- the staff analysis has been
18 included in your packets for your review and with a
19 rezoning we do not make a recommendation for this
20 item.

21 You will be making a recommendation on this
22 item to the city commission regarding the rezoning
23 of land.

24 The code does allow the board to schedule a
25 second public hearing for this item if so desired.

1 The timeframe or the actual date is noted within
2 the packet of when that should be if you desire a
3 second hearing on this one, however, you can hear
4 it in one hearing. And the findings of facts
5 associated with the PUD rezoning have been included
6 in your packet as well for your review. That
7 concludes my report, Mr. Chair.

8 CHAIRMAN MISTERLY: Thank you.

9 And we have Mr. Ansbacher here.

10 MR. ANSBACHER: The applicant is right behind.

11 CHAIRMAN MISTERLY: All right. And then but
12 neither of you are the owner, or do we have --

13 MR. ANSBACHER: You have the owner's signature
14 although not in your packet. I provided it to
15 staff.

16 CHAIRMAN MISTERLY: Okay.

17 BOARD MEMBER BLOW: Yes, it is.

18 BOARD MEMBER ZANDER: Showing authorization
19 for you, is that the question?

20 CHAIRMAN MISTERLY: Yeah.

21 MR. ANSBACHER: Authorization for the
22 applicant. The applicant will recognize that I am
23 their counsel.

24 BOARD MEMBER ZANDER: Thanks.

25 CHAIRMAN MISTERLY: Please state your name,

1 address and to be sworn in.

2 MR. ANSBACHER: I am counsel. I assume I
3 don't need to be sworn in.

4 BOARD MEMBER ZANDER: Correct.

5 MR. ANSBACHER: Sid Ansbacher, 780 North Ponce
6 de Leon, here on behalf of the Wiebers. The
7 Wiebers have been here on a couple of other matters
8 related to their adjacent property which has been
9 in business for well over a century immediately
10 next door in various forms. They operated as the
11 Bayfront Marin. It is immediately adjacent as well
12 to the Westcott House.

13 And as Mr. Harrell pointed out this property
14 is the Sanchez House is the oldest as far as the
15 Florida site files seem to indicate. The oldest
16 extent completely maintained second Spanish
17 Colonial period house on the waterfront. The
18 Sanchez House was as Mr. Harrell pointed out the
19 subject of a very spirited debate between City and
20 the current owner Blake Deal several years ago
21 concerning the scope of activities that could be
22 done there. And part of the concern about the use
23 of the property is it really is to borrow a phrase
24 from annexation law it is an enclave. You have
25 almost half acres two parcels to the north, the

1 Marin Lodge. You have immediately to the north
2 three quarters of an acre the Bayfront Inn which
3 has 36 units. And that is across Bridge Street to
4 this roughly 0.11 acre parcel that is tucked in and
5 adjacent to the Bayfront Marin.

6 And, in fact, Mr. Wieber will testify that
7 many people go back and forth between the two
8 confusing one being connected with the other. The
9 Bayfront Marin itself is about a quarter of an acre
10 as is the Westcott House. Mr. Deal approached the
11 Wiebers about a year and a half ago saying that he
12 was interested in selling the property and thought
13 that they were the most logical purchasers. Given
14 its location and given the historical use that he
15 has made of it, they examined what their options
16 were and met at this point three times with
17 neighborhood associations and board members and
18 have had generally positive response. There are a
19 few negatives. In fact, two people who might be
20 considered friends who will be testifying against
21 this project tonight.

22 But having said that I believe that the
23 opposition is more of slippery slope sort of
24 question and the way that we examine it is this is
25 a unique parcel. You are not going to find people

1 who are willing to pay seven figures to be buying a
2 structure which Mr. Wieber, who has substantial
3 experience in lodging and in lodgings that have
4 historical significance here in Galveston,
5 Maryland, out on the beach, estimates would have a
6 maintenance obligation of two to three thousand
7 dollars a month. The whole point of having a
8 property like this is preserving a property like
9 this.

10 And while we recognize that Mr. Harrell as
11 staff has stated that you have HARB preservation
12 and you have the general architectural guidelines
13 our response is what the Wiebers are proposing is
14 they are willing to commit to preserve interior and
15 exterior of what is a crown jewel property.

16 Now, I am not going to discuss the waivers
17 unless asked. Those are fairly minor in nature and
18 really reflect the fact that the structure is where
19 it was constructed.

20 There are a couple of quick points I do want
21 to make, though. Mr. Harrell pointed out in his
22 staff presentation that a conservative estimate of
23 peak hour trips from Kimley-Horn was 24 trips.
24 That was with anticipation of a special event with
25 no one walking from any other nearby facility. But

1 I believe that the statement that there are 24
2 additional trips is not necessarily accurate. You
3 already have authorized under the existing
4 agreement between Mr. Deal and the city a maximum
5 of 45 persons at a special event. We are going to
6 60. If you look at the report from Kimley-Horn
7 that your staff relied upon, the extrapolation is
8 you are going from 18 peak hour conservative trips
9 to 24 rather than 0 to 24.

10 There is one other clarification that I want
11 to make. Mr. Harrell notes that he believes that
12 there is no limit on the number of weddings that or
13 special events that would be proposed. I would
14 point out that literally that is the case as well
15 under the current 70.51 mediation agreement between
16 the City and Mr. Deal. What Mr. Deal has is an
17 agreement to a minimum 30 day lease, but a cap on
18 attendees and not a cap on number of special
19 events. So we don't believe that there is any
20 material difference in that.

21 The conclusion is that we are trying to
22 ascertain within the existing LDC and comp plan
23 what is the most practical way at the most minimum
24 level that the Wiebers can pay for the maintenance
25 that is required and preserve a property that

1 clearly in -- sorry for repeating myself -- is a
2 crown jewel. But what I would like to do, because,
3 again, all I am giving is legal argument, is turn
4 it over to Mr. Wieber to actually discuss what the
5 applicants reasons for acquisition, what their
6 determination of the intensity of use is based on
7 and what they intend to do with the property.

8 Thank you.

9 MR. WIEBER: Thank you. First I apologize --

10 CHAIRMAN MISTERLY: State your name and
11 address.

12 MR. WIEBER: Michael Wieber, 15 Saragossa
13 Street.

14 CLERK: If she is going to speak to I need to
15 swear you both in.

16 MS. WIEBER: Sandy Wieber, 15 Saragossa
17 Street.

18 (Whereupon, Mr. and Mrs. Wieber were sworn in by the
19 clerk.)

20 MR. WIEBER: First I apologize for keeping
21 everybody here so late this evening.

22 CHAIRMAN MISTERLY: I don't think you kept us
23 here so late. There was quite a few cases before
24 you.

25 MR. WIEBER: How we got into this I just want

1 to just give a little background. Of course we --
2 our property lines with 7 Bridge Street, they zig
3 zag. So we have guests who stay at our Inn and
4 when they have weddings we would get yelled at the
5 next morning said, you know, your party kept us up
6 all night. I explained that's not our property.
7 That's how close these two buildings are. But what
8 we used to have to do when there was a wedding next
9 door, my wife and I would go over there on a
10 Saturday night about quarter to 11:00, because we
11 knew the noise ordinance said the noise has to shut
12 down at 11:00 and at 11:00 o'clock we walk next
13 door and we would knock on the door and say, hey,
14 you've got to turn this music down. Sometimes we
15 would have nice people and they would turn the
16 music down. Sometimes we didn't and we would call
17 the police. And we went through that for a long
18 period of time until Blake started getting
19 responsive to our phone calls and he started
20 writing in his contracts that, you know, if my
21 neighbor has to refund money to his guests I am
22 taking it out of your security deposit. So things
23 got considerably better after he did that.

24 When he approached us that he was, you know,
25 going to be selling the house it frankly scared the

1 heck out of us because we thought we are going to
2 go right back to that and we just tried to
3 brainstorm and think is there any way that we can
4 make this work for ourselves and kind of control
5 what goes on here. And so this is how it came
6 about. So we, you know, we realized that, you
7 know, weddings are a hot point for the neighborhood
8 and we talked to a lot of people. And that's where
9 we came up with the restriction of there is no
10 music after 8:00 o'clock. These things are over at
11 8:00 o'clock. And we know from personal
12 experience, you know, if I had 10 weddings next
13 door that were ending at 8:00 o'clock I would
14 rather have that than one that's still going loud
15 at 11:00.

16 And so that was a big thing for us whether
17 that's, you know, turns out to be a big thing for
18 other people I don't know. But, I mean, we are
19 right next door to it. So we have a lot of
20 incentive to control these, you know, what goes on
21 there.

22 Another large complaint we got was about
23 traffic, that they would have caterers come and
24 just park in the middle of Marine Street and
25 couldn't get emergency vehicles around it. And,

1 you know, with us being there and having staff,
2 which you know as it is now there is no requirement
3 of that. They rent it out 30 days to somebody and
4 that person can have a party, do whatever they want
5 and there is no -- my wife always says there is no
6 parents present. There is nobody watching over
7 this thing. And so -- so, again, that's another
8 thing that we felt that we wanted to control. And
9 so it doesn't bother our business and it doesn't
10 bother the neighborhood.

11 The preservation of the interior was something
12 else that we just, we love old buildings, we saw
13 the interior of this house and with the current
14 code there is nothing to protect. You know,
15 somebody could buy that house and say, hey, this
16 kitchen is small, tear the whole inside of it up.
17 And we thought -- we are looking for benefits to
18 make this obviously this is not something, you
19 know, people are just going to sign off and say,
20 yeah, let's go for this PUD. We are looking for
21 benefits. What can we provide? And that's when we
22 thought that we could add to this that the interior
23 of this Spanish Colonial House is preserved and
24 goes with the deed if we win the lottery a week
25 from now, you know, the next people got to take

1 care of that interior as well and not tear it up.
2 But that was basically our thought process.

3 Did you have anything to add? Thank you.

4 CHAIRMAN MISTERLY: Board, do you have any
5 questions for the applicant before we go to public
6 comments.

7 BOARD MEMBER ZANDER: Can I go first. Can you
8 just -- you said you are right now allowed 45
9 people and you are going to a maximum of 60 people.

10 MR. WIEBER: Correct.

11 BOARD MEMBER ZANDER: Per event. And then you
12 are not putting any limit on the amount of events
13 -- amount of events per month.

14 MR. WIEBER: Yeah. We don't currently have
15 any limit on there. We do currently hold weddings
16 next door at the Bayfront Marin House. We didn't
17 write anything about that in here as well, but we
18 certainly are willing to, you know -- we are not
19 going to have -- we are not going to have weddings
20 at both places at the same time. So we have lots
21 of weddings there and we control the noise there
22 and the traffic there as well. We have -- to my
23 knowledge we haven't had a single problem with any
24 of our events there.

25 BOARD MEMBER ZANDER: And then at 8:00 p.m., I

1 mean, the doors are shut everybody is out, because
2 you said no music, but then --

3 MR. WIEBER: Yeah, music will be over and then
4 they would be out by nine.

5 BOARD MEMBER ZANDER: They would be out by
6 9:00.

7 MR. WIEBER: Yeah. The other idea that we
8 had, you know, that we have learned from our own
9 business is that nobody -- if we are having a
10 wedding nobody is spending the night in the house,
11 because we found that out at our Inn if somebody
12 comes and rents all 15 rooms of our Inn and the
13 wedding is over at 10:00 o'clock, it's not really
14 over, you know, they are not going anywhere. They
15 have no place to leave. And so that was another
16 thing that we thought was kind of keen that if
17 somebody is coming in for a wedding they are not
18 spending the night there. They have got to vacate
19 the premises by 9:00.

20 BOARD MEMBER ZANDER: By 9:00. Okay. I just
21 wanted to clarify. Where is your parking?

22 MR. WIEBER: Excuse me. We have got -- we
23 have -- we do have 15 spaces that we lease at 154
24 Cordova that we would use for this.

25 BOARD MEMBER ZANDER: Who owns that lot?

1 MR. WIEBER: That is owned -- it's the Record
2 Building. It's Debbie and John -- gosh, their last
3 name has escaped me.

4 BOARD MEMBER ZANDER: Okay. So you don't
5 control that parcel?

6 MR. WIEBER: No. We just have a lease.

7 BOARD MEMBER ZANDER: Because I see in the
8 original PUD you have for the -- hang on let me
9 back up here. It was provided the Westcott House
10 Villas De Marin Expansion, it shows a parking
11 agreement for parking lots else where.

12 MR. WIEBER: Correct. Yes. For our Inn, for
13 the Marin House we have 15 spots leased at the
14 Oldest House.

15 BOARD MEMBER ZANDER: Which is 146 -- okay.
16 So thee -- how many -- you have 15 spots leased at
17 154 Cordova?

18 MR. WIEBER: Correct.

19 BOARD MEMBER ZANDER: And that's all allocated
20 to this?

21 MR. WIEBER: At this time it is not. Yeah, we
22 have got some of them subleased at this time.

23 BOARD MEMBER ZANDER: So you are only
24 allocating four spaces to this?

25 MR. WIEBER: Yeah.

1 MS. WIEBER: We are not using -- we don't own
2 the property. So we are not using those spaces
3 right now for this. What we are saying is that
4 when they are people staying there we have an
5 additional four spaces on our pad, parking pad
6 which is right next to the building. So those are
7 additional. If we purchase the property and this
8 would go through then the entire 15 spaces at the
9 Record Building would be allocated to this.

10 BOARD MEMBER ZANDER: How far away is that
11 from this location?

12 MR. WIEBER: About -- it's about four blocks I
13 think.

14 MS. WIEBER: Four blocks.

15 MR. WIEBER: Straight up Bridge Street to
16 Cordova.

17 BOARD MEMBER ZANDER: That wasn't included in
18 the ap, was it, to have remote parking at 154
19 Cordova?

20 MR. WIEBER: That was -- the only thing it
21 referred to in here for the new use was to have the
22 additional space at the Bayfront Marin House,
23 that's it. We do have the spaces that are
24 mentioned in the City's report we have at the Marin
25 House. We have these additional spaces for these

1 events at the 154 Cordova.

2 BOARD MEMBER ZANDER: Right. But that wasn't
3 included in the ap and that's quite a distance
4 away. So I don't know whether that's going to fly.
5 That may not meet what we generally require in
6 proximity, who knows, right. This is the first we
7 are hearing of that.

8 Your traffic study, did that take into account
9 the remote parking that you just mentioned and the
10 number of trips that that will generate?

11 MR. ANSBACHER: The traffic study was actually
12 just discussing the general trips period. There
13 was not reference to the specific remote site.

14 BOARD MEMBER ZANDER: Okay. And in that
15 traffic study it says that the assumption is that
16 people will park in nearby local parking lots and
17 on the street. I would question where that would
18 be, where are the local parking lots near there and
19 where is the available on street parking near there
20 because I can't find it. There is private lots.

21 MS. WIEBER: It's one of the reasons that we
22 choose 60 people, because we currently can have 60
23 people at the Bayfront Marin and that has worked
24 well because we do have the 30 spots there between
25 the two which we do use for events now. And then

1 we also -- people typically are staying somewhere
2 in town. They are typically walking.

3 BOARD MEMBER ZANDER: Okay. Because that's
4 not what your traffic report said.

5 And in the conclusion to the traffic report
6 they say the worse scare scenario is typically --
7 would typically not coincide with traditional
8 weekday peak traffic. I don't think weekday is
9 peak traffic time in that area. I think weekends
10 is peak traffic time.

11 So I think you have got a problem with your
12 traffic study. I don't think that conclusion is an
13 accurate conclusion in your location.

14 MR. ANSBACHER: If I may through the chair.
15 PM peak is the standard in the industry. And what
16 our traffic study is assuming is PM peak, but also
17 is assuming, as Ms. Wieber pointed out, that nobody
18 is walking and nobody is staying nearby. So as far
19 as we are concerned what Kimley-Horn is saying is
20 this is a worse case scenario.

21 BOARD MEMBER ZANDER: But your -- and, again,
22 I hear you on that. Your worse case scenario,
23 though, it includes an assumption that peak traffic
24 is during weekdays. I don't -- I think that's a
25 flawed assumption. So I just don't know that I can

1 agree with this traffic study. It's important to
2 know that weddings hosted at the Sanchez House
3 typically occur on weekends and, therefore, the
4 worse case project peak hour scenario considered in
5 this letter, which would be weekends, would
6 typically not coincide with the traditional weekday
7 peak hour of the area roadways.

8 I live downtown. Weekdays are not the peak
9 hour. Weekends are the peak hour. So I don't
10 understand your conclusion in the traffic study. I
11 don't understand that assumption. I know you
12 didn't do it. But I don't understand it.

13 And then I have a question of staff which I
14 can hold if you would rather.

15 CHAIRMAN MISTERLY: All right. I have some
16 questions. It's late so my brain may not be
17 functioning quite as fast. So I am trying to
18 follow this. So there is an owner of the property
19 who had a settlement with the city that outlined
20 certain conditions for his use of the property.
21 Now he is offered it for sale to you and for it to
22 financially work you have outlined the conditions
23 that you would need for this property to function
24 and that's where this PUD comes in. And if I kind
25 of compare the two, the settlement right now, which

1 I guess the settlement goes away if he sells the
2 property. Okay.

3 MR. ANSBACHER: Yes.

4 CHAIRMAN MISTERLY: So we compare the
5 settlement to the PUD, and in the settlement he
6 can -- he has to lease it for 30 days. So do I
7 interpret that to mean he can only have 12 events
8 per year.

9 BOARD MEMBER BLOW: Well, that was going to be
10 my question.

11 MR. ANSBACHER: That would be an inference,
12 but it's not expressed in the agreement. And that
13 was -- in fact, that is something that when we have
14 had public meeting, members of the public have
15 raised.

16 CHAIRMAN MISTERLY: In reality is it operating
17 that way once a month there is an event or are
18 there multiple events per month?

19 MR. WIEBER: Right now he actually -- we have
20 a contingent contract with him and he actually
21 hasn't been having any events probably for the last
22 year.

23 CHAIRMAN MISTERLY: Okay. For the purposes of
24 this mental exercise I am going to assume that he
25 is having twelve events a year. And your request

1 for this PUD is that there is no limit on the
2 number of events, but that they would end by 8:00
3 p.m. Okay. He in his settlement is allowed 45
4 guests and in your PUD you are requesting 60
5 guests. So we have more events with more people
6 but theoretically ending at a defined time of 8:00
7 p.m. whereas before we didn't have that.

8 MR. WIEBER: Correct. But as was just stated
9 by the City if he sells this to somebody else those
10 constraints won't transfer. So I would believe
11 that somebody else could come in and have unlimited
12 guests at that time.

13 CHAIRMAN MISTERLY: No.

14 BOARD MEMBER ZANDER: No. No.

15 MR. ANSBACHER: And I would point out that I
16 have had discussions with staff and counsel for the
17 board and it is not clear whether the 70.51
18 mediated settlement would transfer or not transfer.
19 And the reason is the agreement is silent. It's
20 one of those classic moments when you look at a
21 contract again that you have written and you say I
22 should have thought of X and it may be that it
23 doesn't transfer. It may be that it does. And
24 your counsel believes that it doesn't. I don't
25 know that that's a definitive yes or no, because

1 typically a land use restriction unless there is an
2 expressed limitation runs with title. And having
3 said that given that it is a settlement of a
4 dispute between the parties, I don't know that --
5 and I am not trying to be vague about it. You put
6 a gun to my head I can't tell you whether it
7 transfers or not.

8 CHAIRMAN MISTERLY: Okay.

9 MR. CARY: Can I respond to that since he
10 offered his theory. The statute that this is based
11 on defines owner. And it says, an owner is a
12 person with legal or equitable interest in real
13 property who filed an application for development
14 permit and then some other things and so that's
15 kind of the owner when you start out. And then an
16 owner who believes a development order either
17 separately or in conjunction with later development
18 orders, etc., etc. And I guess the point being
19 that the owner in the development agreement is very
20 personal to the person who owns it. And you can
21 also look through the settlement agreement and it's
22 very clear even though there is not an expressed
23 provision that says this expires upon transfer of
24 the property it seems very clear to me that
25 throughout this it's personal to Mr. Deal and the

1 provisions, specifically the substantiative
2 provisions, that define the conditions and who gets
3 what specifically say Mr. Deal will insure, et
4 cetera. Mr. Deal may rent, et cetera. So even
5 though there is not an expressed provision I think
6 it's pretty clear from the context of both the
7 statute and this agreement that it is personal to
8 Mr. Deal and it would not transfer.

9 Now obviously as he indicated if he sells the
10 property the new owner tries to assert this that's
11 a matter that would have to be litigated.

12 CHAIRMAN MISTERLY: Okay. So continuing on my
13 line of thought. So we have the settlement, which
14 has one set of conditions. We have a proposed PUD
15 which has another set. And I really appreciate
16 what you all are trying to do here, you are trying
17 to control the property around you and find a way
18 to make this work. And it sounds like we have a
19 third condition which would be Mr. Deal sells it to
20 somebody else and it's HP zoning. And so how many
21 events could they have if it's HP zoning?

22 MR. BIRCHIM: Well, the minimum rental period
23 in HP-1 is monthly.

24 CHAIRMAN MISTERLY: So 12 which he has now?

25 MR. BIRCHIM: Yes. And our short term rental

1 period talks about gatherings does not apply to
2 HP-1. But the maximum number of unrelated persons
3 in a dwelling unit is three. So I am not sure if
4 that answers the question or not. You cannot
5 operate --

6 CHAIRMAN MISTERLY: It says it cannot have
7 more than three people?

8 MR. BIRCHIM: Well, HP-1 does not allow
9 special events venues. No one can operate a
10 special -- a wedding venue business in HP-1.

11 CHAIRMAN MISTERLY: So we have Mr. Deal's
12 settlement agreement which allows 12, we have PUD
13 which has no limit, and we have HP zoning which
14 allows zero.

15 MR. BIRCHIM: Zero special event venue, that's
16 correct.

17 CHAIRMAN MISTERLY: Okay. So help me connect
18 the dots on how this would be an improvement.

19 BOARD MEMBER BLOW: Well, before you do the
20 dots let me ask one question.

21 CHAIRMAN MISTERLY: Okay. You are waiting
22 patiently. I wanted to get through that.

23 BOARD MEMBER BLOW: Suppose Mr. Deal doesn't
24 sell the property, but he is required under the
25 settlement agreement or he agreed under the

1 settlement agreement that he would rent the
2 property no less than 30 days at a time. But it
3 doesn't really say how many wedding events or
4 events he can have in that 30 day period.

5 So I go to Mr. Deal, I say, I want to lease
6 this property for 30 days, for one month, is there
7 anything to prevent me from having -- say it's 30
8 days -- 25 weddings in that 30 days period that I
9 have leased the property.

10 MR. BIRCHIM: I mean there is no provision in
11 the settlement agreement that says the lessee can't
12 sublease it, if that's what you are asking.

13 BOARD MEMBER BLOW: That's what I am saying.

14 MR. BIRCHIM: It just was never contemplated
15 at the time of the mediated settlement agreement
16 was done that would occur.

17 BOARD MEMBER BLOW: Well, the trouble is when
18 you are in mediation you are trying to wrap things
19 up.

20 MR. BIRCHIM: It was a grueling mediation.

21 BOARD MEMBER BLOW: Oh, yeah, they usually
22 are.

23 BOARD MEMBER ZANDER: May I ask a question.

24 BOARD MEMBER BLOW: Am I correct that I could
25 go lease this for a month and do 25 weddings or 25

1 different events?

2 MR. BIRCHIM: I don't know. That seems to be
3 what Mr. Ansbacher is implying is what is occurring
4 now, but I don't know if that is the case.

5 CHAIRMAN MISTERLY: You can clear your name
6 there.

7 MR. ANSBACHER: We are well passed that. I am
8 not worried about that. I have an ex-wife.

9 What I would point out is not what I am
10 implying is going on. In fact, Mr. Deal has stood
11 down in the last year while we have been under
12 contract. What I am saying is it is a reasonable
13 interpretation of a contracted for settlement
14 between the city and Mr. Deal. I am not saying
15 it's the only one. I believe, Mr. Chair, that your
16 interpretation is a reasonable interpretation, too.
17 It's part of the reason that we are trying to tie
18 down what we can tie down now. And in addition I
19 will tell you I helped draft 70.51 and 70.001 back
20 in '95. And I had hair and I weighed about 160. I
21 had less hair, but weighed about 160. And I can
22 tell you it's not as clear-cut as I think as your
23 counsel believes. But it doesn't even matter. All
24 I can tell you is a buyer is going to look at
25 whether or not that is an assignable interest and I

1 think at least it is an argument. And I think all
2 of these points are arguments. I will now shut up.
3 But I just wanted to say these are all issues that
4 I think are out there in terms of settlement.

5 CHAIRMAN MISTERLY: Okay. And I am going to
6 let Ms. Zander ask her question and then we are
7 going to go to public comment.

8 BOARD MEMBER ZANDER: I would like to ask
9 staff this is one I held back. Why is -- with what
10 they are bringing before us, why is the special
11 event venue parking not applicable here. I realize
12 they are asking for a PUD. But why are we only
13 requiring two parking spaces, plus two for the B &
14 B. This is a special events venue that they are
15 asking for.

16 MR. BIRCHIM: We are not -- it's not our PUD.
17 You can eliminate your parking requirement entirely
18 in a Planned Unit Development. They are creating
19 their own zoning category with their own criteria
20 for everything including parking. Your
21 recommendation, if you make one, can be such that
22 you change their parking requirement if that is
23 your recommendation. It's not a staff -- the city
24 employees are not endorsing or creating this.

25 BOARD MEMBER ZANDER: Well, in the staff

1 report we talk about them having adequate parking
2 meaning only two spaces are required. I would
3 argue that adequate parking per the code would be
4 special events venue parking. That's the issue
5 that I have with the staff involvement in that.

6 BOARD MEMBER BLOW: But we have the ability.
7 This is kind of a negotiation.

8 BOARD MEMBER ZANDER: I realize that. But in
9 the staff report the staff states that the four
10 parking spaces is adequate. I am shocked that the
11 staff did not apply special events venue parking to
12 this is the parking adequate.

13 MR. HARRELL: The adequate parking was for the
14 bed and breakfast use that was going to be added to
15 it.

16 BOARD MEMBER ZANDER: But they are asking for
17 weddings. They are special events venue is what
18 they are asking for. They are clearly asking for
19 weddings. If that doesn't kick the special events
20 venue into place what would.

21 CHAIRMAN MISTERLY: So we will tackle that
22 later on when we get to whichever motion --
23 whichever direction this goes. Let's get to the
24 public comment.

25 Any ex parte communication?

1 BOARD MEMBER RYAN: Just went by the site.

2 CHAIRMAN MISTERLY: Karen.

3 BOARD MEMBER ZANDER: I provided to city staff
4 e-mails opposing from Cameron Moyer, John Versidi
5 Denise Declair and David Lowler.

6 BOARD MEMBER RYAN: I received those e-mails
7 as well.

8 CHAIRMAN MISTERLY: Similarly I received them
9 as well.

10 BOARD MEMBER DePRETER: I received them -- I
11 received them and looked at the site.

12 BOARD MEMBER BLOW: I received the e-mails and
13 I believe one additional e-mail directly from
14 someone that I forwarded this.

15 CHAIRMAN MISTERLY: You all trained us well as
16 far as these emails. All right. Let's go as far
17 as notifications. There were 13 sent out. One
18 came back in favor. And one was opposed. The in
19 favor one says -- actually this is the owner of the
20 property, Blake Deal. This property is a tiny
21 residential property trapped between two large
22 commercial hotels and two busy streets. It makes
23 no sense for it to remain residential. Its
24 incorporation into the B and B operation next door
25 makes perfect sense.

1 And then the other one was opposed and there
2 are no comments on that one.

3 So with that let's go to public comments. Is
4 there anybody in the public that would like to
5 speak on this item?

6 Please come up, state your name, address and
7 be sworn in.

8 MS. SULLIVAN: Good evening. My name is Erin
9 Sullivan. And I am speaking on behalf of my mother
10 June Sullivan at 245 Charlotte Street.

11 (Whereupon, Ms. Sullivan was sworn in by the
12 clerk.)

13 MS. SULLIVAN: I do. And I just wanted to
14 clarify for the record that my mother June Sullivan
15 -- there are actually two June Sullivans on
16 Charlotte Street. My mother is the one closest to
17 the site we are talking about 7 Bridge Street. She
18 is right around the corner.

19 CHAIRMAN MISTERLY: I bet the postman gets
20 confuse quite a bit.

21 MS. SULLIVAN: It does. A lot of mail trips
22 goes back and forth down the street.

23 When my mother bought her property she relied
24 on the fact that it was in the HP-1 zone, Historic
25 Preservation District. She is opposed to this

1 application and she is against the increased
2 commercial intensity of use in this HP-1 zone. She
3 has two main concerns.

4 One is the traffic impact particularly since
5 my mother is an active walker. She is concerned
6 for her safety and is worried that increase traffic
7 will put her at risk.

8 My mother's second main concern is that the
9 increased commercial intensity of use will
10 negatively impact the real estate value of her
11 home. My mother asked me to take a look at the
12 application that was submitted to the board and I
13 did that. And as part of that I also reviewed the
14 traffic impact analysis prepared by Kimley-Horn and
15 submitted by the applicant. And I was concerned
16 that that review didn't include impacts to the
17 safety of neighbors and residents.

18 For instance, there is no analysis of the road
19 conditions at the immediate site location. There
20 is no analysis of the increased potential for
21 vehicular/pedestrian conflicts at the site. And
22 what I mean by this is as many of you have
23 mentioned that you have been at the site and if you
24 have traveled down Bridge or Marine Street recently
25 at that location, you will know if you were in your

1 car or if you were walking that those are very
2 narrow roads and there are no sidewalks. And if a
3 car comes and you are walking you have to try to
4 get out of the way. And at the corner of Bridge
5 and Charlotte where my mother takes that corner
6 there are stone walls. So there is not even
7 (unintelligible) to try to get out of the way if a
8 car is there turning or a car is coming down Bridge
9 Street.

10 The traffic impact analysis also did not
11 include a review of the site lines and site
12 distances at the nearby intersections. If you were
13 taking a left from Bridge Street onto Menendez
14 there is limited sight distance to the right
15 especially when large trucks and vehicles are
16 parked at the loading site on Menendez for 7 Bridge
17 Street. I believe that if the traffic engineer had
18 measured that site distance they would find it
19 inadequate and below safety standard.

20 Similarly a traffic engineer reviewed site
21 distances for the intersection of Bridge and Marine
22 Street on the northern side of Marine I believe
23 they would also find that that's inadequate for
24 safety standards.

25 So just in closing, to reiterate my mother

1 wishes to see the HP-1 zoning preserved.

2 Thank you very much.

3 CHAIRMAN MISTERLY: Thank you.

4 All right. Next up.

5 All right. Please state your name, address
6 and be sworn in.

7 MS. WHITE: Okay. Cathy White, 118 Avenida
8 Menendez.

9 (Whereupon, Cathy White was sworn in by the
10 clerk.)

11 MS. WHITE: Okay. First of all, I met Sandy
12 and Mike when they first got to town.

13 CHAIRMAN MISTERLY: Speak into the microphone
14 so we can pick it up. Thank you.

15 MS. WHITE: When they first moved to town I
16 met Sandy and Mike. They always -- came to town
17 and they got the Bayfront Marin House and they've
18 always ran a class act piece of property. They
19 have been great neighbors. They have always been
20 concerned about people's privacy not just -- no
21 disturbance to their neighbors. They have gone
22 beyond to make everybody feel comfortable around
23 them. They are surrounded by bed and breakfasts
24 and hotels.

25 When they came here we were already busy

1 traffic area and a commercial area. So I don't
2 know how they would be a detriment to the area,
3 because they are just this one little postage stamp
4 surrounded by total bed and breakfast and hotels.
5 And they are great people and they respect us all.

6 Thank you very much.

7 CHAIRMAN MISTERLY: Thank you.

8 Next.

9 MS. DOBOSZ: Pat Dobosz, 38 Marine Street.

10 (Whereupon, Ms. Dobosz was sworn in by the
11 clerk.)

12 MS. DOBOSZ: Thank you. I live adjacent to
13 the Sanchez House on the adjoining corner. I also
14 own the Kenwood Inn. I support the efforts that
15 Sandy and Mike are making. I lived through the
16 debacle of Blake Deal. We had constant noise,
17 uncontrolled guests walking the streets, parking
18 anywhere, catering trucks without regard for the
19 neighborhood or for vehicles passing by, emergency
20 vehicles. We even got to the point where some of
21 the guests were knocking on my door needing to use
22 bathrooms because of the lack of bathrooms there.

23 So I highly respect the efforts that Mike and
24 Sandy make. I know that their main interest is
25 preserving the quiet of the neighborhood, the

1 peacefulness of the integrity of the neighborhood,
2 and I would be very fearful of someone else coming
3 in who does not have the respect and the regard
4 that Mike and Sandy have and plan to have.

5 Thank you.

6 CHAIRMAN MISTERLY: Can I ask a quick
7 question?

8 MS. DOBOSZ: Yes, sir.

9 CHAIRMAN MISTERLY: You live immediately west
10 across the street?

11 MS. DOBOSZ: I live -- my building is on
12 Marine and Bridge on the northwest corner.

13 CHAIRMAN MISTERLY: Okay. All right. Thank
14 you.

15 MS. DOBOSZ: You are welcome.

16 MR. STRATTON: Earl Stratton, 56 Marine
17 Street.

18 (Whereupon, Mr. Stratton was sworn in by the
19 clerk.)

20 MR. STRATTON: First of all, I am close in
21 resident to this location. And I would just like
22 to say we have no problems with the Wiebers --
23 Wiebels -- Wiebers at all. They run a very good
24 operation. They're grandfathered into HP-1.
25 That's how they got into HP-1 with an event bed and

1 breakfast. Both their location and the other. The
2 border to HP-1 has been Bridge Street. You are
3 going to take an opportunity, and I hope you don't
4 take it, to take the first encroachment into HP-1
5 for an additional event venue, because if you do
6 that you are going to get three, four, five, six,
7 seven, eight, maybe ten applications for similar
8 event locations.

9 These properties that the HP-1 was coded to
10 keep a residential historic area in our city. It
11 is the only historic residential district in our
12 city and it will slowly go away.

13 This is about money. And that's unfortunate.
14 And I applaud the owners of the bed and breakfast
15 in trying to fight a problem that they had next
16 door. But this isn't about the next owner. This
17 is about the encroachment of commercial events into
18 -- there will be Airbnb's in that neighborhood.
19 There will be more bed and breakfast areas. You
20 will get an application for a number of locations.
21 And some of us who put a lot of money in these
22 properties that maintain them for history purposes
23 and we love it, we love the neighborhood, will sell
24 these properties. We will get out because there
25 will no longer be a Historical Preservation

1 District within St. Augustine.

2 I know of at least two people who will put
3 them on the market and you will stop seeing
4 investments like you are seeing at 57. At 57 and
5 they are not here, I wish they were, they will put
6 about million and a half dollars into that property
7 to have a single resident location and we are going
8 to see bed and breakfast to go to the next
9 location, and the next, and the next and our
10 properties won't be worth it.

11 The other thing will do or neighbors will do
12 is turn their properties into event locations. I
13 have a piece of property, my wife and I have a
14 piece of property would be a great event location.
15 We have never held an event there. But it has
16 parking. It has places for big tents. It has lots
17 of room to do this kind of thing. And if we wish
18 to commercially take advantage of it we will be
19 back here with an application or we will be with a
20 sale. But if you do this you are giving in the
21 deal.

22 And the one thing I have to tell you is that
23 this goes to the property, it doesn't go to the
24 owner. They have a conditional contract so you may
25 be granting this to Mr. Deal.

1 CHAIRMAN MISTERLY: All right. Anybody else?

2 I see a couple coming up.

3 MS. RAKONCAY: Melinda Rakoncay, 86 Magnolia.

4 And I was sworn in earlier.

5 Where to begin. This is a mess all because
6 this is HP-1. And it needs to go back to HP-1. It
7 sounds to me that if Deal sells his property, the
8 agreement does not go with him. It goes back to
9 HP-1. HP-1 is strictly single family apartments.
10 It's the most residential of all and most
11 restrictive of all the residential areas we have in
12 this city because of the requirement that you can't
13 rent for less than a month. We are having problems
14 that the Dow property debacle all had to do with a
15 PUD getting into HP-1. Everyone said this is only
16 one, only one. But as a previous gentleman said
17 you are going to dangerously erode our residential
18 neighborhoods if you let these go PUD by PUD by
19 PUD. Single piece of property by single piece of
20 property into PUDs. This is a form of spot zoning.
21 And they can land anywhere in the center of any
22 single family neighborhood. When you buy single
23 family, you are talking about putting down roots as
24 a major investment. And if you let wedding events
25 creep into these beautiful old houses like the

1 previous gentleman said there is not going to be
2 any encouragement to buy and invest and save these
3 old homes. And those of us like myself who spent
4 money on old homes know what they cost. We take
5 care of them out of love. We are not looking to
6 get any -- this whole deal is so Mr. Deal can make
7 more money by selling his property. He's already
8 messed up downtown by and forced the city in this
9 kind of crazy agreement that he has got with these
10 things of weddings more than once a month and all
11 this other silly stuff that happened there. And I
12 don't know what happened that put the city into
13 this crazy agreement. But it needs to end. And if
14 it can end by selling it and it goes back to HP-1,
15 then let it go back to HP-1. And by God HP-1
16 doesn't allow special events. Why do anything here
17 tonight that's going to let more special events
18 creep into HP-1. This is all about preserving --
19 and read the code, the intent of HP-1 real quick,
20 the intended to provide primarily residential uses
21 that will encourage the preservation and
22 restoration of historic structures. This is the
23 Sanchez House, you start putting in nightly rentals
24 into that house over and over and 60 people into
25 that house, that's not preserving an old Spanish

1 house like one family living there and lovingly
2 caring for it under the HP guidelines and the
3 restrictions that our code already has to save
4 these historic houses. Just, please, don't do
5 anything tonight that will turn this over.

6 Thank you.

7 CHAIRMAN MISTERLY: Thank you. We are in
8 public comments. We have got somebody in front of
9 you. Must be a widely event we've got people
10 racing in.

11 VOICE: We were watching live.

12 CHAIRMAN MISTERLY: You all were the only
13 ones.

14 CLERK: Name and address for the record.

15 MR. HATHORN: My name is Fred Hathorn. I live
16 at 335 St. George Street.

17 (Whereupon, Mr. Hathorn was sworn in by the
18 clerk.)

19 MR. HATHORN: First before I got some comments
20 here. I fail to see how going from 12 events per
21 year to an unlimited number of events per year is
22 going to reduce the number of catering trucks, is
23 going to reduce the number of people looking for
24 parking spaces, going to reduce the number of
25 people looking for a bathroom. It doesn't seem to

1 quite connect.

2 7 Bridge Street is bounded on three sides by
3 paved streets, Marine Street, Bridge Street and
4 Avenida Menendez. Marine and Bridge are
5 residential while Avenida Menendez is mixed
6 commercial and residential.

7 It's true that the properties to the north and
8 the south of the Sanchez House are commercial with
9 the Bayfront Inn on the north and Bayfront Westcott
10 House on the south. However, by allowing short
11 term rentals, unrestricted weddings and as many as
12 60 guests up from 45 is going to significantly
13 increase the level of commercialization of this
14 particular property. Normally it's my inclination
15 to say that if you've got commercial properties
16 north and south of you, hey, that makes a pretty
17 good argument for saying you ought to allow
18 commercialization. But if you will look at the
19 layout of the Sanchez House you will find that this
20 is going to really increase all of -- put all of
21 that extra traffic and extra people into a
22 residential area. This diagram -- this is a Google
23 map showing the Sanchez House.

24 You will notice that the Sanchez House itself
25 is located on Marine Street. Right behind the

1 house is a walled courtyard and behind that walled
2 courtyard at the corner of Bridge and Avenida
3 Menendez is a walled garden. You can't enter from
4 that side. You can't enter from Bridge Street.
5 There is a door that's blocked off, there is a
6 courtyard that's blocked, door that is blocked off.
7 The only entrance into that house is from Marine
8 Street. This is squarely in a residential area.

9 The two properties north and south of the
10 Sanchez House their entrances are on Avenida
11 Menendez, which is a major traffic area. You now
12 want to have a major only entrance to the Sanchez
13 House will be from Marine Street. Basically you
14 are going to put all of your traffic both
15 pedestrian and vehicular into Bridge and Marine
16 Street, very little is going to be on that main
17 Avenida Menendez. I think this is going to
18 significantly impact the character of the old city
19 south neighborhood.

20 Thank you.

21 CHAIRMAN MISTERLY: Thank you.

22 All right. Next. As you come up please state
23 your name, your address and be sworn in.

24 MS. HAFIZ: Yes. Dilara Hafiz, 252 St. George
25 Street.

1 (Whereupon, Ms. Hafiz was sworn in by the
2 clerk.)

3 MS. HAFIZ: We live on 252 St. George Street,
4 which is actually the property on the corner of
5 Cordova, Bridge and St. George. We live across
6 from the Collector PUD, which we have no complaints
7 with. The PUD has been a blessing in disguise
8 because it allowed for control of that property and
9 that's what I think the Wiebers are asking -- the
10 Wiebers are asking for on Sanchez House, control of
11 that property. And this PUD will allow that and I
12 am for it.

13 I would also like to state that Bridge Street
14 is hardly a residential street. It's charming, but
15 there are pretty much three occupied residences.
16 It's us and it's maybe two houses between us and
17 the Sanchez House. But we have the school, we have
18 the collector, we have the nuns, we have the Record
19 Building, we have the Kenwood Inn and we have the
20 Bayfront Motel. So it's already a pretty
21 commercial street. And we are okay with that
22 because we bought it knowingly. We bought it for
23 the charm and we love HP-1. We love St. Augustine.

24 I think this PUD will actually, you know,
25 control and maintain that charm and that property.

1 So I am for it. And we were watching and we raced
2 over to have our two cents.

3 So thank you so much.

4 CHAIRMAN MISTERLY: Thank you.

5 Would you like to speak?

6 MR. HAFIZ: Yes.

7 CHAIRMAN MISTERLY: Okay. Come on up. Thank
8 you. Speak in the microphone. State your name,
9 address and be sworn in.

10 MR. HAFIZ: Hamid Hafiz, 252 Saint George
11 Street, 164 Avenida Menendez for now.

12 (Whereupon, Mr. Hafiz was sworn in by the
13 clerk.)

14 MR. HAFIZ: Absolutely. I want to
15 congratulate all of you to spend hours doing this.
16 I don't know what motivates you people.

17 CHAIRMAN MISTERLY: Good question.

18 MR. HAFIZ: But I also think it's got to the
19 point of ridiculous. You know, we are
20 micromanaging everyone's lives here. If you want
21 to encourage economic activity in this city, please
22 change. You have to stop this. HARB and what you
23 are doing I bless you all for trying to do it, but
24 this is micromanagement on steroids. And I am
25 sorry we live in HP-1. We have had the pleasure of

1 falling in love with it. But the rules and
2 regulations are outrageous. You've got twelve
3 hours, eight hours meetings over nothing.
4 Continuation orders after orders. This is not
5 doing the city's work. HP-1 is becoming a disaster
6 zone.

7 The other day we were dealing with the
8 director and other people to raise our house to
9 prevent it from flooding. That's not a matter for
10 HARB. That is a building code issue, that's a FEMA
11 issue and we are saying, you know what the sad
12 thing about this house we are talking about it
13 can't be raised. It's a coquina building. And if
14 we are really interested in historic preservation,
15 we have got to come up with a plan to save HP-1,
16 HP-5, everything. And I don't think that the city
17 is rising up to the challenge of understanding
18 what's happening in terms of coastal flooding. You
19 are in the stone age. We know that, but we just
20 bought a house on 164 Avenida Menendez and I can
21 tell you the response from the city to owners
22 trying to preserve historic property is
23 outrageously poor. We have to look to the future
24 of what's happening in 50 years time.

25 Please give these people a chance, the Wiebers

1 to do what they want to do. Believe we live, we
2 walk on Bridge Street. It's a wonderful area. All
3 this complaints about the traffic and this and
4 that, you know what we will manage. We would walk
5 past the Sanchez House and you know what we would
6 welcome them and wish everyone well. It's a
7 wedding. Please become sharing individuals who
8 enjoy other people's happiness rather than trying
9 to tear down everyone else's chance to develop
10 because this is what these committees are becoming.

11 Neighbors are not really being openminded and
12 fair-minded about giving other people a chance. I
13 think my time is nearly up. Please think of the
14 positive. We welcome what these two people are
15 trying to do. It's giving that house a chance. If
16 you do not approve it what's going to happen to
17 their property. It can't be raised. The next
18 flood its going to be suffered tremendous damage.
19 Give these people a chance to make a go of that
20 historic property, preserve it. They already have
21 a track record and a lot of the concerns that you
22 have heard from neighbors who don't even live in
23 HP-1 are totally, in our opinion, unnecessary
24 comments.

25 BOARD MEMBER ZANDER: May I ask you a

1 question?

2 MR. HAFIZ: Of course.

3 BOARD MEMBER RYAN: Did you know the
4 restrictions of HP-1 when you bought in HP-1?

5 MR. HAFIZ: Very good question. You know
6 what, if I had known the way HARB conducts its
7 activities without proper guidance from city staff
8 which is deferred to lay individuals who have no
9 idea what they are talking about when it comes to
10 matters of safety, flooding issues and everything
11 else, that's outrageous. We have got to have --
12 I'm answering your question. If I had known in
13 practice how HARB conducts its activity with poor
14 guidance from the city staff and they end up
15 arguing for six -- the last event was the city
16 applying to HARB about a parking thing whereby the
17 City has already spent thousand of dollars engaging
18 City specialists and outside specialists to convert
19 the car park up the road, they were turned down by
20 HARB. But the worse part of it, after three hours
21 talking to the City about its own application they
22 gave them no clear guidance about how to proceed.

23 I can tell you one thing, HARB if you want to
24 move on with this ridiculous bureaucracy that you
25 are part of and I am not blaming you for being part

1 of it, but I'm saying the peak guidelines in HP-1
2 fantastic. Give us a chance. You know what, we
3 have put our money where our mouth is when it comes
4 to HP-1. We have been told by people who don't
5 even live in HP-1 what to do with our properties
6 and there is enough of that.

7 We love HP-1. We put our money where our
8 mouth is and we look after those properties which
9 everyone pictures and walked through. But we get
10 no support from this city for doing what we do.
11 You just impose restrictions on us, you impose
12 costs on us, and you do not give us any right to
13 have a fair say in what we say.

14 And look, I am amazed, your HARP meetings they
15 shut you up. I am given five minutes to make a
16 presentation. And then went on saying you shut up.
17 We will now talk amongst ourselves, they talk
18 amongst themselves and they have no idea what they
19 are talking about. Two of the people knew what
20 they were talking about, the other two had no idea
21 at all and I could not come back and correct their
22 misperceptions or their ignorance. You asked me a
23 question, I am answering it.

24 BOARD MEMBER ZANDER: I just want to take --

25 MR. HAFIZ: If I had known all of that about

1 HARP and how this town is run, I would not have
2 done that. Thank you.

3 BOARD MEMBER ZANDER: Thank you.

4 CHAIRMAN MISTERLY: Okay. I'd like to keep
5 this on the subject of the PUD.

6 All right. We have someone else from the
7 public that would like to speak.

8 MS. CALLAHAN: Hi.

9 CHAIRMAN MISTERLY: Please speak into the
10 microphone, state your name, address and be sworn
11 in.

12 MS. CALLAHAN: Kind of wound up right now.
13 Deborah Callahan, 56 Marine Street.

14 (Whereupon, Ms. Callahan was sworn in by the
15 clerk.)

16 MS. CALLAHAN: So you actually took the wind
17 of out of my sails a little bit because you caught
18 on very quickly to what was going on here. So I am
19 going to try to cut it shorter. It's been a long
20 night for everyone.

21 So to cut to the chase, you are right as part
22 of a conditional agreement you're being asked to
23 have unlimited wedding venues, increased --
24 increased capacity 45 to 60, you are being asked --
25 they are going to reduce the hours a bit for the

1 entertainment. You are going to have two B and B's
2 which is essentially you could have two families in
3 an upstairs and downstairs on a nightly basis. And
4 how many times did Mr. Deal come to you and you
5 said, "No. No. No." So they are asking the same
6 thing and maybe it's even a little more onerous.

7 So where is the hardship to the owner. There
8 is no hardship to the owner. He is in HP-1. So
9 what I do want to say, because I can speak to it, I
10 am at 56 Marine Street. I am three doors away and
11 I do want you to know I was not noticed. So I
12 wasn't given the opportunity to write you back and
13 say whether I agreed or whether I disagreed.

14 Your agreement with Mr. Deal worked because
15 when he signed that agreement, you know what
16 happened, he couldn't advertise any more and guess
17 what the events went down. They went away. And
18 that's why he approached the neighbors to say I
19 would like to sell to you. And why does he want to
20 sell as a commercial property because it's worth
21 probably 500,000 more as a commercial property as
22 opposed to a residential property. So that's just
23 the one point.

24 The owners of the Marin House are lovely
25 people. They are good neighbors. This isn't

1 personal. This is about our buying the property in
2 2001 in a restricted HP-1 residential district.
3 And that's what this is about.

4 My other concern is if you approved this then
5 it goes to the next owner and they may not be as
6 collaborative as the Wiebers, as kind.

7 You are going to have to turn that off for a
8 few minutes because he had a long time. I am not
9 going to take too much time. But I do want to
10 show you --

11 CHAIRMAN MISTERLY: I need you --

12 BOARD MEMBER BLOW: No, three minutes.

13 CHAIRMAN MISTERLY: -- to speak into the
14 microphone. We will give you a few more seconds.
15 I let him go longer because he was responding to a
16 board member question.

17 MS. CALLAHAN: Well, you can ask me questions,
18 because I want to tell you about parking because
19 you were spot on the parking.

20 VOICE: Ma'am, you need to speak into the
21 microphone.

22 CHAIRMAN MISTERLY: Are you south of Bridge
23 Street?

24 MS. CALLAHAN: I am three doors away. Can
25 somebody help turn this on so I can put --

1 VOICE: It's on.

2 MS. CALLAHAN: Thank you.

3 So can you see it? Can you see Sanchez House?

4 CHAIRMAN MISTERLY: Okay. That's -- right.

5 MS. CALLAHAN: So I am going to talk to you
6 about parking, because you are spot on. I live
7 three doors away.

8 CHAIRMAN MISTERLY: South or north?

9 MS. CALLAHAN: South on Marine Street.

10 CHAIRMAN MISTERLY: Okay. So you are south of
11 Bridge?

12 Yeah. Okay. I gotcha.

13 MS. CALLAHAN: Right down here. So you do
14 need to hear about this because my concern, because
15 it does say in the city zoning code that you
16 cannot -- that you can grant variances as long as
17 they are not, and I emphasis not, contrary to
18 public interest and will not adversely affect other
19 properties in the vicinity of this house. I am
20 going to speak to you about safety.

21 CHAIRMAN MISTERLY: All right. Can you make
22 it quick because we are over time.

23 MS. CALLAHAN: I will do it quick, but here
24 are three incidents.

25 We are on Marine, we are talking about Marine

1 and Bridge. We had a neighbor who had to go on a
2 gurney having a stroke, emergency vehicle couldn't
3 get down there, number one.

4 Number two, fire truck couldn't get down
5 there. It was blocked.

6 And what was the third one. It was a red
7 train accident. And this isn't because of the
8 commercial vehicles or the parking in this case,
9 but when you are loading and unloading for an
10 event, you talked about events and parking, right,
11 think about all the tables, all of the chairs.

12 So the gentleman told you and the city gave
13 them additional space for loading and unloading on
14 Avenida Menendez, but you can't load into the
15 Sanchez house there. He was somewhat right. There
16 are two entrances on Bridge. There is only -- and
17 then the entrance on Marine. So I don't want to go
18 back. I can't have history repeating itself in
19 terms of this parking or this study.

20 CHAIRMAN MISTERLY: Ms. Callahan, I am going
21 to stop you there.

22 MS. CALLAHAN: Can I just give you two more
23 things.

24 CHAIRMAN MISTERLY: No, you said three before.
25 I gave you three. That's it.

1 MS. CALLAHAN: Okay. You need to hear this.

2 CHAIRMAN MISTERLY: That's fine.

3 MS. CALLAHAN: If you approve this PUD --

4 CHAIRMAN MISTERLY: I am afraid we've got to
5 stop it there.

6 MS. CALLAHAN: -- is also going to apply for a
7 PUD.

8 CHAIRMAN MISTERLY: We are ready for the next
9 person. If there is anybody else that would like
10 to speak on this.

11 Okay. Seeing none, public hearing is closed.
12 Would the applicant come back forward, please.

13 Okay. Board members, any discussion or
14 questions for the applicant?

15 BOARD MEMBER DePRETER: Discussion, but I
16 don't have any questions for you.

17 BOARD MEMBER BLOW: I am kind of curious going
18 back several people have mentioned the Collector
19 and that was a PUD. It seems to me, staff help me
20 out, that during that whole process it was -- the
21 discussion was that Bridge Street would be like a
22 dividing line that basically there wouldn't be any
23 more PUDs south of Bridge Street. Is that -- does
24 anybody remember that?

25 MR. BIRCHIM: The Villas de Marin and Westcott

1 House are a PUD.

2 BOARD MEMBER BLOW: But they were
3 grandfathered in. I think one of them --

4 MR. BIRCHIM: No, they were not grandfathered
5 in. They were -- the City denied that rezoning
6 application and it was overturned at the Fifth
7 District Court of Appeals.

8 BOARD MEMBER BLOW: That's Mr. Graibard's.

9 MR. BIRCHIM: Which is the property that
10 Mr. Wieber now owns.

11 BOARD MEMBER BLOW: Okay. So they own the one
12 that Graubard litigated with the City then?

13 MR. BIRCHIM: Mr. Graubard owned two bed and
14 breakfasts. Mr. Wieber owns one of those. They
15 are both zoned PUD.

16 BOARD MEMBER BLOW: Okay.

17 BOARD MEMBER RYAN: Carl, I see where you are
18 going with that. Bridge Street was sort of that
19 line.

20 BOARD MEMBER BLOW: Yeah. That was it.

21 BOARD MEMBER RYAN: I mean, I see it sort of
22 both ways -- you know, sort of an island between
23 their property and then HP-2 which does allow bed
24 and breakfast. But when we were here with the Dow,
25 the Bridge sort of became this magic border of not

1 encroaching anymore. So.

2 BOARD MEMBER BLOW: Yeah. And what was south
3 of Bridge Street had been either grandfathered in
4 or whatever through litigation. So anyway, I was
5 just curious if you guys had any recollection of
6 that.

7 BOARD MEMBER ZANDER: I have some questions.
8 So when I read through the PUD, proposed PUD
9 documents, I don't really see anything tying this
10 PUD to the owners of the B and B next door other
11 than the parking, which I think could become an
12 issue on the sale of the B and B's, let's say.
13 Because then you have got the PUD tied to leased
14 parking at the B and B properties. So my concern
15 is this -- we assume that this PUD is just going
16 with these owners. But it's not. It's not going
17 with these owners. If we rezone this to PUD,
18 anybody could own this property. It doesn't have
19 to go with these owners, right? There is nothing
20 in the PUD that ties it to the PUD.

21 MR. ANSBACHER: If I may respond through the
22 chair. It doesn't say that actually. It says that
23 they have leases for parking spaces at 154 Cordova
24 and authority to provide three parking spaces for
25 the use of Sanchez House. The fourth space is at

1 the garage.

2 BOARD MEMBER ZANDER: I am sorry. I must be
3 reading the wrong document. It says parking will
4 be provided for one vehicle in the existing garage
5 and off site by sublease from the Bayfront Marin
6 House at one for each of the units and two for the
7 owner/manager, but the owner manager is intending
8 to be at the Bayfront Marin next door at most times
9 for a total of four spaces. As stated above the
10 City has expanded the loading in front of the next
11 door Bayfront Marin House for use by the Sanchez
12 House and other businesses.

13 MR. ANSBACHER: The request -- and if I can go
14 back you were asking before about the parking
15 request. The first RAI that we got, Request For
16 Additional Information from staff, was we believe
17 that you will need two for on-site owners/manager,
18 one for each of the rooms. Please show where it's
19 provided and authorization. And Mr. Wieber sent a
20 letter, a copy is in your package, that says, Dear
21 Mr. Harrell, we own Bayfront Marin House. This is
22 clarification. It's being provided by sublease
23 from him. We have leases for parking spaces at 154
24 Cordova Street. We have authority to provide three
25 parking spaces for the use at the Sanchez House.

1 That is addition to the garage.

2 BOARD MEMBER ZANDER: But that's -- but in the
3 PUD text the parking that's provided in the
4 proposed PUD text is what I just read that shows
5 that it's intending to be at the Bayfront Marin
6 next door. So that's the only tie-in I see in this
7 PUD to these owners.

8 MR. ANSBACHER: Off site by sublease from the
9 Bayfront Marin House at one each for each of the
10 units and two for the owner/manager open paren,
11 albeit that the owner/manager is intending to be at
12 the Bayfront Marin next door at most times, close
13 paren. It wasn't tieing it to the Bayfront Marin.

14 BOARD MEMBER ZANDER: You are correct. Maybe
15 my terminology was wrong. I guess what I am saying
16 is that the only mention of the Bayfront Marin is
17 in there. There is no other mention of the
18 Bayfront Marin. So if we approve this PUD anyone
19 could own this property. But, yeah, we have got
20 the parking here associated with the Bayfront Marin
21 and now we hear that they actually are going to
22 have parking over from my calculations roughly a
23 thousand square feet from the address, which
24 clearly isn't what we -- I mean, a thousand square
25 -- I'm sorry a thousand feet. A thousand feet from

1 the address. That's over and above anything that
2 we have ever seen. Plus you've got one way
3 streets. So you are going to have to get back onto
4 King.

5 CHAIRMAN MISTERLY: Fundamentally even without
6 getting into the details of parking, I generally
7 view PUDs as being creative ways to improve the
8 existing zoning. And in this case I think the
9 owner, clearly your neighbors spoke highly of the
10 business you run and I think what you are trying to
11 do is to provide some control for the area, but I
12 have trouble understanding it. It seems like a
13 more -- more intensive use than is available from
14 the current deal the owner has or HP zoning. So I
15 just fundamentally I have trouble reconciling it in
16 my head as to why the PUD would be a better way to
17 go than the existing zoning and I guess unless I
18 hear something that maybe I haven't thought of.

19 MR. WIEBER: If I can just say something. I
20 mean, just from our perspective dealing -- like I
21 said before, one wedding that is not controlled, I
22 mean, they turn the house over to these people
23 caused so much chaos, this is the only reason we
24 are trying to do this is because -- you know, we
25 have to make it work financially. We can't have

1 one wedding and pay for the house. If we could
2 that would be wonderful. But it really comes down
3 to that that the house is handed over, they do
4 whatever they want, they park wherever they want.
5 We have to call authorities to get them to shut
6 down.

7 BOARD MEMBER ZANDER: So what could happen --

8 CHAIRMAN MISTERLY: You said the hardship is
9 caused by the owner of property.

10 MR. WIEBER: I am sorry.

11 CHAIRMAN MISTERLY: Are you saying the
12 hardship to you is caused by the owner of the
13 property?

14 MR. WIEBER: I'm not -- I'm not calling it a
15 hardship. I just calling we want to control what's
16 going on at the property. Right now with it's, you
17 know, 30 day rental period, they hand it over to
18 whoever rents it and they do whatever they want.
19 So we are just leary if he sells this to somebody
20 else what happens.

21 CHAIRMAN MISTERLY: You are leary if he sells
22 it and if that settlement agreement goes with it.

23 MR. WIEBER: Correct. Or it doesn't, you
24 know, if people work around they can still rent
25 this on a 30 day period and if they somehow work

1 around that and people have events there, I mean, I
2 can't do anything about that. Maybe the City can.
3 I don't know.

4 BOARD MEMBER ZANDER: Well, special events are
5 not allowed in HP-1. And so -- so the challenge is
6 you are asking for a PUD so that you may be very
7 good neighbors. You may be very aware of what's
8 going on and you may be doing a better job
9 controlling than what is there now. But that
10 doesn't mean that you are always going to own this
11 property.

12 So you have PUD'ed something, somebody else
13 could own it and they could be worse than the
14 current owner.

15 MR. WIEBER: But, I mean, they would have to
16 be over by 8:00 o'clock. So maybe --

17 BOARD MEMBER ZANDER: They could have an event
18 every night.

19 MR. WIEBER: They could, but they have to be
20 over by 8:00 o'clock. That's a big deal. That's a
21 big deal.

22 BOARD MEMBER ZANDER: There is a traffic
23 generation.

24 MR. WIEBER: If you are living right next
25 door, believe me that's a big deal that it has to

1 be over by 8:00 o'clock.

2 MS. MORTON: But you are negating the traffic
3 that happens and the blocked streets and the
4 caterers and everything else that happens with
5 special events. You are asking for a special event
6 venue in the most protected HP zone in our city.
7 It is the most protected.

8 MR. WIEBER: It's right on the edge.

9 BOARD MEMBER ZANDER: Frankly it should be
10 micromanaged.

11 MR. WIEBER: It's not interior. It's right on
12 the edge of that zone. And we have a loading zone
13 in front of the building. It was extended with
14 Blake's, you know, agreement. So that's where the
15 caterers or where people are going to unload and
16 load. They are not going to be going back on
17 Marine Street.

18 BOARD MEMBER ZANDER: They are.

19 CHAIRMAN MISTERLY: Let's shift, Ms. Ryan, do
20 you have any?

21 BOARD MEMBER RYAN: I was wondering -- Karen
22 brought up a concern that I had that this was a
23 separate property as a PUD and in the future could
24 be sold separately from your inn. Is there any
25 option to confine those properties?

1 BOARD MEMBER BLOW: You know, that's exactly
2 what I was thinking.

3 BOARD MEMBER RYAN: One continuous PUD that it
4 all goes as a unit. We can't control --

5 BOARD MEMBER BLOW: They own the Westcott
6 House.

7 CHAIRMAN MISTERLY: We have an application in
8 front of us.

9 BOARD MEMBER BLOW: This is a negotiation,
10 though. That's an interesting question is if
11 they -- if you had -- I mean, they have an existing
12 PUD under the Westcott House, right?

13 MR. ANSBACHER: No.

14 BOARD MEMBER BLOW: That's not.

15 MR. ANSBACHER: And just by way of
16 clarification.

17 BOARD MEMBER RYAN: Oh, I see it, two
18 properties.

19 MR. ANSBACHER: This is going once more onto
20 the breach. The question that you asked about the
21 person having the benefit of the retention pond.
22 Mr. Graubard back when sought a PUD for what was
23 then the Villas de Marin and the Westcott House and
24 did some expansions there. The ownership is split.
25 And as Mr. Wieber pointed out his intent would be

1 to slide special events over. It's just better and
2 easier to do it inside than outside. It's easier
3 most of the time.

4 Having said that the limitation prohibition we
5 have on the PUD is the Westcott House has no
6 interest in opening up the PUD and we would need
7 joinder and that's really our limitation.

8 BOARD MEMBER BLOW: There is two, one PUD and
9 two owners.

10 MR. ANSBACHER: Yes, sir.

11 BOARD MEMBER BLOW: I see.

12 MR. ANSBACHER: And I will just tell you. We
13 went there and we were --

14 CHAIRMAN MISTERLY: All right. Mr. DePreter,
15 do you have any comments before we move this to a
16 motion.

17 BOARD MEMBER DePRETER: The way I am hearing
18 it and I could be wrong is a gentleman, current
19 owner of the property came down here and bought it
20 as a residence and changed it into a wedding venue
21 and which caused a disturbance, which caused the
22 need for these guys to want to control the
23 property. That's kind of what I am hearing.

24 CHAIRMAN MISTERLY: Uh-huh.

25 BOARD MEMBER DePRETER: It's convoluted.

1 That's kind of what I am hearing.

2 As far as where I stand I agree 100 percent
3 with the city staff's findings of facts here on
4 this. I am sympathetic with these people's case,
5 but at the same time the way these things kind of
6 spin out of control I am afraid I agree with the
7 other -- I agree with the other members comments
8 here that this -- if we granted PUD to you it
9 doesn't stay with you. It stays with the property.
10 And so I am just going to judge it on that simple
11 fact.

12 And I think the staff has done a good job of
13 going through here in their findings of fact.
14 There is -- and when it comes to no adverse effect
15 findings that leaves new bed and breakfasts,
16 increase in number of guests and expansion of
17 special events, or affect (unintelligible)
18 development of the city, there is no justifiable
19 need to allow for the PUD. I am not going to read
20 it all.

21 What the staff I feel hundred percent in
22 agreement with what the staff had stated in the
23 findings of fact and I would not approve this as a
24 PUD.

25 CHAIRMAN MISTERLY: Would you want to put that

1 into a motion?

2 BOARD MEMBER DePRETER: Yeah. I will make a
3 motion that we do not approve.

4 CHAIRMAN MISTERLY: It's a recommendation.

5 BOARD MEMBER DePRETER: I am sorry. A
6 recommendation to deny a rezoning application
7 2018-0154 for a PUD basing that on the findings of
8 fact by city staff under Section 28-289(c).

9 BOARD MEMBER BLOW: I'll second that.

10 CHAIRMAN MISTERLY: Okay. We have a second.
11 Any discussion?

12 BOARD MEMBER RYAN: I mean, I struggle with it
13 because of the location. I think it is a good
14 location to connect to that site. I mean, I can
15 see both sides. So I am just -- it's not -- it's
16 not so clear to me that this would not --

17 BOARD MEMBER BLOW: Well, the reason I support
18 it is it seems to me that we decided that Bridge
19 Street would be the demarcation line, that we would
20 not rezone HP-1 south of Bridge Street in order to
21 protect that residential neighborhood and to
22 protect the quality of life. Because to be honest
23 with you I am concerned that what's going to happen
24 in the City of St. Augustine we are not going to
25 have any residents living in the city.

1 BOARD MEMBER RYAN: That's exactly right Carl.

2 BOARD MEMBER BLOW: And as we lose residents
3 the very benefit and the attraction of this city
4 will disappear. It's disappearing now. I mean, if
5 you look at some of the churches here they are
6 having problems supporting themselves because they
7 have lost residents. So.

8 BOARD MEMBER RYAN: Just if it goes back to
9 HP-1 as single family it is going to be almost an
10 island right there, though, I mean, looking at
11 Bridge Street. You have got the school -- you
12 know, we sort of walked through the uses of Bridge,
13 just sort of playing devil's advocate.

14 BOARD MEMBER BLOW: Right. No, I understand.

15 BOARD MEMBER RYAN: You know, converting --

16 BOARD MEMBER ZANDER: No, it won't be an
17 island. Marine Street is full of residential.

18 BOARD MEMBER RYAN: Well, sort on that corner,
19 though, if you are across the street from the
20 motel.

21 BOARD MEMBER ZANDER: They are very close,
22 Sarah.

23 BOARD MEMBER RYAN: They are.

24 BOARD MEMBER ZANDER: And it is HP-1 zoning.
25 It is HP-1. That is what it should be.

1 BOARD MEMBER RYAN: Right. I understand that.
2 I am just for the benefit of talking through the
3 PUD.

4 BOARD MEMBER BLOW: And for history sake, if
5 they had --

6 CHAIRMAN MISTERLY: Let's get it moving Carl.

7 BOARD MEMBER BLOW: Sorry. If they hadn't --
8 way back when if they hadn't established use of
9 historic district this town would have been toast.
10 It would have been destroyed. I mean, HP -- the HP
11 districts have created a lot of value here. And I
12 think that they are worth protecting.

13 BOARD MEMBER ZANDER: I think Blake Deal said
14 it best when he replied to us on his form where he
15 says this is a residential property.

16 BOARD MEMBER DePRETER: Correct. That's what
17 he bought it for originally.

18 BOARD MEMBER ZANDER: He said it.

19 CHAIRMAN MISTERLY: All right.

20 We are ready for a vote.

21 CLERK: Jon DePreter.

22 BOARD MEMBER DePRETER: Yes.

23 CLERK: Carl Blow.

24 BOARD MEMBER BLOW: Yes.

25 CLERK: Sarah Ryan.

1 BOARD MEMBER RYAN: Yes.

2 CLERK: Karen Zander.

3 BOARD MEMBER ZANDER: Yes.

4 CLERK: Grant Misterly.

5 CHAIRMAN MISTERLY: Yes.

6 (Whereupon, audio recording concluded.)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF ST. JOHNS)

I, Laura Dwyer Pierle, RPR, do hereby certify
that the foregoing pages constitute a true and
complete transcript of the proceedings transcribed
via digital recording by me to the best of my
ability in the aforementioned cause at the time and
place herein set forth.

I further certify that I am not a
relative, employee, attorney, or counsel of any of
the parties, nor am I a relative or employee of any
of the parties' attorneys or counsel connected with
the action, nor am I financially interested in the
action.

Witness by hand this 31st day of January, 2019.



LAURA DWYER PIERLE, RPR
Notary Public - State of Florida
Commission No.:
Expires: October 26, 2020
(This signature is valid only if
signed in blue ink.)

'	21/6 61/16 61/20 62/1	44/23 46/2 48/21 48/25 49/6 52/21
'95 [1] 26/20	9	53/11 53/11 63/4 64/14 65/20 68/19
.	9:00 [3] 14/6 14/19 14/20	allocated [2] 15/19 16/9
.11 [1] 2/16	A	allocating [1] 15/24
0	ability [2] 28/6 70/11	allow [8] 3/6 3/24 24/8 39/16 41/17
0.11 [1] 6/4	about [46] 5/22 6/9 6/11 10/10 11/6	43/11 55/23 65/19
0154 [3] 1/8 2/4 66/7	11/22 13/17 16/12 16/12 22/5 24/1 26/8	allowed [5] 2/17 13/8 21/3 43/8 61/5
1	26/20 26/21 28/1 30/17 33/20 36/13	allowing [1] 41/10
10 [1] 11/12	36/16 36/17 37/6 38/23 39/18 45/12	allows [2] 24/12 24/14
100 [1] 65/2	45/12 46/3 46/12 47/9 47/16 47/21	almost [2] 5/25 67/9
10:00 [1] 14/13	47/22 48/19 48/20 48/25 51/1 51/3	already [7] 8/3 33/25 39/7 40/3 43/20
118 [1] 33/7	51/18 52/6 52/14 52/20 52/25 53/10	46/20 47/17
11:00 [4] 10/10 10/12 10/12 11/15	53/11 57/14 61/2 63/20	also [10] 18/1 18/16 22/21 31/13 32/10
12 [4] 20/7 23/24 24/12 40/20	above [2] 57/9 59/1	32/23 34/13 43/13 44/18 54/6
13 [1] 29/17	Absolutely [1] 44/14	although [1] 4/14
146 [1] 15/15	accident [1] 53/7	always [5] 12/5 33/16 33/18 33/19 61/10
15 [7] 9/12 9/16 14/12 14/23 15/13	account [1] 17/8	am [53] 4/22 5/2 7/16 9/3 10/21 19/17
15/16 16/8	accurate [2] 8/2 18/13	20/24 22/5 24/3 25/13 25/24 26/7 26/9
154 [6] 14/23 15/17 16/18 17/1 56/23	acquisition [1] 9/5	26/12 26/14 27/5 28/10 30/9 35/20
57/23	acre [3] 6/2 6/4 6/9	43/12 44/1 44/24 47/25 48/14 48/15
160 [2] 26/20 26/21	acres [2] 2/16 5/25	48/23 49/18 50/10 50/10 51/8 51/24
164 [2] 44/11 45/20	across [4] 6/3 35/10 43/5 67/19	52/5 52/19 53/20 54/4 54/17 57/2 58/15
18 [1] 8/8	act [1] 33/18	60/10 64/17 64/23 65/1 65/4 65/6 65/10
2	action [2] 70/17 70/18	65/19 66/5 66/15 66/23 68/2 70/13
20 [1] 3/10	active [1] 31/5	70/15 70/17
2001 [1] 51/2	activities [2] 5/21 47/7	amazed [1] 48/14
2018-0154 [3] 1/8 2/4 66/7	activity [2] 44/21 47/13	amongst [2] 48/17 48/18
2019 [2] 1/3 70/19	actual [1] 4/1	amount [2] 13/12 13/13
2020 [1] 70/23	actually [11] 9/4 17/11 20/19 20/20	analysis [6] 3/17 3/17 31/14 31/18 31/20
24 [5] 3/11 7/23 8/1 8/9 8/9	29/19 30/15 43/4 43/24 49/16 56/22	32/10
245 [1] 30/10	58/21	annexation [1] 5/24
25 [3] 25/8 25/25 25/25	add [2] 12/22 13/3	another [4] 11/22 12/7 14/15 23/15
252 [3] 42/24 43/3 44/10	added [1] 28/14	ANSBACHER [4] 1/22 4/9 5/5 26/3
26 [1] 70/23	addition [2] 26/18 58/1	answering [2] 47/12 48/23
28-289 [1] 66/8	additional [10] 2/23 8/2 16/5 16/7 16/22	answers [1] 24/4
289 [1] 66/8	16/25 29/13 36/5 53/13 57/16	anticipation [1] 7/24
3	additions [1] 2/11	any [26] 2/11 7/25 8/19 11/3 13/4 13/12
30 [11] 8/17 12/3 17/24 20/6 25/2 25/4	address [10] 5/1 9/11 30/6 33/5 40/14	13/15 13/23 20/21 28/25 38/21 39/2
25/6 25/7 25/8 60/17 60/25	42/23 44/9 49/10 58/23 59/1	39/6 48/12 50/16 54/13 54/16 54/22
31st [1] 70/19	adequate [5] 28/1 28/3 28/10 28/12	56/5 62/20 62/24 64/15 66/11 66/25
32084 [1] 1/23	28/13	70/14 70/15
335 [1] 40/16	adjacent [4] 5/8 5/11 6/5 34/12	anybody [5] 30/4 38/1 54/9 54/24 56/18
36 [1] 6/3	adjoining [1] 34/13	anymore [1] 56/1
38 [1] 34/9	advantage [1] 37/18	anyone [1] 58/18
4	adverse [1] 65/14	anything [8] 13/3 13/17 25/7 39/16 40/5
45 [5] 8/5 13/8 21/3 41/12 49/24	adversely [1] 52/18	56/9 59/1 61/2
5	advertise [1] 50/16	anyway [1] 56/4
50 [1] 45/24	advocate [1] 67/13	anywhere [3] 14/14 34/18 38/21
500,000 [1] 50/21	affect [2] 52/18 65/17	ap [2] 16/18 17/3
56 [3] 35/16 49/13 50/10	aforementioned [1] 70/11	apartments [1] 38/9
57 [2] 37/4 37/4	afraid [2] 54/4 65/6	apologize [2] 9/9 9/20
6	after [5] 10/23 11/10 45/4 47/20 48/8	Appeals [1] 55/7
60 [8] 8/6 13/9 17/22 17/22 21/4 39/24	again [4] 9/3 12/7 18/21 21/21	applaud [1] 36/14
41/12 49/24	against [2] 6/20 31/1	applicable [1] 27/11
7	age [1] 45/19	applicant [12] 1/8 2/5 2/5 2/7 3/5 4/10
70.001 [1] 26/19	ago [2] 5/20 6/11	4/22 4/22 13/5 31/15 54/12 54/14
70.51 [3] 8/15 21/17 26/19	agree [4] 19/1 65/2 65/6 65/7	applicants [1] 9/5
75 [1] 1/5	agreed [2] 24/25 50/13	application [9] 22/13 31/1 31/12 36/20
780 [1] 5/5	agreement [25] 2/18 2/18 8/4 8/15 8/17	37/19 47/21 55/6 63/7 66/6
8	15/11 20/12 21/19 22/19 22/21 23/7	applications [1] 36/7
8-A [2] 1/7 2/4	24/12 24/25 25/1 25/11 25/15 38/8 39/9	apply [3] 24/1 28/11 54/6
86 [1] 38/3	39/13 49/22 50/14 50/15 60/22 62/14	applying [1] 47/16
8:00 [9] 11/10 11/11 11/13 13/25 21/2	65/22	appreciate [1] 23/15
	Airbnb's [1] 36/18	approached [3] 6/10 10/24 50/18
	albeit [1] 58/11	approve [5] 46/16 54/3 58/18 65/23 66/3
	ALCAZAR [1] 1/4	approved [1] 51/4
	all [44] 4/11 9/3 10/6 14/12 15/19 19/15	architectural [2] 2/25 7/12
	23/16 26/23 27/1 27/3 29/15 29/16 33/4	architecture [1] 2/25
	33/5 33/11 34/5 35/13 35/20 35/23 38/1	are [166]
	38/5 38/10 38/11 38/14 39/10 39/18	area [11] 18/9 19/7 34/1 34/1 34/2 36/10
	40/12 41/20 41/20 42/14 42/22 44/15	41/22 42/8 42/11 46/2 59/11
		areas [2] 36/19 38/11
		argue [1] 28/3

A arguing [1] 47/15 argument [3] 9/3 27/1 41/17 arguments [1] 27/2 around [6] 11/25 23/17 30/18 33/22 60/24 61/1 as [59] 2/24 3/16 4/6 5/10 5/11 5/13 5/14 5/14 5/18 6/10 7/10 8/14 12/2 13/1 13/17 13/22 18/17 18/18 18/19 19/17 21/8 23/9 26/22 26/22 26/22 29/7 29/9 29/15 29/16 29/16 29/17 31/13 31/22 38/16 38/23 41/11 41/11 42/22 49/21 50/20 50/21 50/21 51/5 51/6 51/6 52/16 52/16 57/9 59/7 59/16 62/23 63/4 63/25 64/20 65/2 65/2 65/23 67/2 67/9 ascertain [1] 8/22 ask [7] 24/20 25/23 27/6 27/8 35/6 46/25 51/17 asked [6] 7/17 31/11 48/22 49/22 49/24 63/20 asking [12] 25/12 27/12 27/15 28/16 28/18 28/18 43/9 43/10 50/5 57/14 61/6 62/5 assert [1] 23/10 assignable [1] 26/25 ASSISTANT [1] 1/19 associated [2] 4/5 58/20 associations [1] 6/17 assume [3] 5/2 20/24 56/15 assuming [2] 18/16 18/17 assumption [4] 17/15 18/23 18/25 19/11 at [75] attendees [1] 8/18 attorney [2] 1/19 70/14 attorneys [1] 70/16 attraction [1] 67/3 audio [1] 69/6 AUGUSTINE [5] 1/2 1/23 37/1 43/23 66/24 authorities [1] 60/5 authority [2] 56/24 57/24 authorization [3] 4/18 4/21 57/19 authorized [1] 8/3 available [2] 17/19 59/13 Avenida [9] 33/7 41/4 41/5 42/2 42/10 42/17 44/11 45/20 53/14 aware [1] 61/7 away [8] 16/10 17/4 20/1 36/12 50/10 50/17 51/24 52/7	because [38] 9/2 10/10 11/1 14/1 14/11 15/7 17/20 17/22 17/24 18/3 21/25 34/3 34/22 36/5 36/24 38/5 38/12 43/8 43/22 46/10 49/17 50/9 50/14 50/20 51/8 51/15 51/18 51/18 52/6 52/14 52/14 52/22 53/7 56/13 59/24 66/13 66/22 67/6 become [2] 46/7 56/11 becoming [2] 45/5 46/10 bed [11] 2/21 28/14 33/23 34/4 35/25 36/14 36/19 37/8 55/13 55/23 65/15 been [18] 3/3 3/9 3/17 4/5 5/7 5/8 20/21 26/11 31/23 33/19 33/19 36/2 43/7 48/4 49/19 56/3 68/9 68/10 before [10] 9/23 13/5 21/7 24/19 27/10 40/19 53/24 57/14 59/21 64/15 begin [1] 38/5 behalf [3] 1/21 5/6 30/9 behind [4] 2/7 4/10 41/25 42/1 being [9] 6/8 12/1 22/18 46/11 47/25 49/22 49/24 57/22 59/7 believe [12] 2/16 6/22 8/1 8/19 21/10 26/15 29/13 32/17 32/22 46/1 57/16 61/25 believes [4] 8/11 21/24 22/16 26/23 below [1] 32/19 benefit [3] 63/21 67/3 68/2 benefits [2] 12/17 12/21 best [2] 68/14 70/10 bet [1] 30/19 better [4] 10/23 59/16 61/8 64/1 between [10] 5/19 6/7 8/4 8/15 17/24 22/4 26/14 29/21 43/16 55/22 beyond [1] 33/22 big [6] 11/16 11/17 37/16 61/20 61/21 61/25 BIRCHIM [1] 1/19 bit [3] 30/20 49/17 49/25 BLAKE [6] 1/8 5/20 10/18 29/20 34/16 68/13 Blake's [1] 62/14 blaming [1] 47/25 bless [1] 44/23 blessing [1] 43/7 blocked [5] 42/5 42/6 42/6 53/5 62/3 blocks [2] 16/12 16/14 BLOW [2] 1/16 68/23 blue [1] 70/24 board [13] 1/1 1/14 1/16 1/16 1/17 2/12 3/24 6/17 13/4 21/17 31/12 51/16 54/13 border [2] 36/2 55/25 borrow [1] 5/23 both [8] 9/15 13/20 23/6 36/1 42/14 55/15 55/22 66/15 bother [2] 12/9 12/10 bought [7] 30/23 43/22 43/22 45/20 47/4 64/19 68/17 BOULEVARD [1] 1/23 bounded [1] 41/2 brain [1] 19/16 brainstorm [1] 11/3 breach [1] 63/20 breakfast [8] 2/21 28/14 34/4 36/1 36/14 36/19 37/8 55/24 breakfasts [3] 33/23 55/14 65/15 BRIDGE [36] 1/9 2/4 6/3 10/2 16/15 30/17 31/24 32/4 32/8 32/13 32/16 32/21 35/12 36/2 41/2 41/3 41/4 42/2 42/4 42/15 43/5 43/13 46/2 51/22 52/11 53/1 53/16 54/21 54/23 55/18 55/25 56/3 66/18 66/20 67/11 67/12 bringing [1] 27/10 brought [1] 62/22	building [11] 1/19 3/2 3/5 15/2 16/6 16/9 35/11 43/19 45/10 45/13 62/13 buildings [2] 10/7 12/12 bureaucracy [1] 47/24 business [5] 5/9 12/9 14/9 24/10 59/10 businesses [1] 57/12 busy [2] 29/22 33/25 but [63] 4/11 6/22 7/25 8/17 9/2 10/7 11/18 13/2 13/17 14/2 17/2 18/16 18/21 19/12 20/12 21/2 21/6 21/8 24/2 24/24 25/2 26/4 26/21 26/23 27/3 27/12 28/6 28/8 28/16 36/16 37/15 37/20 38/16 39/13 41/18 43/14 43/17 44/18 44/23 45/1 45/19 47/20 48/1 48/9 51/9 52/23 53/9 53/14 54/15 55/2 55/24 56/16 57/7 58/2 58/2 58/19 59/11 60/2 61/9 61/15 61/19 62/2 65/5 buy [3] 12/15 38/22 39/2 buyer [1] 26/24 buying [2] 7/1 51/1
B B's [2] 50/1 56/12 back [23] 6/7 11/2 15/9 26/19 27/9 29/18 30/22 37/19 38/6 38/8 39/14 39/15 48/21 50/12 53/18 54/12 54/18 57/14 59/3 62/16 63/22 67/8 68/8 background [1] 10/1 BAILEY [1] 1/22 based [2] 9/6 22/10 basically [3] 13/2 42/13 54/22 basing [1] 66/7 basis [1] 50/3 bathroom [1] 40/25 bathrooms [2] 34/22 34/22 Bayfront [23] 2/24 5/11 6/2 6/5 6/9 13/16 16/22 17/23 33/17 41/9 41/9 43/20 57/5 57/8 57/11 57/21 58/5 58/9 58/12 58/13 58/16 58/18 58/20 be [82] beach [1] 7/5 beautiful [1] 38/25 became [1] 55/25		C calculations [1] 58/22 call [2] 10/16 60/5 Callahan [3] 49/13 49/14 53/20 calling [2] 60/14 60/15 calls [1] 10/19 came [6] 11/5 11/9 29/18 33/16 33/25 64/19 Cameron [1] 29/4 can [44] 2/10 4/3 8/24 11/3 12/4 12/21 13/7 13/7 17/22 18/25 19/14 20/6 20/7 22/9 22/20 24/9 25/4 26/5 26/18 26/21 26/24 27/17 27/21 33/14 35/6 38/21 39/6 39/14 45/20 47/23 50/9 51/17 51/24 51/25 52/3 52/3 52/16 52/21 53/22 57/13 59/19 60/24 61/2 66/14 can't [13] 17/20 22/6 25/11 38/12 42/3 42/4 45/13 46/17 53/14 53/18 59/25 61/2 63/4 CANDICE [1] 1/20 cannot [3] 24/4 24/6 52/16 cap [2] 8/17 8/18 capacity [1] 49/24 car [5] 32/1 32/3 32/8 32/8 47/19 care [2] 13/1 39/5 caring [1] 40/2 CARL [5] 1/16 55/17 67/1 68/6 68/23 CARY [1] 1/19 case [8] 8/14 18/20 18/22 19/4 26/4 53/8 59/8 65/4 cases [1] 9/23 category [1] 27/19 caterers [3] 11/23 62/4 62/15 catering [2] 34/18 40/22 Cathy [2] 33/7 33/9 caught [1] 49/17 cause [1] 70/11 caused [5] 59/23 60/9 60/12 64/21 64/21 CD [1] 1/13 CD-DIGITAL [1] 1/13 center [1] 38/21 cents [1] 44/2 century [1] 5/9 certain [1] 19/20 certainly [1] 13/18 CERTIFICATE [1] 70/2 certify [2] 70/7 70/13 cetera [2] 23/4 23/4 chair [6] 1/15 1/15 4/7 18/14 26/15 56/22 chairs [1] 53/11

C	challenge [2] 45/17 61/5 chance [6] 45/25 46/9 46/12 46/15 46/19 48/2 change [2] 27/22 44/22 changed [1] 64/20 chaos [1] 59/23 character [1] 42/18 Charlotte [3] 30/10 30/16 32/5 charm [2] 43/23 43/25 charming [1] 43/14 chase [1] 49/21 choose [1] 17/22 churches [1] 67/5 city [43] 1/2 1/4 1/19 2/13 2/17 3/22 5/19 8/4 8/16 19/19 21/9 26/14 27/23 29/3 36/10 36/12 38/12 39/8 39/12 42/18 44/21 45/16 45/21 47/7 47/14 47/15 47/17 47/18 47/21 48/10 52/15 53/12 55/5 55/12 57/10 61/2 62/6 65/3 65/18 66/8 66/24 66/25 67/3 city's [2] 16/24 45/5 clarification [3] 8/10 57/22 63/16 clarify [2] 14/21 30/14 class [1] 33/18 classic [1] 21/20 clear [8] 21/17 22/22 22/24 23/6 26/5 26/22 47/22 66/16 clear-cut [1] 26/22 clearly [4] 9/1 28/18 58/24 59/9 clerk [9] 9/19 30/12 33/10 34/11 35/19 40/18 43/2 44/13 49/15 close [4] 10/7 35/20 58/12 67/21 closed [1] 54/11 closest [1] 30/16 closing [1] 32/25 coastal [1] 45/18 code [7] 3/24 12/14 28/3 39/19 40/3 45/10 52/15 coded [1] 36/9 coincide [2] 18/7 19/6 collaborative [1] 51/6 collector [3] 43/6 43/18 54/18 Colonial [2] 5/17 12/23 come [9] 11/23 21/11 30/6 42/22 44/7 45/15 48/21 50/4 54/12 comes [7] 14/12 19/24 32/3 47/9 48/3 60/2 65/14 comfortable [1] 33/22 coming [4] 14/17 32/8 35/2 38/2 comment [2] 27/7 28/24 comments [8] 13/6 30/2 30/3 40/8 40/19 46/24 64/15 65/7 commercial [12] 29/22 31/2 31/9 34/1 36/17 41/6 41/8 41/15 43/21 50/20 50/21 53/8 commercialization [2] 41/13 41/18 commercially [1] 37/18 commission [3] 2/13 3/22 70/22 commit [1] 7/14 committees [1] 46/10 communication [1] 28/25 comp [1] 8/22 compare [2] 19/25 20/4 complaint [1] 11/22 complaints [2] 43/6 46/3 complete [1] 70/9 completely [1] 5/16 concern [6] 5/22 31/8 51/4 52/14 56/14 62/22 concerned [5] 18/19 31/5 31/15 33/20 66/23	concerning [1] 5/21 concerns [2] 31/3 46/21 concluded [1] 69/6 concludes [1] 4/7 conclusion [5] 8/21 18/5 18/12 18/13 19/10 condition [1] 23/19 conditional [2] 37/24 49/22 conditions [5] 19/20 19/22 23/2 23/14 31/19 conducts [2] 47/6 47/13 confine [1] 62/25 conflicts [1] 31/21 confuse [1] 30/20 confusing [1] 6/8 congratulate [1] 44/15 conjunction [1] 22/17 connect [3] 24/17 41/1 66/14 connected [2] 6/8 70/16 conservative [2] 7/22 8/8 considerably [1] 10/23 considered [2] 6/20 19/4 constant [1] 34/16 constitute [1] 70/8 constraints [1] 21/10 constructed [1] 7/19 contemplated [1] 25/14 context [1] 23/6 contingent [1] 20/20 Continuation [1] 45/4 continuing [1] 23/12 continuous [1] 63/3 contract [4] 20/20 21/21 26/12 37/24 contracted [1] 26/13 contracts [1] 10/20 contrary [1] 52/17 control [14] 11/4 11/20 12/8 13/21 15/5 23/17 43/8 43/10 43/25 59/11 60/15 63/4 64/22 65/6 controlled [1] 59/21 controlling [1] 61/9 convert [1] 47/18 converting [1] 67/15 convoluted [1] 64/25 copy [1] 57/20 coquina [1] 45/13 Cordova [8] 14/24 15/17 16/16 16/19 17/1 43/5 56/23 57/24 corner [8] 30/18 32/4 32/5 34/13 35/12 42/2 43/4 67/18 correct [11] 5/4 13/10 15/12 15/18 21/8 24/16 25/24 48/21 58/14 60/23 68/16 cost [1] 39/4 costs [1] 48/12 could [19] 5/21 12/15 12/22 21/11 23/21 25/24 48/21 50/2 56/11 56/18 58/19 60/1 60/7 61/13 61/13 61/17 61/19 62/23 64/18 couldn't [4] 11/25 50/16 53/2 53/4 counsel [7] 4/23 5/2 21/16 21/24 26/23 70/14 70/16 COUNTY [1] 70/5 couple [3] 5/7 7/20 38/2 course [2] 10/1 47/2 Court [1] 55/7 courtyard [3] 42/1 42/2 42/6 coverage [1] 3/2 crazy [2] 39/9 39/13 created [1] 68/11 creating [2] 27/18 27/24 creative [1] 59/7 creep [2] 38/25 39/18 criteria [1] 27/19	crown [2] 7/15 9/2 curious [2] 54/17 56/5 current [8] 2/15 3/5 5/20 8/15 12/13 59/14 61/14 64/18 currently [4] 2/17 13/14 13/15 17/22 cut [3] 26/22 49/19 49/21
D	damage [1] 46/18 dangerously [1] 38/17 date [1] 4/1 DAVID [3] 1/18 1/19 29/5 day [6] 8/17 25/4 45/7 60/17 60/25 70/19 days [6] 12/3 20/6 25/2 25/6 25/8 25/8 de [5] 1/23 5/6 15/10 54/25 63/23 deal [29] 1/8 5/20 6/10 8/4 8/16 8/16 22/25 23/3 23/4 23/8 23/19 24/23 25/5 26/10 26/14 29/20 34/16 37/21 37/25 38/7 39/6 39/6 50/4 50/14 59/14 61/20 61/21 61/25 68/13 Deal's [1] 24/11 dealing [2] 45/7 59/20 Dear [1] 57/20 debacle [2] 34/16 38/14 debate [1] 5/19 Debbie [1] 15/2 Deborah [1] 49/13 decided [1] 66/18 Declair [1] 29/5 deed [1] 12/24 deferred [1] 47/8 define [1] 23/2 defined [1] 21/6 defines [1] 22/11 definitive [1] 21/25 demarcation [1] 66/19 denied [1] 55/5 Denise [1] 29/5 deny [1] 66/6 DEPARTMENT [2] 1/19 3/15 deposit [1] 10/22 DEPRETER [3] 1/17 64/14 68/21 designation [1] 3/14 desire [1] 4/2 desired [1] 3/25 destroyed [1] 68/10 details [1] 59/6 determination [1] 9/6 detriment [1] 34/2 develop [1] 46/9 development [10] 1/10 1/18 2/15 2/20 22/13 22/16 22/17 22/19 27/18 65/18 deviations [1] 3/7 devil's [1] 67/13 diagram [1] 41/22 diaster [1] 45/5 did [9] 10/23 13/3 17/8 28/11 31/13 32/10 47/3 50/4 63/24 didn't [5] 10/16 13/16 19/12 21/7 31/16 difference [1] 8/20 different [1] 26/1 digital [2] 1/13 70/10 Dilara [1] 42/24 direction [1] 28/23 directly [1] 29/13 director [2] 1/19 45/8 disagreed [1] 50/13 disappear [1] 67/4 disappearing [1] 67/4 discuss [2] 7/16 9/4 discussing [1] 17/12 discussion [4] 54/13 54/15 54/21 66/11		

D	emergency [3] 11/25 34/19 53/2 emphasis [1] 52/17 employee [2] 70/14 70/15 employees [1] 27/24 enclave [1] 5/24 encourage [2] 39/21 44/21 encouragement [1] 39/2 encroaching [1] 56/1 encroachment [2] 36/4 36/17 end [4] 21/2 39/13 39/14 47/14 ending [2] 11/13 21/6 endorsing [1] 27/24 engaging [1] 47/17 engineer [3] 3/9 32/17 32/20 enjoy [1] 46/8 enlarged [1] 3/11 enough [1] 48/6 enter [2] 42/3 42/4 entertainment [1] 50/1 entire [1] 16/8 entirely [1] 27/17 entrance [3] 42/7 42/12 53/17 entrances [2] 42/10 53/16 equitable [1] 22/12 Erin [1] 30/8 erode [1] 38/17 escaped [1] 15/3 especially [1] 32/15 ESQUIRE [1] 1/22 essentially [1] 50/2 established [1] 68/8 estate [1] 31/10 estimate [1] 7/22 estimates [1] 7/5 et [2] 23/3 23/4 etc [2] 22/18 22/18 even [10] 3/7 22/22 23/4 26/23 32/6 34/20 46/22 48/5 50/6 59/5 evening [2] 9/21 30/8 event [18] 3/12 7/24 8/5 13/11 20/17 24/15 27/11 35/25 36/5 36/8 37/12 37/14 37/15 40/9 47/15 53/10 61/17 62/5 events [36] 8/13 8/19 13/12 13/13 13/24 17/1 17/25 20/7 20/18 20/21 20/25 21/2 21/5 23/21 24/9 25/3 25/4 26/1 27/14 28/4 28/11 28/17 28/19 36/17 38/24 39/16 39/17 40/20 40/21 50/17 53/10 61/1 61/4 62/5 64/1 65/17 ever [1] 59/2 every [1] 61/18 everybody [3] 9/21 14/1 33/22 everyone [5] 38/15 46/6 46/9 48/9 49/20 everyone's [1] 44/20 everything [4] 27/20 45/16 47/10 62/4 ex [2] 26/8 28/25 ex-wife [1] 26/8 exactly [2] 63/1 67/1 examine [1] 6/24 examined [1] 6/15 Excuse [1] 14/22 exercise [1] 20/24 existing [6] 8/3 8/22 57/4 59/8 59/17 63/11 expanded [1] 57/10 expansion [2] 15/10 65/16 expansions [1] 63/24 experience [2] 7/3 11/12 expires [2] 22/23 70/23 explained [1] 10/6 expressed [4] 20/12 22/2 22/22 23/5 extended [1] 62/13 extent [1] 5/16	exterior [1] 7/15 extra [2] 41/21 41/21 extrapolation [1] 8/7
F	facility [1] 7/25 fact [10] 6/6 6/19 7/18 20/13 26/10 30/24 65/11 65/13 65/23 66/8 facts [2] 4/4 65/3 fail [1] 40/20 fair [2] 46/12 48/13 fair-minded [1] 46/12 fairly [1] 7/17 falling [1] 45/1 families [1] 50/2 family [5] 38/9 38/22 38/23 40/1 67/9 fantastic [1] 48/2 far [6] 5/14 16/10 18/18 29/16 29/16 65/2 fast [1] 19/17 favor [2] 29/18 29/19 fearful [1] 35/2 feel [2] 33/22 65/21 feet [3] 58/23 58/25 58/25 felt [1] 12/8 FEMA [1] 45/10 few [4] 6/19 9/23 51/8 51/14 Fifth [1] 55/6 fight [1] 36/15 figures [1] 7/1 filed [1] 22/13 files [1] 5/15 financially [3] 19/22 59/25 70/17 find [6] 6/25 17/20 23/17 32/18 32/23 41/19 findings [6] 4/4 65/3 65/13 65/15 65/23 66/7 fine [1] 54/2 fire [1] 53/4 first [11] 9/9 9/20 13/7 17/6 33/11 33/12 33/15 35/20 36/4 40/19 57/15 five [2] 36/6 48/15 flawed [1] 18/25 flood [1] 46/18 flooding [3] 45/9 45/18 47/10 FLORIDA [6] 1/2 1/23 3/14 5/15 70/4 70/22 fly [1] 17/4 follow [1] 19/18 forced [1] 39/8 foregoing [1] 70/8 form [2] 38/20 68/14 forms [1] 5/10 forth [3] 6/7 30/22 70/12 forward [1] 54/12 forwarded [1] 29/14 found [1] 14/11 four [8] 2/23 15/24 16/5 16/12 16/14 28/9 36/6 57/9 fourth [1] 56/25 frankly [2] 10/25 62/9 Fred [1] 40/15 friends [1] 6/20 from the [1] 67/19 front [4] 40/8 57/10 62/13 63/8 full [1] 67/17 function [1] 19/23 functioning [1] 19/17 fundamentally [2] 59/5 59/15 further [1] 70/13 future [2] 45/23 62/23	
E	e-mail [1] 29/13 e-mails [3] 29/4 29/6 29/12 each [4] 57/6 57/18 58/9 58/9 Earl [1] 35/16 earlier [1] 38/4 easier [2] 64/2 64/2 economic [1] 44/21 edge [2] 62/8 62/12 effect [1] 65/14 efforts [2] 34/14 34/23 eight [2] 36/7 45/3 either [2] 22/16 56/3 eliminate [1] 27/17 else [13] 12/12 15/11 21/9 21/11 23/20 35/2 38/1 47/11 49/6 54/9 60/20 61/12 62/4 else's [1] 46/9 emails [1] 29/16	
G	Galveston [1] 7/4	

G	63/11 65/22 68/5 hadn't [2] 68/7 68/8 Hafiz [4] 42/24 43/1 44/10 44/12 hair [2] 26/20 26/21 half [3] 5/25 6/11 37/6 HALL [1] 1/4 Hamid [1] 44/10 hand [2] 60/17 70/19 handed [1] 60/3 hang [1] 15/8 happen [3] 46/16 60/7 66/23 happened [3] 39/11 39/12 50/16 happening [2] 45/18 45/24 happens [3] 60/20 62/3 62/4 happiness [1] 46/8 HARB [8] 7/11 44/22 45/10 47/6 47/13 47/16 47/20 47/23 hardly [1] 43/14 hardship [5] 50/7 50/8 60/8 60/12 60/15 HARP [2] 48/14 49/1 HARRELL [7] 1/18 5/13 5/18 7/10 7/21 8/11 57/21 has [33] 3/5 3/9 3/17 5/8 6/3 6/15 7/2 7/11 8/16 10/11 10/21 15/3 17/23 20/6 23/14 23/15 23/24 24/13 26/10 31/3 36/2 37/15 37/16 37/16 39/9 40/3 43/7 47/17 57/10 59/14 61/25 64/5 65/12 hasn't [1] 20/21 Hathorn [2] 40/15 40/17 have [162] haven't [2] 13/23 59/18 having [14] 6/22 7/7 12/1 14/9 20/21 20/25 22/2 25/7 28/1 38/13 53/2 63/21 64/4 67/6 he [40] 6/11 6/14 8/11 10/19 10/23 10/24 10/24 19/21 20/1 20/5 20/6 20/7 20/19 20/20 20/24 21/3 21/9 22/9 23/9 23/9 23/24 24/24 24/25 25/1 25/4 39/9 50/8 50/15 50/16 50/18 50/19 51/8 51/15 53/15 60/19 60/21 68/14 68/14 68/17 68/18 He's [1] 39/7 head [2] 22/6 59/16 hear [6] 4/3 18/22 52/14 54/1 58/21 59/18 heard [1] 46/22 hearing [8] 3/25 4/3 4/4 17/7 54/11 64/17 64/23 65/1 heck [1] 11/1 height [1] 3/1 held [2] 27/9 37/15 help [3] 24/17 51/25 54/19 helped [1] 26/19 her [5] 27/6 30/23 31/6 31/7 31/10 herby [1] 70/7 here [30] 2/5 4/9 5/6 5/7 7/4 9/21 9/23 11/5 13/17 15/9 16/21 23/16 27/11 33/25 37/5 37/19 39/16 40/20 44/20 49/18 52/13 52/23 55/24 58/20 64/19 65/3 65/8 65/13 67/5 68/11 herein [1] 70/12 hey [3] 10/13 12/15 41/16 Hi [1] 49/8 highly [2] 34/23 59/9 him [4] 20/20 38/8 51/15 57/23 his [10] 7/21 10/20 10/21 19/20 21/3 22/10 38/7 39/7 63/25 68/14 historic [11] 1/9 3/1 30/24 36/10 36/11 39/22 40/4 45/14 45/22 46/20 68/9 historical [3] 6/14 7/4 36/25 history [3] 36/22 53/18 68/4 hold [2] 13/15 19/14 home [1] 31/11	homes [2] 39/3 39/4 honest [1] 66/22 hope [1] 36/3 Horn [4] 7/23 8/6 18/19 31/14 hosted [1] 19/2 hot [1] 11/7 hotels [3] 29/22 33/24 34/4 hour [7] 3/11 7/23 8/8 19/4 19/7 19/9 19/9 hours [5] 44/15 45/3 45/3 47/20 49/25 house [59] 2/24 5/12 5/14 5/17 5/18 6/10 10/25 12/13 12/15 12/23 13/16 14/10 15/9 15/13 15/14 16/22 16/25 19/2 33/17 34/13 39/23 39/24 39/25 40/1 41/8 41/10 41/19 41/23 41/24 42/1 42/7 42/10 42/13 43/10 43/17 45/8 45/12 45/20 46/5 46/15 50/24 52/3 52/19 53/15 55/1 56/25 57/6 57/11 57/12 57/21 57/25 58/9 59/22 60/1 60/3 63/6 63/12 63/23 64/5 houses [3] 38/25 40/4 43/16 how [15] 9/25 10/7 11/5 15/16 16/10 23/20 24/18 25/3 34/2 35/25 40/20 47/13 47/22 49/1 50/4 however [3] 3/4 4/3 41/10 HP [54] 1/10 2/15 2/16 3/3 23/20 23/21 23/23 24/2 24/8 24/10 24/13 30/24 31/2 33/1 35/24 35/25 36/2 36/4 36/9 38/6 38/6 38/9 38/9 38/15 39/14 39/15 39/15 39/18 39/19 40/2 43/23 44/25 45/5 45/15 45/16 46/23 47/4 47/4 48/1 48/4 48/5 48/7 50/8 51/2 55/23 59/14 61/5 62/6 66/20 67/9 67/24 67/25 68/10 68/10 HP-1 [43] 1/10 2/16 3/3 23/23 24/2 24/8 24/10 30/24 31/2 33/1 35/24 35/25 36/2 36/4 36/9 38/6 38/6 38/9 38/9 38/15 39/14 39/15 39/15 39/18 39/19 43/23 44/25 45/5 45/15 46/23 47/4 47/4 48/1 48/4 48/5 48/7 50/8 51/2 61/5 66/20 67/9 67/24 67/25 HP-2 [1] 55/23 HP-5 [1] 45/16 huh [1] 64/24 hundred [1] 65/21
H	had [27] 6/18 11/12 13/23 14/8 19/19 20/14 21/16 26/20 26/21 32/17 34/16 36/15 38/14 44/25 47/6 47/12 48/20 48/25 51/8 53/1 53/1 56/3 56/5 62/22	I I'd [1] 49/4 I'll [1] 66/9 I'm [5] 47/12 48/1 58/25 60/14 60/14 idea [4] 14/7 47/9 48/18 48/20 if [73] ignorance [1] 48/22 Ill [1] 1/8 immediate [1] 31/19 immediately [4] 5/9 5/11 6/1 35/9 impact [6] 3/9 31/4 31/10 31/14 32/10 42/18 impacts [1] 31/16 implying [2] 26/3 26/10 important [1] 19/1 impose [2] 48/11 48/11 improve [1] 59/7 improvement [1] 24/18 in [166] in 20 [1] 3/10 inadequate [2] 32/19 32/23 incentive [1] 11/20 incidents [1] 52/24 inclination [1] 41/14 include [1] 32/11 included [5] 3/18 4/5 16/17 17/3 31/16 includes [1] 18/23

I	jewel [2] 7/15 9/2 job [2] 61/8 65/12 JOHN [3] 1/19 15/2 29/4 JOHNS [1] 70/5 joinder [1] 64/7 JON [2] 1/17 68/21 judge [1] 65/10 June [3] 30/10 30/14 30/15 just [43] 9/25 10/1 11/2 11/24 12/12 12/19 13/8 14/20 15/6 17/9 17/12 18/25 21/8 25/14 27/3 29/1 30/13 32/25 33/20 34/3 35/21 40/4 45/19 48/11 48/24 50/22 53/22 56/5 56/15 58/4 59/15 59/19 59/20 60/15 60/19 63/15 64/1 64/12 65/10 66/15 67/8 67/13 68/2 justifiable [1] 65/18	LEON [2] 1/23 5/6 less [3] 25/2 26/21 38/13 lessee [1] 25/11 let [9] 2/10 15/8 24/20 27/6 38/18 38/24 39/15 39/17 51/15 let's [7] 12/20 28/23 29/16 30/3 56/12 62/19 68/6 letter [2] 19/5 57/20 level [3] 3/15 8/24 41/13 life [1] 66/22 like [21] 2/11 7/8 7/8 9/2 23/18 27/8 30/4 35/21 37/4 38/25 39/3 40/1 43/13 44/5 49/4 49/7 50/19 54/9 54/21 59/12 59/20 limit [5] 8/12 13/12 13/15 21/1 24/13 limitation [3] 22/2 64/4 64/7 limited [1] 32/14 line [4] 23/13 54/22 55/19 66/19 lines [2] 10/2 32/11 literally [1] 8/14 litigated [2] 23/11 55/12 litigation [1] 56/4 little [5] 10/1 34/3 42/16 49/17 50/6 live [13] 19/8 34/12 35/9 35/11 40/11 40/15 43/3 43/5 44/25 46/1 46/22 48/5 52/6 lived [1] 34/15 lives [1] 44/20 living [3] 40/1 61/24 66/25 load [2] 53/14 62/16 loading [5] 32/16 53/9 53/13 57/10 62/12 local [2] 17/16 17/18 located [1] 41/25 location [12] 6/14 16/11 18/13 31/19 31/25 35/21 36/1 37/7 37/9 37/14 66/13 66/14 locations [4] 3/5 36/8 36/20 37/12 Lodge [1] 6/1 lodging [1] 7/3 lodgings [1] 7/3 logical [1] 6/13 long [4] 10/17 49/19 51/8 52/16 longer [2] 36/25 51/15 look [10] 8/6 21/20 22/21 26/24 31/11 41/18 45/23 48/8 48/14 67/5 looked [1] 29/11 looking [6] 12/17 12/20 39/5 40/23 40/25 67/10 lose [1] 67/2 lost [1] 67/7 lot [9] 3/1 3/2 11/8 11/19 14/25 30/21 36/21 46/21 68/11 lots [6] 13/20 15/11 17/16 17/18 17/20 37/16 lottery [1] 12/24 loud [1] 11/14 love [8] 12/12 36/23 36/23 39/5 43/23 43/23 45/1 48/7 lovely [1] 50/24 lovingly [1] 40/1 Lowler [1] 29/5
including [1] 27/20 incorporated [2] 3/3 3/8 incorporation [1] 29/24 increase [5] 3/13 31/6 41/13 41/20 65/16 increased [5] 31/1 31/9 31/20 49/23 49/24 increases [1] 3/10 indicate [1] 5/15 indicated [1] 23/9 indicates [1] 3/10 individuals [2] 46/7 47/8 industry [1] 18/15 inference [1] 20/11 information [1] 57/16 ink [1] 70/24 inn [9] 6/2 10/3 14/11 14/12 15/12 34/14 41/9 43/19 62/24 inside [2] 12/16 64/2 instance [1] 31/18 insure [1] 23/3 integrity [1] 35/1 intend [1] 9/7 intended [1] 39/20 intending [3] 57/7 58/5 58/11 intensity [3] 9/6 31/2 31/9 intensive [1] 59/13 intent [2] 39/19 63/25 interest [5] 22/12 26/25 34/24 52/18 64/6 interested [3] 6/12 45/14 70/17 interesting [1] 63/10 interior [6] 7/14 12/11 12/13 12/22 13/1 62/11 interpret [1] 20/7 interpretation [3] 26/13 26/16 26/16 intersection [1] 32/21 intersections [1] 32/12 into [30] 3/3 3/8 9/25 17/8 28/20 29/24 33/13 35/24 35/25 36/4 36/17 37/6 37/12 38/15 38/20 38/25 39/12 39/18 39/24 39/24 41/21 42/7 42/15 49/9 51/13 51/20 53/14 59/6 64/20 66/1 invest [1] 39/2 investment [1] 38/24 investments [1] 37/4 involvement [1] 28/5 is [261] island [3] 55/22 67/10 67/17 isn't [4] 36/16 50/25 53/7 58/24 issue [4] 28/4 45/10 45/11 56/12 issues [2] 27/3 47/10 it [171] it's [52] 14/13 15/1 15/2 16/12 17/21 19/1 19/16 20/12 21/19 22/21 22/25 23/6 23/20 23/21 25/7 26/15 26/17 26/22 27/16 27/23 38/10 41/7 41/14 43/14 43/16 43/16 43/20 44/18 45/13 46/2 46/6 46/15 49/19 50/6 50/20 52/1 56/16 56/16 57/18 57/22 58/5 60/16 62/8 62/11 62/11 64/1 64/2 64/25 66/4 66/15 66/15 67/4 item [9] 1/7 2/3 2/3 2/4 3/4 3/20 3/22 3/25 30/5 items [1] 2/24 its [6] 6/14 29/23 46/18 47/6 47/13 47/21 itself [3] 6/9 41/24 53/18	K KAREN [4] 1/15 29/2 62/21 69/2 keen [1] 14/16 keep [2] 36/10 49/4 keeping [1] 9/20 Kenwood [2] 34/14 43/19 kept [2] 9/22 10/5 kick [1] 28/19 Kimley [4] 7/23 8/6 18/19 31/14 Kimley-Horn [4] 7/23 8/6 18/19 31/14 kind [13] 11/4 14/16 19/24 22/15 28/7 37/17 39/9 49/12 51/6 54/17 64/23 65/1 65/5 KING [2] 1/5 59/4 kitchen [1] 12/16 knew [2] 10/11 48/19 knock [1] 10/13 knocking [1] 34/21 know [53] 10/5 10/20 10/24 11/6 11/7 11/11 11/12 11/17 11/18 11/20 12/1 12/2 12/14 12/19 12/25 13/18 14/8 14/14 17/4 18/25 19/2 19/11 21/25 22/4 26/2 26/4 31/25 34/2 34/24 37/2 39/4 39/12 43/24 44/16 44/19 45/11 45/19 46/4 46/5 47/3 47/5 48/2 50/11 50/15 55/22 59/24 60/17 60/24 61/3 62/14 63/1 67/12 67/15 knowingly [1] 43/22 knowledge [1] 13/23 known [3] 47/6 47/12 48/25 knows [1] 17/6	line [4] 23/13 54/22 55/19 66/19 lines [2] 10/2 32/11 literally [1] 8/14 litigated [2] 23/11 55/12 litigation [1] 56/4 little [5] 10/1 34/3 42/16 49/17 50/6 live [13] 19/8 34/12 35/9 35/11 40/11 40/15 43/3 43/5 44/25 46/1 46/22 48/5 52/6 lived [1] 34/15 lives [1] 44/20 living [3] 40/1 61/24 66/25 load [2] 53/14 62/16 loading [5] 32/16 53/9 53/13 57/10 62/12 local [2] 17/16 17/18 located [1] 41/25 location [12] 6/14 16/11 18/13 31/19 31/25 35/21 36/1 37/7 37/9 37/14 66/13 66/14 locations [4] 3/5 36/8 36/20 37/12 Lodge [1] 6/1 lodging [1] 7/3 lodgings [1] 7/3 logical [1] 6/13 long [4] 10/17 49/19 51/8 52/16 longer [2] 36/25 51/15 look [10] 8/6 21/20 22/21 26/24 31/11 41/18 45/23 48/8 48/14 67/5 looked [1] 29/11 looking [6] 12/17 12/20 39/5 40/23 40/25 67/10 lose [1] 67/2 lost [1] 67/7 lot [9] 3/1 3/2 11/8 11/19 14/25 30/21 36/21 46/21 68/11 lots [6] 13/20 15/11 17/16 17/18 17/20 37/16 lottery [1] 12/24 loud [1] 11/14 love [8] 12/12 36/23 36/23 39/5 43/23 43/23 45/1 48/7 lovely [1] 50/24 lovingly [1] 40/1 Lowler [1] 29/5
J JANUARY [2] 1/3 70/19	L lack [1] 34/22 land [4] 2/16 3/23 22/1 38/21 language [1] 3/2 large [3] 11/22 29/21 32/15 last [4] 15/2 20/21 26/11 47/15 late [3] 9/21 9/23 19/16 later [2] 22/17 28/22 Laura [2] 70/7 70/21 law [1] 5/24 lay [1] 47/8 layout [1] 41/19 LDC [1] 8/22 learned [1] 14/8 leary [2] 60/19 60/21 lease [6] 8/17 14/23 15/6 20/6 25/5 25/25 leased [4] 15/13 15/16 25/9 56/13 leases [2] 56/23 57/23 least [2] 27/1 37/2 leave [1] 14/15 leaves [1] 65/15 left [1] 32/13 legal [2] 9/3 22/12	M Ma'am [1] 51/20 made [1] 6/15 magic [1] 55/25 Magnolia [1] 38/3 mail [2] 29/13 30/21 mails [3] 29/4 29/6 29/12 main [3] 31/8 34/24 42/16 mains [1] 31/3 maintain [2] 36/22 43/25 maintained [1] 5/16

M	maintenance [2] 7/6 8/24 major [3] 38/24 42/11 42/12 make [15] 3/19 7/21 8/11 11/4 12/18 23/18 27/21 33/22 34/24 39/6 46/19 48/15 52/21 59/25 66/2 makes [3] 29/22 29/25 41/16 making [3] 2/13 3/21 34/15 manage [1] 46/4 manager [5] 57/7 57/7 57/17 58/10 58/11 many [7] 6/7 15/16 23/20 25/3 31/22 41/11 50/4 map [1] 41/23 Marin [26] 2/24 5/11 6/1 6/5 6/9 13/16 15/10 15/13 16/22 16/24 17/23 33/17 50/24 54/25 57/5 57/8 57/11 57/21 58/5 58/9 58/12 58/13 58/16 58/18 58/20 63/23 Marine [21] 11/24 31/24 32/21 32/22 34/9 35/12 35/16 41/3 41/4 41/25 42/7 42/13 42/15 49/13 50/10 52/9 52/25 52/25 53/17 62/17 67/17 market [1] 37/3 Maryland [1] 7/5 material [1] 8/20 matter [3] 23/11 26/23 45/9 matters [2] 5/7 47/10 maximum [3] 8/4 13/9 24/2 may [14] 17/5 18/14 19/16 21/22 21/23 23/4 25/23 37/24 46/25 51/5 56/21 61/6 61/7 61/8 maybe [7] 36/7 43/16 50/6 58/14 59/18 61/2 61/16 me [18] 2/8 14/22 15/3 15/8 22/24 24/17 24/20 25/7 31/11 38/7 48/22 51/17 54/19 54/19 61/25 66/16 66/18 70/10 mean [17] 11/18 20/7 25/10 31/22 55/21 58/24 59/20 59/22 61/1 61/10 61/15 63/11 66/12 66/14 67/4 67/10 68/10 mean, [1] 14/1 mean, the [1] 14/1 meaning [1] 28/2 measured [1] 32/18 mediated [2] 21/18 25/15 mediation [3] 8/15 25/18 25/20 meet [1] 17/5 meeting [1] 20/14 meetings [2] 45/3 48/14 Melinda [1] 38/3 member [4] 1/16 1/16 1/17 51/16 members [5] 1/14 6/17 20/14 54/13 65/7 Menendez [11] 32/13 32/16 33/8 41/4 41/5 42/3 42/11 42/17 44/11 45/20 53/14 mental [1] 20/24 mention [2] 58/16 58/17 mentioned [4] 16/24 17/9 31/23 54/18 mess [1] 38/5 messed [1] 39/8 met [3] 6/16 33/11 33/16 Michael [1] 9/12 micromanaged [1] 62/10 micromanagement [1] 44/24 micromanaging [1] 44/20 microphone [5] 33/13 44/8 49/10 51/14 51/21 middle [1] 11/24 might [1] 6/19 MIKE [6] 1/8 33/12 33/16 34/15 34/23 35/4 million [1] 37/6	minded [1] 46/12 minimum [3] 8/17 8/23 23/22 minor [1] 7/17 minutes [3] 48/15 51/8 51/12 misperceptions [1] 48/22 MISTERLY [2] 1/15 69/4 mixed [1] 41/5 moments [1] 21/20 money [7] 10/21 36/13 36/21 39/4 39/7 48/3 48/7 month [8] 7/7 13/13 20/17 20/18 25/6 25/25 38/13 39/10 monthly [1] 23/23 more [17] 6/23 21/5 21/5 24/7 36/19 39/7 39/10 39/17 50/6 50/16 50/21 51/14 53/22 54/23 59/13 59/13 63/19 morning [1] 10/5 most [10] 6/13 8/23 8/23 38/10 38/10 57/8 58/12 62/6 62/7 64/3 motel [2] 43/20 67/20 mother [8] 30/9 30/14 30/16 30/23 31/5 31/11 32/5 32/25 mother's [1] 31/8 motion [4] 28/22 64/16 66/1 66/3 motivates [1] 44/16 mouth [2] 48/3 48/8 move [2] 47/24 64/15 moved [1] 33/15 moving [1] 68/6 Moyer [1] 29/4 Mr [7] 9/18 23/19 35/18 40/17 44/12 55/13 55/14 Mr. [36] 4/7 4/9 5/13 5/18 6/6 6/10 7/2 7/10 7/21 8/4 8/11 8/16 8/16 9/4 22/25 23/3 23/4 23/8 24/11 24/23 25/5 26/3 26/10 26/14 26/15 37/25 39/6 50/4 50/14 55/8 55/10 57/19 57/21 63/22 63/25 64/14 Mr. Ansbacher [2] 4/9 26/3 Mr. Chair [2] 4/7 26/15 Mr. Deal [16] 6/10 8/4 8/16 8/16 22/25 23/3 23/4 23/8 24/23 25/5 26/10 26/14 37/25 39/6 50/4 50/14 Mr. Deal's [1] 24/11 Mr. DePreter [1] 64/14 Mr. Graibard's [1] 55/8 Mr. Graubard [1] 63/22 Mr. Harrell [6] 5/13 5/18 7/10 7/21 8/11 57/21 Mr. Wieber [6] 6/6 7/2 9/4 55/10 57/19 63/25 Mrs [1] 9/18 Ms [7] 27/6 30/11 34/10 43/1 49/14 53/20 62/19 Ms. [1] 18/17 Ms. Wieber [1] 18/17 much [6] 33/2 34/6 43/15 44/3 51/9 59/23 multiple [1] 20/18 music [5] 10/14 10/16 11/10 14/2 14/3 must [2] 40/9 57/2 my [33] 4/7 10/9 10/20 12/5 13/22 19/16 20/10 22/6 23/12 30/8 30/9 30/14 30/16 30/23 31/5 31/8 31/11 32/5 32/25 34/21 35/11 37/13 40/15 41/14 46/13 49/17 51/4 52/14 56/14 58/15 58/22 59/16 70/10 myself [2] 9/1 39/3	nature [1] 7/17 near [2] 17/18 17/19 nearby [4] 7/25 17/16 18/18 32/12 nearly [1] 46/13 necessarily [1] 8/2 need [11] 5/3 9/14 19/23 51/11 51/20 52/14 54/1 57/17 64/6 64/22 65/19 needing [1] 34/21 needs [2] 38/6 39/13 negating [1] 62/2 negatively [1] 31/10 negatives [1] 6/19 negotiation [2] 28/7 63/9 neighbor [2] 10/21 53/1 neighborhood [11] 6/17 11/7 12/10 34/19 34/25 35/1 36/18 36/23 38/22 42/19 66/21 neighborhoods [1] 38/18 neighbors [10] 31/17 33/19 33/21 37/11 46/11 46/22 50/18 50/25 59/9 61/7 neither [1] 4/12 net [1] 3/10 never [2] 25/14 37/15 new [4] 3/11 16/21 23/10 65/15 next [28] 2/3 5/10 10/5 10/8 10/12 11/12 11/19 12/25 13/16 16/6 29/24 33/4 34/8 36/15 36/16 37/8 37/9 37/9 42/22 46/17 51/5 54/8 56/10 57/8 57/10 58/6 58/12 61/24 nice [1] 10/15 night [6] 10/6 10/10 14/10 14/18 49/20 61/18 nightly [2] 39/23 50/3 nine [1] 14/4 no [47] 7/25 8/12 11/9 12/2 12/5 12/5 14/2 14/15 15/6 21/1 21/13 21/14 21/14 21/25 24/9 24/13 25/2 25/10 29/23 30/2 31/18 31/20 32/2 33/20 35/22 36/25 43/6 47/8 47/22 48/10 48/18 48/20 50/5 50/5 50/5 50/8 51/12 53/24 55/4 58/17 63/13 64/5 65/14 65/18 67/14 67/16 70/22 nobody [5] 12/6 14/9 14/10 18/17 18/18 noise [4] 10/11 10/11 13/21 34/16 none [1] 54/11 nor [2] 70/15 70/17 Normally [1] 41/14 north [9] 1/23 5/5 5/25 6/1 41/7 41/9 41/16 42/9 52/8 northern [1] 32/22 northwest [1] 35/12 not [91] not expressed [1] 20/12 not just [1] 33/20 Notary [1] 70/22 noted [1] 4/1 notes [1] 8/11 nothing [3] 12/14 45/3 56/19 notice [1] 41/24 noticed [1] 50/11 notifications [1] 29/17 now [23] 7/16 12/2 12/25 13/8 16/3 17/25 19/21 19/25 20/19 23/9 23/24 26/4 26/18 27/2 42/11 44/11 48/17 49/12 55/10 58/21 60/16 61/9 67/4 number [13] 8/12 8/18 17/10 21/2 24/2 36/20 40/21 40/22 40/23 40/24 53/3 53/4 65/16 nuns [1] 43/18
	N	O	
	name [12] 4/25 9/10 15/3 26/5 30/6 30/8 33/5 40/14 40/15 42/23 44/8 49/10 narrow [1] 32/2	o'clock [8] 10/12 11/10 11/11 11/13 14/13 61/16 61/20 62/1	

O obligation [1] 7/6 obviously [2] 12/18 23/9 occupied [1] 43/15 occur [2] 19/3 25/16 occurring [1] 26/3 October [1] 70/23 off [8] 2/20 2/23 12/19 42/5 42/6 51/7 57/5 58/8 offer [1] 2/10 offered [2] 19/21 22/10 Oh [2] 25/21 63/17 okay [30] 2/9 4/16 14/20 15/4 15/15 17/14 18/3 20/2 20/23 21/3 22/8 23/12 24/17 24/21 27/5 33/7 33/11 35/13 43/21 44/7 49/4 52/4 52/10 52/12 54/1 54/11 54/13 55/11 55/16 66/10 old [6] 12/12 38/25 39/3 39/4 39/25 42/18 oldest [3] 5/14 5/15 15/14 on [91] on-site [2] 2/22 57/17 once [3] 20/17 39/10 63/19 one [47] 1/10 2/22 3/13 4/3 4/4 6/8 7/25 8/10 11/14 17/21 21/20 23/14 24/9 24/20 25/6 26/15 27/9 27/21 29/13 29/17 29/18 29/19 30/1 30/2 30/16 31/4 34/3 37/22 38/16 38/16 40/1 47/23 50/23 53/3 53/6 55/3 55/11 55/14 57/4 57/6 57/18 58/9 59/2 59/21 60/1 63/3 64/8 onerous [1] 50/6 ones [1] 40/13 only [17] 15/23 16/20 20/7 26/15 27/12 28/2 36/11 38/15 38/16 40/12 42/7 42/12 53/16 58/6 58/16 59/23 70/23 onto [3] 32/13 59/3 63/19 open [1] 58/10 opening [1] 64/6 openminded [1] 46/11 operate [2] 24/5 24/9 operated [1] 5/10 operating [1] 20/16 operation [2] 29/24 35/24 opinion [1] 46/23 opportunity [2] 36/3 50/12 opposed [4] 29/18 30/1 30/25 50/22 opposing [1] 29/4 opposition [1] 6/23 option [1] 62/25 options [1] 6/15 or [35] 4/1 4/12 8/12 20/17 21/18 21/25 22/7 22/12 22/17 24/4 24/25 25/3 25/25 26/25 27/24 31/24 32/1 32/8 34/19 37/11 37/19 48/22 50/13 52/8 53/8 53/19 54/13 56/4 59/14 60/23 62/15 65/17 70/14 70/15 70/16 order [2] 22/16 66/20 orders [3] 22/18 45/4 45/4 ordinance [1] 10/11 original [1] 15/8 originally [1] 68/17 other [23] 5/7 6/8 7/25 8/10 11/18 14/7 22/14 30/1 36/1 37/11 39/11 45/7 45/8 46/8 46/12 48/20 51/4 52/18 56/10 57/12 58/17 65/7 65/7 ought [1] 41/17 our [33] 7/13 10/2 10/3 10/6 10/19 12/9 13/2 13/24 14/8 14/11 14/12 15/12 16/5 18/16 23/25 27/16 36/10 36/11 37/9 38/17 40/3 44/2 45/8 46/23 48/3 48/3 48/5 48/7 48/7 51/1 59/20 62/6 64/7	ourselves [2] 11/4 48/17 out [27] 5/13 5/18 7/5 7/21 8/14 10/22 11/1 11/17 12/3 14/1 14/4 14/5 14/11 18/17 21/15 22/15 26/9 27/4 29/17 32/4 32/7 36/24 39/5 49/17 54/20 63/25 65/6 outlined [2] 19/19 19/22 outrageous [2] 45/2 47/11 outrageously [1] 45/23 outside [2] 47/18 64/2 over [23] 5/9 9/4 10/9 11/10 12/6 14/3 14/13 14/14 39/24 39/24 40/5 44/2 45/3 52/22 58/22 59/1 59/22 60/3 60/17 61/16 61/20 62/1 64/1 overturned [1] 55/6 own [13] 14/8 16/1 27/19 27/19 34/14 47/21 55/11 56/18 57/21 58/19 61/10 61/13 63/5 owned [2] 15/1 55/13 owner [26] 1/8 4/12 5/20 19/18 22/11 22/11 22/15 22/16 22/19 23/10 29/19 36/16 37/24 50/7 50/8 51/5 57/7 57/7 58/10 58/11 59/9 59/14 60/9 60/12 61/14 64/19 owner's [1] 4/13 owner/manager [3] 57/7 58/10 58/11 owners [10] 36/14 45/21 50/24 56/10 56/16 56/17 56/19 57/17 58/7 64/9 owners/manager [1] 57/17 ownership [1] 63/24 owns [4] 14/25 22/20 55/10 55/14 P p.m [2] 13/25 21/3 p.m. [1] 21/7 p.m. whereas [1] 21/7 package [1] 57/20 packet [4] 2/19 4/2 4/6 4/14 packets [1] 3/18 pad [2] 16/5 16/5 pages [1] 70/8 parcel [3] 6/4 6/25 15/5 parcels [1] 5/25 paren [2] 58/10 58/13 parents [1] 12/6 park [4] 11/24 17/16 47/19 60/4 parked [1] 32/16 parking [44] 2/21 14/21 15/10 15/11 16/5 16/18 17/9 17/16 17/18 17/19 27/11 27/13 27/17 27/20 27/22 28/1 28/3 28/4 28/10 28/11 28/12 28/13 34/17 37/16 40/24 47/16 51/18 51/19 52/6 53/8 53/10 53/19 56/11 56/14 56/23 56/24 57/3 57/14 57/23 57/25 58/3 58/20 58/22 59/6 part [7] 5/22 26/17 31/13 47/20 47/25 47/25 49/21 parte [1] 28/25 particular [1] 41/14 particularly [1] 31/4 parties [2] 22/4 70/15 parties' [1] 70/16 party [2] 10/5 12/4 passed [1] 26/7 passing [1] 34/19 past [1] 46/5 Pat [1] 34/9 patiently [1] 24/22 paved [1] 41/3 pay [3] 7/1 8/24 60/1 peacefulness [1] 35/1 peak [14] 3/11 7/23 8/8 18/8 18/9 18/10 18/15 18/16 18/23 19/4 19/7 19/8 19/9 48/1	pedestrian [2] 31/21 42/15 people [38] 6/7 6/19 6/25 10/15 11/8 11/18 12/19 12/25 13/9 13/9 16/4 17/16 17/22 17/23 18/1 21/5 24/7 34/5 37/2 39/24 40/9 40/23 40/25 41/21 44/16 45/8 45/25 46/12 46/14 46/19 48/4 48/19 50/25 54/18 59/22 60/24 61/1 62/15 people's [3] 33/20 46/8 65/4 per [7] 13/11 13/13 20/8 20/18 28/3 40/20 40/21 percent [3] 3/13 65/2 65/21 perfect [1] 29/25 period [9] 5/17 10/18 17/12 23/22 24/1 25/4 25/8 60/17 60/25 permit [1] 22/14 person [5] 12/4 22/12 22/20 54/9 63/21 personal [5] 11/11 22/20 22/25 23/7 51/1 persons [2] 8/5 24/2 perspective [1] 59/20 phone [1] 10/19 phrase [1] 5/23 pick [1] 33/14 pictures [1] 48/9 piece [5] 33/18 37/13 37/14 38/19 38/19 Pierle [2] 70/7 70/21 place [4] 2/17 14/15 28/20 70/12 places [2] 13/20 37/16 plan [3] 8/22 35/4 45/15 PLANING [1] 1/19 PLANNED [3] 1/10 2/14 27/18 PLANNER [1] 1/18 PLANNING [1] 1/1 playing [1] 67/13 please [12] 4/25 30/6 33/5 40/4 42/22 44/21 45/25 46/7 46/13 49/9 54/12 57/18 pleasure [1] 44/25 plus [2] 27/13 59/2 PM [2] 18/15 18/16 point [10] 6/16 7/7 8/14 11/7 21/15 22/18 26/9 34/20 44/19 50/23 pointed [5] 5/13 5/18 7/21 18/17 63/25 points [2] 7/20 27/2 police [1] 10/17 PONCE [2] 1/23 5/5 pond [1] 63/21 poor [2] 45/23 47/13 positive [2] 6/18 46/14 postage [1] 34/3 postman [1] 30/19 potential [1] 31/20 practical [1] 8/23 practice [1] 47/13 premises [1] 14/19 prepared [1] 31/14 present [1] 12/6 presentation [2] 7/22 48/16 preservation [8] 1/10 3/1 7/11 12/11 30/25 36/25 39/21 45/14 preserve [4] 7/14 8/25 45/22 46/20 preserved [2] 12/23 33/1 preserving [4] 7/8 34/25 39/18 39/25 pretty [4] 23/6 41/16 43/15 43/20 prevent [2] 25/7 45/9 previous [2] 38/16 39/1 primarily [1] 39/20 privacy [1] 33/20 private [1] 17/20 probably [2] 20/21 50/21 problem [3] 13/23 18/11 36/15 problems [3] 35/22 38/13 67/6
--	--	--

P	RAI [1] 57/15 raise [1] 45/8 raised [3] 20/15 45/13 46/17 Rakoncay [1] 38/3 ran [1] 33/18 rather [4] 8/9 11/14 19/14 46/8 read [4] 39/19 56/8 58/4 65/19 reading [1] 57/3 ready [2] 54/8 68/20 real [3] 22/12 31/10 39/19 reality [1] 20/16 realize [2] 27/11 28/8 realized [1] 11/6 really [11] 5/23 7/18 14/13 23/15 25/3 41/20 45/14 46/11 56/9 60/2 64/7 reason [4] 21/19 26/17 59/23 66/17 reasonable [2] 26/12 26/16 reasons [2] 9/5 17/21 received [5] 29/6 29/8 29/10 29/11 29/12 recently [1] 31/24 recognize [2] 4/22 7/10 recollection [1] 56/5 recommendation [8] 1/9 2/13 3/19 3/21 27/21 27/23 66/4 66/6 reconciling [1] 59/15 record [6] 15/1 16/9 30/14 40/14 43/18 46/21 RECORDED [1] 1/13 recording [4] 1/13 1/20 69/6 70/10 red [1] 53/6 reduce [4] 40/22 40/23 40/24 49/25 reference [1] 17/13 referred [1] 16/21 reflect [1] 7/18 refund [1] 10/21 regard [2] 34/18 35/3 regarding [1] 3/22 regards [1] 3/4 regulations [1] 45/2 reiterate [1] 32/25 related [1] 5/8 relative [2] 70/14 70/15 relied [2] 8/7 30/23 remain [1] 29/23 remember [1] 54/24 remote [3] 16/18 17/9 17/13 rent [5] 12/3 23/4 25/1 38/13 60/24 rental [3] 23/22 23/25 60/17 rentals [2] 39/23 41/11 rents [2] 14/12 60/18 repeating [2] 9/1 53/18 replied [1] 68/14 report [8] 2/10 4/7 8/6 16/24 18/4 18/5 28/1 28/9 REPORTER [1] 70/2 request [4] 20/25 57/13 57/15 57/15 requesting [1] 21/4 require [1] 17/5 required [4] 2/20 8/25 24/24 28/2 requirement [4] 12/2 27/17 27/22 38/12 requirements [1] 3/2 requiring [1] 27/13 residence [1] 64/20 residences [1] 43/15 resident [2] 35/21 37/7 residential [18] 29/21 29/23 36/10 36/11 38/10 38/11 38/17 39/20 41/5 41/6 41/22 42/8 43/14 50/22 51/2 66/21 67/17 68/15 residents [4] 31/17 66/25 67/2 67/7 respect [3] 34/5 34/23 35/3 respond [2] 22/9 56/21	responding [1] 51/15 response [3] 6/18 7/13 45/21 responsive [1] 10/19 restoration [1] 39/22 restricted [1] 51/2 restriction [2] 11/9 22/1 restrictions [3] 40/3 47/4 48/11 restrictive [1] 38/11 retention [1] 63/21 review [5] 1/18 3/18 4/6 31/16 32/11 reviewed [2] 31/13 32/20 rezone [3] 1/9 56/17 66/20 rezoning [8] 1/6 2/4 2/14 3/19 3/22 4/5 55/5 66/6 ridiculous [2] 44/19 47/24 right [43] 2/7 4/10 4/11 11/2 11/19 13/8 16/3 16/6 17/2 17/6 19/15 19/25 20/19 29/16 30/18 32/14 33/4 33/5 35/13 38/1 41/25 42/22 48/12 49/6 49/12 49/21 52/4 52/13 52/21 53/10 53/15 56/19 60/16 61/24 62/8 62/11 63/12 64/14 67/1 67/10 67/14 68/1 68/19 rising [1] 45/17 risk [1] 31/7 road [3] 3/13 31/18 47/19 roads [1] 32/2 roadways [1] 19/7 room [2] 1/4 37/17 rooms [2] 14/12 57/18 roots [1] 38/23 roughly [2] 6/4 58/22 RPR [2] 70/7 70/21 rules [1] 45/1 run [3] 35/23 49/1 59/10 runs [1] 22/2 RYAN [3] 1/16 62/19 68/25
S	sad [1] 45/11 safety [6] 31/6 31/17 32/19 32/24 47/10 52/20 said [17] 6/22 10/5 10/11 13/8 14/2 18/4 22/3 38/15 38/16 39/1 50/5 53/24 59/21 60/8 64/4 68/13 68/18 sails [1] 49/17 Saint [1] 44/10 sake [1] 68/4 sale [3] 19/21 37/20 56/12 same [3] 13/20 50/5 65/5 Sanchez [19] 5/14 5/18 19/2 34/13 39/23 41/8 41/19 41/23 41/24 42/10 42/12 43/10 43/17 46/5 52/3 53/15 56/25 57/11 57/25 SANDY [7] 1/8 9/16 33/11 33/16 34/15 34/24 35/4 Saragossa [2] 9/12 9/16 SARAH [3] 1/16 67/22 68/25 Saturday [1] 10/10 save [3] 39/2 40/3 45/15 saw [1] 12/12 say [21] 10/13 12/15 12/19 18/6 21/21 23/3 25/3 25/5 25/7 27/3 35/22 41/15 48/13 48/13 50/9 50/13 50/18 52/15 56/12 56/22 59/19 saying [12] 6/11 16/3 18/19 25/13 26/12 26/14 41/17 45/11 48/1 48/16 58/15 60/11 says [11] 12/5 17/15 22/11 22/23 24/6 25/11 29/19 56/22 57/3 57/20 68/15 scale [1] 2/14 scare [1] 18/6 scared [1] 10/25 scenario [4] 18/6 18/20 18/22 19/4	
Q	quality [1] 66/22 quarter [2] 6/9 10/10 quarters [1] 6/2 question [18] 4/19 6/24 17/17 19/13 20/10 24/4 24/20 25/23 27/6 35/7 44/17 47/1 47/5 47/12 48/23 51/16 63/10 63/20 questions [6] 13/5 19/16 51/17 54/14 54/16 56/7 quick [5] 7/20 35/6 39/19 52/22 52/23 quickly [1] 49/18 quiet [1] 34/25 quite [5] 9/23 17/3 19/17 30/20 41/1	
R	raced [1] 44/1 racing [1] 40/10	

S	29/11 30/17 31/19 31/21 31/23 32/11 32/11 32/16 32/18 32/20 57/5 57/17 58/8 66/14 six [2] 36/6 47/15 slide [1] 64/1 slippery [1] 6/23 slope [1] 6/23 slowly [1] 36/12 small [2] 2/14 12/16 so [92] sold [1] 62/24 some [10] 15/22 19/15 22/14 34/20 36/21 40/19 56/7 59/11 63/24 67/5 somebody [11] 12/3 12/15 14/11 14/17 21/9 21/11 23/20 40/8 51/25 60/19 61/12 somehow [1] 60/25 someone [3] 29/14 35/2 49/6 something [6] 12/11 12/18 20/13 59/18 59/19 61/12 Sometimes [2] 10/14 10/16 somewhat [1] 53/15 somewhere [1] 18/1 sorry [7] 9/1 44/25 57/2 58/25 60/10 66/5 68/7 sort [8] 6/23 55/18 55/21 55/22 55/25 67/12 67/13 67/18 sought [1] 63/22 sounds [2] 23/18 38/7 south [12] 41/8 41/10 41/16 42/9 42/19 51/22 52/8 52/9 52/10 54/23 56/2 66/20 space [4] 2/22 16/22 53/13 56/25 spaces [17] 2/23 14/23 15/24 16/2 16/5 16/8 16/23 16/25 27/13 28/2 28/10 40/24 56/23 56/24 57/9 57/23 57/25 Spanish [3] 5/16 12/23 39/25 speak [12] 9/14 30/5 33/13 44/5 44/8 49/7 49/9 50/9 51/13 51/20 52/20 54/10 speaking [1] 30/9 special [21] 3/12 7/24 8/5 8/13 8/18 24/9 24/10 24/15 27/10 27/14 28/4 28/11 28/17 28/19 39/16 39/17 61/4 62/5 62/5 64/1 65/17 specialists [2] 47/18 47/18 specific [1] 17/13 specifically [2] 23/1 23/3 spend [1] 44/15 spending [2] 14/10 14/18 spent [2] 39/3 47/17 spin [1] 65/6 spirited [1] 5/19 split [1] 63/24 spoke [1] 59/9 spot [3] 38/20 51/19 52/6 spots [3] 15/13 15/16 17/24 square [2] 58/23 58/24 squarely [1] 42/8 ST [10] 1/2 1/23 37/1 40/16 42/24 43/3 43/5 43/23 66/24 70/5 staff [26] 1/18 2/10 3/17 4/15 7/11 7/22 8/7 12/1 19/13 21/16 27/9 27/23 27/25 28/5 28/9 28/9 28/11 29/3 47/7 47/14 54/19 57/16 65/12 65/21 65/22 66/8 staff's [1] 65/3 stamp [1] 34/3 stand [1] 65/2 standard [3] 3/16 18/15 32/19 standards [2] 3/7 32/24 start [2] 22/15 39/23 started [2] 10/18 10/19 state [10] 4/25 9/10 30/6 33/5 42/22 43/13 44/8 49/10 70/4 70/22 stated [4] 7/11 21/8 57/9 65/22	statement [1] 8/1 states [1] 28/9 statute [2] 22/10 23/7 stay [2] 10/3 65/9 staying [3] 16/4 18/1 18/18 stays [1] 65/9 steroids [1] 44/24 still [2] 11/14 60/24 stone [2] 32/6 45/19 stood [1] 26/10 stop [4] 37/3 44/22 53/21 54/5 Straight [1] 16/15 Stratton [2] 35/16 35/18 street [56] 1/5 1/9 2/4 2/21 6/3 9/13 9/17 10/2 11/24 16/15 17/17 17/19 30/10 30/16 30/17 30/22 31/24 32/9 32/13 32/17 32/22 34/9 35/10 35/17 36/2 40/16 41/2 41/3 41/3 41/25 42/4 42/8 42/13 42/16 42/25 43/3 43/13 43/14 43/21 44/11 46/2 49/13 50/10 51/23 52/9 54/21 54/23 55/18 56/3 57/24 62/17 66/19 66/20 67/11 67/17 67/19 streets [5] 29/22 34/17 41/3 59/3 62/3 strictly [1] 38/9 stroke [1] 53/2 structure [2] 7/2 7/18 structures [1] 39/22 struggle [1] 66/12 study [9] 3/9 17/8 17/11 17/15 18/12 18/16 19/1 19/10 53/19 stuff [1] 39/11 subject [2] 5/19 49/5 sublease [4] 25/12 57/5 57/22 58/8 subleased [1] 15/22 submitted [2] 31/12 31/15 substantial [1] 7/2 substantiative [1] 23/1 such [2] 2/24 27/21 suffered [1] 46/18 Sullivan [4] 30/9 30/10 30/11 30/14 Sullivans [1] 30/15 support [3] 34/14 48/10 66/17 supporting [1] 67/6 Suppose [1] 24/23 sure [1] 24/3 surrounded [2] 33/23 34/4 swear [1] 9/15 sworn [17] 5/1 5/3 9/18 30/7 30/11 33/6 33/9 34/10 35/18 38/4 40/17 42/23 43/1 44/9 44/12 49/10 49/14 sympathetic [1] 65/4 systems [1] 3/13
	T	
	tables [1] 53/11 tackle [1] 28/21 take [10] 12/25 17/8 31/11 36/3 36/4 36/4 37/18 39/4 48/24 51/9 takes [1] 32/5 taking [2] 10/22 32/13 talk [4] 28/1 48/17 48/17 52/5 talked [2] 11/8 53/10 talking [9] 30/17 38/23 45/12 47/9 47/21 48/19 48/20 52/25 68/2 talks [1] 24/1 tear [3] 12/16 13/1 46/9 tell [9] 22/6 26/19 26/22 26/24 37/22 45/21 47/23 51/18 64/12 ten [1] 36/7 tents [1] 37/16 term [2] 23/25 41/11 terminology [1] 58/15 terms [3] 27/4 45/18 53/19	

T	24/22 34/15 48/9 56/4 56/8 56/21 65/13 67/12 68/2 throughout [1] 22/25 tie [3] 26/17 26/18 58/6 tie-in [1] 58/6 tied [1] 56/13 tieing [1] 58/13 ties [1] 56/20 time [18] 10/18 13/20 15/21 15/22 18/9 18/10 21/6 21/12 25/2 25/15 45/24 46/13 51/8 51/9 52/22 64/3 65/5 70/11 timeframe [1] 4/1 times [4] 6/16 50/4 57/8 58/12 tiny [1] 29/20 title [1] 22/2 to have [1] 13/19 toast [1] 68/9 told [2] 48/4 53/12 tonight [3] 6/21 39/17 40/5 too [2] 26/16 51/9 took [1] 49/16 total [2] 34/4 57/9 totally [1] 46/23 town [6] 18/2 33/12 33/15 33/16 49/1 68/9 track [1] 46/21 tracking [1] 3/9 traditional [2] 18/7 19/6 traffic [28] 11/23 13/22 17/8 17/11 17/15 18/4 18/5 18/8 18/9 18/10 18/12 18/16 18/23 19/1 19/10 31/4 31/6 31/14 32/10 32/17 32/20 34/1 41/21 42/11 42/14 46/3 61/22 62/2 train [1] 53/7 trained [1] 29/15 transcribed [2] 1/13 70/9 transcript [2] 1/12 70/9 transfer [6] 21/10 21/18 21/18 21/23 22/23 23/8 transfers [1] 22/7 Transportation [1] 3/15 trapped [1] 29/21 traveled [1] 31/24 tremendous [1] 46/18 tried [1] 11/2 tries [1] 23/10 trips [8] 3/11 7/23 7/23 8/2 8/8 17/10 17/12 30/21 trouble [3] 25/17 59/12 59/15 truck [1] 53/4 trucks [3] 32/15 34/18 40/22 true [2] 41/7 70/8 try [3] 32/3 32/7 49/19 trying [14] 8/21 19/17 22/5 23/16 23/16 25/18 26/17 36/15 44/23 45/22 46/8 46/15 59/10 59/24 tucked [1] 6/4 TUESDAY [1] 1/3 turn [8] 9/3 10/14 10/15 37/12 40/5 51/7 51/25 59/22 turned [1] 47/19 turning [1] 32/8 turns [1] 11/17 twelve [2] 20/25 45/2 two [33] 5/25 6/7 6/19 7/6 10/7 17/25 19/25 27/13 27/13 28/2 29/21 29/22 30/15 31/3 37/2 42/9 43/16 44/2 46/14 48/19 48/20 50/1 50/2 53/4 53/16 53/22 55/13 57/6 57/17 58/10 63/17 64/8 64/9 tying [1] 56/9 typically [7] 18/1 18/2 18/6 18/7 19/3 19/6 22/1
testify [1] 6/6 testifying [1] 6/20 text [2] 58/3 58/4 than [13] 8/9 11/14 24/7 25/2 38/13 39/10 46/8 56/11 59/13 59/17 61/9 61/13 64/2 thank [22] 4/8 9/8 9/9 13/3 33/2 33/3 33/14 34/6 34/7 34/12 35/5 35/13 40/6 40/7 42/20 42/21 44/3 44/4 44/7 49/2 49/3 52/2 Thanks [1] 4/24 that [305] that's [55] 10/6 10/7 11/8 11/14 11/17 12/7 12/21 15/19 16/23 17/3 17/4 18/3 18/24 19/24 21/25 22/14 23/10 24/15 25/12 25/13 28/4 32/23 35/25 36/13 39/17 39/25 42/5 42/6 43/9 45/9 45/10 47/11 50/18 50/22 51/3 52/4 53/25 54/2 55/8 58/2 58/3 58/6 59/1 61/20 61/20 61/25 62/14 63/1 63/10 63/14 64/7 64/23 65/1 67/1 68/16 thee [1] 15/16 their [19] 2/10 4/23 5/8 6/15 9/5 15/2 27/19 27/19 27/22 33/21 34/24 36/1 37/12 42/10 46/17 48/21 48/22 55/23 65/13 them [14] 15/22 28/1 29/8 29/10 29/11 33/23 36/22 37/3 39/5 46/6 47/22 53/13 55/3 60/5 themselves [2] 48/18 67/6 then [21] 2/10 4/11 13/11 13/25 14/2 14/3 16/8 17/25 19/13 22/14 22/15 27/6 30/1 39/15 48/16 51/4 53/17 55/12 55/23 56/13 63/23 theoretically [1] 21/6 theory [1] 22/10 there [88] therefore [1] 19/3 these [28] 10/7 11/10 11/20 16/25 16/25 27/2 27/3 29/16 36/9 36/21 36/24 38/18 38/25 39/2 39/9 40/4 45/25 46/10 46/14 46/19 56/16 56/17 56/19 58/7 59/22 64/22 65/4 65/5 they [108] They're [1] 35/24 they've [1] 33/17 thing [13] 11/16 11/17 12/7 12/8 14/16 16/20 37/11 37/17 37/22 45/12 47/16 47/23 50/6 things [7] 10/22 11/10 22/14 25/18 39/10 53/23 65/5 think [29] 9/22 11/3 16/13 18/8 18/9 18/11 18/12 18/24 23/5 26/22 27/1 27/1 27/4 42/17 43/9 43/24 44/18 45/16 46/13 46/13 53/11 55/3 56/11 59/8 59/10 65/12 66/13 68/12 68/13 thinking [1] 63/2 third [2] 23/19 53/6 this [156] those [12] 3/7 7/17 16/2 16/6 21/9 21/20 29/6 32/1 39/3 48/8 55/14 62/25 though [8] 3/7 7/21 18/23 22/22 23/5 63/10 67/10 67/19 thought [9] 6/12 11/1 12/17 12/22 13/2 14/16 21/22 23/13 59/18 thousand [6] 7/6 47/17 58/23 58/24 58/25 58/25 three [18] 6/2 6/16 7/6 24/3 24/7 36/6 41/2 43/15 47/20 50/10 51/12 51/24 52/7 52/24 53/24 53/25 56/24 57/24 through [14] 3/6 10/17 16/8 18/14 22/21	
U	Uh [1] 64/24 Uh-huh [1] 64/24 uncontrolled [1] 34/17 under [8] 8/3 8/15 24/24 24/25 26/11 40/2 63/12 66/8 understand [5] 19/10 19/11 19/12 67/14 68/1 understanding [2] 45/17 59/12 unfortunate [1] 36/13 unintelligible [2] 32/7 65/17 unique [1] 6/25 unit [5] 1/10 2/14 24/3 27/18 63/4 units [3] 6/3 57/6 58/10 unless [3] 7/17 22/1 59/17 unlimited [3] 21/11 40/21 49/23 unload [1] 62/15 unloading [2] 53/9 53/13 unnecessary [1] 46/23 unrelated [1] 24/2 unrestricted [1] 41/11 until [1] 10/18 up [26] 10/5 11/9 12/16 13/1 15/9 16/15 25/19 27/2 30/6 33/4 33/14 38/2 39/8 41/12 42/22 44/7 45/15 45/17 46/13 47/14 47/19 48/15 48/16 49/12 62/22 64/6 UPCHURCH [2] 1/22 1/22 upon [2] 8/7 22/23 upstairs [1] 50/3 us [19] 9/22 10/5 10/24 11/1 11/16 12/1 27/10 29/15 34/5 36/21 39/3 43/16 43/16 48/2 48/11 48/12 48/12 63/8 68/14 use [20] 2/22 3/11 3/12 5/22 6/14 9/6 14/24 16/21 17/25 19/20 22/1 28/14 31/2 31/9 34/21 56/25 57/11 57/25 59/13 68/8 used [1] 10/8 uses [3] 2/16 39/20 67/12 using [2] 16/1 16/2 usually [1] 25/21
V	vacate [1] 14/18 vague [1] 22/5 valid [1] 70/23 value [2] 31/10 68/11 variances [1] 52/16 various [1] 5/10 vehicle [2] 53/2 57/4 vehicles [5] 11/25 32/15 34/19 34/20 53/8 vehicular [2] 31/21 42/15 vehicular/pedestrian [1] 31/21 venue [11] 24/10 24/15 27/11 27/14 28/4 28/11 28/17 28/20 36/5 62/6 64/20 venues [2] 24/9 49/23 Versidi [1] 29/4 very [16] 5/19 22/19 22/22 22/24 32/1 33/2 34/6 35/2 35/23 42/16 47/5 49/18 61/6 61/7 67/3 67/21 via [2] 1/13 70/10 VICE [1] 1/15 vicinity [1] 52/19 view [1] 59/7 Villas [3] 15/10 54/25 63/23 vote [1] 68/20
W	waiting [1] 24/21 waivers [2] 3/6 7/16 walk [3] 10/12 46/2 46/4

W walked [2] 48/9 67/12 walker [1] 31/5 walking [6] 7/25 18/2 18/18 32/1 32/3 34/17 walled [3] 42/1 42/1 42/3 walls [1] 32/6 want [23] 7/20 8/10 9/25 12/4 25/5 42/12 44/14 44/20 46/1 47/23 48/24 50/9 50/11 50/19 51/9 51/18 53/17 60/4 60/4 60/15 60/18 64/22 65/25 wanted [5] 12/8 14/21 24/22 27/3 30/13 was [67] 2/9 5/18 6/12 7/19 7/23 7/24 9/23 10/8 10/24 11/16 11/22 12/11 13/2 14/15 14/16 15/9 16/18 16/20 16/21 17/11 17/13 20/9 20/13 21/8 25/14 25/16 25/20 28/13 28/14 29/18 30/1 30/11 30/24 31/12 31/15 33/9 34/10 35/18 36/9 38/4 40/17 43/1 44/12 47/15 49/14 49/18 50/11 51/15 53/5 53/6 53/6 53/15 54/19 54/20 54/21 55/6 55/18 55/20 56/2 56/4 57/16 58/15 62/13 62/21 62/22 63/2 63/22 wasn't [4] 16/17 17/2 50/12 58/13 watching [3] 12/6 40/11 44/1 waterfront [1] 5/17 way [14] 6/24 8/23 11/3 20/17 23/17 32/4 32/7 47/6 59/2 59/16 63/15 64/17 65/5 68/8 ways [2] 55/22 59/7 we [215] we've [2] 40/9 54/4 wedding [12] 10/8 14/10 14/13 14/17 24/10 25/3 38/24 46/7 49/23 59/21 60/1 64/20 weddings [15] 3/12 8/12 10/4 11/7 11/12 13/15 13/19 13/21 19/2 25/8 25/25 28/17 28/19 39/10 41/11 week [1] 12/24 weekday [3] 18/8 18/8 19/6 weekdays [2] 18/24 19/8 weekends [4] 18/9 19/3 19/5 19/9 weighed [2] 26/20 26/21 welcome [3] 35/15 46/6 46/14 well [24] 3/16 4/6 5/9 5/11 8/14 13/1 13/17 13/22 17/24 20/9 23/22 24/8 24/19 25/17 26/7 27/25 29/7 29/9 29/15 46/6 51/17 61/4 66/17 67/18 went [6] 10/17 29/1 48/16 50/17 50/17 64/13 were [24] 6/13 6/16 9/18 11/13 29/17 31/25 32/1 32/12 33/25 34/21 37/5 40/11 40/12 44/1 45/7 47/19 48/20 51/19 55/2 55/4 55/5 55/24 57/14 64/13 west [1] 35/9 Westcott [9] 5/12 6/10 15/9 41/9 54/25 63/5 63/12 63/23 64/5 what [73] what's [6] 45/18 45/24 46/16 60/15 61/7 66/23 whatever [4] 12/4 56/4 60/4 60/18 when [28] 4/2 10/4 10/8 10/24 12/21 16/4 20/13 21/20 22/15 25/17 28/22 30/23 32/15 33/12 33/15 33/25 38/22 47/4 47/9 48/3 50/15 53/9 55/24 56/8 63/22 65/14 68/8 68/14 where [20] 7/18 11/8 14/21 15/11 17/17 17/18 17/19 19/24 32/5 34/20 38/5 48/3 48/7 50/7 55/17 57/18 62/14 62/15 65/2 68/14 whereas [1] 21/7 whereby [1] 47/16	Whereupon [10] 9/18 30/11 33/9 34/10 35/18 40/17 43/1 44/12 49/14 69/6 wherever [1] 60/4 whether [7] 11/16 17/4 21/17 22/6 26/25 50/13 50/13 which [31] 3/10 3/12 5/8 6/2 7/2 12/2 15/15 16/6 17/25 19/5 19/13 19/25 23/13 23/15 23/19 23/24 24/12 24/13 24/13 42/11 43/4 43/6 47/8 48/8 50/2 55/9 55/23 56/11 58/23 64/21 64/21 whichever [2] 28/22 28/23 while [3] 7/10 26/11 41/5 White [2] 33/7 33/9 who [21] 6/19 6/20 7/1 7/2 10/3 14/25 17/6 19/19 22/13 22/16 22/20 23/2 35/3 36/21 37/2 39/3 46/7 46/22 47/8 48/4 53/1 whoever [1] 60/18 whole [4] 7/7 12/16 39/6 54/20 why [7] 27/9 27/10 27/12 39/16 50/18 50/19 59/16 widely [1] 40/9 Wiebels [1] 35/23 WIEBER [12] 1/8 6/6 7/2 9/4 9/12 9/16 9/18 18/17 55/10 55/14 57/19 63/25 WIEBERS [12] 1/21 5/6 5/7 6/11 7/13 8/24 35/22 35/23 43/9 43/10 45/25 51/6 wife [4] 10/9 12/5 26/8 37/13 will [47] 2/20 3/21 4/22 6/6 6/20 14/3 17/10 17/16 23/3 26/19 27/2 28/21 31/7 31/9 31/25 36/12 36/18 36/19 36/20 36/23 36/24 36/25 37/2 37/3 37/5 37/11 37/11 37/18 37/19 39/21 40/5 41/18 41/19 41/24 42/13 43/11 43/24 46/4 48/17 51/14 52/18 52/23 57/3 57/17 64/12 66/2 67/4 willing [3] 7/1 7/14 13/18 win [1] 12/24 wind [1] 49/16 wish [3] 37/5 37/17 46/6 wishes [1] 33/1 within [3] 4/1 8/22 37/1 without [3] 34/18 47/7 59/5 Witness [1] 70/19 won't [3] 21/10 37/10 67/16 wonderful [2] 46/2 60/2 wondering [1] 62/21 work [7] 11/4 19/22 23/18 45/5 59/25 60/24 60/25 worked [2] 17/23 50/14 worried [2] 26/8 31/6 worse [6] 18/6 18/20 18/22 19/4 47/20 61/13 worth [3] 37/10 50/20 68/12 would [72] wouldn't [1] 54/22 wound [1] 49/12 wrap [1] 25/18 write [2] 13/17 50/12 writing [1] 10/20 written [1] 21/21 wrong [3] 57/3 58/15 64/18 Y yeah [13] 4/20 12/20 13/14 14/3 14/7 15/21 15/25 25/21 52/12 55/20 56/2 58/19 66/2 year [7] 6/11 20/8 20/22 20/25 26/11 40/21 40/21 years [2] 5/20 45/24 yelled [1] 10/4 yes [15] 2/12 4/17 15/12 20/3 21/25 23/25 35/8 42/24 44/6 64/10 68/22	68/24 69/1 69/3 69/5 you [260] you're [1] 49/22 you've [4] 10/14 41/15 45/2 59/2 your [43] 2/19 3/8 3/18 3/18 4/6 4/6 4/14 4/25 8/7 9/10 10/5 10/22 14/21 17/8 18/4 18/11 18/13 18/21 18/22 19/10 20/25 21/4 21/24 26/5 26/15 26/22 27/17 27/20 27/23 30/6 31/25 33/5 42/14 42/23 42/23 44/8 47/12 48/14 49/10 50/14 57/20 59/9 62/24 Z zag [1] 10/3 ZANDER [3] 1/15 27/6 69/2 zero [2] 24/14 24/15 zig [1] 10/2 zone [6] 30/24 31/2 45/6 62/6 62/12 62/12 zoned [1] 55/15 zoning [13] 1/1 2/15 23/20 23/21 24/13 27/19 33/1 38/20 52/15 59/8 59/14 59/17 67/24
---	---	---



NOTICE OF PUBLIC HEARING OF APPEAL



NOTICE IS HEREBY GIVEN OF A PUBLIC HEARING TO BE HELD BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, DURING THE REGULAR CITY COMMISSION MEETING OF **MONDAY, MARCH 25, 2019**. THE MEETING BEGINS AT **5:00 P.M. IN THE ALCAZAR ROOM**, 1ST FLOOR, WEST WING, CITY HALL, 75 KING STREET, ST. AUGUSTINE, FLORIDA, AT WHICH TIME COMMENTS ARE INVITED ON THE FOLLOWING MATTER:

APPEAL

APPEAL OF A PLANNING AND ZONING BOARD RECOMMENDATION OF DENIAL TO AMEND THE ZONING OF 7 BRIDGE STREET FROM HISTORIC PRESERVATION ONE (HP-1) TO PLANNED UNIT DEVELOPMENT (PUD) FILED BY MIKE WIEBER, SANDY WIEBER, AND BLAKE DEAL III. PROJECT #2018-0154.

Said application/proposal may be inspected by the public at the office of the Planning & Building Dept., City Hall, 4th Floor, Lobby B, OR in the City Clerk's Office, 2nd Floor, Lobby B, 75 King Street, St. Augustine, FL 32084, during the hours of 8:00 A.M. to 5:00 P.M. except weekends and holidays.

Should you be unable to attend and have comments, you may submit your remarks on this form and return to the City Clerk's Office, 2nd Floor, Lobby B, City Hall, or mail to the City Clerk's Office, P.O. Box 210, St. Augustine, FL 32085-0210. **The completed form must be received no later than 5:00 p.m. WEDNESDAY, MARCH 13, 2019.**

COMMENTS: I attended the Planning & Zoning meeting when
this was denied.

The meeting was very well conducted with
ample time given to hear the issues on 7 Bridge St.
I do not feel an appeal to be justified.

JuneAnn Sullivan
SIGNATURE

JuneAnn Sullivan
PRINT NAME

245 Charlotte St.-St. Augustine, FL,
ADDRESS

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 the notice. Telephone 904-825-1007; 1-800-955-8771 (TDB) or 1-800-955-8770 (V) via Florida Relay Services.



NOTICE OF PUBLIC HEARING OF APPEAL



NOTICE IS HEREBY GIVEN OF A PUBLIC HEARING TO BE HELD BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, DURING THE REGULAR CITY COMMISSION MEETING OF **MONDAY, MARCH 25, 2019**. THE MEETING BEGINS AT **5:00 P.M. IN THE ALCAZAR ROOM, 1ST FLOOR, WEST WING, CITY HALL, 75 KING STREET, ST. AUGUSTINE, FLORIDA**, AT WHICH TIME COMMENTS ARE INVITED ON THE FOLLOWING MATTER:

APPEAL

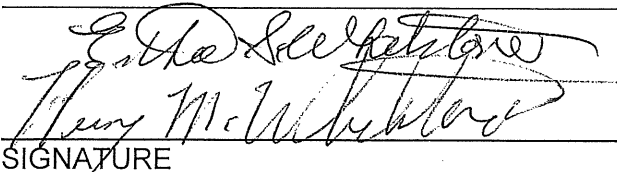
APPEAL OF A PLANNING AND ZONING BOARD RECOMMENDATION OF DENIAL TO AMEND THE ZONING OF 7 BRIDGE STREET FROM HISTORIC PRESERVATION ONE (HP-1) TO PLANNED UNIT DEVELOPMENT (PUD) FILED BY MIKE WIEBER, SANDY WIEBER, AND BLAKE DEAL III. PROJECT #2018-0154.

Said application/proposal may be inspected by the public at the office of the Planning & Building Dept., City Hall, 4th Floor, Lobby B, OR in the City Clerk's Office, 2nd Floor, Lobby B, 75 King Street, St. Augustine, FL 32084, during the hours of 8:00 A.M. to 5:00 P.M. except weekends and holidays.

Should you be unable to attend and have comments, you may submit your remarks on this form and return to the City Clerk's Office, 2nd Floor, Lobby B, City Hall, or mail to the City Clerk's Office, P.O. Box 210, St. Augustine, FL 32085-0210. **The completed form must be received no later than 5:00 p.m. WEDNESDAY, MARCH 13, 2019.**

COMMENTS:

Do not want any more
Pud's in HP-1 district
Should remain in HP-1.


SIGNATURE

Esther A. Whetstone
Henry M. Whetstone
PRINT NAME

138 Avenida Menendez
ADDRESS

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 the notice. Telephone 904-825-1007; 1-800-955-8771 (TDB) or 1-800-955-8770 (V) via Florida Relay Services.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: March 14, 2019

RE: **RESOLUTION 2019-05: 409 ANASTASIA BROWNFIELD DESIGNATION**

Enclosed please find Resolution 2019-05, designating the property at the address of 409 Anastasia as a Brownfield property, along with the Public Works staff report and a map which includes the designated parcels and other supporting documentation from the applicant.

The Brownfield designation is a statutory process. Brownfields can either be proposed by the local government or individuals, corporations, or other non-governmental legal entities. Often, as in this case, a developer will purchase a contaminated property with the intent to redevelop it, contingent on a Brownfield designation to pay for some of the cleanup costs.

While the statute requires the local government to designate the Brownfield property and to subsequently notify the Florida Department of Environmental Protection (DEP), the program is administered by the state and no funding is required by the local government.

The Commission should evaluate the application based on the following criteria, provided by statute:

- A person who owns or controls the site is requesting the designation and agrees to rehabilitate and redevelop the property;
- The rehabilitation and redevelopment of the site will result in economic productivity of the area, along with at least 5 new permanent jobs created;
- The redevelopment is consistent with the comprehensive plan;
- Notice was provided to neighbors and nearby residents; and
- The developer has provided reasonable assurances the he or she has sufficient financial resources to complete the rehabilitation and redevelopment.

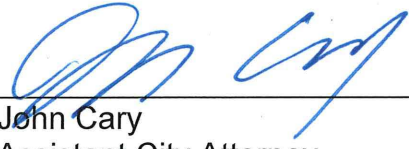
Following adoption by the local government, the applicant then works with DEP to obtain funding in order to complete the project.

The statute requires two public hearings. The first was held on March 6, 2019, at the St. Johns County Library. This is the second, and public input is required.

Included in this application are: the resolution; legal description of the property (exhibit 1); staff report with associated map (exhibit 2); certification of property ownership pursuant to the Florida Brownfields Redevelopment Act, application, proof of notice documents, site summary and future plans memo from the environmental consultant, and the relevant Florida Statutes.

Please place Resolution 2019-05 on the regular City Commission agenda for adoption on March 25, 2019, under item 8.C. This resolution requires a public hearing.

Thank you.



John Cary
Assistant City Attorney

Attachment

xc: Tim Burchfield, Assistant City Manager
Isabelle Lopez, City Attorney
Mike Cullum, Director of Public Works
Darlene Galambos, City Clerk

RESOLUTION 2019-05

A RESOLUTION DESIGNATING PARCEL NUMBER 218900-0000, LOCATED AT 409 ANASTASIA BLVD., ST. AUGUSTINE, FLORIDA 32080, AS A BROWNFIELD REHABILITATION AREA AND FOR ENVIRONMENTAL REHABILITATION AND ECONOMIC DEVELOPMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Anastasia Investment group, LLC, (the "Owner") owns parcel number 218900-0000, located at 409 Anastasia Blvd., St. Augustine, Florida, 32080 (the "Property"), a description of all parcels is attached hereto as Exhibit 1; and

WHEREAS, Owner is under contract to sell the Property to Michael Mark Realty, LLC, or an affiliate thereof (the "Developer"), a developer that is planning to redevelop the Property with a commercial development which would include commercial uses; and

WHEREAS, Developer has requested that the City of St. Augustine designate the Property a Brownfield Area as authorized by Section 376.80, Florida Statutes; and

WHEREAS, the Public Works Department has issued a staff report, attached hereto as Exhibit 2, including a map of the designated property, and incorporated herein by reference, recommending that the Brownfield designation requested by Developer be approved; and

WHEREAS, Florida Statutes require that an area outside of a community redevelopment area, Enterprise Zone, Empowerment Zone, closed military base, or designated Brownfield pilot project be designated as a Brownfield Area by local government resolution; and

WHEREAS, valuable economic incentives accrue to those who redevelop designated Brownfield sites; now therefore

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, THAT

Section 1. The City of St. Augustine, adopts the findings of fact and conclusions of law as described in the recitals herein.

Section 2. For the purposes of the Florida Brownfields Redevelopment Act, Sections 376.77 - 376.85, Florida Statutes, (hereinafter, the "Act"), the Property is hereby designated a Brownfield Area. This designation shall not, however, render the City of St. Augustine liable: for the cost of site rehabilitation or source removal, as those terms are defined in

Sections 376.79(19) and (20), Florida Statutes; for other costs in excess of those attributable to the City as administrator of a Brownfields Program; or, as a property owner, if the City hereafter acquires any realty within the designated Brownfield Area. A copy of the staff report with staff findings and a map adequate to clearly delineate exactly which parcel is to be included in the brownfield area is attached hereto **Exhibit 2**.

Section 3. Following enactment of this resolution approving the Brownfield Area designation, Developer will negotiate a Brownfield Site Rehabilitation Agreement (BSRA) with the Florida Department of Environmental Protection (FDEP). Developer is pursuing the Brownfield Area designation and BSRA in order to benefit from the State of Florida's Voluntary Clean Up Tax Credit Program (VCTC). The VCTC will allow Owner to receive the 50% State corporate income tax credit for assessment and cleanup costs up to an annual amount of \$500,000.00. Developer also wishes to apply for cleanup liability protection from the State. Preliminary environmental site assessments have revealed soil and groundwater contamination above FDEPT standards on some of the parcels. Developer wishes to clean and redevelop the site for commercial use.

Section 4. In accordance with Section 376.80, F.S., a copy of this resolution designating the property as a Brownfield Area shall be sent to FDEP within 30 days of the adoption of this resolution.

Section 5. This resolution shall become effective immediately upon adoption by the City Commission.

ADOPTED in Regular Session of the City Commission for the City of St. Augustine, Florida this ____ day of _____, 2019.

CITY OF ST. AUGUSTINE, FLORIDA

Tracy Upchurch, Mayor-Commissioner

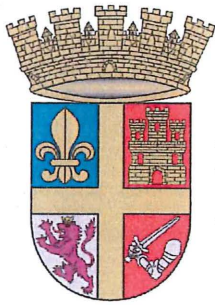
ATTEST:

City Clerk, Darlene Galambos
(Corporate Seal)

EXHIBIT 1

Legal Description

LOTS 14 THROUGH 20 AND LOTS 37 THROUGH 42, BLOCK 36, DAVIS SHORES, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 102, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.



1565 - 2015
450 years

March 14, 2019

City of St. Augustine

St. Augustine, Florida
Nation's Oldest City



Public Works

Exhibit 2

Staff Report – Brownfield Area Designation – 409 Anastasia Boulevard

Michael Mark Realty, LLC is requesting that a parcel owned by Anastasia Investment Group LLC be designated as a Brownfield Area under the process authorized by § 376.80, Florida Statutes (F.S.). This parcel, totaling 0.82 acres, is bounded by Anastasia Blvd. to the north and Arricola Ave. to the south. The property is bisected by a 20 ft. wide right-of-way which is an unnamed alleyway.

From 1949 to 1999, 409 Anastasia Boulevard operated as a dry cleaning facility. In November 1998, a soil sample collected outside the facility identified dry cleaning solvents above State of Florida Cleanup Target Levels. The Florida Department of Environmental Protection requested a complete assessment of soil and groundwater conditions at the facility. Between 2005 and 2016 four separate investigations identified impacted soil and groundwater on the former dry cleaner property, with additional groundwater impacts along a contaminant plume that stretched from the dry cleaner approximately 615 feet to the southeast towards South Matanzas Boulevard.

To date, soil and groundwater impacts have not been fully delineated either on the dry cleaner property, or in the downgradient position. Future plans are to enroll the site into the State Brownfield Program, complete the soil and groundwater assessment, and finally complete remedial activities to ensure the safety and health of the surrounding community. Under the Brownfield Program, the Florida Department of Environmental Protection will provide guidance and regulatory review of all assessment reports and future remedial actions. Progress of these environmental activities will be regularly communicated to a Community Advisory Board, made of local citizens and stakeholders.

Michael Mark Realty, LLC is currently planning on purchasing and redeveloping the site. Redevelopment plans include mixed use of residential, commercial, and office space on the property.

Following enactment of the legislation approving the designation, the owner will negotiate a Brownfield Site Rehabilitation Agreement (BSRA) with FDEP. The enactment of the BSRA will allow the owner and/or future owner to pursue Voluntary Cleanup Tax Credits and cleanup liability protection from the State of Florida for actual remediation activities conducted on the site.

As required by §376.80(2)(c), F.S., the applicant proposing the designation of a new Brownfield Area must establish the following:

1. The owner or entity controlling the brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the site;
2. The rehabilitation and redevelopment of the site will result in five permanent jobs;

3. The redevelopment is consistent with the comprehensive plan and land development regulations;
4. Public notice for the proposal will be provided pursuant to §376.80(1)(c), F.S.; and,
5. The owner or entity has provided real assurance of sufficient financial resources to implement and complete the Brownfield Site Rehabilitation Agreement.

Michael Mark Realty, LLC has answered in the affirmative for all requirements.

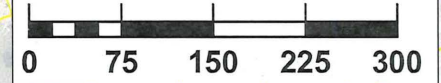
City Staff recommends APPROVAL of the Brownfield Area designation.

Please contact City of St. Augustine Public Works Department at (904) 825-1040, option #6 for additional information.

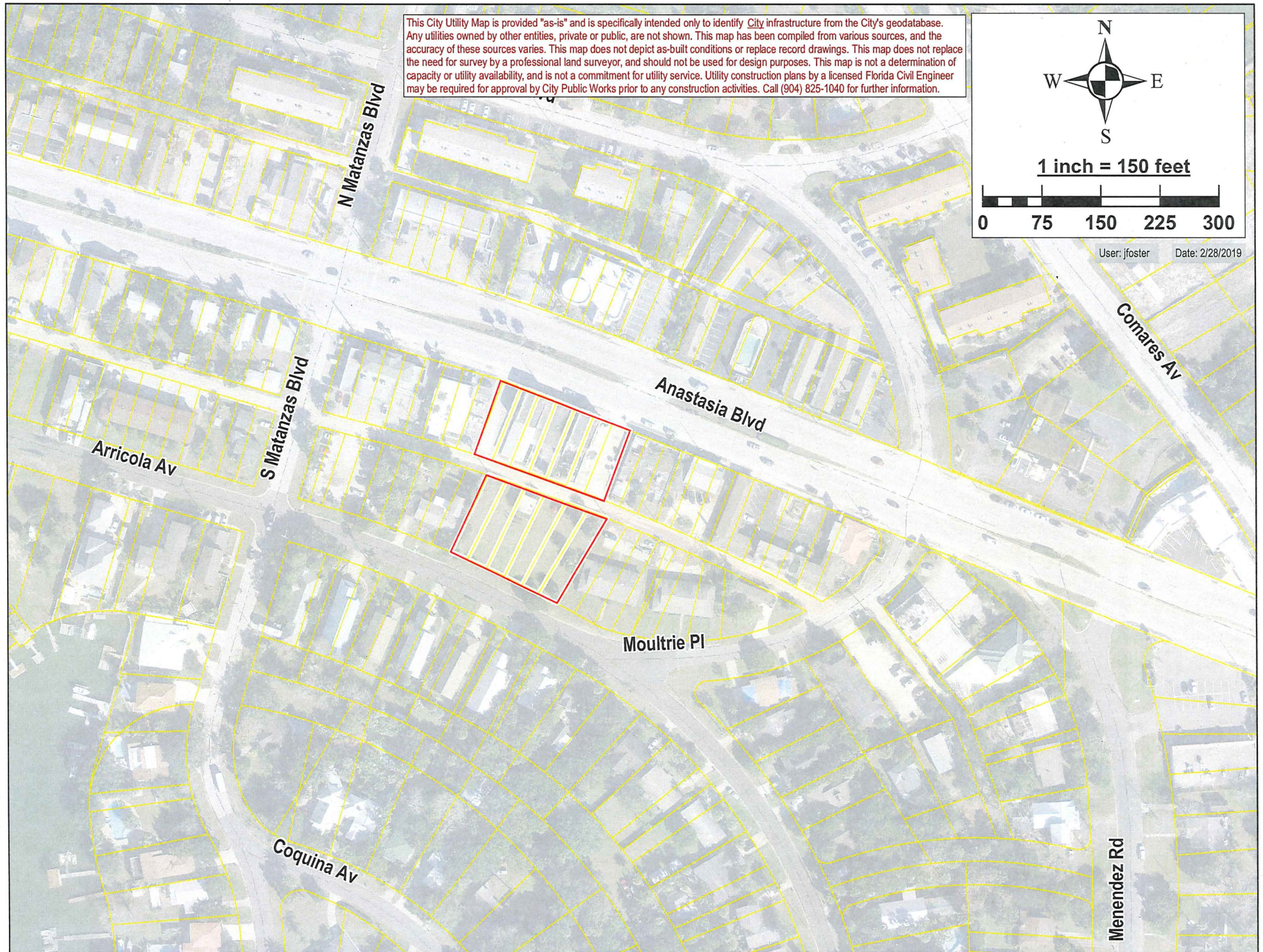
This City Utility Map is provided "as-is" and is specifically intended only to identify City infrastructure from the City's geodatabase. Any utilities owned by other entities, private or public, are not shown. This map has been compiled from various sources, and the accuracy of these sources varies. This map does not depict as-built conditions or replace record drawings. This map does not replace the need for survey by a professional land surveyor, and should not be used for design purposes. This map is not a determination of capacity or utility availability, and is not a commitment for utility service. Utility construction plans by a licensed Florida Civil Engineer may be required for approval by City Public Works prior to any construction activities. Call (904) 825-1040 for further information.



1 inch = 150 feet



User: jfoster Date: 2/28/2019



Property Ownership Affidavit

Certification of Property Ownership Pursuant to the Florida Brownfields Redevelopment Act

Date: Jan. 23, 2019

**Brownfields Program, Public Works Department
City of St. Augustine, Florida**

To Whom It May Concern:

I, Mary F. Pacetti, Manager of Anastasia Investment Group LLC, hereby certify that I am the Owner of the property described in the legal description, attached hereto as Exhibit "A", in connection with the official request for brownfields designation of said property. I hereby authorize the City of St. Augustine, Florida to designate said property as a Brownfields Area, pursuant to the Florida Brownfields Redevelopment Act.

Address: 409 Anastasia Boulevard, St. Augustine, FL

Property Real Estate Number (RE #): 2189000000

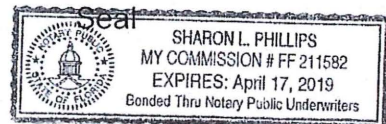
Anastasia Investment Group, LLC

Mary F. Pacetti
Mary F. Pacetti, Manager

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing affidavit was sworn and subscribed before me this 23rd day of January, 2019 by Mary F. Pacetti, Manager of Anastasia Investment Group LLC, who is personally known to me ☒ or has produced Florida Driver's License Number _____ as identification.

Sharon L. Phillips
(Notary Signature)



City of St. Augustine Brownfields Redevelopment Program
Application for Brownfield Area Designation

Please complete this application to initiate the brownfield area designation process if the property is located **outside** of a designated Brownfields Area, Community Redevelopment Areas, Enterprise Zones, Empowerment Zones, closed military bases, or the designated Brownfield Pilot Project Areas. It is important to complete all applicable sections and attach all necessary information. Section 376.80 of Florida Statutes (F.S.) establishes the legal requirements for an applicant, other than a local government, to request a brownfield area designation.

I. Property Information

Property Address 409 Anastasia Blvd.

Property Name Former Quality Cleaners Site

City St. Augustine

State FL

Zip Code 32080

Property Size (acres or sq./ft.) 0.82 acres

Parcel I.D. (RE #) 218900-0000

City Council District N/A

Property Use Code (if known) TBD – use will be consistent with CL-2 zoning

Zoning District (if known) CL-2

FL DEP I.D. FLD 070 875 232 ☐ Not Applicable

Applicant's Interest in Property; please select below.

- ☐ Owner
- ☐ Tenant
- ☒ Under Contract
- ☐ Option to Purchase/Lease
- ☐ Letter of Intent
- ☐ Other (If other, please describe) _____

Is the property subject to an enforcement action under the Comprehensive Environmental Compensation or Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), or Chapter 376 or 403, Florida Statutes? YES ☒ NO ☐

If so, please provide details below.

Site is a former dry cleaners that is under going RCRA enforcement. The responsible party has not been located by FDEP and FDEP is willing to accept the site into the Florida Brownfields Program. FDEP contact is Bryan Baker: (850) 245-8787.

Are there outstanding property taxes due on the property? YES ☐ NO ☒

If yes, please explain. _____

Are there any liens on the property? YES ☐ NO ☒

If yes, please explain.

II. Project Description

Provide a brief description of current and past known property use(s).

Provide a brief description of all environmental conditions and issues associated with the property.
Soil and groundwater are contaminated with chlorinated solvents associated with past dry cleaning operations on the site.

Provide a brief description of anticipated plans for assessment and remediation of environmental conditions and issues associated with the property.
Site will undergo assessment and remediation as required by 62-780, F.A.C. It is anticipated that institutional controls will be utilized.

Provide a brief description of the anticipated redevelopment plan.
The site will be redeveloped for a use to be determined consistent with CL-2 zoning.

Is the project consistent with the local Comprehensive Plan and a permitted use under the applicable local Land Development Regulations, as required per Section 376.80(2)(c)(3), F.S.?
Yes.

Or, will the proposed project involve a request for a change in Zoning and/or Land Use? If so, please provide a brief description of the circumstances associated with the anticipated request.
N/A

Provide a detailed statement describing how the property/project currently qualifies for a Brownfields Designation per Section 376.80, F.S.
The current property is underutilized and will be redeveloped to make better use of the site. The property is impacted by contamination due to the discharge of dry cleaning solvents, which will be assessed, remediated and brought to closure during redevelopment of the site.

Provide reasonable assurance that sufficient financial resources are available to implement and complete the redevelopment plan and a rehabilitation agreement, as required per Section 376.80(2)(c)(5), F.S.
The applicant, who has the property under contract, has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the site. Morucci Realty is a sophisticated and experienced development and acquisition company. Morucci started out building and developing rental properties in Bloomsburg, PA, which has continued for the last 35 years. Morucci has also redeveloped 10 projects in St. Augustine in the last 5 years. Additional information about these projects can be found at <https://www.moruccirealty.com>. Based on the credentials and record of success in consummating the development of various commercial and retail properties in the St. Augustine and Bloomsburg, PA areas, Morucci has the necessary financial resources to implement and complete the site development pursuant to a rehabilitation agreement and redevelopment plan.

Provide information on how the redevelopment project will improve economic productivity of the area, and whether a minimum of five (5) new permanent jobs will be created, as required per Section 376.80(2)(c)(2), F.S.

The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least 5 permanent new full-time jobs. The project once completed is anticipated to create around 12 full time positions not associated with the implementation of the cleanup or construction activities. Such job creation will result in the payment of payroll taxes and salaries thereby benefitting the local economy and increasing the economic productivity in the area.

Currently the building consists of 9,000 square feet on the first floor with two approximately 1,500 square feet on the second story. Additionally, there is a substantial piece of vacant land that goes with this property directly behind the building at 409 Anastasia Blvd. The proposed uses are many, but Morucci's vision would be to use the front building as retail divided into no less than 4 units this would create four 2250 square foot units and would require a projected 12 employees to operate. In addition the lot(s) in the rear would create multiple jobs if used for residential building or converted for parking so badly needed and rented to local enterprises thus allowing them to expand their operations.

Please attach any non-confidential environmental assessment documentation associated with the project. This includes Phase I and Phase II Reports, Site Assessment Reports, and Remedial Action Plans. **Site assessment activities are in the process of being commenced.**

III. Applicant Information

Name Mike Morucci Corporation Michael Mark Realty, LLC

Address 26 N. St. Augustine Boulevard

City St. Augustine

State FL

Zip Code 32080

Phone 570-441-1879 Fax _____

Email mike@moruccirealty.com

Legal Status of Applicant

- ☐ Individual/Sole proprietorship
- ☒ Limited Liability Company
- ☐ Florida Corporation
- ☐ Out-of-State Corporation
- ☐ General Partnership
- ☐ Limited Partnership

State of Incorporation FL

Name of current property owner if different from Applicant Anastasia Investment Group LLC

Address 2104 Shore Drive

City St. Augustine

State FL

Zip Code 32086

Phone _____

Fax _____

Email _____

If the current property owner is not the Applicant, please provide information from the current owner that they do not object to the property being designated a brownfield area. No objection. See attached Affidavit.

Has the Applicant previously spoken to and/or met with the City Brownfields Redevelopment Office?

YES ☒ NO ☐

Please list the types of State or Federal assistance/incentives the Applicant is interested in.

State of Florida Voluntary Clean up Tax Credit (VCTC); Statutory Liability Protection

I am applying for a designation by the City of St. Augustine of the subject property as a brownfield area, under the process established by Section 376.80, F.S. I affirm that the content presented in this application is correct to the best of my knowledge.

Signature (Applicant/Owner/Agent)

Date

PUBLIC NOTICE

ST. AUGUSTINE PROPOSED BROWNFIELD AREA DESIGNATION RES. 2019-05

Real property (Parcel ID 218900-0000) located at 409 Anastasia Blvd., St. Augustine, FL 32080 will be rehabilitated under Chapter 376, F.S. of the State of Florida's Brownfields Program. The property is proposed to be designated a Brownfield Area to allow the negotiation of a Brownfield Site Rehabilitation Agreement (BSRA) with the Florida Department of Environmental Protection for purposes of remediating and redeveloping the site.

Public hearings to receive public comment on the proposed Brownfield Area designation has been scheduled for:

Wednesday, March 6 at 11 AM, to be held at St. Johns County Main Library, 1960 N. Ponce de Leon Blvd., St. Augustine, FL 32084, and

Monday, March 25 at 5 PM, to be held in The Alcazar Room on the first floor of City Hall, located at 75 King Street, St. Augustine, FL 32084

If anyone has questions, concerns, and/or comments, please contact: 904-825-1040, option #6.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

FINGER, NELSON & MAGUIRE, PLLC
1650 MARGARET STREET

JACKSONVILLE, FL 32204

ACCT: 41062
AD# 0003149724-01

PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared JAMIE WILLIAMS who on oath says he/she is an Employee 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 **ANASTASIA BLVD** was published in said newspaper on **02/28/2019**.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has 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, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me this _____ day of **FEB 28 2019**

by *Jamie Williams* who is personally known to me
or who has produced as identification

Tiffany M. Lowe

(Signature of Notary Public)

PUBLIC NOTICE

ST. AUGUSTINE PROPOSED
BROWNFIELD AREA DESIGNATION
RES. 2019-05

Real property (Parcel ID 218900-0000) located at 409 Anastasia Blvd., St. Augustine, FL 32080 will be rehabilitated under Chapter 375, F.S. of the State of Florida's Brownfields Program. The property is proposed to be designated a Brownfield Area to allow the negotiation of a Brownfield Site Rehabilitation Agreement (BSRA) with the Florida Department of Environmental Protection for purposes of remediating and redeveloping the site.

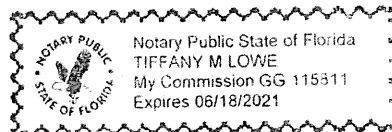
Public hearings to receive public comment on the proposed Brownfield Area designation has been scheduled for:

Wednesday, March 6 at 11 AM, to be held at St. Johns County Main Library, 1960 N. Ponce de Leon Blvd., St. Augustine, FL 32084, and

Monday, March 25 at 5 PM, to be held in The Alcazar Room on the first floor of City Hall, located at 75 King Street, St. Augustine, FL 32084

If anyone has questions, concerns, and/or comments, please contact: 904-825-1040, option #6.

0003149724 February 28, 2019



Thu, Feb 28, 2019
7:51:47AM

Legal Ad Invoice

The St. Augustine Record

Send Payments to:
The St. Augusting Record Dept 1261
PO Box 121261
Dallas, TX 75312-1261

Acct: 41062
Phone: 9045651234
E-Mail:

Name: FINGER, NELSON & MAGUIRE, PLLC
Address: 1650 MARGARET STREET

Client: FINGER, NELSON & MAGUIRE, PLLC **City:** JACKSONVILLE **State:** FL **Zip:** 32204

Ad Number: 0003149724-01 **Caller:** KRISTINA NELSON **Paytype:** BILL
Start: 02/28/2019 **Issues:** 1 **Stop:** 02/28/2019
Placement: SA Legals **Rep:** Melissa Rhinehart
Copy Line: PUBLIC NOTICE ST. AUGUSTINE PROPOSED BROWNFIELD AREA DESIGNATION RES. 2019-05 Real property (Parcel

PUBLIC NOTICE

Lines 37
Depth 3.25
Columns 1

Price \$58.34

ST. AUGUSTINE PROPOSED BROWNFIELD AREA DESIGNATION RES. 2019-05

Real property (Parcel ID 218900-0000) located at 409 Anastasia Blvd., St. Augustine, FL 32080 will be rehabilitated under Chapter 376, F.S. of the State of Florida's Brownfields Program. The property is proposed to be designated a Brownfield Area to allow the negotiation of a Brownfield Site Rehabilitation Agreement (BSRA) with the Florida Department of Environmental Protection for purposes of remediating and redeveloping the site.

Public hearings to receive public comment on the proposed Brownfield Area designation has been scheduled for:

Wednesday, March 6 at 11 AM, to be held at St. Johns County Main Library, 1960 N. Ponce de Leon Blvd., St. Augustine, FL 32084, and

Monday, March 25 at 5 PM, to be held in The Alcazar Room on the first floor of City Hall, located at 75 King Street, St. Augustine, FL 32084

If anyone has questions, concerns, and/or comments, please contact: 904-825-1040, option #6.
0003149724 February 28, 2019



March 5, 2019

RE: Michael M. Morucci

To Whom It May Concern:

Mike Morucci has been an excellent customer with First Columbia Bank & Trust Company since 1986. He maintains several deposit accounts with sufficient balances and has other financial resources to implement and complete the rehabilitation agreement for the redevelopment of the brownfield site.

Please do not hesitate to contact me directly if you have any questions or need additional information. My direct line is 570-387-4041, cell 570-394-4129 and email pyoung@firstcolumbiabank.com

Sincerely,

A handwritten signature in blue ink that reads "Pamela A. Young" with a stylized flourish below it.

Pamela A. Young
Vice President

Memo

To: John Cary & Jonathan Foster – City of St. Augustine

From: Bruce Hallett – Matanzas Geosciences

cc: Kristina Nelson, Bill Finger, Mike Morucci

Date: February 28, 2019

Re: Site Summary and Future Plans – 409 Anastasia Boulevard

From 1949 to 1999, 409 Anastasia Boulevard operated a dry cleaning facility. In November 1998, a soil sample collected outside the facility identified dry cleaning solvents above State of Florida Cleanup Target Levels. The Florida Department of Environmental Protection requested a complete assessment of soil and groundwater conditions at the facility. Between 2005 and 2016 four separate investigations identified impacted soil and groundwater on the former dry cleaner property, with additional groundwater impacts along a contaminant plume that stretched from the dry cleaner approximately 615 feet to the southeast towards South Matanzas Boulevard. To date, soil and groundwater impacts have not been fully delineated either on the dry cleaner property, or in the downgradient position.

Future plans are to enroll the site into the State Brownfield Program, complete the soil and groundwater assessment, and finally complete remedial activities to ensure the safety and health of the surrounding community. Under the Brownfield Program, the Florida Department of Environmental Protection will provide guidance and regulatory review of all assessment reports and future remedial actions. Progress of these environmental activities will be regularly communicated to a Community Advisory Board, made of local citizens and stakeholders.

Select Year:

The 2018 Florida Statutes

Title XXVIII
NATURAL RESOURCES; CONSERVATION,
RECLAMATION, AND USE

Chapter 376
POLLUTANT DISCHARGE
PREVENTION AND REMOVAL

[View Entire
Chapter](#)

376.80 Brownfield program administration process.—

(1) The following general procedures apply to brownfield designations:

(a) The local government with jurisdiction over a proposed brownfield area shall designate such area pursuant to this section.

(b) For a brownfield area designation proposed by:

1. The jurisdictional local government, the designation criteria under paragraph (2)(a) apply, except if the local government proposes to designate as a brownfield area a specified redevelopment area as provided in paragraph (2)(b).

2. Any person, other than a governmental entity, including, but not limited to, individuals, corporations, partnerships, limited liability companies, community-based organizations, or not-for-profit corporations, the designation criteria under paragraph (2)(c) apply.

(c) Except as otherwise provided, the following provisions apply to all proposed brownfield area designations:

1. Notification to department following adoption.—A local government with jurisdiction over the brownfield area must notify the department, and, if applicable, the local pollution control program under s. [403.182](#), of its decision to designate a brownfield area for rehabilitation for the purposes of ss. [376.77-376.86](#). The notification must include a resolution adopted by the local government body. The local government shall notify the department, and, if applicable, the local pollution control program under s. [403.182](#), of the designation within 30 days after adoption of the resolution.

2. Resolution adoption.—The brownfield area designation must be carried out by a resolution adopted by the jurisdictional local government, which includes a map adequate to clearly delineate exactly which parcels are to be included in the brownfield area or alternatively a less-detailed map accompanied by a detailed legal description of the brownfield area. For municipalities, the governing body shall adopt the resolution in accordance with the procedures outlined in s. [166.041](#), except that the procedures for the public hearings on the proposed resolution must be in the form established in s. [166.041\(3\)\(c\)2](#). For counties, the governing body shall adopt the resolution in accordance with the procedures outlined in s. [125.66](#), except that the procedures for the public hearings on the proposed resolution shall be in the form established in s. [125.66\(4\)\(b\)](#).

3. Right to be removed from proposed brownfield area.—If a property owner within the area proposed for designation by the local government requests in writing to have his or her property removed from the proposed designation, the local government shall grant the request.

4. Notice and public hearing requirements for designation of a proposed brownfield area outside a redevelopment area or by a nongovernmental entity. Compliance with the following provisions is required before designation of a proposed brownfield area under paragraph (2)(a) or paragraph (2)(c):

a. At least one of the required public hearings shall be conducted as closely as is reasonably practicable to the area to be designated to provide an opportunity for public input on the size of the area, the objectives for rehabilitation, job opportunities and economic developments anticipated, neighborhood residents' considerations, and other relevant local concerns.

b. Notice of a public hearing must be made in a newspaper of general circulation in the area, must be made in ethnic newspapers or local community bulletins, must be posted in the affected area, and must be announced at a scheduled meeting of the local governing body before the actual public hearing.

(2)(a) *Local government-proposed brownfield area designation outside specified redevelopment areas.*—If a local government proposes to designate a brownfield area that is outside a community redevelopment area, enterprise zone, empowerment zone, closed military base, or designated brownfield pilot project area, the local government shall provide notice, adopt the resolution, and conduct public hearings pursuant to paragraph (1)(c). At a public hearing to designate the proposed brownfield area, the local government must consider:

1. Whether the brownfield area warrants economic development and has a reasonable potential for such activities;
2. Whether the proposed area to be designated represents a reasonably focused approach and is not overly large in geographic coverage;
3. Whether the area has potential to interest the private sector in participating in rehabilitation; and
4. Whether the area contains sites or parts of sites suitable for limited recreational open space, cultural, or historical preservation purposes.

(b) *Local government-proposed brownfield area designation within specified redevelopment areas.*—Paragraph (a) does not apply to a proposed brownfield area if the local government proposes to designate the brownfield area inside a community redevelopment area, enterprise zone, empowerment zone, closed military base, or designated brownfield pilot project area and the local government complies with paragraph (1)(c).

(c) *Brownfield area designation proposed by persons other than a governmental entity.*—For designation of a brownfield area that is proposed by a person other than the local government, the local government with jurisdiction over the proposed brownfield area shall provide notice and adopt a resolution to designate the brownfield area pursuant to paragraph (1)(c) if, at the public hearing to adopt the resolution, the person establishes all of the following:

1. A person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site.
2. The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area. However, the job creation requirement does not apply to the rehabilitation and redevelopment of a brownfield site that will provide affordable housing as defined in s. 420.0004 or the creation of recreational areas, conservation areas, or parks.
3. The redevelopment of the proposed brownfield site is consistent with the local comprehensive plan and is a permissible use under the applicable local land development regulations.
4. Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated pursuant to paragraph (1)(c), and the person

proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice pursuant to this subparagraph must be posted in the affected area.

5. The person proposing the area for designation has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the brownfield site.

(d) *Negotiation of brownfield site rehabilitation agreement.*—The designation of a brownfield area and the identification of a person responsible for brownfield site rehabilitation simply entitles the identified person to negotiate a brownfield site rehabilitation agreement with the department or approved local pollution control program.

(3) When there is a person responsible for brownfield site rehabilitation, the local government must notify the department of the identity of that person. If the agency or person who will be responsible for the coordination changes during the approval process specified in subsections (4), (5), and (6), the department or the affected approved local pollution control program must notify the affected local government when the change occurs.

(4) Local governments or persons responsible for rehabilitation and redevelopment of brownfield areas must establish an advisory committee or use an existing advisory committee that has formally expressed its intent to address redevelopment of the specific brownfield area for the purpose of improving public participation and receiving public comments on rehabilitation and redevelopment of the brownfield area, future land use, local employment opportunities, community safety, and environmental justice. Such advisory committee should include residents within or adjacent to the brownfield area, businesses operating within the brownfield area, and others deemed appropriate. The person responsible for brownfield site rehabilitation must notify the advisory committee of the intent to rehabilitate and redevelop the site before executing the brownfield site rehabilitation agreement, and provide the committee with a copy of the draft plan for site rehabilitation which addresses elements required by subsection (5). This includes disclosing potential reuse of the property as well as site rehabilitation activities, if any, to be performed. The advisory committee shall review any proposed redevelopment agreements prepared pursuant to paragraph (5)(i) and provide comments, if appropriate, to the board of the local government with jurisdiction over the brownfield area. The advisory committee must receive a copy of the executed brownfield site rehabilitation agreement. When the person responsible for brownfield site rehabilitation submits a site assessment report or the technical document containing the proposed course of action following site assessment to the department or the local pollution control program for review, the person responsible for brownfield site rehabilitation must hold a meeting or attend a regularly scheduled meeting to inform the advisory committee of the findings and recommendations in the site assessment report or the technical document containing the proposed course of action following site assessment.

(5) The person responsible for brownfield site rehabilitation must enter into a brownfield site rehabilitation agreement with the department or an approved local pollution control program if actual contamination exists at the brownfield site. The brownfield site rehabilitation agreement must include:

(a) A brownfield site rehabilitation schedule, including milestones for completion of site rehabilitation tasks and submittal of technical reports and rehabilitation plans as agreed upon by the parties to the agreement.

(b) A commitment to conduct site rehabilitation activities under the observation of professional engineers or geologists who are registered in accordance with the requirements of chapter 471 or chapter 492, respectively. Submittals provided by the person responsible for brownfield site

rehabilitation must be signed and sealed by a professional engineer registered under chapter 471, or a professional geologist registered under chapter 492, certifying that the submittal and associated work comply with the law and rules of the department and those governing the profession. In addition, upon completion of the approved remedial action, the department shall require a professional engineer registered under chapter 471 or a professional geologist registered under chapter 492 to certify that the corrective action was, to the best of his or her knowledge, completed in substantial conformance with the plans and specifications approved by the department.

(c) A commitment to conduct site rehabilitation in accordance with department quality assurance rules.

(d) A commitment to conduct site rehabilitation consistent with state, federal, and local laws and consistent with the brownfield site contamination cleanup criteria in s. 376.81, including any applicable requirements for risk-based corrective action.

(e) Timeframes for the department's review of technical reports and plans submitted in accordance with the agreement. The department shall make every effort to adhere to established agency goals for reasonable timeframes for review of such documents.

(f) A commitment to secure site access for the department or approved local pollution control program to all brownfield sites within the eligible brownfield area for activities associated with site rehabilitation.

(g) Other provisions that the person responsible for brownfield site rehabilitation and the department agree upon, that are consistent with ss. 376.77-376.86, and that will improve or enhance the brownfield site rehabilitation process.

(h) A commitment to consider appropriate pollution prevention measures and to implement those that the person responsible for brownfield site rehabilitation determines are reasonable and cost-effective, taking into account the ultimate use or uses of the brownfield site. Such measures may include improved inventory or production controls and procedures for preventing loss, spills, and leaks of hazardous waste and materials, and include goals for the reduction of releases of toxic materials.

(i) Certification that the person responsible for brownfield site rehabilitation has consulted with the local government with jurisdiction over the brownfield area about the proposed redevelopment of the brownfield site, that the local government is in agreement with or approves the proposed redevelopment, and that the proposed redevelopment complies with applicable laws and requirements for such redevelopment. Certification shall be accomplished by referencing or providing a legally recorded or officially approved land use or site plan, a development order or approval, a building permit, or a similar official document issued by the local government that reflects the local government's approval of proposed redevelopment of the brownfield site; providing a copy of the local government resolution designating the brownfield area that contains the proposed redevelopment of the brownfield site; or providing a letter from the local government that describes the proposed redevelopment of the brownfield site and expresses the local government's agreement with or approval of the proposed redevelopment.

(6) Any contractor performing site rehabilitation program tasks must demonstrate to the department that the contractor:

(a) Meets all certification and license requirements imposed by law; and

(b) Will conduct sample collection and analyses pursuant to department rules.

(7) During the cleanup process, if the department or local program fails to complete review of a technical document within the timeframe specified in the brownfield site rehabilitation agreement, the person responsible for brownfield site rehabilitation may proceed to the next site rehabilitation task.

However, the person responsible for brownfield site rehabilitation does so at its own risk and may be required by the department or local program to complete additional work on a previous task. Exceptions to this subsection include requests for “no further action,” “monitoring only proposals,” and feasibility studies, which must be approved prior to implementation.

(8) If the person responsible for brownfield site rehabilitation fails to comply with the brownfield site rehabilitation agreement, the department shall allow 90 days for the person responsible for brownfield site rehabilitation to return to compliance with the provision at issue or to negotiate a modification to the brownfield site rehabilitation agreement with the department for good cause shown. If an imminent hazard exists, the 90-day grace period shall not apply. If the project is not returned to compliance with the brownfield site rehabilitation agreement and a modification cannot be negotiated, the immunity provisions of s. 376.82 are revoked.

(9) The department is specifically authorized and encouraged to enter into delegation agreements with local pollution control programs approved under s. 403.182 to administer the brownfield program within their jurisdictions, thereby maximizing the integration of this process with the other local development processes needed to facilitate redevelopment of a brownfield area. When determining whether a delegation pursuant to this subsection of all or part of the brownfield program to a local pollution control program is appropriate, the department shall consider the following. The local pollution control program must:

(a) Have and maintain the administrative organization, staff, and financial and other resources to effectively and efficiently implement and enforce the statutory requirements of the delegated brownfield program; and

(b) Provide for the enforcement of the requirements of the delegated brownfield program, and for notice and a right to challenge governmental action, by appropriate administrative and judicial process, which shall be specified in the delegation.

The local pollution control program shall not be delegated authority to take action on or to make decisions regarding any brownfield site on land owned by the local government. Any delegation agreement entered into pursuant to this subsection shall contain such terms and conditions necessary to ensure the effective and efficient administration and enforcement of the statutory requirements of the brownfield program as established by the act and the relevant rules and other criteria of the department.

(10) Local governments are encouraged to use the full range of economic and tax incentives available to facilitate and promote the rehabilitation of brownfield areas, to help eliminate the public health and environmental hazards, and to promote the creation of jobs and economic development in these previously run-down, blighted, and underutilized areas.

(11)(a) The Legislature finds and declares that:

1. Brownfield site rehabilitation and redevelopment can improve the overall health of a community and the quality of life for communities, including for individuals living in such communities.

2. The community health benefits of brownfield site rehabilitation and redevelopment should be better measured in order to achieve the legislative intent as expressed in s. 376.78.

3. There is a need in this state to define and better measure the community health benefits of brownfield site rehabilitation and redevelopment.

4. Funding sources should be established to support efforts by the state and local governments, in collaboration with local health departments, community health providers, and nonprofit organizations, to evaluate the community health benefits of brownfield site rehabilitation and redevelopment.

(b) Local governments may and are encouraged to evaluate the community health benefits and effects of brownfield site rehabilitation and redevelopment in connection with brownfield areas located within their jurisdictions. Factors that may be evaluated and monitored before and after brownfield site rehabilitation and redevelopment include, but are not limited to:

1. Health status, disease distribution, and quality of life measures regarding populations living in or around brownfield sites that have been rehabilitated and redeveloped.
2. Access to primary and other health care or health services for persons living in or around brownfield sites that have been rehabilitated and redeveloped.
3. Any new or increased access to open, green, park, or other recreational spaces that provide recreational opportunities for individuals living in or around brownfield sites that have been rehabilitated and redeveloped.
4. Other factors described in rules adopted by the Department of Environmental Protection or the Department of Health, as applicable.

(c) The Department of Health may and is encouraged to assist local governments, in collaboration with local health departments, community health providers, and nonprofit organizations, in evaluating the community health benefits of brownfield site rehabilitation and redevelopment.

(12) A local government that designates a brownfield area pursuant to this section is not required to use the term “brownfield area” within the name of the brownfield area designated by the local government.

History.—s. 4, ch. 97-277; s. 3, ch. 98-75; s. 11, ch. 2000-317; s. 2, ch. 2004-40; s. 44, ch. 2005-2; s. 7, ch. 2006-291; s. 5, ch. 2008-239; s. 2, ch. 2014-114.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: March 14, 2019

RE: **ORDINANCE 2019-05: NUISANCES**

Please find attached Ordinance 2019-05, which amends, updates, or repeals multiple sections of the City's nuisances code, Chapter 19 of the Code of Ordinances. This is another in a series of ordinance rewrites to modernize the Code of Ordinances, as directed by the City Commission.

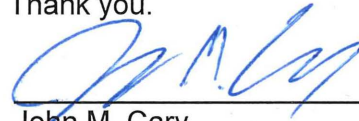
This ordinance updates the nuisance code. The current code was drafted in 1964 and updated in 1991, but does not reflect current practice or explicitly provide the City Manager or Building Official the authority to immediately order an abatement in the event of a dangerous condition that jeopardizes the health, welfare, or safety of city residents, visitors, or property. Such a provision is needed because the Code Enforcement Board only meets once a month, and some nuisances are of such a serious nature that they must be abated immediately. The ordinance provides an appeal process to the Board in such cases.

The ordinance makes minor changes as well as adding definitions for *garbage*, *grass*, and *underbrush* as those terms are currently undefined and have caused some debate at Code Enforcement Meetings. The ordinance also adds household goods and a definition to explicitly make it illegal to permanently store household goods that would usually be kept inside a house in an unsheltered area.

At the February Code Enforcement Board meeting, the Board reviewed and unanimously approved this proposed ordinance.

Please place Ordinance 2019-05 on the regular City Commission agenda for first reading on March 25, 2019.

Thank you.



John M. Cary
Assistant City Attorney

Attachment

xc: Tim Burchfield, Assistant City Manager
Isabelle C. Lopez, City Attorney
Darlene Galambos, City Clerk

ORDINANCE NO. 2019-05

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 19 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING DEFINITIONS; PROVIDING FOR DECLARATION OF NUISANCES AND ABATEMENT OF NUISANCES; PROVIDING THAT THE KEEPING OF UNSHELTERED HOUSEHOLD GOODS IS A VIOLATION; REPEALING DUPLICITIVE PROVISIONS; AMENDING THE CHAPTER TO MAKE VARIOUS MINOR AND TECHNICAL CHANGES; PROVIDING PENALTIES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

WHEREAS, the City of St. Augustine finds that nuisances are a threat to the public health, safety, and general welfare to the city and its visitors and residents;

WHEREAS, the Code of the City of St. Augustine provides that the Code Enforcement Board may declare a nuisance and order abatement;

WHEREAS, some nuisances present an immediate threat to the public health, safety, and general welfare of the residents and visitors, and therefore the City Manager or Building Official must immediately declare a nuisance and order abatement;

WHEREAS, the City of St. Augustine preserves due process rights of property owners through an appeal process;

WHEREAS, the City of St. Augustine Code Enforcement Board unanimously recommended approval of this ordinance at its February 12, 2019, meeting.

WHEREAS, the City Commission for the City of St. Augustine finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted consistent with the requirements of Section 166.021(4), Florida Statutes;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Amendment to Chapter 19, Sections 19-1 through 19-5. Chapter 19, Sections 19-1 through 19-5 of the Code of the City of St. Augustine are hereby amended, as follows:

Sec. 19-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Garbage is any waste or spoiled food and containers, bags, and other debris, as from a kitchen or household, which is normally disposed of or discarded in a proper container for removal by the city or a refuse disposal company.

Grass means any of a large family of vegetation consisting of typically short plants with long, narrow leaves, growing wild or cultivated on lawns and pasture.

Household goods means any sort of chattel that would normally be intended for indoor use, including but not limited to, appliances, kitchenware, indoor furniture, clothing when not temporarily hung on a clothesline, or any other items that would normally be stored indoors .

Junk and refuse includes all junked, deteriorated or discarded machinery, building materials and similar objects and stripped, junked, inoperable or unlicensed motor vehicles or boats. This article shall not apply to foodstuffs, garbage or weeds and underbrush.

Underbrush means any shrubs, bushes, or small trees growing beneath larger shrubs, bushes, or trees, excluding landscaped, maintained, and trimmed shrubbery or landscape islands.

Unsheltered storage shall mean in other than an enclosed garage or fully enclosed building.

Weeds means wild plants growing on cultivated land and injurious to the planted crops or to other landscape materials planted thereon and shall exclude plants normally used in landscaping or intentionally planted.

Sec. 19-2. - Declaration of nuisances; abatement.

Violations of this chapter are nuisances. The city manager code enforcement board may order the Building Official to abate such nuisances ~~in accordance with the procedures in chapter 8, article II, division 3; provided that references in such provisions to the building inspector or building official shall be deemed to refer to the city manager.~~ If the City Manager or the Building Official determines that the

nuisance presents an immediate threat to the health, safety, and welfare of the City of St. Augustine and/or its residents, visitors, or property, the City Manager or the Building Official may declare the nuisance and immediately abate it, in which case the cost of abatement shall be imposed as a lien. The determination of a nuisance by the City Manager or the Building Official and/or the reasonableness of such lien may be appealed to the code enforcement board.

Sec. 19-3. - Unlawful conditions.

It shall be unlawful to deposit, keep, or maintain the unsheltered storage of any junk or refuse, including building materials or similar objects; household goods; inoperable machinery; stripped, junked, inoperable, or unlicensed motor vehicles or boats within the corporate limits of the city. A structure that is in violation of chapter 8, Article IV, is a nuisance.

Sec. 19-4. - Certain growth and conditions prohibited.

It shall be unlawful ~~for the owner or owners, tenant or tenants, of on~~ any lot, parcel or tract of land within the city to ~~permit allow~~ weeds, grass, or underbrush ~~undergrowth~~ to grow thereon to a height of twelve (12) inches or more from the ground; or to ~~permit allow garbage, junk, refuse rubbish, trash, debris,~~ dead trees, or other unsightly or unsanitary matter to remain thereon; or to ~~permit allow~~ conditions to remain thereon that create harborage for rodents, ~~or vermin, or~~ mosquitos; or to ~~permit allow~~ the existence of depressions, ~~or excavations,~~ containers, or any other condition on such premises wherein untreated water may accumulate and stand in such a manner ~~or fashion~~ as to make possible the propagation of mosquitoes thereon.

Sec. 19-5. - Remedy; procedure.

~~Upon failure of the owner or owners of the premises to remedy the conditions existing in violation of the requirements of this chapter within fifteen (15) days after service of notice to do so as provided in section 19-2, then the city manager shall proceed as prescribed below to have such conditions remedied, and the cost thereof shall be and become a lien against such property to the same extent and character as liens imposed by local code enforcement board pursuant to F.S. § 162.09 and with the same penalties and with the same rights of collection, foreclosure, sale and forfeiture as obtained for liens. Failure to remedy nuisances as required by this chapter, within fifteen (15) days after service of notice to do so, is a violation and shall be enforced in accordance with chapter 162, F.S. However, the notice may provide an alternative remedy period, in which case that remedy period shall be controlling. In cases where the City Manager or the Building Official declares and/or abates a nuisance without an order by the Code Enforcement Board, an appeal shall be filed within 30 days of service of notice, with the same penalties and same rights as provided in Chapter 162, F.S.~~

Section 2. Repeal of Chapter 19, Sections 19-6 through 19-8. Chapter 19, Sections 19-6 through 19-8 of the Code of the City of St. Augustine are hereby repealed, as follows:

~~Sec. 19-6. -- Contents of notice to owner; service; action by city.~~

~~The city manager shall institute the procedure for the enforcement of the requirements of this chapter, and the removal or remedying of conditions violative hereof, by serving written notice upon the owner or owners of such properties. Such notice shall set forth the legal description of such lots, parcels or tracts of land, and the estimated cost of clearing such land or the removal or remedying the condition thereof found to be violative of this chapter. Such notice shall be by personal service or by registered or certified mail, addressed to the owner or owners of the property described as their names and addresses are shown on the records of the county tax rolls and shall be deemed complete and sufficient when so addressed and deposited in the United States mail with proper postage prepaid. The notice shall require the owner or owners to comply with the requirements of this chapter within fifteen (15) days after the serving of such notice and upon failure of the owner or owners to do so within the aforesaid period of time, the city manager shall proceed to have the conditions of such properties remedied in order that such properties shall comply with the provisions hereof. The notice shall be in substantially the following form:~~

Name of owner _____

Address of owner _____

Our records indicate you to be the owner(s) of the following property in the City of St. Augustine, Florida:

(describe property)

An inspection of this property discloses it to be in such condition as to be in violation of Chapter 14 of the Code of the City of St. Augustine, Florida, because

(here state why property is in violation, i.e., height of grass, undergrowth, etc.)

That it is unlawful for you to permit this condition to continue, and you are hereby notified that unless this condition is remedied so as to make it non-violative of the City Code within fifteen (15) days from the date hereof, the City of St. Augustine, Florida, will proceed to remedy such condition, and the cost of such work will be imposed as a lien upon this property. Our estimate of the probable cost is \$ _____.

In the event that you contest the violation or probable cost of correction of the condition, you may request a hearing before the local code enforcement board. Such request must be furnished in writing to the undersigned.

Very truly yours,

City Manager

~~In the event that the owner of the property, or any person having an interest therein, shall request a hearing, the city manager shall schedule a hearing before the local code enforcement board and furnish ten (10) days' notice of the date and time thereof to the person requesting such hearing.~~

~~Sec. 19-7. -- Remedying of violative conditions by city; cost.~~

~~Upon failure of the owner or owners of such lots, parcels or tracts of land to remedy the condition of such premises found to be violative of the requirements of this chapter, or to request a hearing within fifteen (15) days after giving of notice as above provided, or in the event that the local code enforcement board shall sustain the determination of violation, then the city manager shall have such condition remedied, either by contract, or direct labor, or by a combination of both methods, provided, however, that the cost thereof chargeable to the owner shall not exceed the amount of cost estimated for such work in the notice provided for in section 19-7.~~

~~Sec. 19-8. -- Imposition of lien.~~

~~Upon completion of the work, the city manager shall furnish to the owner of the property by United States mail addressed in the same manner as the notice provided for in section 19-7 above, an itemization of the cost of correction with a copy to the local code enforcement board, the itemization shall include a notice of the date and time the local code enforcement board shall consider approval of such costs. At that time the local code enforcement board shall consider the reasonableness of the costs and, if found by it to be reasonable, enter an order imposing such costs as a lien enforceable in the same manner as a fine imposed pursuant to Florida Statutes 162.09.~~

Section 2. Inclusion in Code. The City Commission intends that the provisions of this Ordinance shall become and shall be made part of the Code of the City of St. Augustine, that the sections of this Ordinance may be re-numbered or re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. In the event that any section, subsection, sentence, clause, phrase, word, term or provision of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly invalid, unconstitutional or unenforceable or involved for any reason whatsoever, any such invalidity,

unconstitutionality, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, unconstitutional, illegal, or unenforceable section, subsection, sentence, clause, phrase, word, term or provision did not exist.

Section 5. Effective Date. This Ordinance shall become effective immediately upon passage, pursuant to § 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2019.

Tracy W. Upchurch, Mayor-Commissioner

ATTEST:

Darlene Galambos, City Clerk

(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: March 25, 2019

RE: **Resolution 2019-06 Amending and Updating the Design Standards for Entry Corridors for King Street**

Attached is the updated King Street Design Standards (2019). The amended and updated King Street Design Standards (2019) were approved by the Planning and Zoning Board on March 5, 2019.

The Design Standards for Entry Corridors were adopted by the city in 2003 and the city Planning and Building Department initiated a program to update these design standards in 2016. The city hired consultant Marquis Latimer + Halback, a Landscape Architecture and Planning firm, and their team to complete this task. The Anastasia Boulevard Design Standards were updated in 2017 and the San Marco Avenue Design Standards were updated in 2018.

This update included data collection, an assessment of the character of the private properties on King Street, an analysis of the development patterns of these properties and an analysis of the zoning code, landscaping code and architecture related to the area. This update also extends the King Street Design Standards to include the properties on West King Street from Palmer Street to the western boundary of the city limits.

In support of this project, the city staff and the consultant team hosted multiple public workshops and met publicly and privately with stakeholders and property owners along King Street.

Please place Resolution 2019-06 on the March 25, 2019 City Commission agenda for approval.



David Birchim, AICP
Director, Planning and Building Department

RESOLUTION NO. 2019 - 06

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING THE DESIGN STANDARDS FOR ENTRY CORRIDORS TO INCLUDE AN UPDATED AND SEPARATE MANUAL FOR EACH CORRIDOR, THEREFORE HEREBY ADOPTING THE KING STREET DESIGN STANDARDS.

WHEREAS, the Design Standards for Entry Corridors were originally prepared in 2000; and

WHEREAS, the Design Standards for Entry Corridors originally included Anastasia Boulevard, San Marco Avenue, and King Street including West King Street to the intersection of Palmer Street and Pellicer Lane ; and

WHEREAS, Guidelines for Private Space Improvements within the Design Standards for Entry Corridors only, were adopted in 2003; and

WHEREAS, the City Commission realizes that the Design Standards for Entry Corridors should be amended and updated from time to time; and

WHEREAS, the King Street Design Standards are the third Guidelines to be amended and updated; and

WHEREAS, through an extensive public evaluation process, the King Street Design Standards have been amended, updated and reformatted into a separate and distinct manual specific for King Street and this update includes extending the King Street Design Standards to include that westerly portion of West King Street from Palmer Street to the City Limits; and

WHEREAS, the City Commission has determined that the King Street Design Standards shall be adopted by reference to this Resolution and enabling legislation in Section 28-353 of the Zoning Code;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, THAT

Section 1. Upon the effective date of this resolution the King Street Design Standards, as promulgated from time to time, are adopted and incorporated herein by reference.

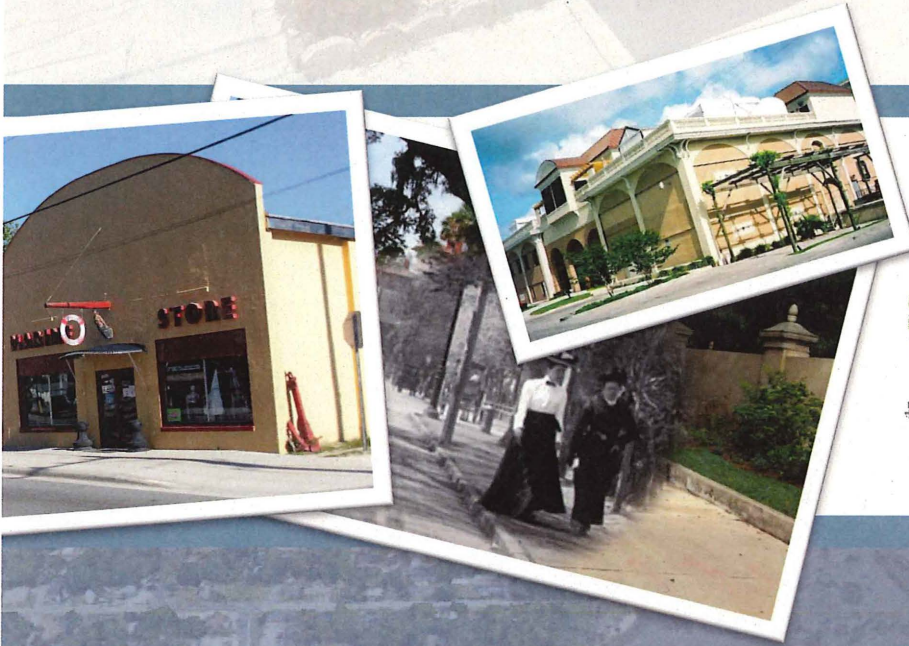
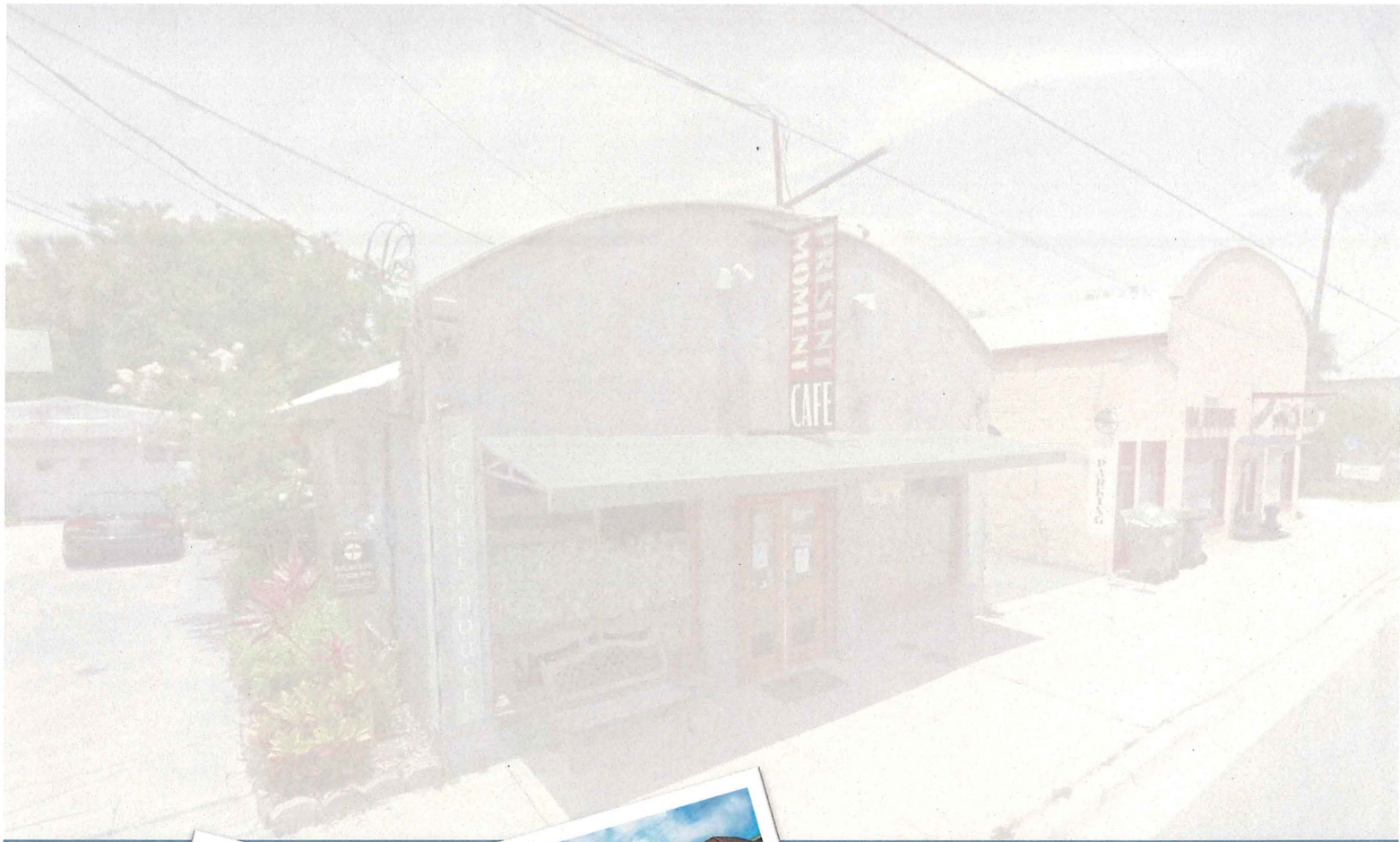
ADOPTED in Regular Session of the City Commission for the City of St. Augustine, Florida this _____ day of _____, 2019.

CITY OF ST. AUGUSTINE, FLORIDA

Tracy Upchurch, Mayor-Commissioner

ATTEST:

City Clerk, Darlene Galambos
(Corporate Seal)



King Street

Design Standards for Entry Corridors

Draft v6



CITY OF
ST. AUGUSTINE
EST. 1665

DRAFT

City of St. Augustine Commissioners

Mayor Tracy Upchurch

Vice Mayor Leanna Freeman

Commissioner Roxanne Horvath

Commissioner Nancy Sikes-Kline

Commissioner John Valdes

City of St. Augustine Planning & Building Department

David Birchim, AICP

Director

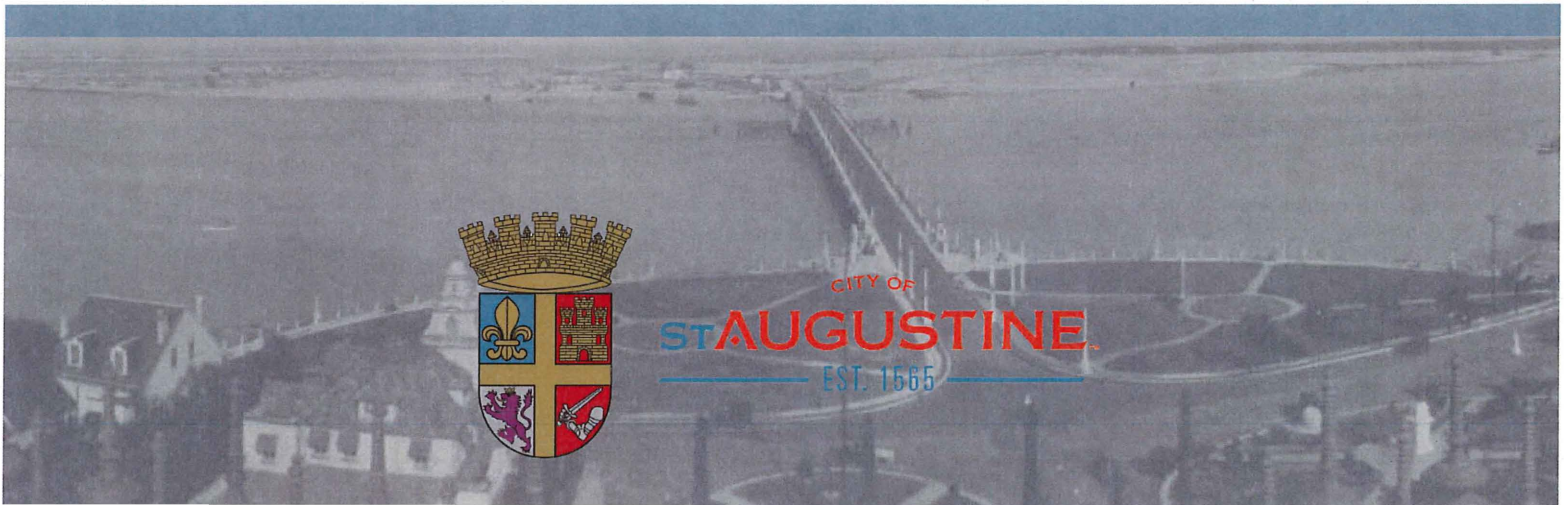
Amy McClure Skinner

Project Manager + Deputy Director

Prepared by Marquis Latimer + Halback, Inc.



CITY OF
ST AUGUSTINE
EST. 1565





Contents

Section 1. Purpose and Intent.....	7
1.1. Historic Background	7
1.2. Neighborhood Context	7
1.3. Introduction to Districts	7
Section 2. Definitions	9
Section 3. When the King Street Entry Corridor Design Standards Apply	13
Section 4. King Street Design Standard Application Review Process	15
4.1. Application Process	15
4.2. Plan Review	15
4.3. Corridor Review Committee	15
4.3.1. Activities Requiring Review.....	15
4.3.2. Review Criteria.....	15
4.4. Effect of Approval.	16
4.5. Appeals.....	16
4.6. Submittal Requirements.	16
4.7. Modification of Standards	17
4.7.1. Application.	17
4.7.2. Administrative Modifications.....	17
4.7.3. CRC Modifications.....	18
4.7.4. Prohibited Modifications.	18
4.7.5. Review Criteria.....	18
4.7.6. Additional Requirements.	18
Section 5. Site and Building Design.....	21
5.1. Building Placement	21
5.2. Building Frontage	23
5.3. Building Height.....	24
5.4. Building Design.....	25
5.4.1. Architecture	26
5.4.2. Building Color	28
5.4.3. Building Materials	29



City of St. Augustine
King Street Design Standards

5.4.4.	Fenestration and Glazing	29
5.4.5.	Awnings and Canopies	31
5.4.6.	Building Entrances.....	33
5.4.7.	Building Roof	33
5.4.8.	Parking Structure Design.....	34
5.5.	Site Access and Parking.....	35
5.5.1.	Pedestrian Access and Circulation	35
5.5.2.	Vehicular Access.....	35
5.5.3.	Parking Placement.	35
5.5.4.	Existing Non-Conforming Parking Facilities	36
5.5.5.	Bicycle Parking	37
5.6.	Site and Building Lighting.....	37
5.7.	Stormwater Facilities	38
Section 6. Landscaping and Screening		39
6.1.	Landscaping Introduction	39
6.1.1.	Plant Materials	39
6.1.2.	Protection of Existing Landscape	39
6.2.	Landscape Requirements.....	39
6.2.1.	Introduction	39
6.2.2.	Front Yard Landscape.....	39
a.	Landscape Bufferyard Special Conditions	39
b.	Landscape Bufferyard Classification	39
c.	Percentage of landscape	40
6.2.3.	Side Yard Landscape.....	41
6.2.4.	Percentage of landscape.....	42
6.3.	Rear Landscape and Alleyway Bufferyard.....	42
6.3.1.	Landscape Bufferyard Classification	42
6.3.2.	Landscape Percentage	43
6.4.	Fences and Walls.....	43
6.5.	Mechanical Equipment.	45
6.6.	Solid Waste Disposal Facilities	45
6.7.	Visibility Triangle	46



Section 7. Signs	47
7.1. Number and Types of Signs Allowed	47
7.2. Building Sign Size.....	47
7.3. Sign Illumination	47
7.4. Building Signs	48
7.5. Free Standing Signs	49



City of St. Augustine
King Street Design Standards

<Page Intentionally Left Blank>



Table of Figures

Figure 1. Scenes from King Street	7
Figure 2. Scenes from King Street	8
Figure 3. Review Flow Chart	19
Figure 4. Expanded Front Yard Setback for Courtyard	22
Figure 5. Measuring Building Frontage	22
Figure 6. Building and Street Alignment.....	23
Figure 7. Building Additions.....	23
Figure 8. Measuring Building Frontage	24
Figure 9: Building Heights.....	24
Figure 10. Building Massing Example	27
Figure 11: Façade Elements.....	27
Figure 12. Examples of Color Highlighting Architectural Features.....	29
Figure 13. Calculating Fenestration	30
Figure 14. Commercial Typology - Examples of Fenestration	30
Figure 15. Bulkheads	31
Figure 16. Example of Awning.....	32
Figure 17. Example of Canopies	32
Figure 18. Awning Placement.....	32
Figure 19. Pedestrian Transition.....	33
Figure 20. Examples of Mansard Roofs	34
Figure 21. Parking Structure with Liner Building.....	34
Figure 22. Parking Location and Access – Allowed.....	36
Figure 23: Examples of Existing Non-Conforming Parking Facilities	36
Figure 24. Examples of Lighting Heights.....	37
Figure 25. Examples of Stormwater Facility Design	38
Figure 26. Side Yard Percentage.....	39
Figure 27. Landscape Percentage	40
Figure 28. Examples of Planters	40
Figure 29. Side Yard Percentage.....	42
Figure 30. Examples of Street Walls	44
Figure 31. Street Walls and Landscaping.....	44
Figure 32. Equipment Screening.....	45
Figure 33. Visibility Triangle	46
Figure 34. Permitted Sign Illumination.....	48
Figure 35. Prohibited Sign Illumination	48
Figure 36. Canopy Signs.....	49
Figure 37. Awning Signs.....	49
Figure 38. Examples of Pedestrian Pole Signs	50



City of St. Augustine
King Street Design Standards

<Page Intentionally Left Blank>



Section 1. Purpose and Intent

The purpose of the standards contained in this document is to:

- a. Promote the unique characteristics of the King Street overlay area that distinguish it from the other built environments of the City of St. Augustine;
- b. To facilitate the development of vacant land and the reimagination and repurposing of underutilized properties in this area into a high-quality, multi-modal mixed-use environment;
- c. To provide standards and criteria by which proposed development in the area will be reviewed.

1.1. Historic Background

The King Street Entry Corridor stretches from the Florida East Coast Railroad crossing at the western terminus of the City and ends at Granada Street, due west of City Hall. The corridor was developed, in part, due to the construction of two F.E.C railway depots, located near the San Sebastian River. The West Augustine neighborhood was also the home to the Florida Normal and Industrial Memorial College, a historic black college whose students participated in numerous sit-ins and demonstrations throughout the Civil Rights Movement in St. Augustine.

The mission of the Design Standards is to honor the history of the area and its connections to Downtown St. Augustine as well as to provide and plan for the future evolution of King Street.

1.2. Neighborhood Context

King Street bisects numerous neighborhoods and residential areas. The western portion of the corridor, West King, also serves as a local commercial hub serving the neighborhoods surrounding it (Ravenswood to the north, and the Pellicer area to the south). The eastern portions of the corridor, located in close proximity to the St. Augustine historic district, serve as a commercial corridor and the home of numerous attractions.

1.3. Introduction to Districts

Major districts within the corridor have emerged, loosely delineated by the intersection of major roads along the street.

Each of the districts contain various defining elements and structures:

Figure 1. Scenes from King Street





City of St. Augustine King Street Design Standards

City Limits (City Limits to Palmer Street)

The area due east of the city limits is home to the Boys and Girls Club, a church, and numerous residential structures that have been converted to commercial businesses.

West King (Palmer Street to Arenta Street)

The West King area is home to numerous galleries, a brewery, restaurants, and two shared parking lots. This portion of the corridor also includes the entrance into the Ravenswood neighborhood.

Central (Arenta Street to Malaga Street)

Central King Street stretches from Arenta Street through the US 1 intersection, across the San Sebastian River, to Malaga Street. This area contains numerous views towards the water and is home to numerous attractions, an academic institution and numerous other businesses. This area serves as a major threshold into the downtown area of St. Augustine.

East (Malaga Street to Granada Street)

The east district is home to numerous local and chain businesses. This area presents many of the more exotic architectural stylings along the corridor. The terminus of this district also transitions into the historic core of downtown St. Augustine.

The standards contained herein do not address the public right-of-way, but engagement with the pedestrian sidewalks is a critical element that is addressed

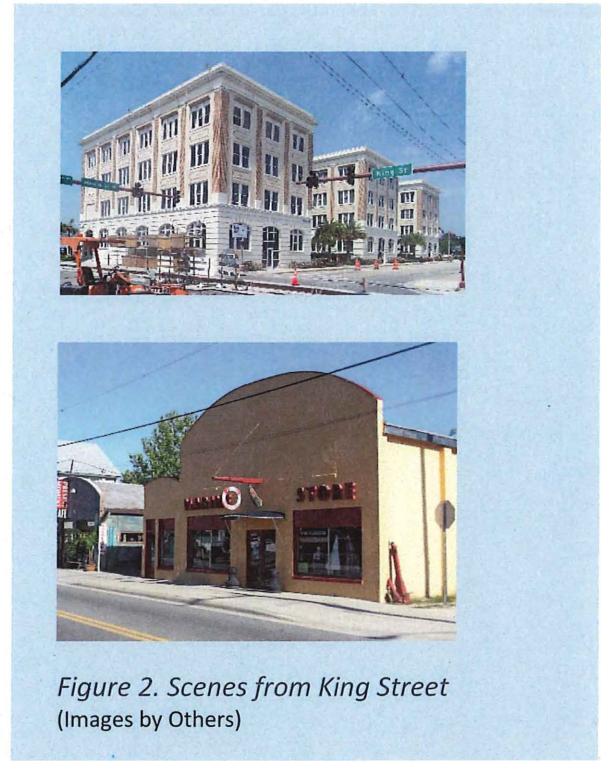
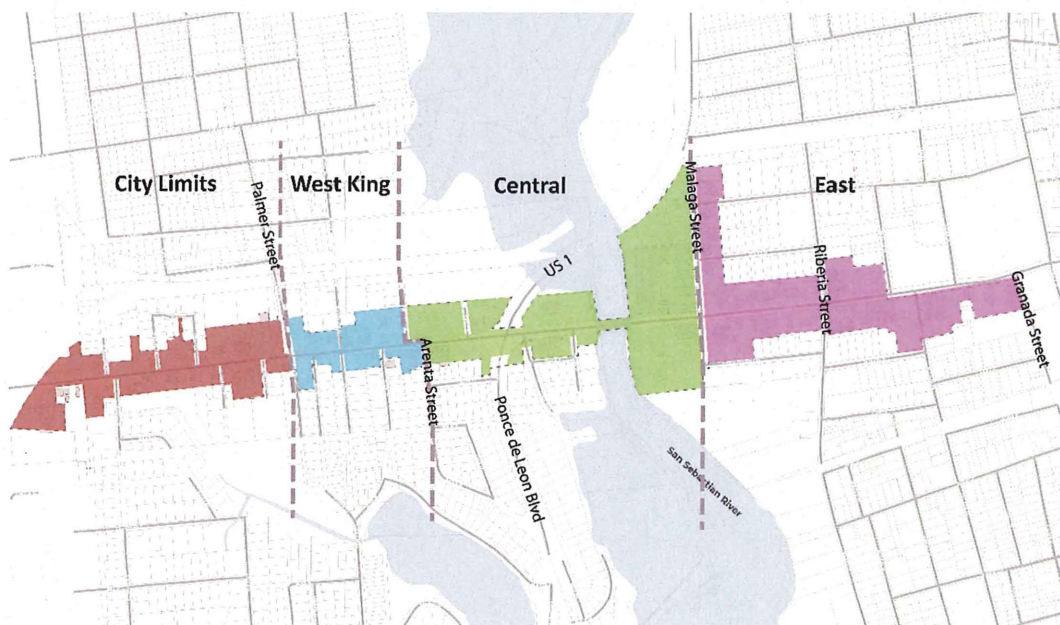


Figure 2. Scenes from King Street
(Images by Others)





Section 2. Definitions

Awning - a rectangular or curved shelter extending from a building and supported entirely from the exterior wall of a building and composed of non-rigid materials except for supporting framework.

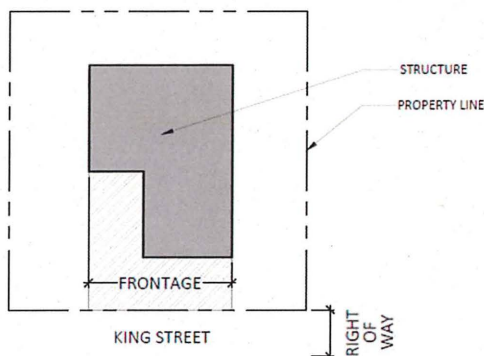


Canopy - a structure constructed of rigid materials including, but not limited to metal, wood, concrete, plastic or glass, which is attached to and supported by a building or by columns, poles or braces extended to the ground.



Corridor Review Committee- development review board as designated by the City Commission

Frontage- the facade of a building, specifically abutting King Street.



Full Cut Off - a lighting fixture from which none of its lamp's intensity is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than ten percent of the lamp's intensity is emitted between eighty (80) degrees and that horizontal plane.



City of St. Augustine King Street Design Standards

Land Development Regulations - the land development and zoning codes contained in The Code of the City of St. Augustine.

Legacy Structures – an existing, authentic and form giving structure as identified by the city’s Historic Preservation Officer and noted in the map included herein. Existing buildings of architectural significance that have retained physical integrity and contribute to the historic character of the King Street corridor (see map in Appendix D) based on the presence of traditional building materials and an original form/opening patterns of building as evidenced by physical inspection and sources of data such as the Florida Master Site File (FMSF).

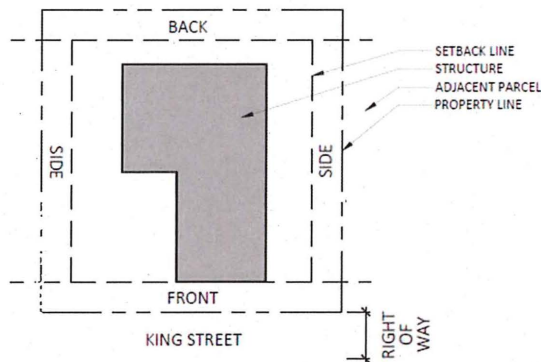
Photometric – a plan showing the simulated lighting coverage of a proposed development, helping designers assess if a plan will be sufficient in lighting a space while not creating a lighting disturbance to the surrounding properties

Porte-Cochere - a covered entrance large enough for vehicles to pass through

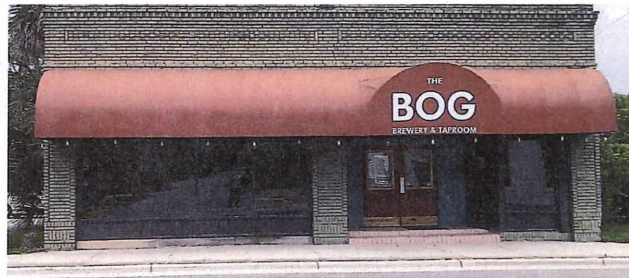
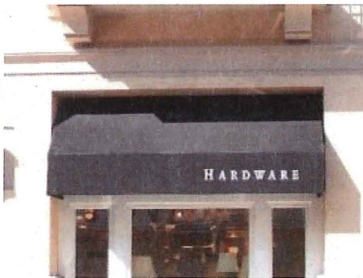
Rendering – a graphic (developed by a licensed professional) depicting a proposed structure in an existing context

Right of Way (R.O.W.) – publicly owned lands, typically with roadway, sidewalks, etc., which is often immediately adjacent to a property line.

Setback - the horizontal distance between the face of a building (excluding steps and overhangs) and the property line.



Sign, Awning – a sign that is painted, silk-screened, stitched on, imprinted on, or otherwise applied directly onto the fabric of the awning.





Sign, Canopy - a sign which is suspended from, attached to, supported from or forms a part of a canopy.



Sign, Freestanding - a sign supported by a sign structure secured in the ground and which is wholly independent of any building, fence, vehicle or object other than the sign structure for support. This sign type is prohibited on King Street (see Pedestrian Pole Sign for residential typology).

Sign, Hanging - a sign that is placed under a canopy, awning or arcade, perpendicular to the building façade, and not intended to be seen by motorists.



Sign, Pedestrian Pole Sign - a sign supported by one or two poles in the ground fully independent of any building, fence, vehicle, or object, not to exceed the dimensions included in the King Street Design Standards. This is only for the residential typology.

Sign, Projecting - a sign which is affixed and displayed perpendicular to any building wall or structure with a bracket



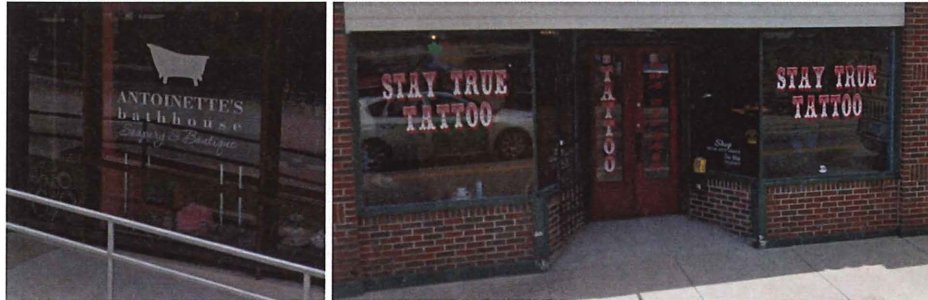
Sign, Wall - a sign that is attached flat to a building wall.





City of St. Augustine
King Street Design Standards

Sign, Window – a permanent sign affixed to, or painted on either face of a window or glass door that leads to the exterior of the building. Signs suspended within three (3) feet behind the glass are also deemed window signs.





Section 3. When the King Street Entry Corridor Design Standards Apply

The King Street Design Standards shall apply to new development and redevelopment on sites abutting King Street between the Florida East Coast Railway crossing and the Granada Street (see Appendix A). The following subsections specify the level of compliance required based on the development activity proposed.

The standards herein are based on the *existing conditions* of the public right-of-way on the date of adoption. In the event that the public right-of-way changes, standards shall still be applicable unless technically infeasible, as presented by the Applicant and determined by the CRC.

The standards are in addition to the requirements of the City's comprehensive plan, zoning, and land development regulations found in the City's code of ordinances. **These standards apply to parcels fronting the King Street corridor. The public right of way (ROW) is not included in these standards.**

While building massing and position on the site may shift due to these standards, the general building mass allowed is per the City's comprehensive plan, land development code, and ordinances. The intention of this document and all regulations set forth herein is for no net loss of buildable square footage on any site along the King Street Entry Corridor.

- a. **New Construction.** All new development along the King Street corridor, including new buildings or structures on vacant or already developed sites, shall comply with all the regulations contained in this document.
- b. **Substantial Expansion or Redevelopment of Existing Buildings.**
 - 1) Full compliance. An entire development shall be brought into *full* compliance with this section if the redevelopment constitutes a substantial improvement as required by city code.
 - 2) Exceptions. The following shall be the only exceptions to full code compliance for substantial expansion or redevelopment:
 - i. Building setback. Existing buildings will not be required to be moved or expanded to meet the setback requirements. However, building additions shall meet the required setback. All *new* buildings within the redevelopment site shall be required to meet the building setback provisions.
 - ii. Building frontage. Existing buildings shall not be required to meet the minimum building frontage requirement. However, new buildings and additions shall be required to comply with the frontage requirements.
 - iii. Driveways and Parking. See Section 6.6 for allowed exceptions to existing driveways and parking facilities.
 - 3) Other LDC Provisions. Compliance with parking, landscaping, screening and all other regulations stated in the city's land development regulations and not addressed in this document shall be addressed as required by the City's land development regulations.
- c. **Non-Substantial Additions or Redevelopment of Existing Buildings:** For proposed building additions or redevelopment not meeting the criteria of Subsection b.1, above, only the new



City of St. Augustine
King Street Design Standards

additions or exterior building modifications shall comply with the regulations contained in this document. The remainder of the building and the site shall not be required to meet the standards.

- d. **Cumulative Improvements.** Cumulative improvement shall be addressed per City code.
- e. **Change in Use.** Changes in use (to any other permitted use in the zoning district) without any physical improvements to the site are not subject to the King Street Design Standards.
- f. **Non-Conforming Uses:** Any changes to non-conforming uses shall be conducted per the requirements of the City's land development regulations (Chapter 28, Division 4, Nonconforming Lots, Uses and Structures).
- g. **Ancillary Uses and Structures:** Accessory uses and structures, included but not limited to parking on adjacent or nearby sites, shall be subject to the King Street Design Standards.
- h. **Interior Changes:** Interior changes shall not be subject to the requirements of this document.
- i. **Corporate Architecture:** All national and international corporate commercial buildings shall abide by the King Street Design Standards, as applicable by law. See Section 4.7.2.
- j. If a provision of these Standards is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of these Standards.



Section 4. King Street Design Standard Application Review Process

The zoning and building codes regulate land uses, construction and signs. Developers must obtain a permit from the planning and building department prior to commencing work or installing signs. Projects involving land disturbance may require investigation by the city archaeologist prior to work.

4.1. Application Process

Application forms and instructions may be obtained from the planning and building department. Applications must be signed by the property owner. An application fee is required. Supporting documentation, such as plans, elevations, sketches, photographs, samples of materials and specifications shall be submitted with the application.

4.2. Plan Review

Staff from the planning and building department shall be responsible for reviewing development plans to determine compliance with the King Street Design Standards. The city may decide to contract with a design consultant to perform architectural reviews and determine consistency with the provisions of this document.

4.3. Corridor Review Committee

4.3.1. Activities Requiring Review.

- a. Modification of standards between 10 and 30% of a dimensional requirement of this document and non-dimensional modifications (color, landscape, etc.). Changes over 30% cannot be approved by the CRC, but may be processed through the variance process (Sec. 28-29).
- b. Development sites that exceed one third (1/3) acre in size;
- c. Developments that exceed 2,500 square feet in gross floor area;
- d. New construction that includes parking structures;
- e. Use of neon or color LED;
- f. Colors not pre-approved.
- g. Appeals.

4.3.2. Review Criteria.

The CRC shall use the following criteria (in addition to the standards contained herein) when reviewing an application:

- a. The proposed project meets the intent of the King Street Design Standards as defined in Section 1;
- b. Approval of the proposal will not set an unintended precedent; (note that no review decision creates assumption of precedent)
- c. Approval of the request will not be detrimental to the physical characteristics of the neighboring sites or the overlay district as a whole, with respect to the physical characteristics prescribed within the authority of this document.



4.4. Effect of Approval.

If the plans are approved by the planning and building department staff (or designated entity), the applicant may proceed to apply for a building permit. Project plans will be considered approved with the issuance of a building permit. If the proposed use requires a zoning exception or variance, the applicant shall submit to the Planning and Zoning Board for additional approval(s).

4.5. Appeals

Staff determinations may be appealed to the CRC. CRC determinations may be appealed to the City Commission.

Applicant appeals must be made in writing within two weeks after a staff denial, or thirty days after a CRC denial. Appeal should state item number, address, action and justification for reversal or modification. Affected parties, other than applicant, shall have 30 days for both staff and CRC decisions to be appealed.

4.6. Submittal Requirements.

For signage and painting, submittals shall be provided by a professional and/or the owner.

For building modifications requiring building permits, all plans shall be prepared by appropriate registered professionals including but not limited to; architects, landscape architects and engineers.

Plans submitted must be neat, legible, drawn to scale and dimensioned. Failure to submit complete plans will result in the plans being returned as incomplete. The plans shall contain documentation for the scope of work and may contain the following::

All Submittals shall include:

- A list of any requested modifications of standards.
- A clear and detailed description of all proposed construction.
- Photographs of the existing structure (pre-construction) and all adjacent structures.

Basic Submittals (submit items from "All Submittals" and applicable items from below):

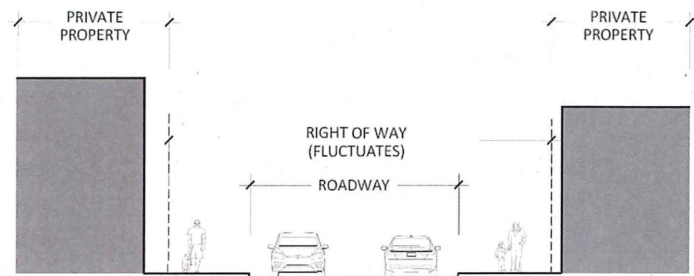
- Paint colors and locations (including paint chips or samples).
- Light fixtures and photometric plan for site lighting over 8' in mounting height
- Satellite dish antennas or other similar equipment, location and dimensions
- Fences and walls (height, materials and colors)

Advanced Submittals (submit items from "All Submittals", applicable items from "Basic Submittals," and applicable items from below:

- A complete site plan of the property to be developed, showing the location of all structures and buildings, required yards, required parking, surface drive areas, loading spaces, stacking spaces, landscaping areas (both perimeter and interior), the location of all trees three (3) inches or larger dbh, by species and dbh (both to be removed and to be retained), dumpsters, exterior mechanical equipment, storm drainage retention areas, etc. (scale preferred: 1 inch = 20 feet).
- Landscape planting plan at a minimum scale of 1 inch=20 feet including hardscape, plant materials, sizes and location.
- Elevations of all proposed construction (scale preferred: 1/8 inches = 1 foot).
- Wall sections (scale preferred: 3/4 inches = 1 foot).



- Northerly and easterly sections through the site focusing on the proposed building(s), existing building(s), and sidewalks. All abutting roadways should be shown. Preferred scale: 1/8 inches = 1 foot. Images presenting the structure's mass and form in relation to its surrounding structures must be included for all new construction. A minimum of two drawings, must include parcel surroundings plus cross street adjacencies. (Tools such as SketchUp, which is free and readily available, is recommended).
- Details indicating the following (scale preferred: 1-1/2 inches = 1 foot) windows, shutters and shutter hardware
- Exterior surfaces, materials and textures
- Chimneys
- Exterior porches, landings, stairs, ramps, railings and banisters
- Walks and drive surface materials
- Patios and decks
- Other miscellaneous ornamentation (for Legacy Buildings)
- Renderings, optional (mandatory for new construction)



4.7. Modification of Standards

Due to the individual unique characteristics or circumstances of any given development along King Street, flexibility in the application of design standards may be warranted in certain situations. Modifications from the standards may be requested by an applicant as part of the development review process. If an applicant requests multiple modifications, each modification shall be evaluated independently.

4.7.1. Application.

All requests for modifications shall be noted on the site plan. The request shall be approved or denied during development plan review and, if granted, shall be noted on the final development plan.

4.7.2. Administrative Modifications.

The Planning and Building Department Director or designee shall have the authority to grant limited modifications, as set forth below, where it is determined that the proposed development meets the intent of the zoning district, the requested modification is the minimum necessary to allow reasonable development of the site and the requested modification is not injurious to the public health, safety and welfare. Administrative modifications are limited to ten (10) percent of the dimensional requirements established in this document. An applicant that meets the statutory criteria of Section 553.79(20)(a), Florida Statutes, must clearly identify in the application materials the specific elements of the proposed project that apply to the statute. Once identified, these statutory design elements will be approved administratively.



4.7.3. CRC Modifications.

The CRC shall review the following modification of standards:

- Modifications of more than ten (10) percent but no more than thirty (30) percent of a dimensional requirement,
- Modifications of ten (10) percent or less previously denied or referred to the Corridor Review Committee by staff, and
- Modifications to the non-dimensional requirements contained in this document.

4.7.4. Prohibited Modifications.

No modification shall be granted under this section for the following:

- a. Use of property as defined in Land Development Regulations.
- b. Maximum levels of density or intensity allowed in comprehensive plan.
- c. Encroachments into the public right-of-way.
- d. A reduction of a setback to less than 5 feet adjacent to a single family residential district.

4.7.5. Review Criteria.

A modification of standards may be granted by the approving authority if it finds that strict application of the standards is not warranted and that granting a modification will fulfill the intent of the standards. The approving authority shall apply all the following criteria, when applicable, to determine if the applicant has justified a request for a modification:

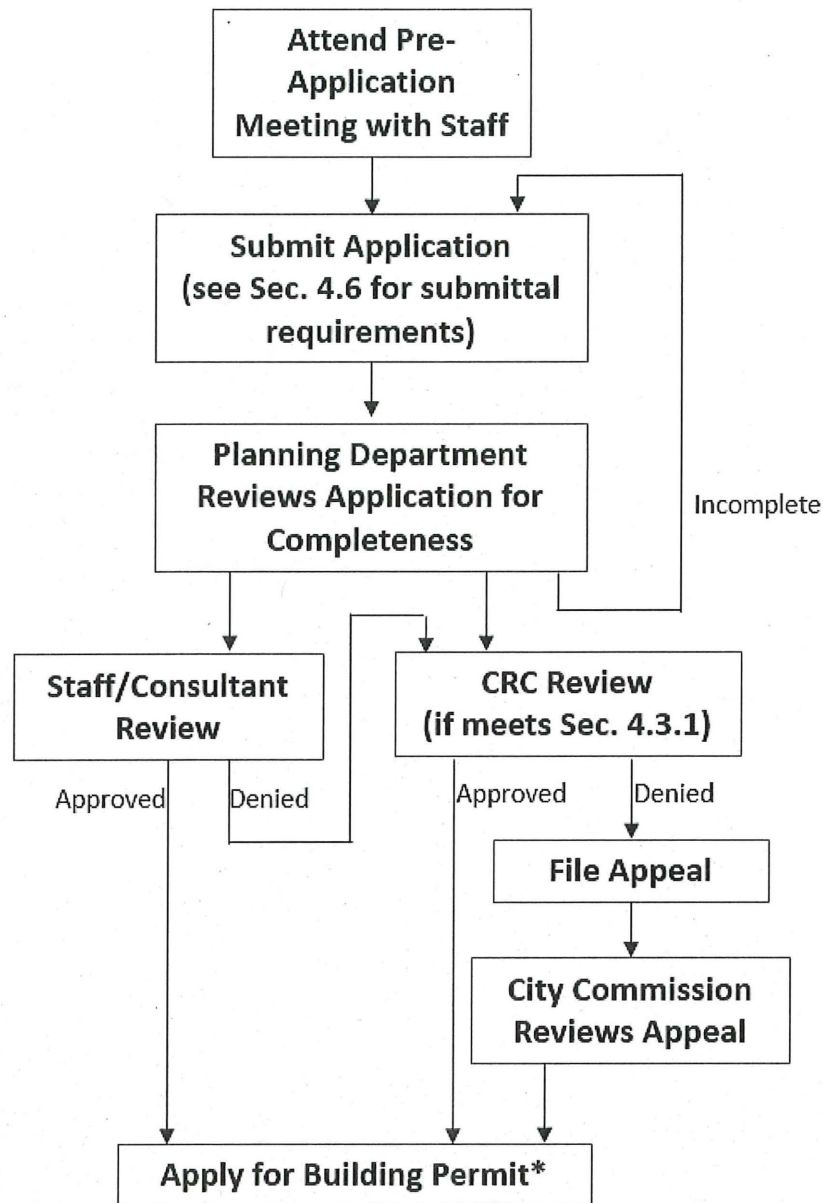
- a. The request is within the parameters listed above.
- b. The request is consistent with the Comprehensive Plan and generally consistent with the purpose of the city's Land Development Regulations and this document.
- c. The proposed modification will not have a material negative impact on adjacent uses, or the applicant proposes to mitigate the negative impact to be created by the modification.
- d. Compliance with the requirement is technically infeasible based on site conditions.

4.7.6. Additional Requirements.

- a. The burden of presenting evidence sufficient to satisfy the applicable criteria remains with the applicant seeking the modification.
- b. The applicant may propose conditions to ensure that the use of the property to which the modification applies will be reasonably compatible with the surrounding properties, including visual screening.
- c. A granted modification and any conditions attached to it shall be entered on the face of or attached to the development order or permit and development plan.
- d. A proposed change to an approved modification shall be added to the approved modification and considered in the aggregate. The total modification (approved modification plus proposed change) shall determine the approving authority per subsections 4.7.2 and 4.7.3, above.



Figure 3. Review Flow Chart



NOTE: If trees are to be removed, approval must be granted by the Planning and Zoning Board before proceeding to the Corridor Review Committee.

* Not including other reviews such as zoning exception or variance. If those are required, they occur after the CRC review.



City of St. Augustine
King Street Design Standards

<Page Intentionally Left Blank>



Section 5. Site and Building Design

The rhythm and pattern of buildings, combined with their relationship to the street expressed through setbacks and architecture, define the character of the public space. The location of a building on a site is critical to creating a vital and coherent public realm that is both welcoming and functional. This public realm shall also be determined by the location of the property along the corridor (and its surroundings) and meeting the following site and building design standards.

5.1. Building Placement

The setback standards prescribed in this section are intended to create a pedestrian-friendly public realm with buildings located close to the street (at varying degrees). The public realm typically includes all the elements within the right-of-way (sidewalks, travel lanes, on-street parking, landscape strips), but it also includes activities that occur within the front yard setbacks, which in a commercial area are considered to be the transition area between the public and the private spaces and needs to be inviting for the commercial corridor to be successful. That transitional zone in the public realm may also include expanded sidewalks, outdoor cafés, bicycle parking, art/sculptures, and outdoor retail spaces, among others. To encourage the creation of a successful public realm, the following building placement standards shall be met.

Table 1. Building Setbacks

	City Limit	West King	Central	East
Front Yard Setback	0 ft. min., 10 ft. max.*	0 ft. min., 10 ft. max.*	5 ft. min., 10 ft. max.*	5 ft. min., 10 ft. max.*
Street Side Yard Setback	5' min.*	0' min.*	0' min.*	5' min.*
Interior Side Yard Setback	5 ft. min. (see note A)	5 ft. min. (see note A)	5' min. (see note A)	5' min. (see note A)
Rear Yard Setback	5 ft. min.	5 ft. min.	5 ft. min.	5' min
Setback adjacent to single family zoning (RS-1, RS-2)	15 ft.	15 ft.	15 ft.	15 ft.

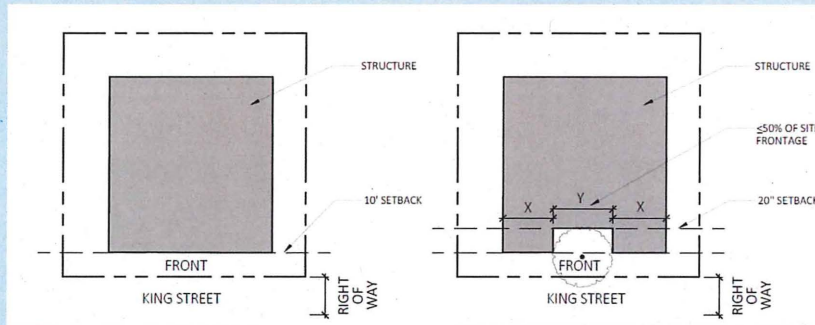
* For those corner lots abutting a R.O.W. intersection, the visibility triangle must be kept free of visual obstacles. Visibility triangle regulations shall always prevail. See Section 6.7.

- New developments adjacent to a development already using a 0-foot side yard setback shall provide a side yard setback of 0 feet.
- There shall be no parking or drop off areas in the front yard of any structures unless no access to rear of site is possible. See Section 6.5 for more information.
- The maximum front yard setback may be expanded up to 20 feet for a maximum of 50% of the building frontage (as defined in 6.2 a) for use as a public courtyard, landscape, or other non-parking purposes. At least one shade tree, no smaller than 4" in caliper and 15' in height, must be planted within this space. (see Figure 4).



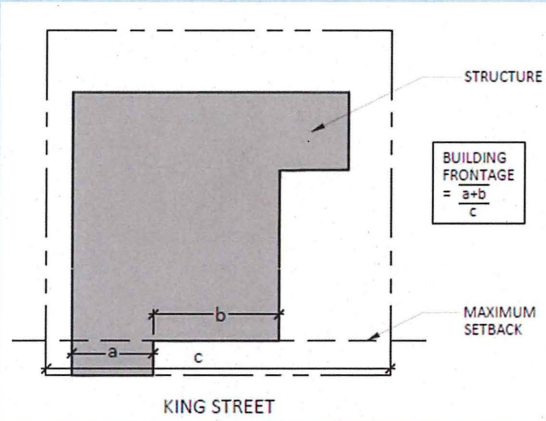
City of St. Augustine King Street Design Standards

Figure 4. Expanded Front Yard Setback for Courtyard



- d. The maximum front and street side building setbacks (if side street setbacks exist) shall only apply to the portion of the building meeting the building frontage requirement (see Figure 5). This provision will allow for L-shape buildings or step back setbacks, where a portion of the building is recessed more than what the setback allows.

Figure 5. Measuring Building Frontage

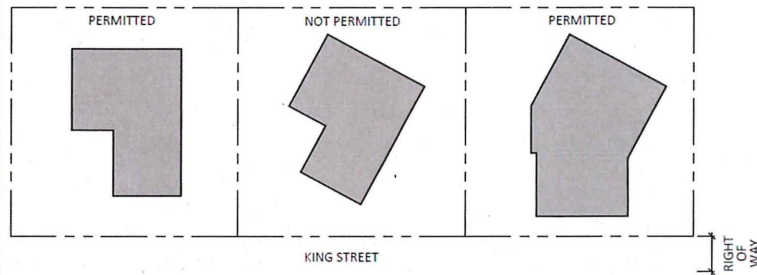


Only the "a" and "b" facades are required to meet the maximum building setback, assuming that $a + b$ meet the frontage requirement of Section 6.1 (Building Frontage).

- e. The front and side street-setbacks may be used to expand the public sidewalk, for outdoor dining, or for landscaping (see Section 6).
- f. Balconies, bay windows, awnings, canopies, eaves and roof overhangs used in conjunction with a commercial structure may encroach into the setback zones, but not into the public right-of-way.
- g. New developments or additions abutting or from a single-family residential zoning district shall provide a fifteen (15) foot setback along the portion of the site abutting or from the single family zoned property. Porches, however, can encroach upon this setback up to eight (8) feet. Landscaped buffers shall be provided as required in Section 7 of this document.
- h. Primary building facades facing a right-of-way shall be built parallel to the property line along that street (see Figure 6).

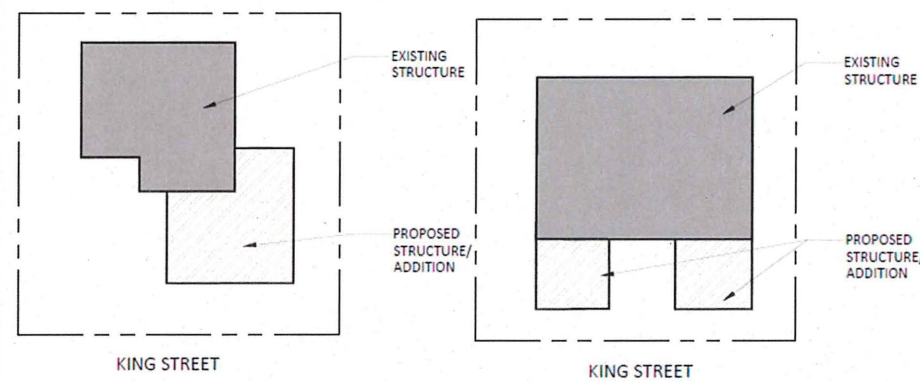


Figure 6. Building and Street Alignment



- i. Existing buildings on a site subject to redevelopment will not be required to meet the setback standards listed above. However, if technically feasible and not detrimental to the architecture of the existing building, any additions to the building shall serve to bring the building closer into compliance (see Figure 7).

Figure 7. Building Additions



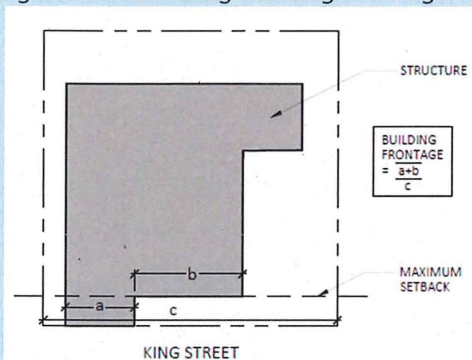
Examples of building additions bringing the building closer to the street

5.2. Building Frontage

The purpose of the following building frontage requirements is to ensure façade continuity along King Street and to avoid large voids between buildings. The building frontage standards are stated as a proportion of the building width within the required building setback relative to the width of the development site measured at the site frontage line. Portions of the building façade outside the required front/street building setback do not count as building frontage (see Figure 8).



Figure 8. Measuring Building Frontage



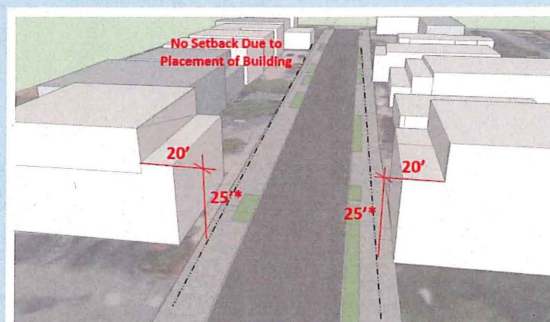
Only “a” and “b” are counted toward the minimum building frontage requirement. The other two frontages don’t count as they are located behind the maximum front yard setback. The example at left shows approximately 70% frontage within the maximum setback zone.

- The building frontage (a+b) shall be a minimum of 70% of the site frontage (C).
- Sites with frontages on multiple streets shall be required to meet the minimum primary frontage along King Street.

5.3. Building Height

- The maximum building height shall be thirty-five (35) feet (fifty foot (50) buildings are permissible within the RGO zones area within the central district).
- For Central and East districts, (not applicable in City Limits and West King districts): Within the first 20’, measured from the front property line, the maximum height shall be 25’ measured from 1’ above base flood elevation. This portion may be utilized for a roof top deck, but any awnings or coverings used on the deck level shall be a minimum of 10’ from the front façade. Note that a rooftop deck shall not be placed above 27’ anywhere on the building, and an 8’ minimum solid sound barrier shall be placed on the rear face to block sound from moving toward adjacent residential areas.
- There shall be a minimum height of thirteen (13) feet for all buildings. This height will allow the provision of adequate size windows, awnings or canopies, signage and a decorative parapet to hide roof-top mechanical equipment (see Figure 9b).

Figure 9: Building Heights





Prohibited



Permitted

- d. Unoccupied accessory towers, spires and cupolas may exceed the maximum height by a maximum of fifteen (15) feet. These features shall be in character with the architecture of the building and not designed solely as sign features for attention-getting purposes.
- e. Commercial buildings shall have an interior first floor vertical clearance of at least twelve (12) feet to allow adequate exterior street level scale and adequate room for overhead retail utilities in ground floor spaces.

5.4. Building Design

The King Street corridor contains a diversity of architectural styles and building typologies. Most buildings currently feature styles such as Frame and Masonry Vernacular, but there are also a few Mid-Century Modern, Bungalow and Spanish influenced styles.

The typology along the corridor also varies. There are single family homes still used for that purpose, and there are also single-family homes that have been converted to non-residential use. Some residential buildings have been enlarged and modified to the point that the residential appearance is not evident from the street. Although there are some traditional commercial buildings in the eastern portion of the district, the western portion of the district contains a more consistent pattern of traditional commercial storefronts. These buildings are situated very close to the street and have some parking in the rear. The commercial establishments east of the San Sebastian River have adopted a suburban character, with deeper setbacks and parking in the front, adjacent to the street.





City of St. Augustine King Street Design Standards



The standards contained in this document are intended to protect the diverse architectural character of the area and guide new development and redevelopment toward the creation of a pedestrian-scaled environment, with uses easily accessible by foot and by car. The safety of pedestrians along this stretch is particularly important considering the amount of traffic that circulates along the eastern segment of the district.

5.4.1. Architecture

While the Spanish Colonial architectural styles are typically associated with the City of St. Augustine, these styles shall not be replicated for new construction or redevelopment along the King Street corridor. New construction and renovations shall adopt a traditional commercial typology and may adopt an architectural style that reinforces the predominant styles currently found in the district, such as Frame and Masonry Vernacular. Contemporary architectural design, not to be confused with prefabricated/mass produced architecture, will also be permitted, as long as the design respects the scale and character of the district.

Existing Institutional developments shall preserve their current architectural style on any future additions and modifications on the site. Appendix B lists the elements characteristic of the architecture found in the corridor, which should be preserved or used as inspiration when designing new buildings or renovations.

a. New Construction:

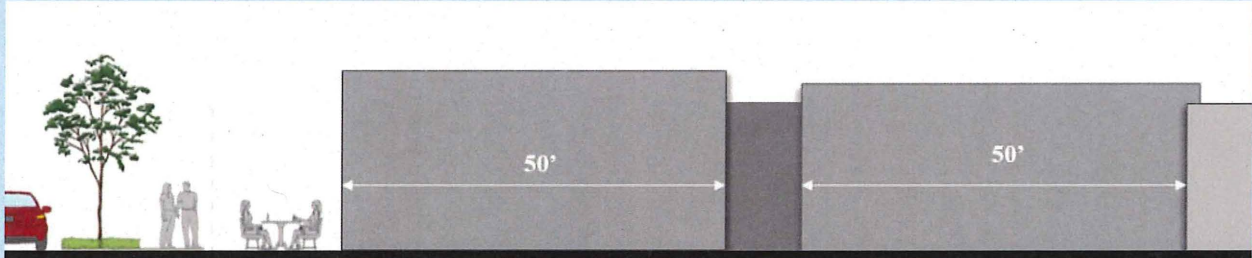
The following section contains additional building design standards that are applicable to all development regardless of the architectural style selected.

1. All structures on a site shall be of the same architectural character.
2. Architectural details and materials shall remain consistent on all elevations but may be simplified on the interior side and rear facades.



3. Upper floor windows shall have a vertical orientation and may be single or double hung. Paned windows are encouraged but not required.
4. Frosted or patterned glass is not permitted on windows facing the street. Stained glass, however, is permitted.
5. Shutters, if used, shall be one half the width of the window and shall be (or appear to be) operable.
6. Large building volumes shall be divided to appear as smaller volumes grouped together. Volume breaks may be achieved by building wall projections and recesses, and varying heights and roof lines. Therefore, building facades shall not exceed fifty (50) feet along a street frontage without providing a substantial volume break such as a recess, or an architecturally prominent public entrance (Figure 10). The recesses and projections shall have a minimum depth of two (2) feet.

Figure 10. Building Massing Example



7. Façades shall not exceed twenty (20) horizontal feet and ten (10) vertical feet without including at least one (1) of the following elements (see Figure 11):
 - (a) A window or door
 - (b) Awning, canopy or marquee.
 - (c) An offset, column, reveal, void, projecting rib, band, cornice, or similar element with a minimum depth of six (6) inches.
 - (d) Arcade, gallery or stoop.
 - (e) Complementary changes in materials or texture.
8. Architectural treatments on the façade, such as parapets, cornices or expression lines, shall be continued around the sides of the building.

b. Renovations and Additions

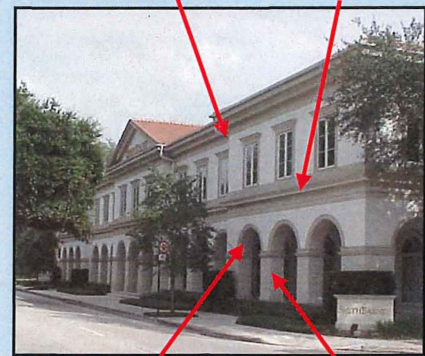
Existing buildings proposed for renovation or expansion shall meet the following standards:

1. Buildings that already feature a particular style or present some of the characteristics of a style shall be carefully restored to preserve such features. Otherwise, they should be redesigned to improve compatibility with the context of King Street. Where a building exists that is considered a legacy building (Appendix D), unless otherwise determined by the Corridor Review Committee,

Figure 11: Façade Elements

Projections &
Recesses

Band



Arcade Change in material



City of St. Augustine
King Street Design Standards

redevelopment shall maintain the character features of the building and site arrangement. Primary features such as window shapes and sizes, opening patterns and entry doors, roof shapes and material pattern, siding patterns and finishes, porch and stair elements, foundations, and storefronts may be repaired and altered to the extent that the overall character of these elements is maintained.

2. Additions shall be designed so that there is the least possible loss or obstruction of character-defining features. The dominant features and facades of the existing building shall continue to be the prominent visual feature of the streetscape such that the new addition will not block or dwarf the existing building.
3. Residential conversions shall preserve the character of the building. Therefore, they shall follow the guidelines for the residential conversion contained in Appendix B and must meet the following:
 - a. The roof and window types and shapes shall be preserved;
 - b. Additions to the front of the building shall not be allowed;
 - c. Parking shall also be prohibited in front of the building.
4. For rehabilitations of existing buildings, historic features used for architectural detail shall be preserved, restored, or reconstructed unless technically or economically infeasible and the removal is approved by the CRC. Removal (or partial removal) will only be permissible if deemed necessary by the CRC. The Applicant shall note the historic and architecturally significant elements on the building elevations submitted, along with a statement noting if the element will be retained, removed, or repurposed.

5.4.2. Building Color

- a. A minimum combination of three (3) colors shall be required per building: one for the main body, another for the trim and the third one for doors or other architectural features. Natural materials such as brick, aluminum, stone, count as one of the three colors. See Appendix E for color palette.
- b. Bands of color around the building are not allowed, unless they are consistent with the pre-approved colors and highlight an architectural feature.
- c. An applicant that meets the statutory criteria of Section 553.79(20)(a), Florida Statutes, must clearly identify in the application materials the specific elements of the proposed project that apply to the statute. Once identified, these statutory design elements will be approved administratively.
- d. If an applicant wishes to use a non-pre-approved building color, the applicant may submit the color(s) for review and approval by the CRC. Approved colors shall apply to all future projects and shall amend the approved colors noted in Appendix E.
- e. Building elevations (secondary/interior side façades) shall have the same color and materials as the façade facing the street.



Figure 12. Examples of Color Highlighting Architectural Features



Allowed – Left: Brick counts as one of the three colors; Window trims and door provide accent colors



Prohibited – Monochromatic schemes are not allowed.

5.4.3. Building Materials

Allowable exterior finishes shall be selected based on the architectural style (see Appendix B). Exposed pre-engineered metal buildings, metal siding that is found on pre-engineered metal buildings, plastic panels, and other veneers are not allowed, unless a Modification of Standard is approved by the CRC. Unpainted wood siding is not allowed; however, natural siding (cedar, cypress, ipe, and natural hardwoods) may be left unpainted.

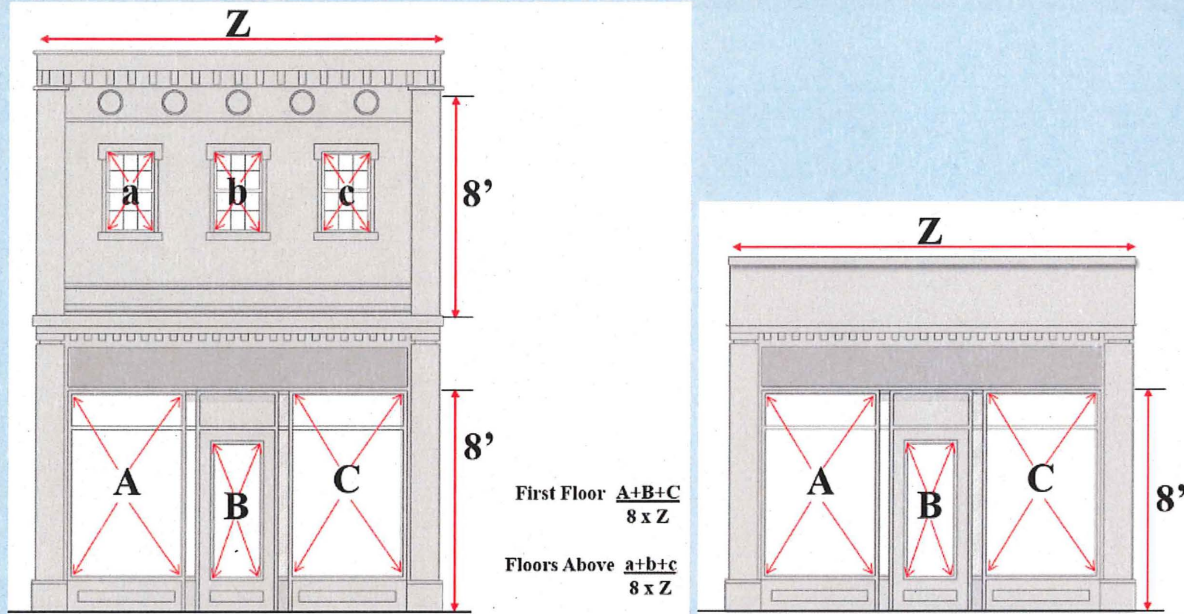
5.4.4. Fenestration and Glazing

Fenestration refers to the proportion of glass to the solid surface of a façade. *Glazing* refers to the transparency and reflectance of the glass. Fenestration shall be calculated as the total area of glass (windows and glass doors), or openings in the case of open porches, divided by the façade area measured from ground to eight (8) feet above ground in the case of the first story, and from the floor of the upper story to eight (8) feet above that line for upper stories (see Figure 13). If the façade includes several planes, they all count toward the calculation as long as the façade planes are within the required building setback.



City of St. Augustine King Street Design Standards

Figure 13. Calculating Fenestration

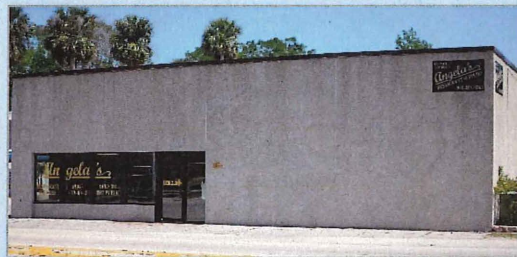


1. The percent of fenestration shall be 30% minimum and 65% maximum of the ground floor facade facing the street. The percent of fenestration on upper floors facing the street shall be 20% minimum and 40% maximum. Renovations will not be required to meet this standard; however, additions are subject to meeting the percentages.

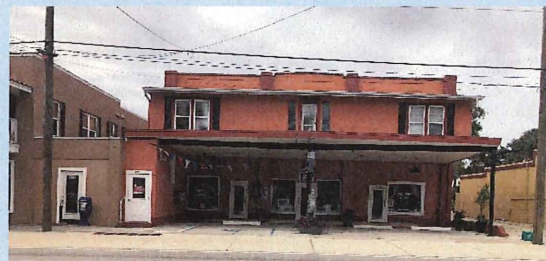
Figure 14. Commercial Typology - Examples of Fenestration



Prohibited - Do not meet the minimum



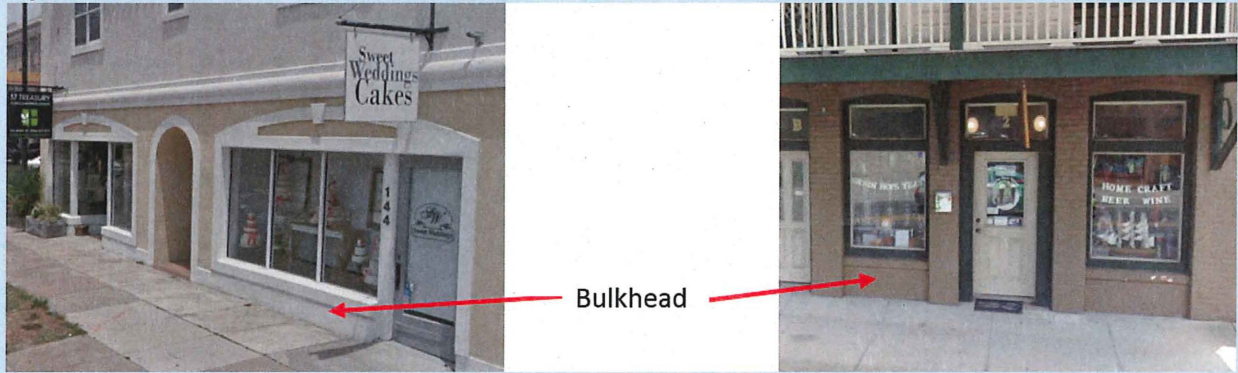
Allowed - Meet the glazing rules





2. The size and orientation of windows shall reflect the architectural style of the building (see Appendix B).
3. Glass shall be clear float (thin, smooth, clear glass surface), gray light, or solar glazing with 80% minimum transmittance. Reflective glass or film is not allowed.
4. Glass panes shall not exceed a maximum size of 6 feet by 8 feet.
5. Windows shall not be obscured or visually blocked by paint, shelves or attachments, but blinds and curtains are allowed to achieve privacy.
6. Bulkheads shall extend a minimum of 12 inches and a maximum of 30 inches above the finished floor (see Figure 15). Bay doors reused as windows are exempt from meeting this requirement. Buildings that are required to be elevated due to floodplain regulations may measure these distances from the interior finished floor.

Figure 15. Bulkheads



5.4.5. Awnings and Canopies

- a. Awnings or canopies (see Figures 16, 17 & 18), if installed, shall be placed between the first and second stories to provide protection from the weather and to delineate the transition between ground and upper floors.
- b. Awnings and canopies shall not obscure prominent architectural features, such as cornice lines, parapets, decorative window trim, etc. Stretched awnings on curved aluminum frames are not allowed.



City of St. Augustine
King Street Design Standards

Figure 16. Example of Awning



Figure 17. Example of Canopies



- c. Awnings shall be placed in a way to accentuate the architectural features of the building. Therefore, awnings shall not be installed to extend over multiple windows and doors. Figure 18 shows two examples, one where the awning was placed entirely across the façade (prohibited), while the other example shows the awnings used to accentuate the windows (allowed).

Figure 18. Awning Placement



Prohibited (across several windows)



Allowed (individual awnings for each window)



5.4.6. Building Entrances

1. **The main entrance of all buildings shall be oriented toward the King Street corridor.** The design of the façade shall reinforce presence of main entrance. In order to better address multi-modal mobility needs, on lots with a possible secondary entrance, the applicant will design the secondary entrance in the context of serving the multi-modal community, including, but not limited to, scaling the secondary entrance to pedestrian needs, providing unimpeded pedestrian pathways or sidewalks through the site, connecting pathways or sidewalks to adjacent parcels or other pedestrian features on public or private land, providing for bicycle racks, etc.
2. The front entrance (facing King Street) shall be operable, clearly-defined and highly-visible. In order to emphasize entrances, they shall be accented by a change in materials around the door, recessed into the façade (alcove), or accented by an overhang, awning, canopy or similar feature.
3. Doors may be solid or glazed. The acceptable door materials include wood, painted steel, and painted aluminum.
4. Pedestrian connections from the public sidewalk and parking areas to the building entrance shall be provided. Buildings with entrances at a higher elevation than the public sidewalk shall create a transition within the setback (see Figure 19).

Figure 19. Pedestrian Transition



5.4.7. Building Roof

- a. Buildings with flat roofs shall have a cornice treatment or a parapet. The cornice shall be at least eighteen (18) inches in height. Parapet shall be a minimum of two (2) feet in height measured from the exterior horizontal roof surface.
- b. The vertical dimension of a hip roof shall not exceed the height of the supporting walls (see right; Y shall not be larger than X).
- c. In the case of flat roofs, roof materials shall be light-colored or a planted surface (green roof).
- d. Mansard roofs shall be prohibited (see Figure 20).

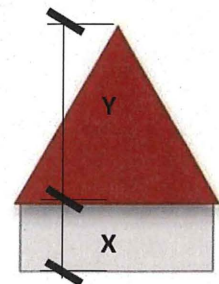




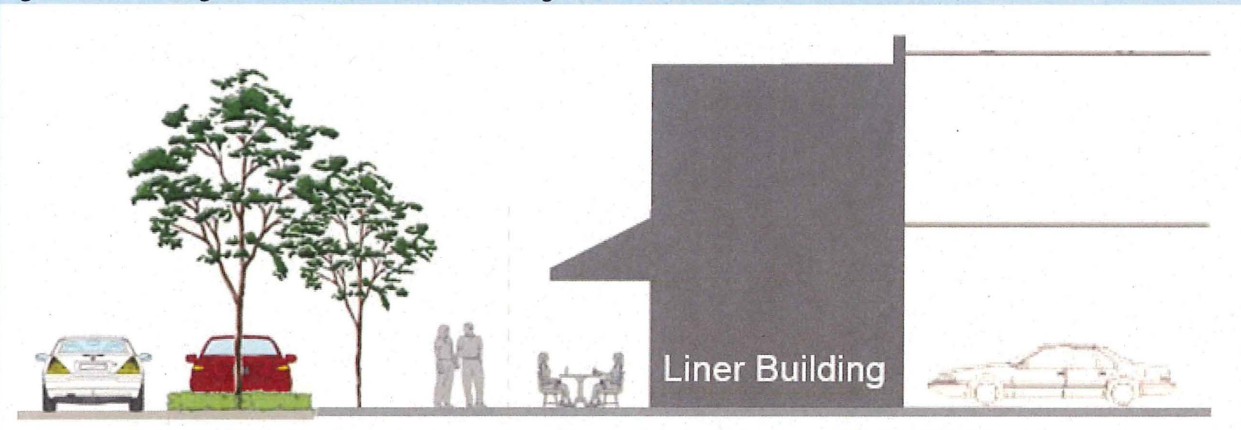
Figure 20. Examples of Mansard Roofs



5.4.8. Parking Structure Design

- a. Stand-alone parking garages, where allowed by the zoning district, shall require approval by the CRC.
- b. Parking structures accessory to a principal use are required to be placed behind a liner building that houses active uses (e.g. commercial, office, residential). The liner building, which may be attached or detached from the parking structure, may be one story but shall extend for a minimum of seventy-five (75) percent of the length of the parking structure, and shall have a minimum depth of thirty (30) feet (see Figure 21).

Figure 21. Parking Structure with Liner Building



- c. Any portion of the parking structure that is not concealed behind a building shall be screened to conceal all internal elements such as plumbing pipes, fans, ducts and lighting. Ramping should be internalized wherever possible. Exposed spandrels shall be prohibited.
- d. The portion of the parking garage not concealed behind the liner building shall provide a landscaping strip along the façade. The landscaping strip shall have a minimum depth of 5 feet.



- e. The exterior facades of the parking garage shall be designed to achieve architectural unity with the principal structure.
- f. Parking structures shall meet setback, height, façade articulation, fenestration and glazing standards contained in this section.
- g. Ventilation openings shall resemble typical fenestration found within a particular area.

5.5. Site Access and Parking

5.5.1. Pedestrian Access and Circulation

Pedestrian walkways, ramps or steps (or a combination of these) shall link the public sidewalk to the front door entry.

5.5.2. Vehicular Access

Parking areas shall be accessed from a secondary street, or from an adjacent property (shared use agreement necessary), if any of these are available or proposed as part of the development. Driveway connections to King Street shall be allowed as a last resort and shall require the applicant to provide evidence to this fact. Access diagram is provided on Figure 22a The following standards shall apply to all driveways:

- a. Only one driveway (ingress and egress) shall be allowed per site. A one way ingress and one way egress shall equal one driveway. Only if required by the Fire Marshal for safety, additional driveway(s) may be permissible.
- b. One-way drives shall not exceed 13 feet in width.
- c. Two-way driveways shall not exceed 24 feet in width.
- d. Turning radii along King Street will be determined by the applicable authority in the right of way.
- e. Turning radii along all other streets shall not exceed 20 feet.

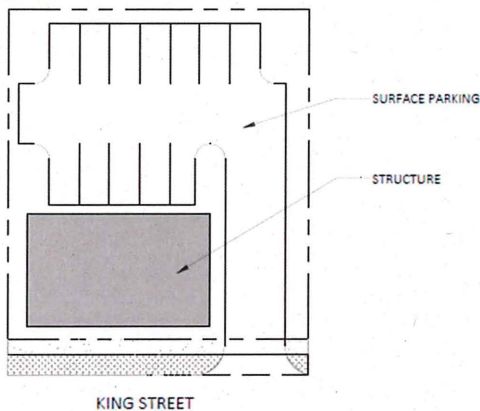
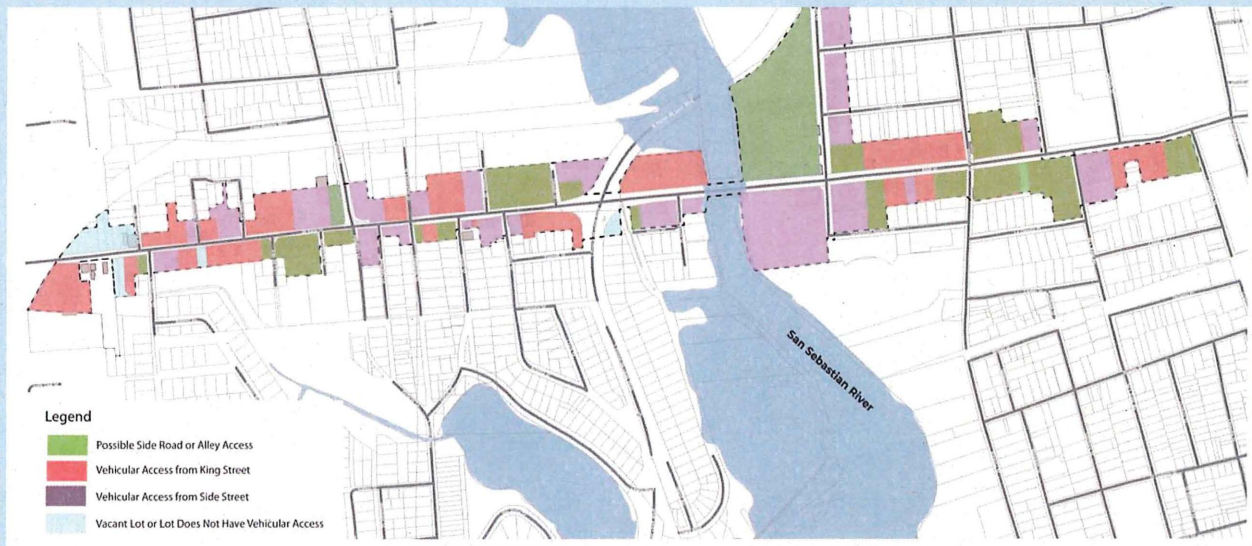
5.5.3. Parking Placement.

Surface parking lots shall be located behind the building (see Figure 22b). However, the following parking placement alternatives are also allowed:

- a. Where a site is too shallow to provide parking behind the building, the placement of parking facilities is permitted on the side of the proposed building only if the building setback and building frontage requirements are met. A street wall, in addition to landscaping, will be required to screen the parking facility.
- b. The placement of parking facilities in front of a building is only permitted for the portion of the building that is not used to meet the building setback and building frontage requirements. A street wall, in addition to landscaping, will be required to screen the parking facility.



Figure 22. Parking Location and Access – Allowed



5.5.4. Existing Non-Conforming Parking Facilities

There are several sites in the district with parking spaces that do not meet current code standards in terms of access, location or size.

- a. *Parking in Front of the Building.* In conjunction with the redevelopment of a site, parking facilities that are already located in front of a building that is not being moved or demolished (see Figure 23) may remain.
- b. *Parking Spaces Accessed from Street.* In conjunction with the redevelopment of a site, existing parking spaces that are accessed directly from the street (as opposed to a parking lane) may remain as long as there is no option to provide the minimum parking requirements elsewhere on the site.
- c. *Non-Conforming Curb Cuts and Driveways.* Will only be required to meet the standards of this section if there is substantial redevelopment on the site.

Figure 23: Examples of Existing Non-Conforming Parking Facilities





5.5.5. Bicycle Parking

In conjunction with new construction and substantial redevelopment (as defined in Section 3), the applicant may provide bicycle parking facilities on the site at a rate of one bike rack space per 20 required vehicle spaces. The rack may be placed within the street setback area, but not within the public right-of-way, and it shall count towards the required front or side yard buffer (2' of width per bicycle space, not to exceed 6') or as an offset to required trees at a rate of one tree per three spaces (not to exceed two (2) trees).

5.6. Site and Building Lighting

Acceptable lighting on the site may include lights on the exterior of a building, up or down lighting shining on buildings or trees, and parking lot pole lighting.

- a. Lighting fixtures on the building shall be compatible with the architecture of the building.
- b. Full cut-off lighting fixtures shall be used for all exterior lighting. No lights are to glare directly at the right-of-way or the sky and no source of illumination shall be visible from a residential district.
- c. Permanent accent lighting designed to accentuate building details is encouraged.
- d. Exposed interior and exterior fluorescent or incandescent bulbs that are visible from the public right-of-way are not allowed. Only product information sheets shall be required for submittal.
- e. Color LED and/or neon may be used as architectural lighting to accentuate building frame, profiles or details, with Corridor Review Committee approval.
- f. Lighting poles may not surpass 20' in height as measured to the point of light output (see Figure 24).
- g. LED dimming technology shall be incorporated that reduces lighting level to minimum safe illumination after business closing hours, if possible. Refer to Illuminating Engineering Society guidelines. Minimum for a private parking lot is 0.13 footcandles. Lighting professional shall confirm minimum lighting level.

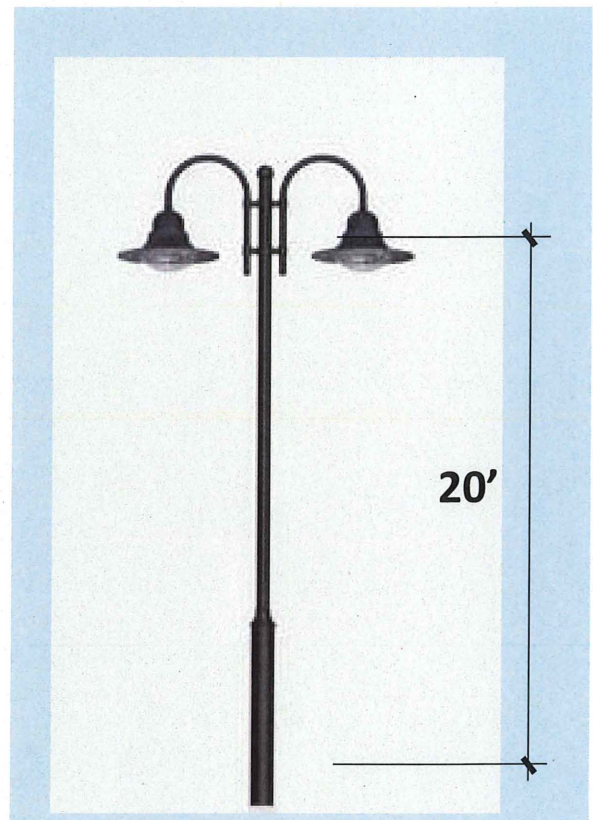


Figure 24. Examples of Lighting Heights



5.7. Stormwater Facilities

Stormwater retention facilities, where required, shall not be located within the front or street side setbacks and shall be incorporated into the overall design of the project as amenities.

Projects shall include at least two of the following low impact design concepts: rain water harvesting, green roofs, bio-swales, rain gardens, parking lot water capture and pervious pavement (pervious concrete, pervious pavers, and/or other pervious pavements recognized by the United States Green Building Council). The goal of encouraging the use of these mechanisms is to reduce stormwater runoff, capture contaminants closer to the source and reduce the use of potable water for irrigation and grey water activities.

Figure 25. Examples of Stormwater Facility Design

Sources: The Urban Report; Green and Sustainable Services, LLC.





Section 6. Landscaping and Screening

6.1. Landscaping Introduction

This section contains the detailed landscaping standards for properties along King Street. The quality, installation, mitigation, and maintenance requirements of the City Code shall apply (see Section 25-53 of the Code).

6.1.1. Plant Materials

In general, site landscaping shall consist of native or naturalized plants that thrive in the St. Augustine climate and environment (see plant list in Appendix C). Plants shall be relatively drought tolerant to encourage the conservation of water.

6.1.2. Protection of Existing Landscape

Effort shall be made to minimize disturbance of terrain around buildings or elsewhere on the site, thus reducing the possibility of destroying or damaging important landscape features or archaeological resources. Construction plans shall indicate areas of protection and shall have applicable notes regarding minimal disturbance of landscape elements to be preserved.

Along the corridor, existing oaks in good health shall be protected when possible. Oaks over 12" dbh to be removed shall have an additional 25% deficit applied to current tree mitigation calculations.

6.2. Landscape Requirements

6.2.1. Introduction

The commercial structures along the corridor are characterized by limited landscape in the front yard. Landscape is often in raised planters and narrow strips when provided. The following landscape regulations follow the existing zoning landscape requirements for CM-2, CL-2, and CL-1.

6.2.2. Front Yard Landscape

a. Landscape Bufferyard Special Conditions

For commercial properties, up to 50% of required landscape may be shifted to adjacent side yard.

b. Landscape Bufferyard Classification

CM-2 zoned front yards, fronting King Street, shall have bufferyard classification 'G' according to City code. Specifically:



City of St. Augustine King Street Design Standards

Trees	Shrubs
5 trees per 100' of frontage	25 shrubs per 100' of frontage

CL-2 zoned front yards, fronting King Street, shall have bufferyard classification 'F' according to City code. Specifically:

Trees	Shrubs
4 trees per 100' of frontage	20 shrubs per 100' of frontage

CL-1 zoned front yards, fronting King Street, shall have bufferyard classification 'E' according to City code. Specifically:

Trees	Shrubs
4 trees per 100' of frontage	12 shrubs per 100' of frontage

c. Percentage of landscape

A minimum of 25% of the bufferyard length, not including drives, mechanical equipment, etc., shall be landscape. Raised planters are encouraged and shall count toward the bufferyard length; however, movable (potted) plants do not count toward a landscape bufferyard.

Figure 27. Landscape Percentage

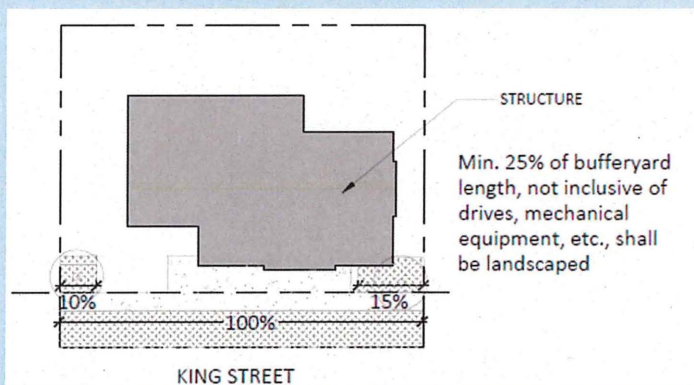


Figure 28. Examples of Planters





6.2.3. Side Yard Landscape

Landscape Bufferyard Classification

- a. Screening buffers shall not be required between adjacent non-residential sites along King Street. This shall apply to all properties, no matter the zoning classification. [Note: current code 'E']
- b. When side yard setback is adjacent to a residential site:
 - i. Side yards (no matter the zoning classification) shall have bufferyard classification 'E' according to City code. [Note: current code 'E'] All Specifically:

Trees	Shrubs
4 trees per 100' of frontage	12 shrubs per 100' of frontage

- ii. When side yard setback is adjacent to a roadway: the side yard shall have bufferyard classification 'F' according to City code. [Note: current code 'E'] Specifically:

Trees	Shrubs
4 trees per 100' of frontage	20 shrubs per 100' of frontage

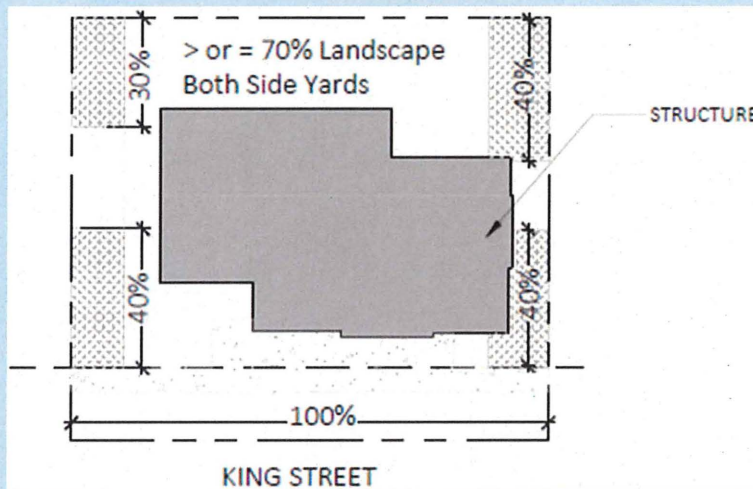
- iii. Up to 50% of required landscape may be shifted to a front, rear, or other side yard buffer.
- c. Screening buffers shall not be required between adjacent non-residential sites along King Street.
- d. Vehicular Use Areas: Vehicular areas shall meet the following requirements in addition to the screening requirements set forth for the side and rear yards.
 - i. Within each parking area of five thousand (5,000) square feet or more, there shall be a minimum of five (5) percent of landscaped areas, which shall be reasonably distributed within each five thousand (5,000) square feet of parking area so as to be prorated to fulfill the objectives of this article.
 - ii. Each separate planting area shall contain at least one (1) tree and a tree shall be planted for each one hundred (100) square feet of internal landscaping. All internal landscaping shall be protected from vehicular encroachment by curbing or wheel stops. All landscape areas shall be a minimum of one hundred (100) square feet, with the least dimension being five (5) feet.



6.2.4. Percentage of landscape

A minimum of 70% of the bufferyard length, not including drives, mechanical equipment, etc., shall be landscape. Modification may be allowed if technically unfeasible.

Figure 29. Side Yard Percentage



6.3. Rear Landscape and Alleyway Bufferyard

6.3.1. Landscape Bufferyard Classification

- a. Rear yard shall have bufferyard classification 'E' according to City code for commercial properties. [Note: current code 'D'] Specifically:

Trees	Shrubs
4 trees per 100' of frontage	12 shrubs per 100' of frontage

- i. When the rear yard setback is adjacent to a residential site: in addition to the 15 foot setback required in Section 6 and the landscaping required in Section 7, a 6-foot minimum (8-foot maximum) finished masonry wall (stucco, decorative segmental wall, brick) shall be constructed within the rear buffer yard of the site. The adjacent residential property owner(s) may request directly from the applicant a wooden fence or landscape-only buffer and such agreement shall be filed with the building permit application with a notarized letter(s).
- ii. If the site use changes, the adjacent residents shall be contacted by the property owner to inquire if a wall is desired by the residents (if a wall was not already constructed).



- b. When any setback is adjacent to an alleyway with commercial zoning on both sides: the setback shall be bufferyard classification 'D' according to City code. [Note: current code 'F' for front yard / 'D' for rear yard] Specifically:

Trees	Shrubs
3 trees per 100' of frontage	6 shrubs per 100' of frontage

6.3.2. Landscape Percentage

A minimum of 70% of the bufferyard length, not including drives, mechanical equipment, etc., shall be landscape.

6.4. Fences and Walls

While fences are typically used to achieve privacy on a site, street walls are used to continue the building frontage along a street, to screen vehicular areas such as parking lots, and to frame public zones such as courtyards and outdoor dining areas. Street walls and fences shall meet the following standards:

- In the absence of a building façade along any part of the King Street site frontage line, a street wall may be built in line with (co-planar with) the façade. Breaks are permitted in the street wall to provide vehicular and pedestrian access to the site, for plazas and gathering spaces, and for the purpose of tree protection. Street walls shall have openings no larger than necessary to allow automobile and pedestrian access.
- Street walls are the only types of fences/walls allowed facing streets (see Figure 30 and 31). Privacy fences and walls are not allowed between adjacent uses along King Street.
- Street walls shall be located within the front setback, and may have landscaping or hard surface between the wall and the public sidewalk.
- Street walls shall be a minimum of 3 feet in height and shall not exceed a 5 foot maximum, as measured from the lower elevation of the public sidewalk or final elevation of adjacent interior development. However, the portion of the wall above 3 feet shall be no more than 50% solid.
- Street walls shall be constructed of wood, brick, masonry, powder-coated aluminum or stone matching or complementing the finishes on the building. Wrought iron or similar material may be incorporated into the design of the masonry street wall. Chain link, wire, and PVC fencing shall be prohibited from use as a street wall material.
- The area in front of a street wall may include landscaping or hardscape if used to expand the sidewalk.
- When landscaping is provided between the wall and the sidewalk, the landscaping strip shall be a minimum of two (2) feet wide.
- A three (3) foot wide landscape strip, as measured from the wall, shall also be provided on the interior side of the street wall.



Figure 30. Examples of Street Walls

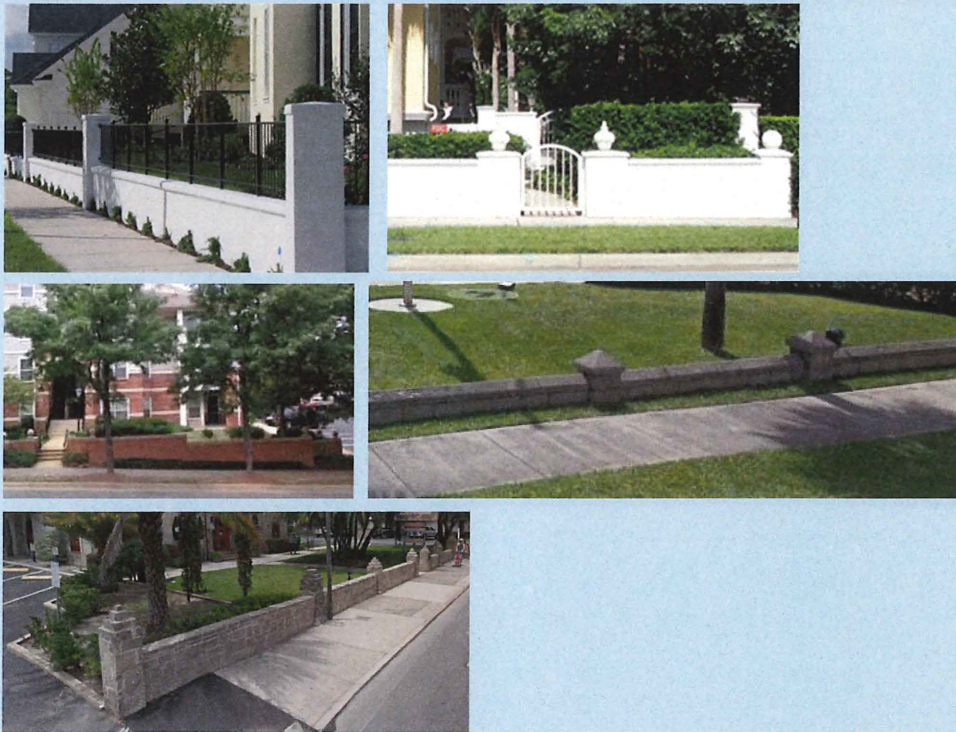
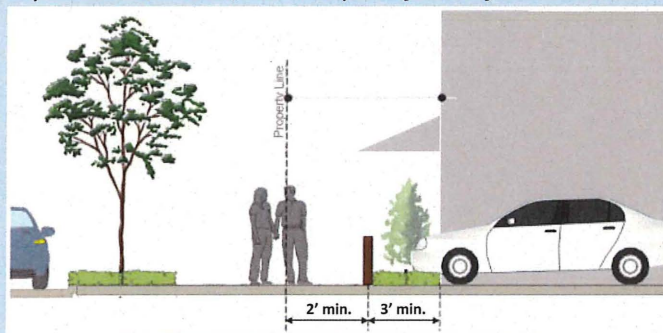
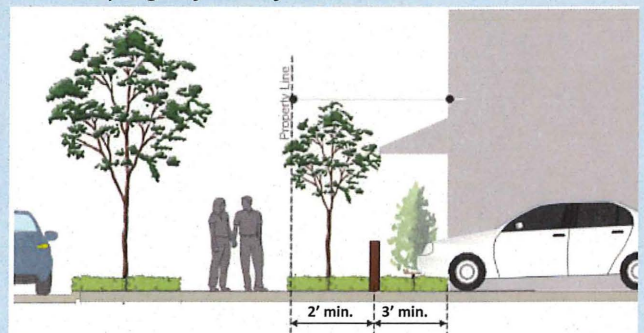


Figure 31. Street Walls and Landscaping
Expanded Sidewalk/Hardscape in front of Street Wall



Landscaping in front of Street Wall





6.5. Mechanical Equipment.

For the purpose of this section, mechanical equipment shall include, but is not limited to, a heating, ventilation, or air conditioning unit placed outside of a building, in addition to any utility-related equipment such as pumps, meters, transformers and similar equipment required to be installed on a development site. Mechanical equipment shall be located so that noise and visual impacts upon abutting residential property are minimized.

- Mechanical equipment shall not be permitted within any required building setback unless the utility company determines this to be the only possible location.
- Mechanical equipment shall not be located between the building and the street, unless technically infeasible. On corner lots, the location of mechanical equipment along a secondary street may be permitted through the modification of standards process (see Section 4.7) subject to the screening requirements stated below.
- Screening (by wall, solid fence or vegetative matter) that exceeds the height of the equipment shall be required if the equipment is visible from the street or adjacent properties. Certain equipment, such as, but not limited to rain barrels or cisterns, shall not require screening provided they are designed to blend with the building and are constructed with the same materials and colors.
- Air conditioning units and elevator shafts are permitted to go above the standard building height limit but shall be visually screened from all public rights-of-way as shown in Figure 32. This restriction may limit the number of stories that can be built within the 35 foot maximum building height.

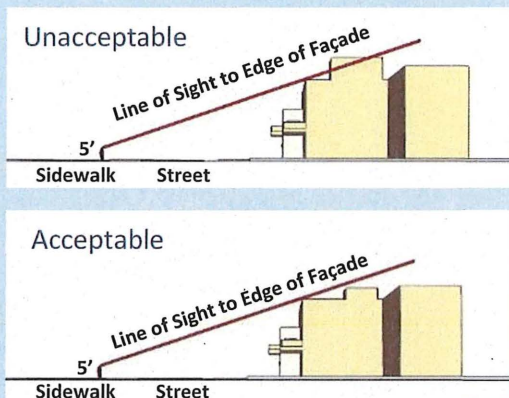


Figure 32. Equipment Screening

Screening rooftop equipment measured from furthest edge of right of way (Top Left: Unacceptable, Bottom Left: Acceptable).

6.6. Solid Waste Disposal Facilities

- Solid waste disposal facilities, solid waste, recycling, yard trash containers, and grease containers must be located to the side or rear of the building and shall be concealed from view from all sides by a wall or fence of up to 7 feet in height. The enclosure shall be made of wood, masonry or vinyl and shall be fitted with an opaque sliding or hinged door and working latch. Gates shall be able to be secured in the open position. No chain link fence is allowed for solid waste enclosures.



City of St. Augustine King Street Design Standards

- b. On corner or double-frontage lots, the disposal facilities shall be accessed from the secondary frontage.
- c. Enclosure shall adhere to City Solid Waste requirements.
 - i. Width of 10-12 feet minimum.
 - ii. Depth of 10-12 feet minimum.
 - iii. Height of 7 feet minimum.
 - iv. Overhead clearance over and in front of dumpster shall be clear of obstructions 20' in height.
 - v. Bumper posts: two (2) steel, 4" diameter set in concrete. Placement 12" from back wall of enclosure.

6.7. Visibility Triangle

All landscaping within the triangular areas described below shall provide unobstructed cross visibility at a level between two (2) and six (6) feet above the ground. Trees having limbs and foliage extending into this cross visibility area shall be allowed, provided that they are so located so as not to create a traffic hazard. Landscaping, except grass and ground cover, shall not be located closer than three (3) feet from the edge of any accessway pavement. The triangular areas are:

- a. The areas of property on both sides of an accessway formed by the intersection of each side of the accessway, i.e. driveway, and the public right-of-way pavement line with two (2) sides of each triangle being ten (10) feet in length from the point of intersection and the third side being a line connecting the ends or the other sides.
- b. The area of property located at a corner formed by the intersection of two (2) or more public rights-of-way with two (2) sides of the triangular areas being measured thirty (30) feet in length along the abutting edges of pavement, from their point of intersection, and the third being a line connecting the ends of the other two (2) lines.

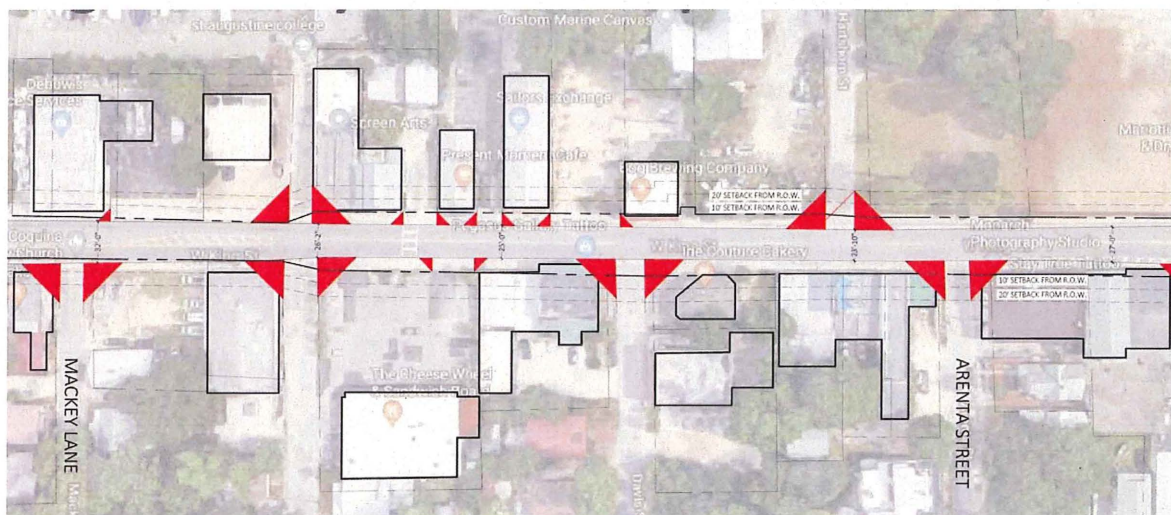


Figure 33. Visibility Triangle

-  Right of Way Visibility Triangle
-  Driveway Visibility Triangle



Section 7. Signs

Each development shall be allowed up to two (2) *building signs* per **business** with frontage along the King Street corridor. Developments utilizing the Residential conversion are eligible to also erect a freestanding sign in addition to the building signs. Existing signs not meeting the requirements of this section are subject to the non-conforming provisions of the Code of Ordinances (see Section 3-23(k)).

7.1. Number and Types of Signs Allowed

- a. Two (2) business identification signs attached to the building shall be allowed per business frontage on a public street. The types of signs allowed are as follows (see Section 2, Definitions):
 - Wall Sign
 - Canopy Sign
 - Awning Sign
 - Projecting Sign
 - Hanging Sign
 - Window Sign
 - Freestanding (only for residential conversions)
- b. The use of portable signs, streamers and pennants shall follow existing sign code.
- c. Blinking lights, bulbs facing the road, and electronic message signs are not permitted.

7.2. Building Sign Size

The total allowable size of all building signs combined shall be as follows, and may be distributed among the various building signs allowed. The maximum size of any building sign, however, shall be no more than one hundred twenty (120) square feet.

Building/Business Frontage	Maximum Combined Sign Size
0-49 feet	120 sq. ft.
50-99 feet	170 sq. ft.
100-199	220 sq. ft.
200 feet and over	250 sq. ft.

7.3. Sign Illumination

- a. Interior-illuminated cabinet or channel letter signs are not allowed. Signs may only be illuminated from an exterior light fixture or backlit to accentuate raised lettering or images.
- b. There shall be no illuminated signs facing a single family residence.



Figure 34. Permitted Sign Illumination



Figure 35. Prohibited Sign Illumination



7.4. Building Signs

- a. Wall signs shall be either a panel or individual letters applied to the wall, shall not project from the wall by more than 12 inches, shall not extend above the top of the wall where it is located, and in the case of two story buildings, it shall be placed between the first and second floor windows. Signs painted directly onto the façade are not allowed.
- b. Projecting signs may be read horizontally or vertically, may extend into the building setback zone, but not over the public right-of-way. They shall have a clearance of 8 feet from the ground and shall not exceed the height of the building wall where installed.
- c. Canopy signs may be applied to the face of the canopy and shall not exceed 50 percent of the width of the canopy. They are allowed to be placed fully or partially above or below the edge of the canopy, provided the sign consists of individual letters (as opposed to a panel). Canopy signs are also allowed to hang from the bottom of the canopy facing the street. An 8 foot clearance shall be provided.



Figure 36. Canopy Signs



- d. Awning signs shall not cover more than 30% of the vertical face (or near vertical part) of the awning.

Figure 37. Awning Signs



- e. Window signs (silk screen, vinyl letters, gold leaf, hand painted or neon) shall not occupy more than 25% of the glass window or door, and may be allowed for first and second story businesses.
- f. Hanging signs shall not count toward the maximum sign area allowed, provided it is placed under the awning or canopy, perpendicular to the building, and near the front door of the business. Such signs shall have an 8 foot minimum vertical clearance as measured from grade to the bottom of the sign, and a maximum height of 2 feet. While hanging signs do not count towards the maximum sign area, they do count toward the maximum allowed signs per business.
- g. Signs shall not obscure architectural details such as windows, cornice, decorative brickwork and storefronts.
- h. "Signs using neon lighting shall only be permissible within the City Limit and West King districts. Neon shall be prohibited within the remainder of the corridor."

7.5. Free Standing Signs

The need for freestanding signs is based on the placement of the building away from the street. When buildings cannot be seen by passing motorists, they need a larger sign by the street to indicate the location of the business. As future traditional commercial development in the King Street corridor is expected to bring the buildings closer to the street, it will not be necessary to utilize freestanding signs to locate the businesses. The building itself, and the signs on the building, will be visible to the passing motorists.



City of St. Augustine King Street Design Standards

The existing residential conversion structures, on the other hand, contain buildings at a certain distance from the street. As an incentive for preserving this form of development, freestanding *pedestrian pole signs* will be allowed provided they meet the following standards:

- The sign shall not exceed a height of fifteen (15) feet measured from the adjacent sidewalk and shall provide a clearance of 8 feet from the ground if it overhangs a pedestrian or vehicular circulation area.
- Pedestrian pole signs may be supported by one or two poles, or may be suspended from the structure as shown in Figure 40. The supporting poles may not exceed a width of 6 inches (each).
- The sign shall not be placed within 5 feet from any portion of the building.
- The sign may be placed up to the front property line, but shall not extend over the public sidewalk (far right below).

Figure 38. Examples of Pedestrian Pole Signs (Note that all new signs shall not extend over the public sidewalk)



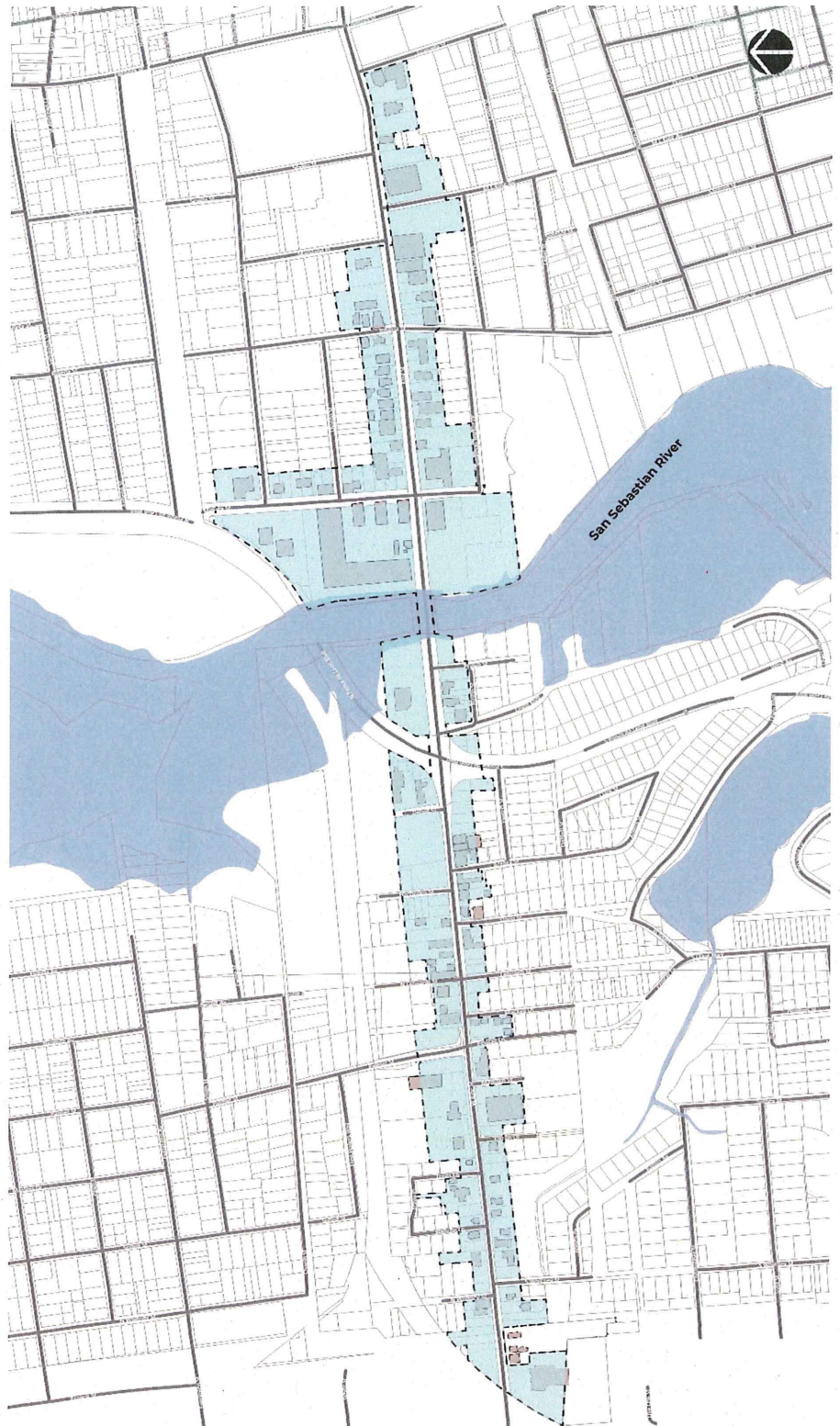


APPENDIX A: ENTRY CORRIDOR SITES

Criteria:

- 1.) Sites with frontage along King Street
- 2.) Accessory uses and structures, included but not limited to parking on adjacent or nearby sites, shall be subject to the King Street Design Standards.

The map of sites (at right) indicates in blue, parcels that fall under the Design Standards.





City of St. Augustine
King Street Design Standards

<Page Intentionally Left Blank>



APPENDIX B: ARCHITECTURAL CHARACTERISTICS

MASONRY VERNACULAR - RESIDENTIAL

BACKGROUND

Masonry Vernacular is the most dominant architectural style in the King Street district. The Masonry Vernacular buildings, like the Frame Vernacular buildings, do not follow a particular style. For residential structures, Frame and Masonry Vernacular are very similar in terms of massing and proportions. The main difference between the two is that the Masonry Vernacular uses masonry material (formed work or brick/block) as the main structural support and may have a stucco façade for the exterior fabric. In the early decades of the century, wood frame houses were sometimes disguised as masonry by applying stucco cladding over the wooden studs. Conversely, some masonry vernacular homes have recently been covered with wood or vinyl siding. The following are the characteristics seen mostly on residential examples of the Masonry Vernacular. While new Masonry Vernacular residential buildings are not expected or encouraged in the area, the following characteristics are provided to aid in the preservation of the existing vernacular homes.

BUILDING PLAN

- 1) Rectangular or L-shaped.
- 2) Garages and carports are secondary to the main building/facade. They are either recessed from main façade or detached and placed in the rear.
- 3) Normally one-car space only. Very few examples have a double car garage, and in those cases, there are two doors, instead of a double-wide door.

FOUNDATION

- 1) Brick or concrete footings.

FACADE

- 1) Vertically oriented.
- 2) Simple entrance.
- 3) Three-bay or five-bay pattern.

PORCHES

- 1) Wide front porches.
- 2) Full width, wrap around, or fill in between the "L".
- 3) Commonly elevated 2'-6" to 3'-6" above grade.
- 4) Columns are typically narrow and made of wood with few details; usually spaced evenly across the façade.
- 5) If railings used, they were wooden with 1 ¼ inch square balustrades.

MATERIALS

- 1) Painted block; sometimes has a rough stucco finish.
- 2) Brick chimneys sometimes finished with stucco.

ROOF

- 1) Front, side and cross gable. Sometimes hip roof is used.
- 2) Main roofs are steeply pitched (8:12 to 12:12).
- 3) Porch roofs have a low pitch (2:12 to 4:12).
- 4) Rafter ends are exposed, unadorned, and extend beyond the face of the wall.



City of St. Augustine King Street Design Standards

- 5) Composition or metal shingles, V-crimp metal roof materials.
- 6) Brick or stucco chimneys, typically on the gable end walls.
- 7) Dormers were sometimes used on 1 ½ story homes.

DOORS

- 1) Transoms, fanlights are common.
- 2) French doors and simple balconies are used occasionally.
- 3) Door trim projects out from wall cladding, approximately ¾ inch. Jamb trim is at least 4" wide, and headers (lintel) are normally 6" wide.
- 4) Doors contain recessed wood panels.

WINDOWS

- 1) Windows are typically single, tall and narrow.
- 2) Multi-pane, double-hung sash windows (6/6, 3/1, 2/2 or 1/1). Awning and jalousie/louvered windows used in later construction (mid-century).
- 3) Transoms, fanlights and attic louvers are common.
- 4) Second floor windows align with first floor windows.
- 5) Windows are spaced evenly along all facades.
- 6) Window trim projects out from wall cladding, approximately ¾ inch. Jamb trim is at least 4" wide, and headers (lintel) are normally 6" wide.
- 7) Shutters are not typically used. When used, they should be paneled and should be either operable or proportioned to look operable.

COLORS

- 1) Colors range in the pastel family from light yellow and green to gray and brown.

ORNAMENTATION

- 1) Detailing is simple, usually consisting of cast concrete.

FENCES

- 1) Wooden fences are most common.
- 2) Picket fences with various level of ornamentation, consistent with the main building.

LOCAL EXAMPLES





MASONRY VERNACULAR - NON-RESIDENTIAL

BACKGROUND

Non-residential Masonry Vernacular buildings outnumber all other styles in the King Street district. As noted above, Masonry Vernacular buildings do not follow a particular style, but rather reflect local conditions and trends. The non-residential Masonry vernacular buildings in the district can be classified based on the type of use they serve.

The **one and two-story commercial masonry vernacular buildings** are encouraged in the King Street district. See style characteristics below. There are two examples of **multi-story masonry vernacular buildings** in the district. Neither one, however, has commercial use on the ground floor.

In more recent years, a different type of commercial vernacular has emerged – buildings housing auto-oriented uses. The **auto-oriented masonry vernacular buildings** typically have the customer parking area in front of the building. And even when the building is located close to the street, the entrance to the building faces the parking lot on the side of the building. The windows on this type of building are much smaller than the commercial buildings discussed above. There is one example in the district of a masonry vernacular building, with a large setback and porte cochere, that used to be a service station but today serves as a kart, scooter and bike rental. This type of building is not appropriate in the King Street Entry Corridor District.

The **institutional masonry vernacular buildings** in the King Street district date from different very periods of time, and do not represent a particular trend. The older examples do project a more monumental presence with their architectural detail and vertical orientation, and are oriented to the street.

Masonry vernacular buildings sometimes adopt architectural elements from other styles but not in such a strong manner as to classify it under that style. While it is acceptable to infuse a stylistic flare to the commercial buildings, the main character or typology of such buildings shall follow closely the description provided above for the one, two or multi-story masonry vernacular buildings.

BUILDING PLAN

- 1) The building is typically oriented to the street, placed close to the sidewalk;
- 2) The ground floor is used for retail or restaurant use and the second floor may house apartment units or office space;
- 3) Parking is located in the rear of the site or, in some cases, to the side of the building.

FOUNDATION

- 1) Slab or continuous wall (concrete or masonry units)

FAÇADE/FRONTAGE ELEMENTS

- 1) The ground floor façade includes one or several store-fronts with glass display windows and doors and low bulkhead;
- 2) Awnings and canopies are commonly used in the one-story examples. Galleries and canopies (sometimes projecting over the sidewalk) are seen in the two-story examples.

COLORS

- 1) Colors range from pastels to earth colors;
- 2) Contrasting base and trim colors.

ROOF



City of St. Augustine King Street Design Standards

- 1) Flat, hip, or gable pitched roof;
- 2) Parapets are used to hide the main roof;

DOORS

- 1) Recessed storefront glass doors are common;
- 2) Wood or metal door frames.

WINDOWS

- 1) Fixed plate glass display windows and doors on the first floor.
- 2) Upper floor windows are typically single, tall and narrow; some may include arches or decorative brick work trim.
- 3) Multi-pane, double-hung sash windows (6/6, 3/1, 2/2 or 1/1).
- 4) Windows are spaced evenly along all facades.
- 5) Upper story window trim projects out from wall cladding, approximately $\frac{3}{4}$ inch. Jamb trim is at least 4" wide, and headers (lintel) are normally 6" wide.
- 6) Shutters are not typically used. When used, they should be paneled and should be either operable or proportioned to look operable.

MATERIALS

- 1) Exposed brick, painted block; sometimes has a rough stucco finish.

ORNAMENTATION

- 1) Detailing is simple, usually consisting of cast concrete.

SIGNS

- 1) Business signs typically include wall or projecting signs complementing the design of the façade;

LOCAL EXAMPLES

Commercial one-story (encouraged):





Commercial two-story (encouraged):



Commercial multi-story (encouraged where the building height is permitted by the zoning district):



Commercial auto-oriented (prohibited for new construction):

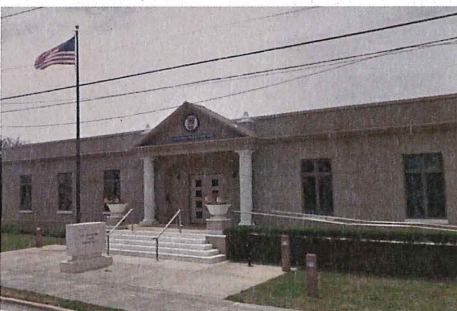




City of St. Augustine
King Street Design Standards



Institutional (permitted subject to meeting building orientation standards):





Frame Vernacular

BACKGROUND

Frame Vernacular is one of the most dominant architectural styles in the King Street area. Vernacular architecture refers to a regional or “folk” architecture, built with local materials and local labor, without formal plans, and for the most economical price at the time. Vernacular, while considered a style, does not belong to any particular formal architectural style, rather its design reflects a trend toward simplicity. Some Frame Vernacular buildings have one story, others have two; while some have front gable roofs, others may have side-gable or cross gable roofs. Most Frame Vernacular buildings in the district are residential homes; however, the style is often used on non-residential buildings as well.

BUILDING PLAN

- 1) Rectangular or L-shaped.
- 2) Garages and carports are secondary to the main building/facade. They are either recessed from main façade or detached and placed in the rear. Sites that have been converted to commercial or office use have demolished the garage (if one was present in the rear) and replaced it with surface parking.

FOUNDATION

- 3) Brick, tabby or concrete block piers.
- 4) Spaces between piers left open.
- 5) Lattice infill between piers is common.

FACADES

- 1) Vertically oriented.
- 6) Three-bay or five-bay pattern.
- 7) Simple entrance.

COLORS

- 1) Colors range in the pastel family from light yellows and grays to light pastel colors.

PORCHES

- 1) Wide front porches.
- 2) Full width, wrap around, or fill in between the “L”.
- 3) Commonly elevated 2’-6” to 3’-6” above grade.
- 4) Columns are typically narrow and made of wood with few details; usually spaced evenly across the façade.
- 5) If railings used, they were wooden with 1 ¼ inch square balustrades.

ROOF

- 1) Front, side and cross gable.
- 2) Main roofs are steeply pitched (8:12 to 12:12).
- 3) Porch roofs have a low pitch (2:12 to 4:12).
- 4) Rafter ends are exposed, unadorned, and extend beyond the face of the wall.



City of St. Augustine King Street Design Standards

- 5) Asbestos, composition or metal shingles, V-crimp metal.
- 6) Brick or stucco chimneys, typically on the gable end walls.
- 7) Dormers sometimes used on 1 ½ story homes.

DOORS

- 1) Transoms, fanlights are common.
- 2) Door trim projects out from wall cladding, approximately ¾ inch. Jamb trim is at least 4" wide, and headers (lintel) are normally 6" wide.
- 3) Doors contain recessed wood panels.

WINDOWS

- 1) Windows are single, tall and narrow.
- 2) Multi-pane, double-hung sash windows (6/6, 3/1, 2/2 or 1/1). Jalousie used in later construction (mid-century).
- 3) Transoms, fanlights and attic louvers are common.
- 4) Second floor windows align with first floor windows.
- 5) Houses built in the early 1900s had wood windows. Aluminum and vinyl windows have been used more recently.
- 6) Windows are spaced evenly along all facades.
- 7) Window trim projects out from wall cladding, approximately ¾ inch. Jamb trim is at least 4" wide, and headers (lintel) are normally 6" wide.
- 8) Shutters are not typically used. When used, they should be paneled and should be either operable or proportioned to look operable.

MATERIALS

- 1) Horizontal wood siding; less common are wood shingles and board and batten. Vinyl and fiber cement siding used more recently.

ORNAMENTATION

- 1) Sparse, limited to ornamental woodwork.

FENCES

- 1) Wooden fences are most common.
- 2) Picket fences with various level of ornamentation, consistent with the main building.

LOCAL EXAMPLES





Mid-Century Modern

BACKGROUND

The Mid-Century style buildings typically have open floor plans with large windows and exposed structural elements. The following are some of the elements characteristic of the mid-century architecture, which may be used as inspiration when designing new buildings:

BUILDING PLAN/FORM

- 1) Horizontal emphasis.
- 2) Reflects the influence of the automobile
- 3) Volumes are relatively small and horizontal/rectangular in form. However, some include **geometrical shapes** that contrast with the simplicity of the building.

FOUNDATION

FAÇADE

- 1) Brick, stone, stucco, and wood;
- 2) Simple, minimal facade expression.
- 3) •Asymmetrical façades.

COLORS

- 1) Bright or subdued colors; typically with darker trim colors or bright metals to offset

FRONTAGE ELEMENTS

- 1) Cantilever canopies and awnings;
- 2) Porte cocheres;
- 3) Covered walkways/breezeways;

ROOF

- 1) Roofs are varied (flat, gable, hip), but with a predominance of flat roofs with small ledge (coping) at roofline.
- 2) Some buildings have deep overhangs. Other types of roofs in the area include shed roofs and mansard roofs.

DOORS & WINDOWS

- 1) Fenestration is often irregular and asymmetrical. Some buildings display large plate glass windows;
- 2) Casement, corner, picture or ribbon windows arranged horizontally;

MATERIALS

- 1) Expressive building structure (exposed steel frame, architectural block).
- 2) Smooth, rounded wall surfaces, often stucco;
- 3) Horizontal grooves or lines in walls (sometimes fluted or pressed metal);
- 4) Reinforced concrete, steel, glass, storefront.
- 5) Metal balustrades;



City of St. Augustine King Street Design Standards

- 6) Angled supports and railings;

ORNAMENTATION

- 1) Very little ornamentation;
- 2) Decorative concrete block screens. The use of stone and wood provides an interesting contrast on the façades.
- 3) Geometrical shapes and strong angles contrasting with the simple design

SIGNS

- 1) Integral part of the building architecture.

LOCAL EXAMPLES





Other Styles Present

Bungalow



Commercial with Moorish Influence



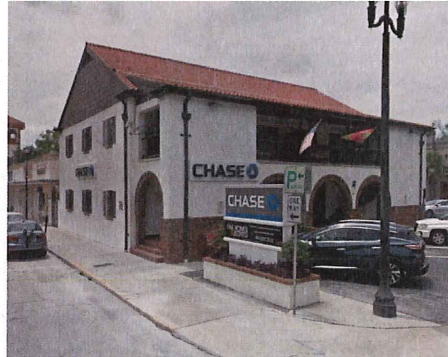
Spanish Colonial Revival



Mediterranean Revival



Spanish Colonial Influence



Moorish Revival





City of St. Augustine
King Street Design Standards

<Page Intentionally Left Blank>



APPENDIX C: LANDSCAPE PLANTS

Botanical Name

Common Name

Street Trees

<i>Quercus laurifolia</i>	Laurel Oak
<i>Quercus virginiana</i>	Live Oak
<i>Quercus shumardii</i>	Shumard Oak
<i>Plantanus occidentalis</i>	Sycamore
<i>Taxodium distichum</i>	Bald Cypress
<i>Ulmus parrifolia</i>	Drake Elm

Street Palms

<i>Phoenix canariensis</i>	Canary Island Date Palm
<i>Phoenix dactalifera</i>	Date Palm
<i>Phoenix sylvestris</i>	Sylvestris Date Palm
<i>Sabal palmetto</i>	Sabal Palm
<i>Washingtonia robusta</i>	Washington Palm

Accent Trees and Palms

<i>Acer rubrum</i>	Red Maple
<i>Bambusa spp.</i>	Bamboo (clumping)
<i>Butia capitata</i>	Pindo Palm
<i>Cercis cananadensis</i>	Redbud
<i>Ilex cassine</i>	Dahoon Holly
<i>Ilex opaca</i>	American Holly
<i>Ilex vomitoria</i>	Yaupon Holly
<i>Juniperus silicicola</i>	Southern Red Cedar
<i>Juniperus virginiana</i>	Eastern Red Cedar
<i>Lagerstroemia indica</i>	Crape Myrtle
<i>Ligustrum spp.</i>	Ligustrum
<i>Liquidambar styraciflua</i>	Sweetgum
<i>Livistonia chinensis</i>	Chinese Fan Palm
<i>Magnolia grandiflora</i>	Southern Magnolia
<i>Myrica cerifera</i> (Morella cerifera)	Wax Myrtle
<i>Phoenix reclinata</i>	Senegal Date Palm
<i>Prunus agustifolia</i>	Chickasaw Plum
<i>Prunus calleryana</i>	Bradford Pear
<i>Prunus caroliniana</i>	Cherry Laurel
<i>Trachycarpus fortunei</i>	Windmill Plum

Botanical Name

Common Name

Hedges*, Shrubs*, Cycads and Palms

(*To be used as hedge or screen for parking lots.)

<i>Abelia grandiflora</i> *	Abelia
<i>Camellia japonica</i>	Camellia



City of St. Augustine King Street Design Standards

<i>Camellia sasanqua</i>	Sasanqua Camellia
<i>Cassia</i> spp.	Cassia
<i>Cortaderia selloana</i>	Pampas Grass
<i>Crinum</i> spp.	Crinum Lily
<i>Eleagnus pungens</i> *	Silverthorn
<i>Eragrostis spectabilis</i>	Purple Lovegrass
<i>Feijoa sellowiana</i> *	Feijoa
<i>Galphimia</i> (or <i>Thryallis</i>) <i>glauca</i>	Thryallis
<i>Gardenia jasminoides</i>	Gardenia
<i>Hibiscus</i> spp.	<i>Hibiscus</i>
<i>Ilex cassine</i>	Dahoon Holly
<i>Ilex cornuta</i> *	Chinese Holly
<i>Ilex cornuta</i> * "Burfordi"	Burford Holly
<i>Ilex crenata</i>	Japanese Holly
<i>Ilex vomitoria</i> "nana"	Dwarf Yaupon Holly
<i>Illicium anisatum</i> *	Star Anise
<i>Illicium parviflorum</i> *	Yellow Anise
<i>Juniperus chinensis</i> *	Chinese Juniper
<i>Juniperus</i> spp.	Junipers
<i>Lantana camara</i>	Lantana
<i>Ligustrum japonicum</i> *	Japanese Privet
<i>Magnolia grandiflora</i> 'Little Gem'	Little Gem Magnolia
<i>Muhlenbergia capillaris</i>	Muhly Grass
<i>Nandina domestica</i>	Heavenly Bamboo
<i>Nerium oleander</i>	Oleander
<i>Philodendron selloum</i>	Split Leaf Philodendron
<i>Photinia fraseri</i>	Fraser's Photinia
<i>Pittosporum tobira</i> *	Pittosporum
<i>Plumbago auriculata</i>	Plumbago
<i>Podocarpus macrophyllus</i> *	Podocarpus
<i>Pyracantha coccinea</i>	Firethorn Pyracantha
<i>Raphiolepis indica</i>	Indian Hawthorn
<i>Rhaphidophyllum hystrix</i>	Needle Palm
<i>Rhododendron indica</i> *	Indica Azaleas
<i>Rhododendron obtusum</i>	Dwarf Azaleas
<i>Rhododendron kurume</i>	Kurume Azaleas
<i>Serenoa repens</i>	Saw Palmetto
<i>Spartina</i> spp.	Cordgrass
<i>Thuja occidentalis</i>	American Arborvitae
<i>Viburnum odoratissimum</i> *	Sweet Viburnum
<i>Viburnum suspensum</i> *	Sandankwa Viburnum
<i>Viburnum Tinus</i>	Laurustikus Viburnum
<i>Yucca elephantipes</i>	Spineless Yucca
<i>Yucca smalliana</i>	Bear Grass
<i>Zamia floridana</i>	Coontie
<i>Zamia furfuracea</i>	Cardboard Plant

Groundcovers

<i>Aspidistra elatior</i>	Cast Iron Plant	<i>Catharanthus roseus</i>	Periwinkle,
<i>Vinca Cyrtomium falcatum</i>	Holly Fern		
<i>Dietes iridioides</i>	African Iris		
<i>Ficus pumila</i>	Creeping Fig		
<i>Gaillardia pulchella</i>	Gaillardia		
<i>Gelsemi sempervirens</i>	Carolina Jessamine		
<i>Gerbera jamesonii</i>	Gerbera Daisy		
<i>Hedera canariensis</i>	Algerian Ivy		
<i>Hedera helix</i>	English Ivy		



<i>Hemerocallis</i> spp.	Day Lilly
<i>Helianthus debilis</i>	Beach Sunflower
<i>Ipomoea stolonifera</i>	Beach Morning Glory
<i>Iris virginica</i>	Blue Flag
<i>Lantana depressa</i>	Yellow Pineland Lantana
<i>Lantana montevidensis</i>	Weeping Lantana
<i>Liriope</i> spp.	Lilly Turf
<i>Lonicera japonica</i> "Halliana"	Hall's Honeysuckle
<i>Nandina domestica</i> "nana"	Dwarf Heavenly
<i>Nephrolepis exaltata</i>	Sword or Boston Fern
<i>Ophiopogon japonicus</i>	Mondo Grass
<i>Pittosporum tobira</i> "nana"	Dwarf Pittosporum
<i>Rudbeckia hirta</i>	Black Eyed Susan
<i>Trachelospermum asiaticum</i>	Confederate Jasmine
<i>Trachelospermum jasminoides</i>	Star Jasmine
<i>Tulbaghia violacea</i>	Society Garlic
<i>Vinca major</i>	Bigleaf Periwinkle
<i>Zamia floridana</i>	Coontie

Botanical Name

Common Name

Vines

<i>Clematis dioscoreifolia</i>	Japanese Clematis
<i>Clematis virginiana</i>	Sweet Autumn Clematis
<i>Glesmium sempervirens</i>	Carolina Jasmine
<i>Hedera canariensis</i>	Algerian Ivy
<i>Hedera helix</i>	English Ivy
<i>Ipomoea stolonifera</i>	Beach Morning Glory
<i>Jasminum multiflorum</i>	Downy Jasmine
<i>Jasminum sambac</i>	Arbian Jasmine
<i>Lonicera japonica</i> "halliana"	Hall's Honeysuckle
<i>Lonicera sempervirens</i>	Coral Honeysuckle
<i>Parthenocissus quinquefolia</i>	Virginia Creeper
<i>Trachelospermum asiaticum</i>	Confederate Jasmine
<i>Trachelospermum jasminoides</i>	Star Jasmine
<i>Wisteria sinensis</i>	Chinese Wisteria

Turfgrass

Bahia Grass Bermuda Grass Centipede Grass
St. Augustine Grass
Zoysia Grass

Plants Not Listed

All native plantings as defined by UF/IFAS or USDA to northeast Florida may be used in addition to this list.

All plantings defined as "Florida Friendly" and suited to northeast Florida's climate by UF/IFAS may also be used.

Refer to the Florida-Friendly Landscape website for more assistance: <http://fyn.ifas.ufl.edu/>



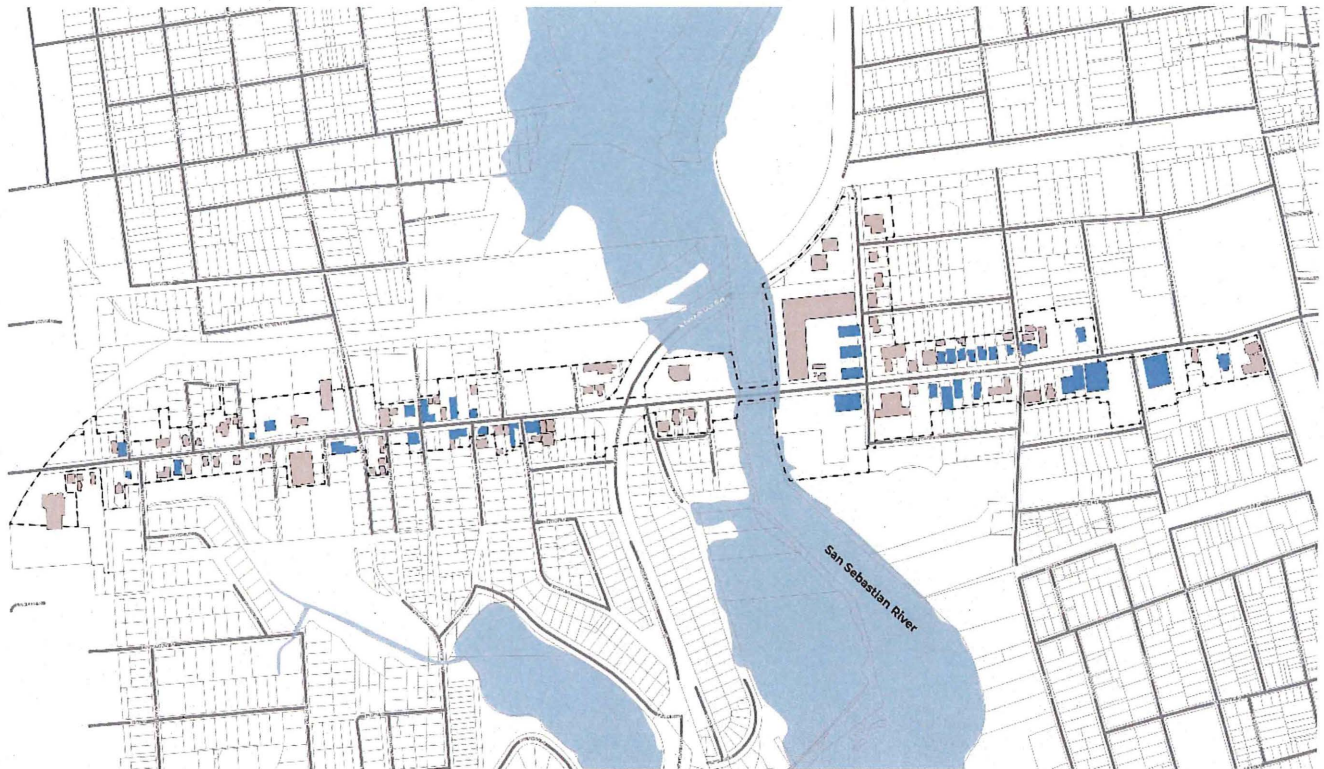
City of St. Augustine
King Street Design Standards

<Page Intentionally Left Blank>



APPENDIX D: LEGACY BUILDINGS

Buildings marked in dark blue are deemed Legacy Buildings by the COSA Historic Preservation Officer based upon the presence of traditional building materials and original form and plan of building is greater than or equal to 50 years old. For addresses, see the list included on the following pages. **Legacy structures are indicated to guide renovations and additions (see 5.4.1b1).**





City of St. Augustine King Street Design Standards

Address

SOUTHSIDE

281 W.
King Street



Building is at least 50 years old and may have historic significance of recent past for West Augustine. Architecture is characteristic of the time period to include the shed roof form and canted windows with walk-up windows. Maintains overall visual integrity.

271 W.
King Street



Historically significant and retains enough visual integrity for it to convey design. See marker for association with Civil Rights Movement. Note: First site file record (from 20 years ago) did not include Civil Rights Association and was recorded when the building was 44 yo, it is now 64 years old.

230 W.
King Street



Building is at least 50 years old and retains original form and materials. Broad, low awning and decorative art brick facade and storefront are character features.

83 King
Street



Building already recognized with architectural and historic significance in the National Register of Historic Places.



**113 King
Street**



Building is at least 50 years old and retains original form and materials. Minimalist architecture with flat roof design, narrow continuous flat canopy, and decorative stone facade are character features.

**107 King
Street**



Building is at least 50 years old and retains original form and materials, the alterations to the corner and mansard roof can be removed to restore even more architectural integrity. Narrow poles, flat canopy, flat roof, austere design, and storefront window patterns are character features for the Mid-Century period.

**95 King
Street**



Building is at least 50 years old. Classic Mid-Century Modern/Post-Modern building. Large geometric arches, recessed brick facade, flat roof, banded concrete are character features.



City of St. Augustine King Street Design Standards

**87 King
Street**



Building is at least 50 years old. Historically the building was a motel and much original form and enough materials remain for the building to convey its style and place in time. Low sloped hip roof, decorative posts and open breezeway, and masonry detailed finish are character features.

**111 King
Street**



Building is at least 50 years old. Historically the building was Hamblen Hardware and the original form and materials remain for the building to convey its style and place in time. Flat roof with minimalist coping detail and projecting flat canopy, stucco and storefront openings are character features.

**131 King
Street**



Building is over 50 years old and is an example of a residential bungalow converted to commercial use while maintaining overall form and materials. Low sloped gable roof with projecting gable roof and traces of the open porch, stucco finish, and bungalow type windows are character features.

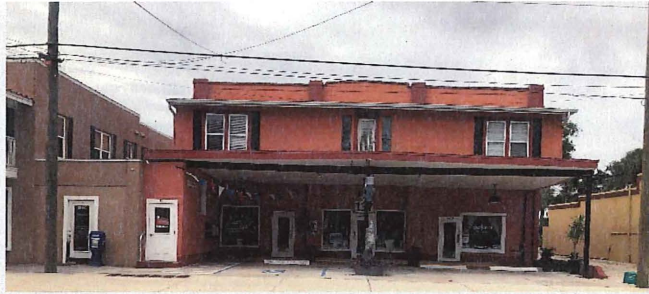
**135 King
Street**



Building is over 50 years old, was once owned by FEC and overall form of the vernacular style is retained with compatible alterations.



**137 King
Street**



Building is over 50 years old, was once owned by FEC and 'Butterfield's Garage' and overall form of the vernacular style is retained with compatible alterations.

**157 King
Street**



This building was the FEC Railway Record Filing Building, ca. 1923. There have been changes to the building however the bones of the building have distinct historic significance and the original element of the building is still visible.

**139 King
Street**



Building is ca. 1930 and retains materials, form, and visual integrity associated with that time period.

**199 W King
Street**



Building dates to the early development of "New Augustine" as it was first called. Exterior changes have been made but would not be complex changes to improve the buildings' visual integrity. Otherwise, the masonry construction, recessed storefront entries, and parapets are character features of commercial development for the period.



City of St. Augustine
King Street Design Standards

**213 W.
King Street**



Building dates to the early development of "New Augustine" as it was first called and this particular building was an auto-oriented use. A projecting canopy was removed but the form, finishes, and opening patterns remain as well as its orientation on the lot for convenience to automobile service.

**205 W.
King Street**



Building was a grocery store originally which supported the expanding residential development of the area in the post-WWII era. The austere building facade, recessed entry, flat canopy, and opening patterns are characteristic of the period.

**239 W.
King Street**



Building has distinct roof form typical of the style and has visual character of the time period including the partial brick-textured facade, flat eave overhang, and auto-oriented siting. Building is 50 years old or older.

**215 W.
King Street**



Building dates to the early development of "New Augustine" as it was then called, associated with the Colee family. Original form, materials, and opening patterns remain.



**225 W.
King Street**



Building is 50 years old or older characteristic of Mid-Century period with austere facade, angled entry, and regular storefront window facade. At one point the building was Peele's Furniture Store.

**Northside
124 King
Street**



Significance of this building is already identified as a contributing building to the Model Land Company National Register Historic District. Visual integrity remains in the materials, features, and building form as well as its setting.

**118 King
Street**



Significance of this building is already identified as a contributing building to the Model Land Company National Register Historic District. Visual integrity remains to a high degree.



City of St. Augustine
King Street Design Standards

**80
Markland
Place**



Significance of this building is already identified as a contributing building to the Model Land Company National Register Historic District. Visual integrity remains in the materials, features, and building form as well as its setting.

**134 King
Street**



Significance of this building is already identified as a contributing building to the Model Land Company National Register Historic District. Visual integrity remains in the materials, features, and building form as well as its setting.

**132 King
Street**



Significance of this building is already identified as a contributing building to the Model Land Company National Register Historic District. Visual integrity remains in the materials, features, and building form as well as its setting.

**130 King
Street**



Proximity to the Model Land Company National Register Historic District although non-contributing. The original house would be contributing otherwise as a high degree of integrity remains. Note the modern addition, if removed, would return the original integrity of the building although this type of storefront development is typical to the Mid- Century period.



128 King Street



Significance of this building is already identified as a contributing building to the Model Land Company National Register Historic District. Visual integrity remains in the materials, features, and building form as well as its setting.

138 King Street



Significance of this building is already identified as a contributing building to the Model Land Company National Register Historic District. Visual integrity remains in the materials, features, and building form as well as its setting.

136 King Street



Significance of this building is already identified as a contributing building to the Model Land Company National Register Historic District. Visual integrity remains in the materials, features, and building form as well as its setting.

**262 W.
King Street**

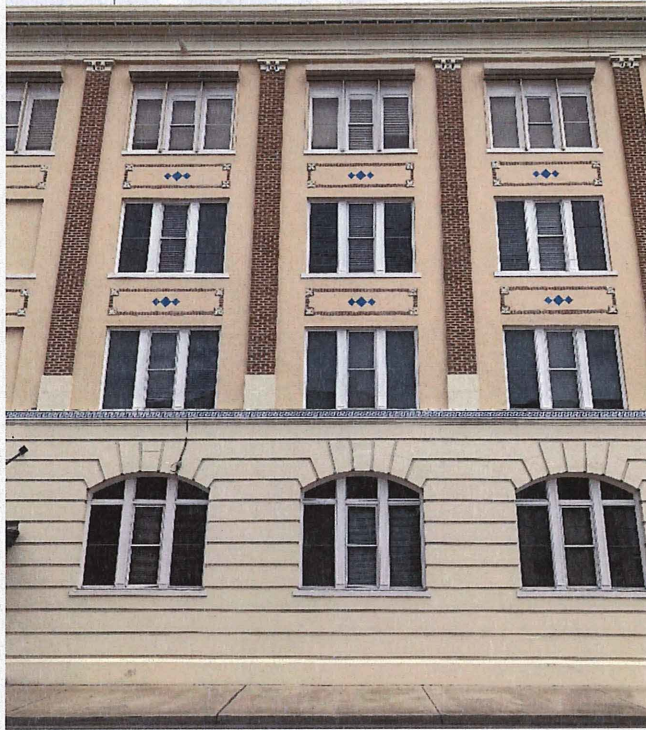


Building is significant to the African American community as Leo Chase Funeral Home. Associated with local Civil Rights Movement activities, Chase Family also recognized with marker across the street from one of the sons who was first local fatality in Vietnam War. Overall feeling of historic character remains.



City of St. Augustine
King Street Design Standards

**1 Malaga
Street**



Significance of this building is already identified as a contributing building to the Model Land Company National Register Historic District. Visual integrity remains to a high degree.

**260 W.
King Street**



Recognized as one of the older homes in West Augustine, built just prior to 1900 and retains a high degree of integrity due to materials, form, opening patterns, and setting.

**218 W.
King Street**



Building dates to the early development of "New Augustine" as it was then called and this building was originally two retail stores, a drug store and auto supply store for a long period. Original material, opening patterns, finish details remain to a high degree of integrity.



**226 W.
King Street**



Building dates to the early development of "New Augustine" as it was then called representing commercial business. Original materials, forms, and features remain.



Building dates to the early development of "New Augustine" as it was then called (226 W King, 224 historically) Unique parapet roof with metal gable roof beyond, storefront windows, and masonry finishes are character features.

**222 W.
King Street**



Building dates to the mid-century development boom and was a movie theater at an early point. Unique parapet roof and storefront windows, metal gable roof, and masonry finishes are character features.

**228 W.
King Street**



Building dates to the early development of "New Augustine" as it was then called, used for an early time as a grocery market. Unique masonry coping lines and finishes, parapet, form, and windows are character features.



City of St. Augustine
King Street Design Standards

**245 W.
King Street**



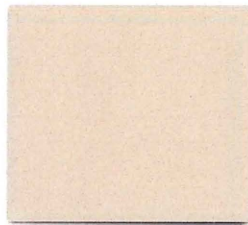
Building represents city planning and development as an institutional masonry building constructed during the midcentury time period.



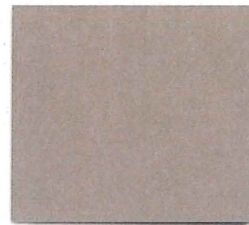
APPENDIX E: COLORS



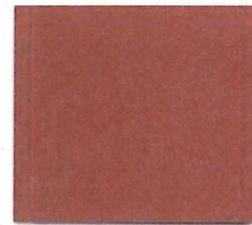
SW 0036
Buckram Binding
Interior



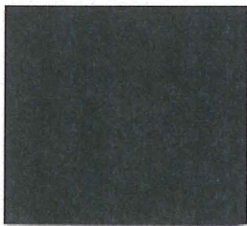
SW 0035
Indian White
Interior / Exterior



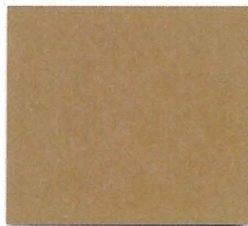
SW 0037
Morris Room Grey
Interior / Exterior



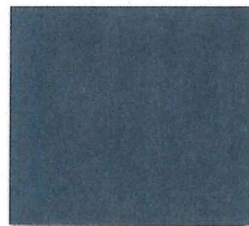
SW 0040
Roycroft Adobe
Interior / Exterior



SW 0041
Dard Hunter Green
Interior / Exterior

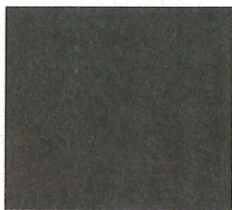


SW 0043
Peristyle Brass
Interior / Exterior

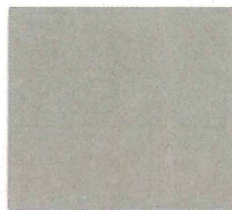


SW 0048
Bunglehouse Blue
Interior / Exterior

NOTE: Colors
may be
increased or
decreased in
saturation 10%
from color
sample.



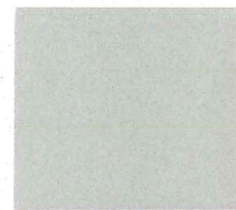
SW 0065
Vogue Green
Interior / Exterior



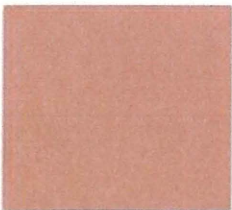
SW 0066
Cascade Green
Interior / Exterior



SW 0067
Belvedere Cream
Interior / Exterior



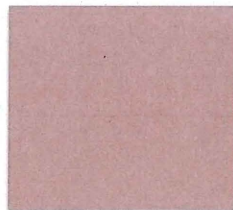
SW 0068
Copen Blue
Interior / Exterior



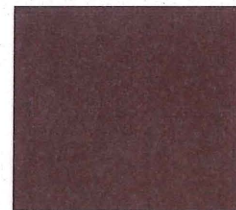
SW 0069
Rose Tan
Interior / Exterior



SW 0070
Pink Shadow
Interior / Exterior



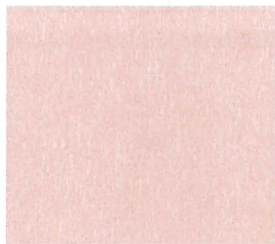
SW 0071
Orchid
Interior / Exterior



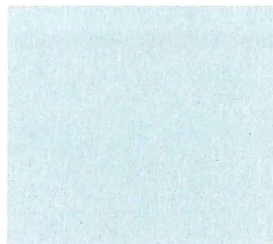
SW 0072
Deep Maroon
Interior



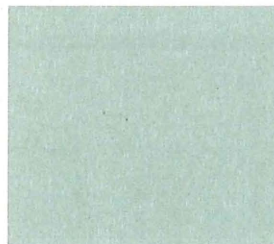
City of St. Augustine
King Street Design Standards



SW 6316
Rosy Outlook
Interior / Exterior



SW 6771
Bathe Blue
Interior / Exterior



SW 6464
Aloe
Interior / Exterior



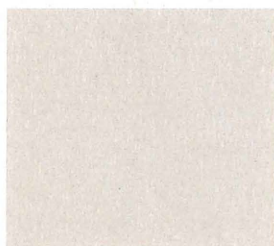
SW 6815
Awesome Violet
Interior / Exterior



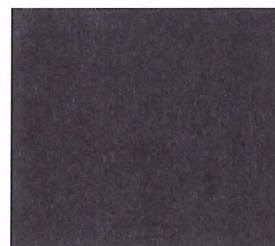
SW 0074
Radiant Lilac
Interior / Exterior



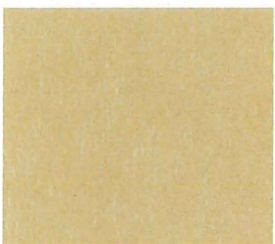
SW 0025
Rosedust
Interior / Exterior



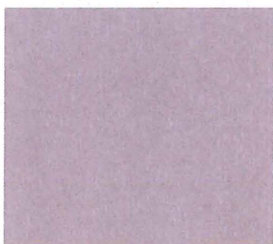
SW 6035
Gauzy White
Interior / Exterior



SW 7083
Darkroom
Interior / Exterior



SW 6401
Independent Gold
Interior / Exterior



SW 6556
Obi Lilac
Interior / Exterior

NOTE: Colors
may be
increased or
decreased in
saturation 10%
from color
sample.

Draft v6

Prepared by



Marquis Latimer + Halback, Inc.

34 Cordova Street, Suite A

St. Augustine, FL 32084

Jeremy Marquis, RLA, ASLA, LEED AP BD+C, Project Manager

jeremy@halback.com



S&ME, Inc.

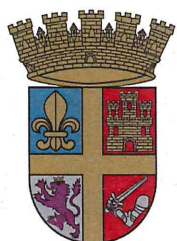
1615 Edgewater Drive, Suite 200

Orlando, FL 32804

Pat Tyjeski, AICP

ptyjeski@smeinc.com





CITY OF
ST AUGUSTINE
EST. 1565



King Street: Entry Corridor Guidelines Update

CITY COMMISSION | 03.25.19

 **Marquis Latimer + Halback**
LANDSCAPE ARCHITECTURE · PLANNING


BUILT FOR
VERSATILITY

1.) Incorporate flexibility with respect to the rails-to-trails project in terms of access, additional or alternate frontages, and building setback

1

Rails to Trails

5.4.6. Building Entrances

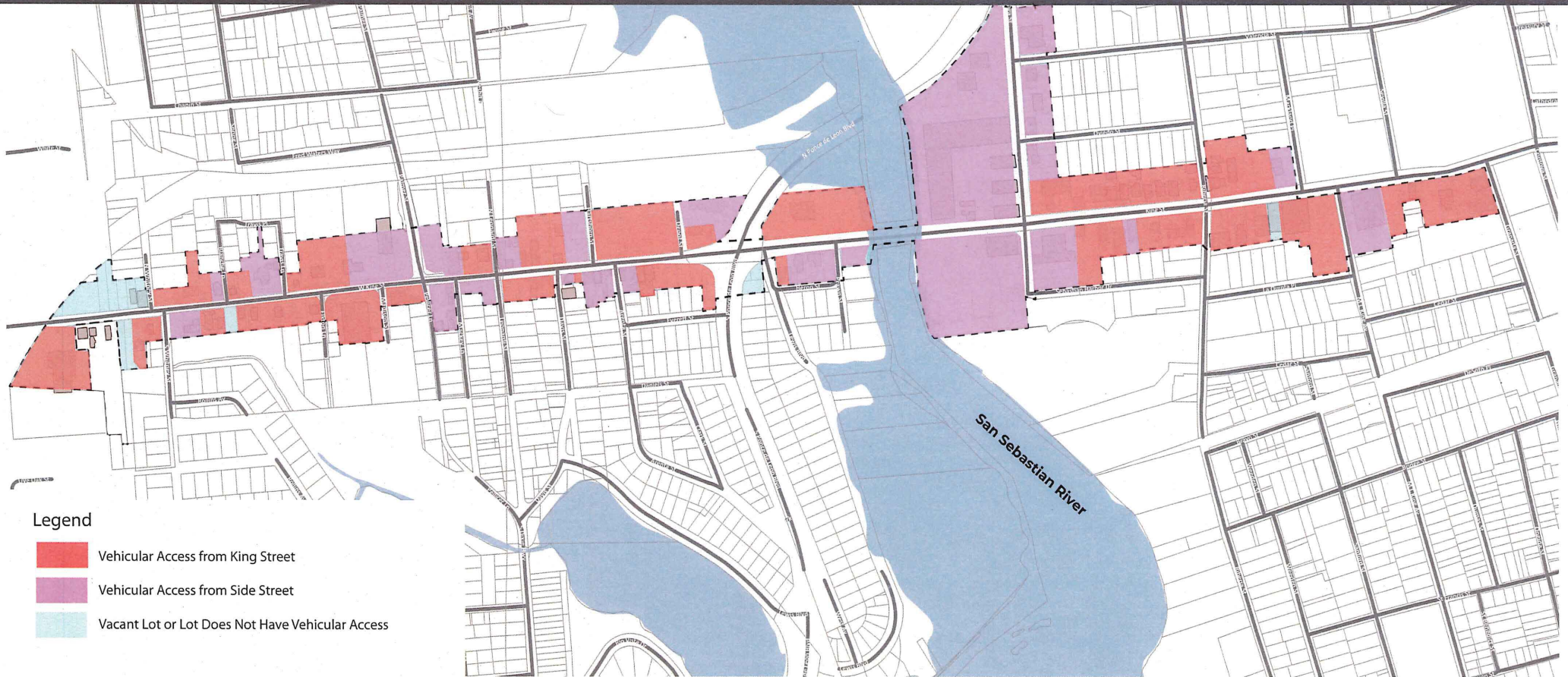
1. **The main entrance of all buildings shall be oriented toward the King Street corridor.** The design of the façade shall reinforce presence of main entrance. **In order to better address multi-modal mobility needs**, on lots with a possible secondary entrance, the applicant will design the secondary entrance in the context of serving the multi-modal community, including, but not limited to, scaling the secondary entrance to pedestrian needs, providing unimpeded pedestrian pathways or sidewalks through the site, connecting pathways or sidewalks to adjacent parcels or other pedestrian features on public or private land, providing for bicycle racks, etc.
2. The front entrance (facing King Street) shall be operable, clearly-defined and highly-visible. In order to emphasize entrances, they shall be accented by a change in materials around the door, recessed into the façade (alcove), or accented by an overhang, awning, canopy or similar feature.
3. Doors may be solid or glazed. The acceptable door materials include wood, painted steel, and painted aluminum.
4. Pedestrian connections from the public sidewalk and parking areas to the building entrance shall be provided. Buildings with entrances at a higher elevation than the public sidewalk shall create a transition within the setback (see Figure 19).



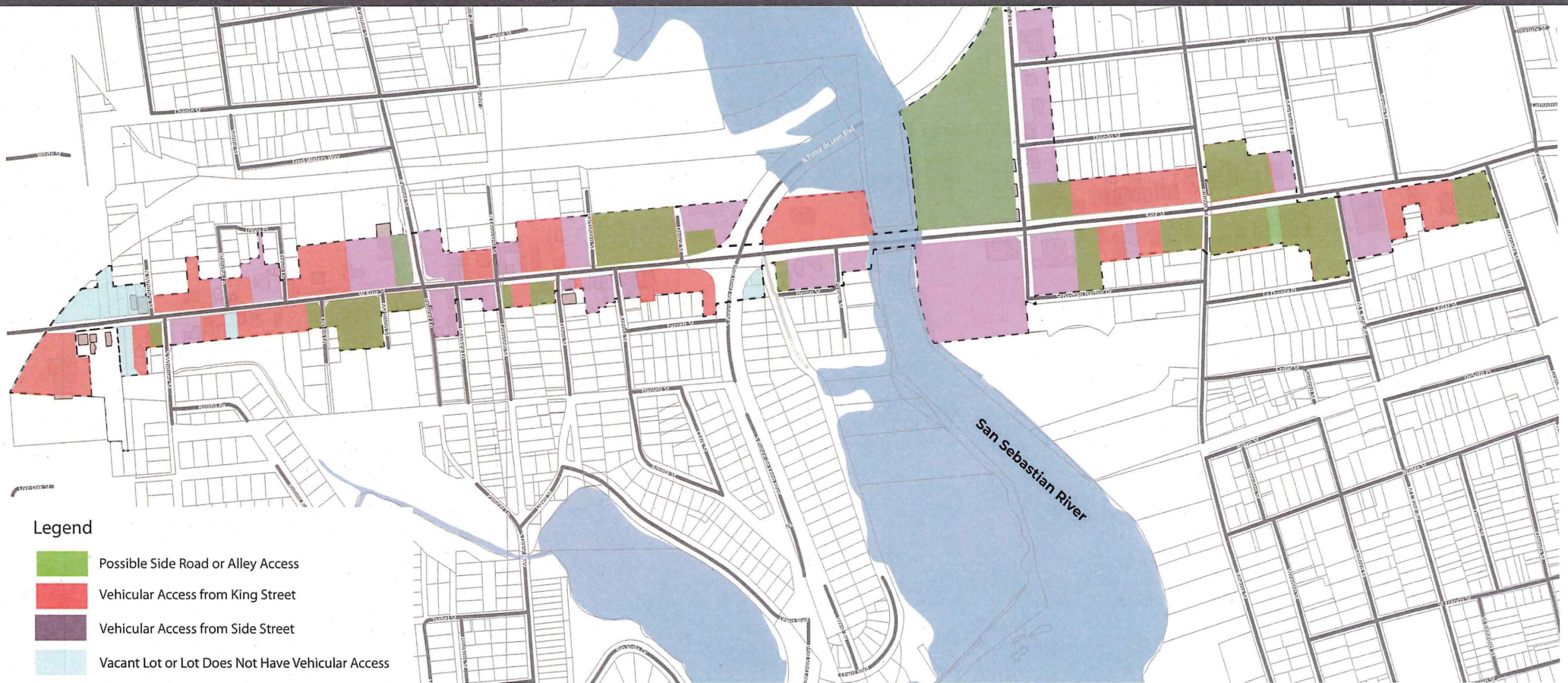
2.) Identify options for flexibility to parking requirements and alternative design patterns that accommodate parking needs

2

Vehicular Access



Vehicular Access



2.) Identify options for flexibility to parking requirements and alternative design patterns that accommodate parking needs

2

Standards

5.5.2. Vehicular Access

Parking areas shall be accessed from a secondary street, or from an adjacent property (shared use agreement necessary), if any of these are available or proposed as part of the development. Driveway connections to King Street shall be allowed as a last resort and shall require the applicant to provide evidence to this fact. The following standards shall apply to all driveways:

- a. Only one driveway (ingress and egress) shall be allowed per site. A one way ingress and one way egress shall equal one driveway. Only if required by the Fire Marshal for safety, additional driveway(s) may be permissible.
- b. One-way drives shall not exceed 13 feet in width.
- c. Two-way driveways shall not exceed 24 feet in width.
- d. Turning radii along King Street will be determined by the applicable authority in the right of way.
- e. Turning radii along all other streets shall not exceed 20 feet.



3.) Coordinate with parallel city project that may result in future changes to the right-of-way areas

3

Standards + ROW Project

Section 3. When the King Street Entry Corridor Design Standards Apply

The standards herein are based on the *existing conditions* of the public right-of-way on the date of adoption. In the event that the public right-of-way changes, standards shall still be applicable unless technically infeasible, as presented by the Applicant and determined by the CRC.

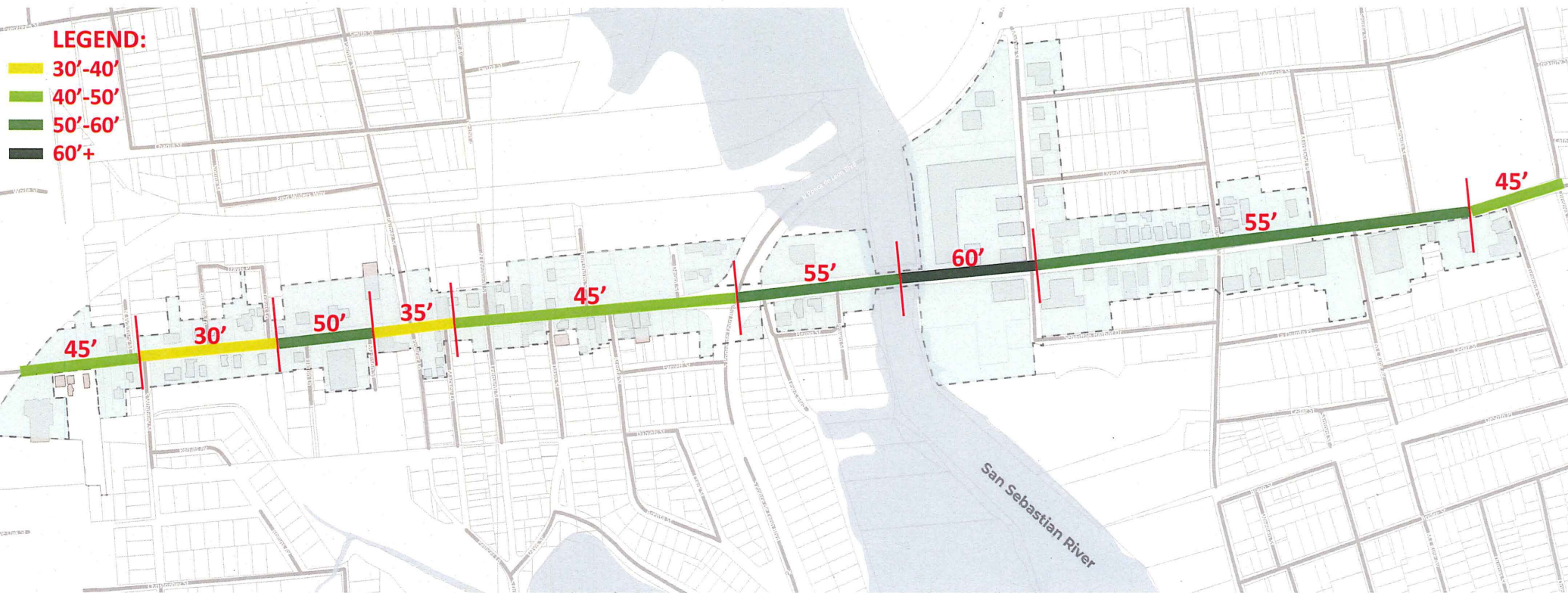
The standards are in addition to the requirements of the City's comprehensive plan, zoning, and land development regulations found in the City's code of ordinances. **These standards apply to parcels fronting the King Street corridor. The public right of way (ROW) is not included in these standards.**



4.) Provide visual tools such as street sections to identify different characteristics along King Street for building location and right-of-way proximities

4

Right of Way Widths



Right of Way Widths

4

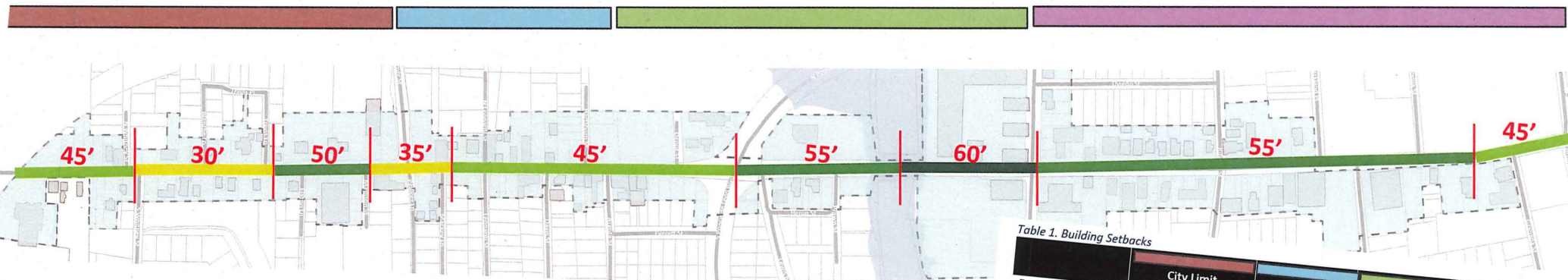


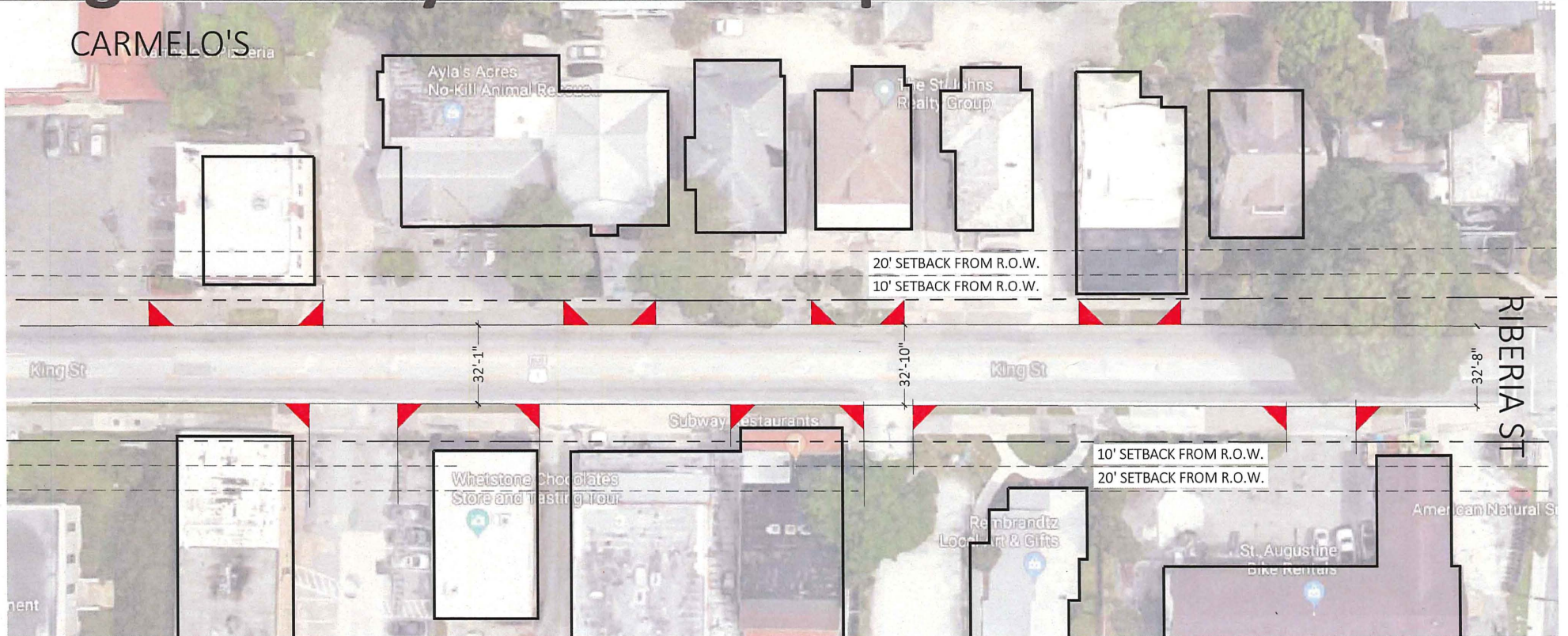
Table 1. Building Setbacks

	City Limit	West King	Central	East
Front Yard Setback	0 ft. min., 10 ft. max.*	0 ft. min., 10 ft. max.*	5 ft. min., 10 ft. max.*	5 ft. min., 10 ft. max.*
Street Side Yard Setback	5' min.*	0' min.*	0' min.*	5' min.*
Interior Side Yard Setback	5 ft. min. (see note A)	5 ft. min. (see note A)	5' min. (see note A)	5' min. (see note A)
Rear Yard Setback	5 ft. min.	5 ft. min.	5 ft. min.	5' min.
Setback adjacent to single family zoning (RS-1, RS-2)	15 ft.	15 ft.	15 ft.	15 ft.





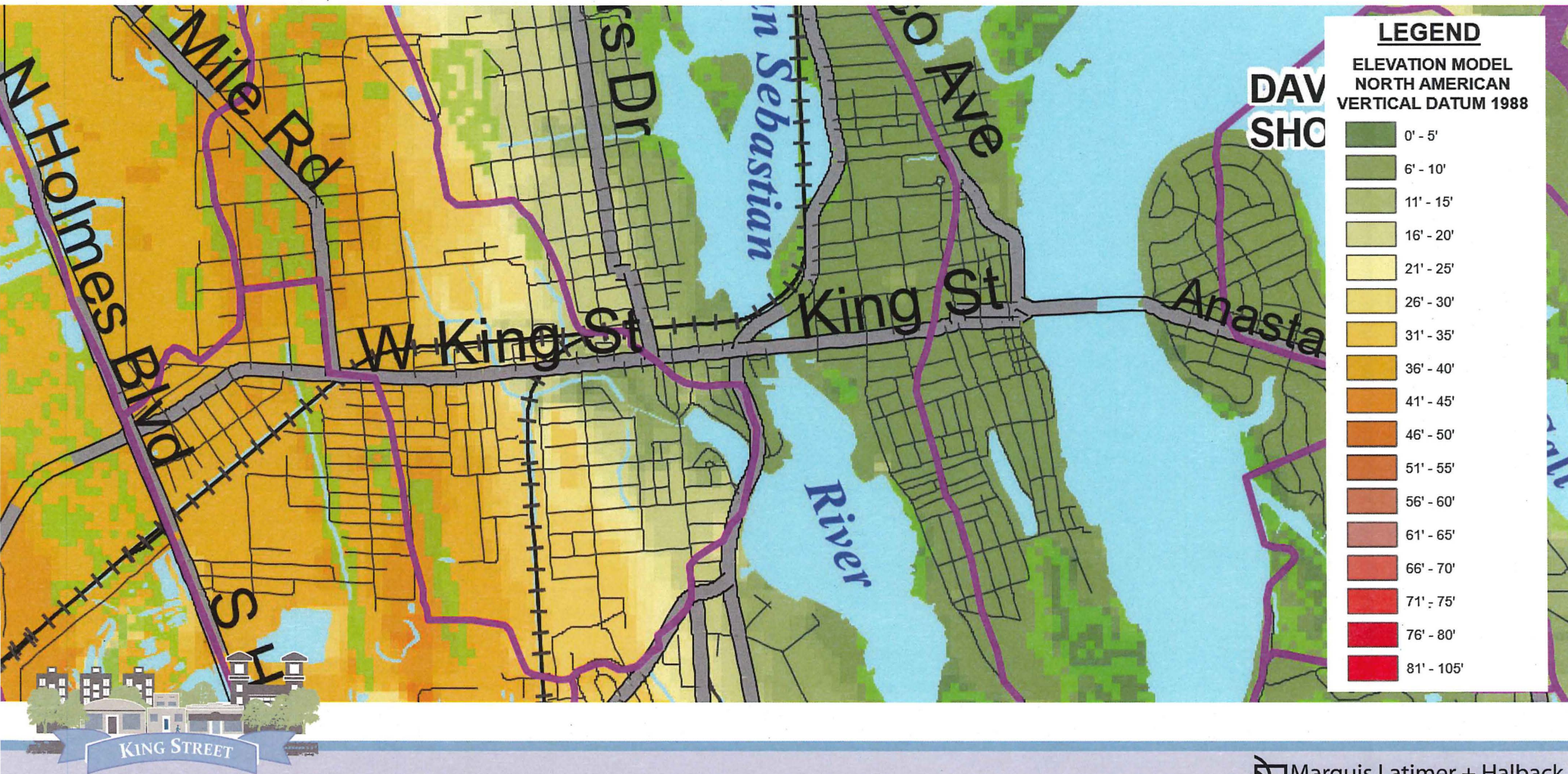
Right of Way + Setbacks | East



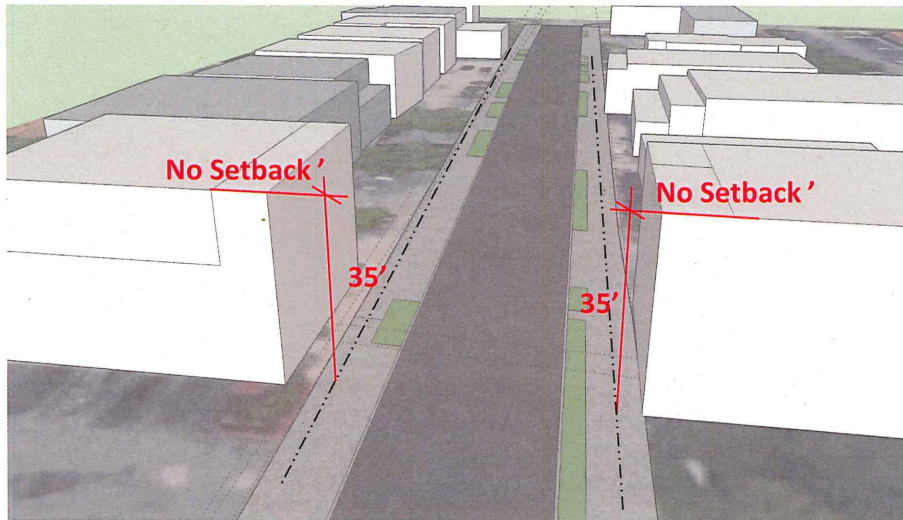
5.) Setback/step back for maximum building height may create repetitive building forms and may not be necessary with the variation of topography across King Street

5

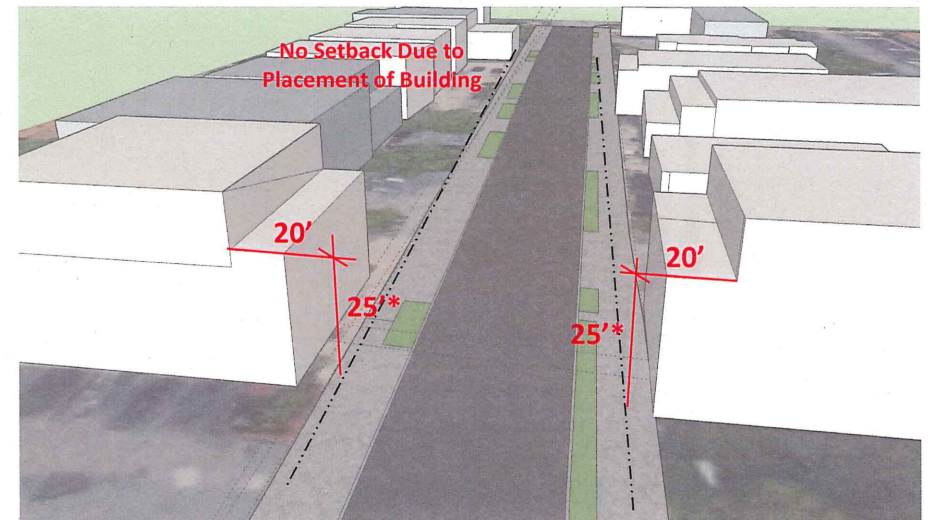
King Street Entry Corridor Elevations



Upper Floor Setback



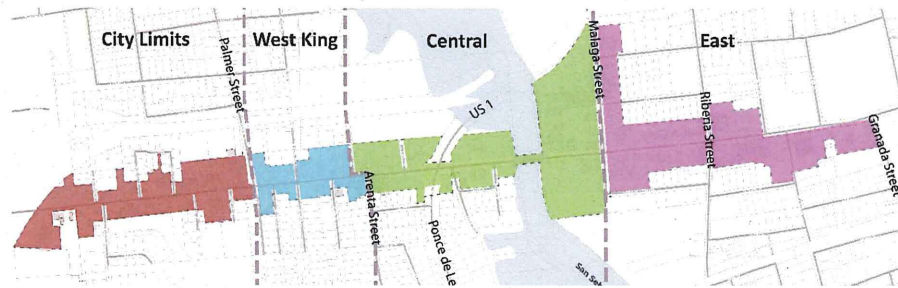
No Upper Floor Setback



Upper Floor Setback



*Measured 1' Above
Base Flood Elevation



- 6.) Style should not be prescriptive and prominent high styles should not be allowed to be built as new infill so that the authentic historic building styles remain prominent features
- 7.) Flexibility in architectural form is more applicable in the “City Limit” and some “West King” areas while the “Central” and “East” portions have significant viewsapes around natural and historic areas that should be considered with infill development

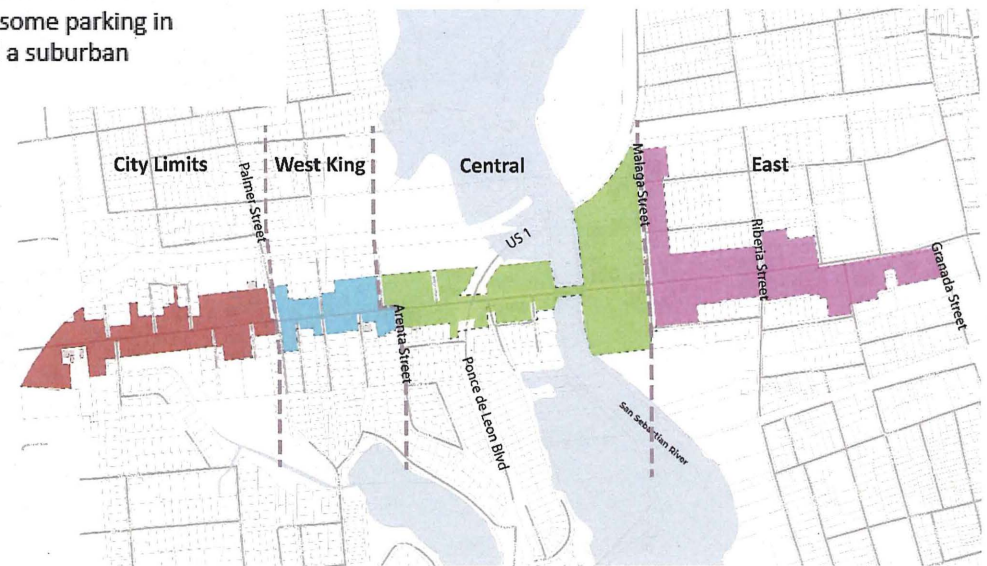
6-7

Architectural Forms

5.4. Building Design

The King Street corridor contains a diversity of architectural styles and building typologies. Most buildings currently feature styles such as Frame and Masonry Vernacular, but there are also a few Mid-Century Modern, Bungalow and Spanish influenced styles.

The typology along the corridor also varies. There are single family homes still used for that purpose, and there are also single-family homes that have been converted to non-residential use. Some residential buildings have been enlarged and modified to the point that the residential appearance is not evident from the street. Although there are some traditional commercial buildings in the eastern portion of the district, the western portion of the district contains a more consistent pattern of traditional commercial storefronts. These buildings are situated very close to the street and have some parking in the rear. The commercial establishments east of the San Sebastian River have adopted a suburban character, with deeper setbacks and parking in the front, adjacent to the street.



8.) Consider alternative format(s) of application requirements that may allow for concept phase review, final design review, and/or staff review of minor project details

8

Application Materials

All Submittals shall include:

- A list of any requested modifications of standards.
- A clear and detailed description of all proposed construction.
- Photographs of the existing structure (pre-construction) and all adjacent structures.

Basic Submittals (submit items from "All Submittals" and applicable items from below):

- Paint colors and locations (including paint chips or samples).
- Light fixtures and photometric plan for site lighting over 8' in mounting height
- Satellite dish antennas or other similar equipment, location and dimensions
- Fences and walls (height, materials and colors)

Advanced Submittals (submit items from "All Submittals", applicable items from "Basic Submittals," and applicable items from below:

- A complete site plan of the property to be developed, showing the location of all structures and buildings, required yards, required parking, surface drive areas, loading spaces, stacking spaces, landscaping areas (both perimeter and interior), the location of all trees three (3) inches or larger dbh, by species and dbh (both to be removed and to be retained), dumpsters, exterior mechanical equipment, storm drainage retention areas, etc. (scale preferred: 1 inch = 20 feet).
- Landscape planting plan at a minimum scale of 1 inch=20 feet including hardscape, plant materials, sizes and location.
- Elevations of all proposed construction (scale preferred: 1/8 inches = 1 foot).
- Wall sections (scale preferred: 3/4 inches = 1 foot).

- Northerly and easterly sections through the site focusing on the proposed building(s), existing building(s), and sidewalks. All abutting roadways should be shown. Preferred scale: 1/8 inches = 1 foot. Images presenting the structure's mass and form in relation to its surrounding structures must be included for all new construction. A minimum of two drawings, must include parcel surroundings plus cross street adjacencies. (Tools such as SketchUp, which is free and readily available, is recommended).
- Details indicating the following (scale preferred: 1-1/2 inches = 1 foot) windows, shutters and shutter hardware
- Exterior surfaces, materials and textures
- Chimneys
- Exterior porches, landings, stairs, ramps, railings and banisters
- Walks and drive surface materials
- Patios and decks
- Other miscellaneous ornamentation (for Legacy Buildings)
- Renderings, optional (mandatory for new construction)

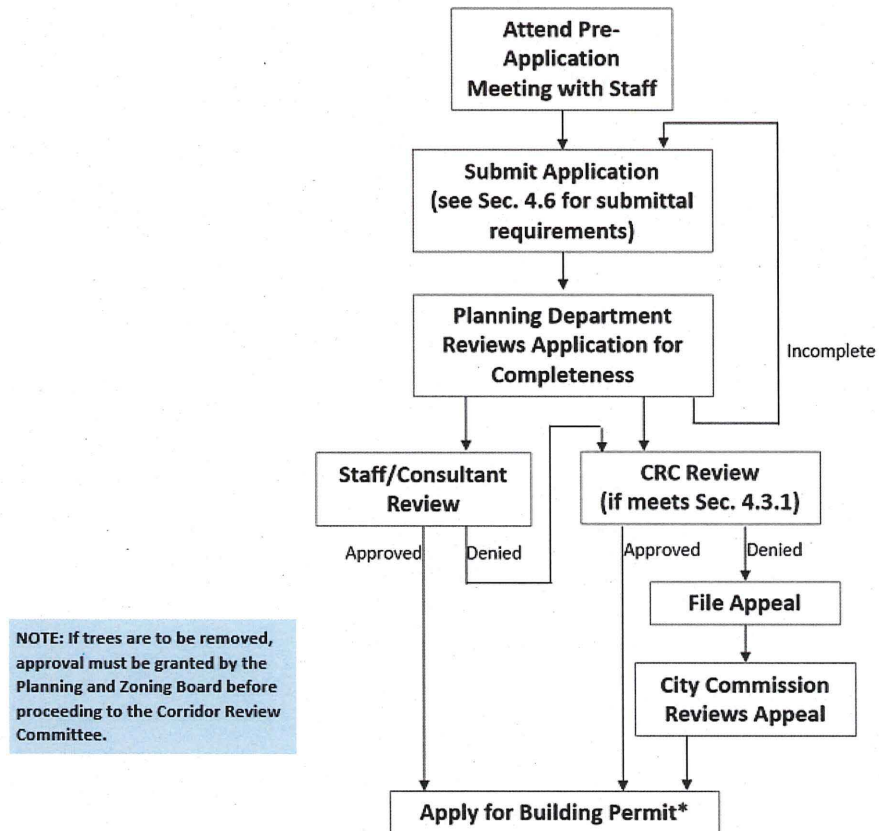


9.) Review processes for other applications (ex. tree removal) may need to be re-evaluated

9

Application Process

Figure 3. Review Flow Chart



* Not including other reviews such as zoning exception or variance. If those are required, they occur after the CRC review.



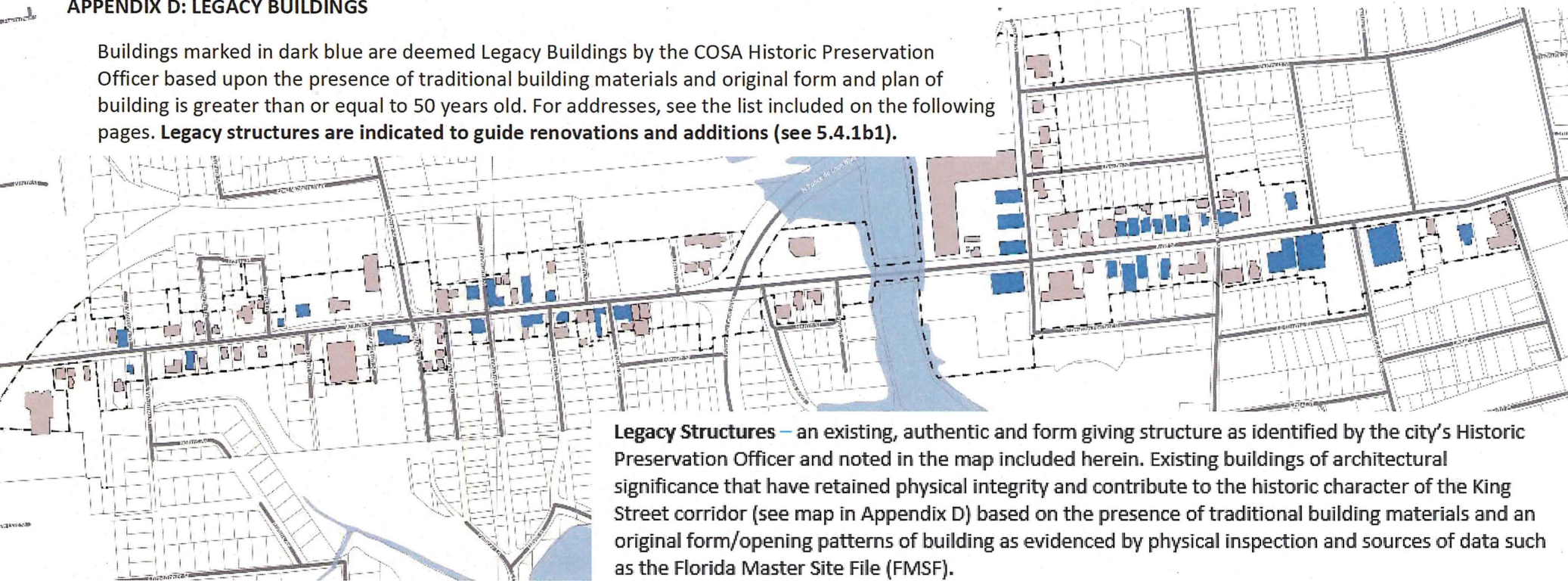
10.) Provide justification for identified 'legacy' structures, determine the impacts to development, and identify the implications of review for these buildings

10

Legacy Structures

APPENDIX D: LEGACY BUILDINGS

Buildings marked in dark blue are deemed Legacy Buildings by the COSA Historic Preservation Officer based upon the presence of traditional building materials and original form and plan of building is greater than or equal to 50 years old. For addresses, see the list included on the following pages. **Legacy structures are indicated to guide renovations and additions (see 5.4.1b1).**



Legacy Structures – an existing, authentic and form giving structure as identified by the city's Historic Preservation Officer and noted in the map included herein. Existing buildings of architectural significance that have retained physical integrity and contribute to the historic character of the King Street corridor (see map in Appendix D) based on the presence of traditional building materials and an original form/opening patterns of building as evidenced by physical inspection and sources of data such as the Florida Master Site File (FMSF).



CITY OF ST. AUGUSTINE

MEMORANDUM

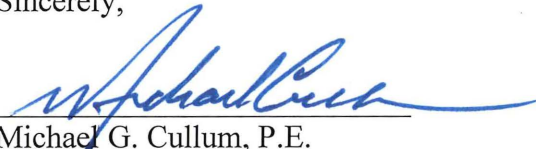
TO: John P. Regan, P.E.
City Manager

DATE: March 14, 2019

RE: Agenda Item for March 25, 2019 City Commission Meeting:
Resiliency & Adaptation at the City of St. Augustine, Program Update
Presentation

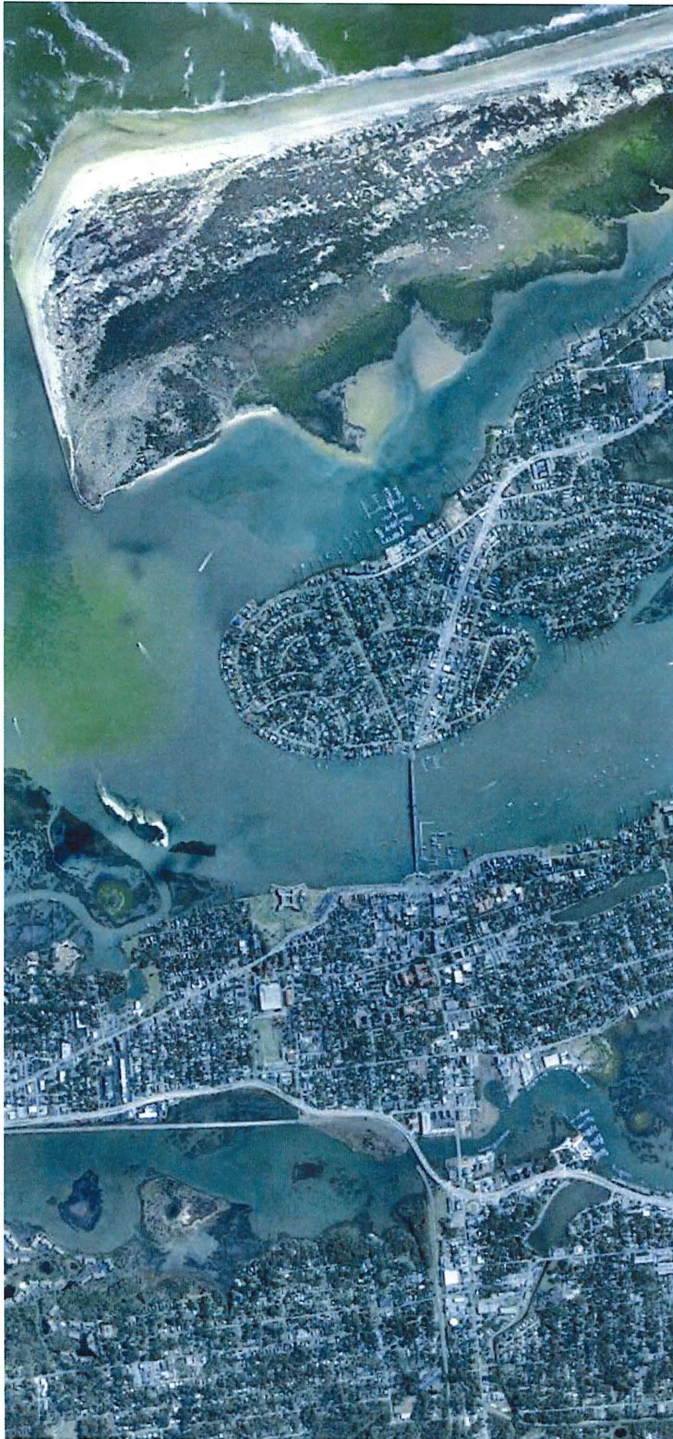
I would like to present an update on the City of St. Augustine's Resiliency & Adaptation Program and request time be allotted for my presentation at the March 25, 2019 meeting, under Item 10, Staff Reports and Presentations

Sincerely,



Michael G. Cullum, P.E.
Public Works Director

cc: COSA Directors



RESILIENCY & ADAPTATION AT THE CITY OF ST. AUGUSTINE

PROGRAM UPDATE ♦ MARCH 25, 2019

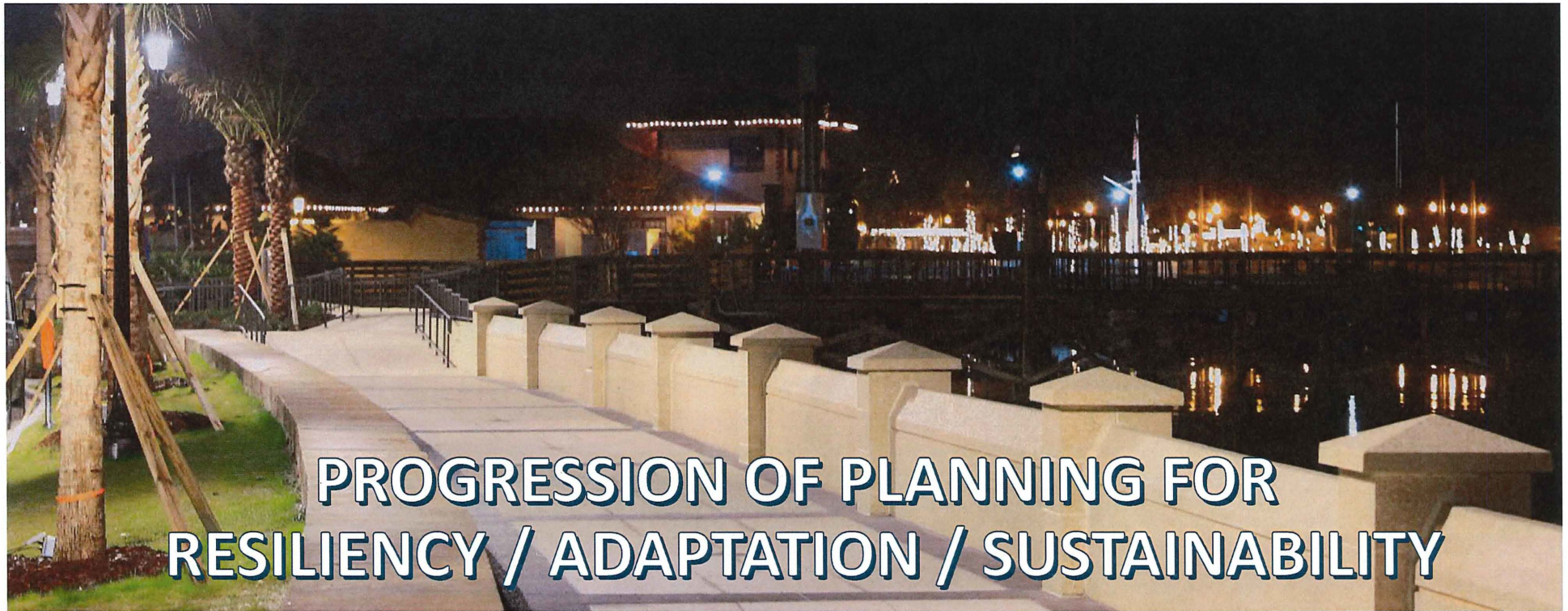
MICHAEL G. CULLUM, P.E.

DIRECTOR, PUBLIC WORKS



PROGRESSION OF PLANNING FOR RESILIENCY / ADAPTATION / SUSTAINABILITY

- ❖ Stormwater Master Plan – 1995 (Utility – 1993)
- ❖ Stormwater Master Plan Update – February, 2013
- ❖ Avenida Menendez Seawall – 1st HMGP project in St. Johns County
- ❖ Coastal Vulnerability Assessment – June, 2016
- ❖ *Hurricane Matthew – October 7, 2016*
- ❖ Fla Community Resiliency Initiative Adaptation Plan - May, 2017
- ❖ *Hurricane Irma - September 10, 2017*



- ❖ **Resiliency Workshop & Scorecard – May and June, 2018**
- ❖ **Historic Preservation Master Plan – October, 2018**
- ❖ **Building Guidelines and Assistance**
- ❖ *Benchmark Studies – South Florida and National Climate Assessment*
- ❖ **Heritage and Community Values Public Workshop & Survey – Jan, 2019**
- ❖ **Keeping History Above Water Conference (KHAW) – May, 2019**
- ❖ **Comprehensive Plan Update – December, 2019**



STORMWATER MASTER PLAN UPDATE – FEBRUARY, 2013

STORMWATER UTILITY FEE UPDATE

NEW STORMWATER RATES ON UTILITY BILLS

Stormwater rates will be changing starting on your April 2014 utility bill. Some rates will be lower, some higher, depending on the size of your home or developed property.

Residential customers will pay a flat rate, while non-residential properties are computed based on developed, impervious area.

Small home (15,000 sq. ft. or less)	\$2.44/month
Single family home (15,001 sq. ft. to 25,000 sq. ft.)	\$7.44/month
Large home (25,001 sq. ft. to 40,000 sq. ft.)	\$11.20/month
Multi-family unit (apartment or townhome)	\$2.44/month
Mobile home	\$1.44/month
Non-residential customers	\$7.44/100 sq. ft./month

Why does the city need a stormwater fee? The fee goes to cover the cost of maintaining and improving the City's stormwater collection and treatment system.

What is an impervious area? An impervious area is any surface that does not allow for infiltration of rainwater to occur and includes roofs, driveways, patios, sidewalks, and other paved areas. In St. Augustine a single family unit (SFU) is defined as 7,500 square feet and is the basis for assessing non-residential rates.

NON-RESIDENTIAL RATE EXAMPLE

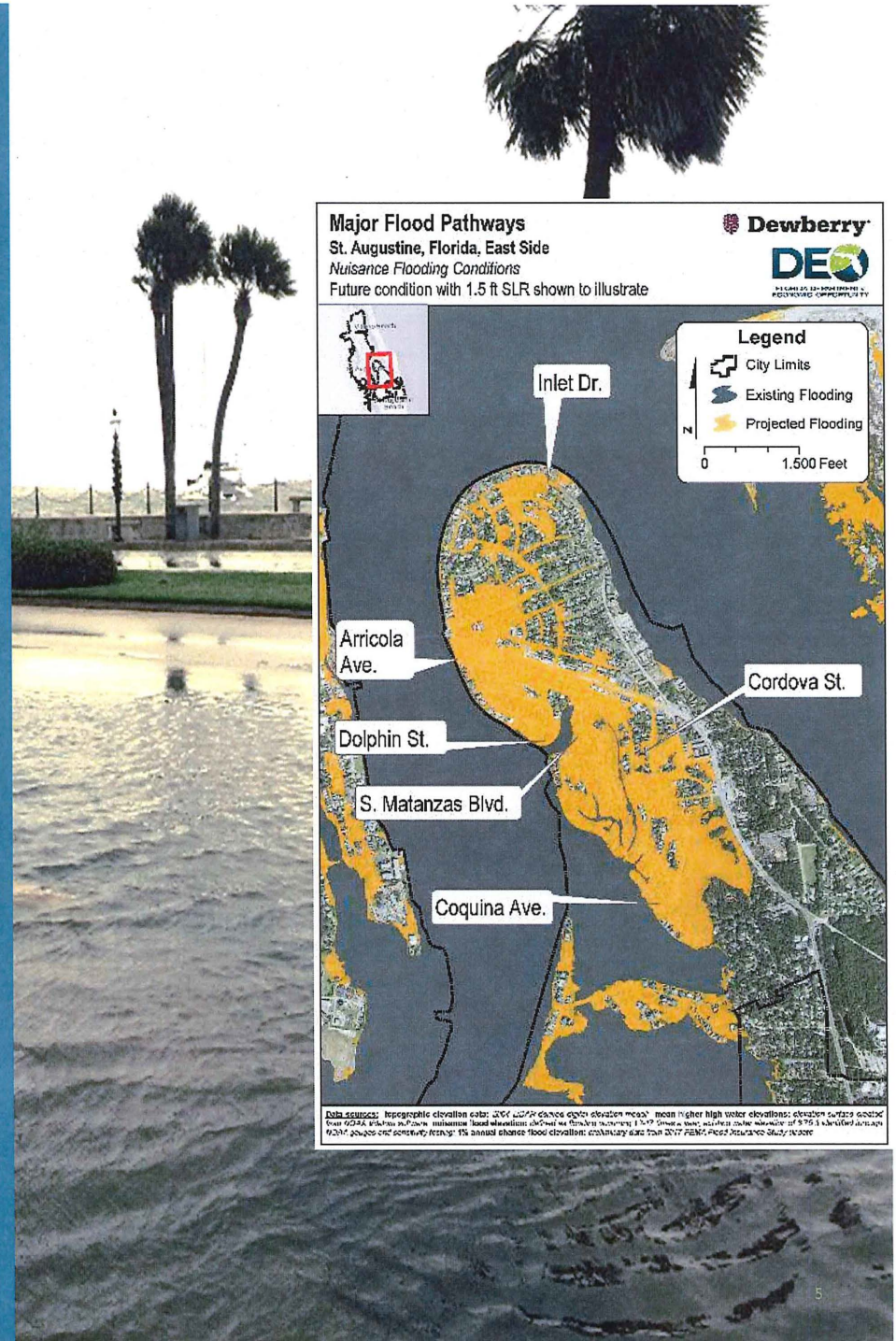
9,000 sq. ft. + 10,000 sq. ft.
2,752 sq. ft. = 6.90 SFUs
6.90 SFUs x \$7.44/month = \$48.32/month

For more information on stormwater and other water resource services, please visit www.StAugFL.com or contact us at 904-825-1040.

- ❖ Developed Watershed Models to Evaluate Options
- ❖ Defined Levels of Service
- ❖ Stormwater Utility Evaluation and Recommendations
 - Updated Stormwater Utility Fee
 - New fee structure based on impervious area
 - Discount for stormwater treatment facilities
- ❖ 3 Pilot Projects Featured
 - Lake Maria Sanchez
 - South Dixie Highway
 - Sidney Street

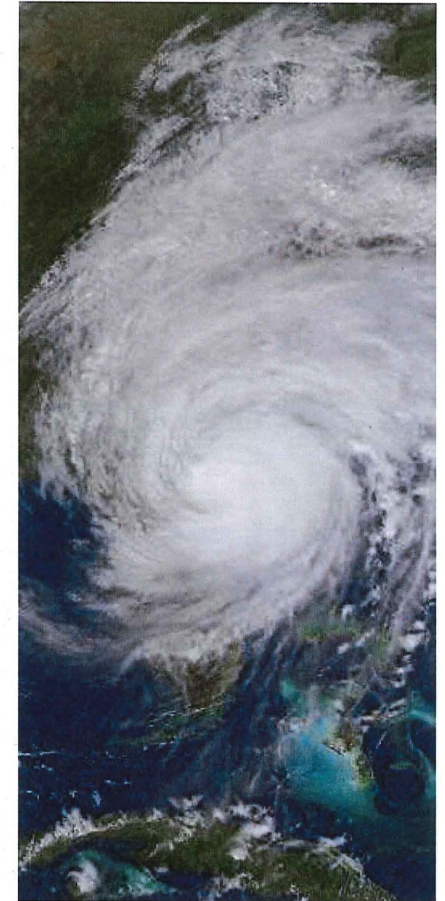
COASTAL VULNERABILITY ASSESSMENT – JUNE, 2016

- ❖ Community Resilience Initiative Pilot Projects - Dept of Economic Opportunity (DEO) funded by NOAA
- ❖ Evaluated flooded areas, roads, bridges, buildings, (2,550 historic and archeological resources), water and wastewater plants, water supply
- ❖ 3 Scenarios
 - Mean Higher High Water – daily inundation about 2' NAVD88
 - Nuisance Flooding – 12-17 times per year, 3.75' NAVD88
 - 1% annual chance flood event – 26% chance in 30 years, 6-10' NAVD88





HURRICANE MATTHEW – ***OCTOBER 7, 2016***





FLORIDA COMMUNITY RESILIENCY INITIATIVE - ADAPTATION PLAN

MAY, 2017

ACHIEVED PROGRESS...

- ❖ **Educate the Public about SLR and Policy Responses**
- ❖ **Develop Baseline Budgets – Stormwater, Utility and Paving CIP's**
- ❖ **Learn from Matthew and Irma – Work with FEMA**
- ❖ **Targeted Upgrades to City's Stormwater System –**
 - 20 Tide Flex Valves Installed
 - Neighborhood Stormwater Designs – Lake Maria Sanchez, Court Theophelia, Seminole Drive
 - Include Stormwater Improvements in Utility Upgrade Projects
- ❖ **Wastewater Treatment Plant Options for Resiliency**
- ❖ **Lift Station Resiliency Designs**
- ❖ **Historic Preservation Comp Plan for Hazard Mitigation**



FLORIDA COMMUNITY RESILIENCY INITIATIVE – ADAPTATION PLAN

MAY, 2017

STILL NEEDS WORK...

❖ FDOT Roadway Improvements

- More Tide Flex Valves being installed
- Roadways restored at same elevation

❖ Adopt Policies to Limit Spending in Susceptible areas

- Doing the opposite; Court Theo & Seminole Dr.

❖ Address Adaptation Action Areas

- Will Address in Comprehensive Plan Update

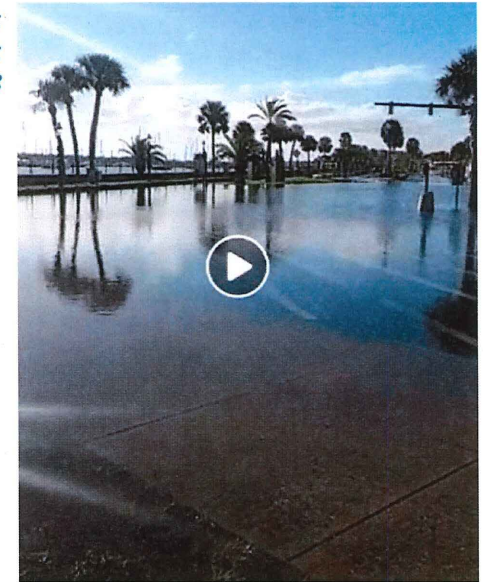
❖ Install Low Impact Development/Green Infrastructure on Public Lands

- Maintain pervious surfaces under flood-proofing for structures

❖ Base Decisions on FEMA's Updated Flood Maps

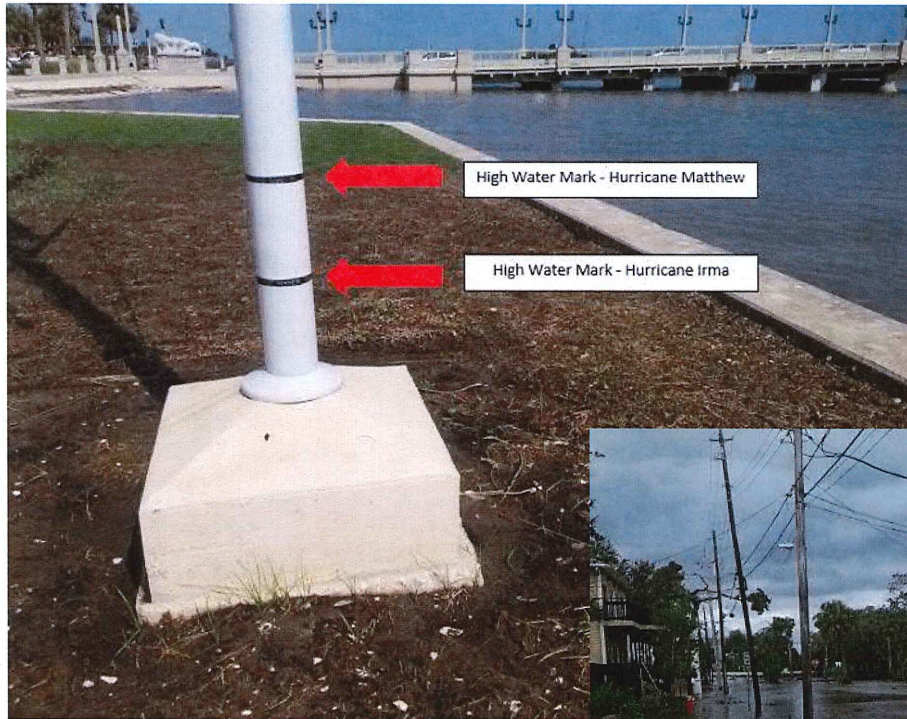
- New maps effective December 7, 2018

*Bayfront flooding;
Nor'easter Storm;
November, 2018*





HURRICANE IRMA – **SEPTEMBER 10, 2017**





RESILIENCY WORKSHOP – MAY 8, 2018



Stakeholder Organizations Represented at Workshop



RESILIENCY SCORECARD				
	Resilience Score	Benefits Score	Implementation Score	Overall Score
<i>Capital Improvement Project</i>	<i>Resilience to Shocks and Stresses</i>	<i>Contribution to Overall City Resiliency</i>	<i>Feasibility of Project Implementation</i>	
Seawall Project (Replace In Kind)	33%	25%	53%	37%
Seawall Project II (Current Scope)	83%	51%	68%	65%
Seawall Project III (Improve Valves)	100%	61%	79%	77%
Lake Maria Sanchez FEMA (Current Scope)	84%	54%	69%	67%
Lake Maria Sanchez (Upgrade Water/Sewer)	67%	31%	54%	48%
Lake Maria Sanchez (Add Mobility/Historic)	75%	52%	75%	66%

Expertise Utilized to Rank Projects:		
Public Works	Planning & Building	Mobility
Engineering	Historic Resources	Mobility
Environmental	Planning & Zoning	
Geology	Building	

Draft Scorecard Received on June 21, 2018

10TH ANNUAL SOUTHEAST FLORIDA CLIMATE LEADERSHIP SUMMIT – OCTOBER, 2018

- ❖ 10 Years of Summits – Focus on Planning and CIP's Key Takeaways:
- ❖ Ongoing Need to Maintain Public Education and Awareness, KHAU, May 5-8, 2019, St. Augustine
- ❖ Each County/City has Resiliency Chief/Division
- ❖ Speakers from the Kresge Foundation and 100 Resilient Cities Program
 - Both Stressed Social Equality for Application of Resiliency
- ❖ Lincolnville Community Redevelopment Agency (CRA)
 - Lincolnville 1, 2 & 3 Stormwater, Utility and Paving
- ❖ West Augustine CRA
 - St. Johns and Duval Streets - Septic to Sewer
 - South Dixie Culvert Stormwater
 - South Whitney/West King Street Stormwater



Old 10"
Storm Pipe

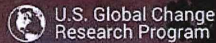


New 30"
Storm Pipe



New City Sewer
Connection
Replaces Septic

FOURTH NATIONAL CLIMATE ASSESSMENT WASHINGTON D.C. – NOVEMBER, 2018



Fourth National Climate Assessment



Volume II

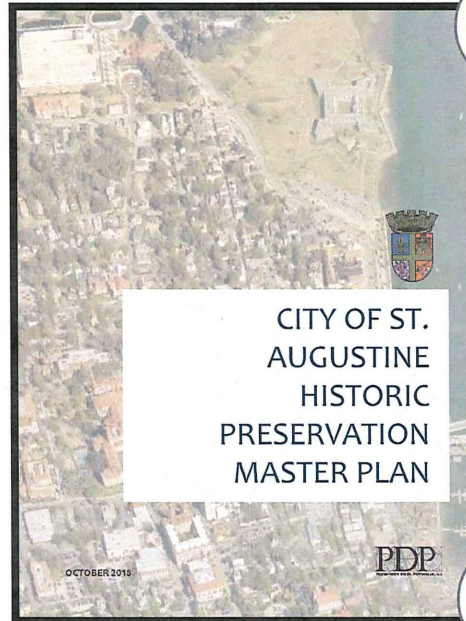
Impacts, Risks, and Adaptation in the United States
Report-in-Brief

- ❖ **16 Chapters, Ranging from Global greenhouse gas emissions to...**
- ❖ **Communities – Emphasizing lack of economic equality for lower-income and marginalized communities to...**
- ❖ **Aging and deteriorating infrastructure**
 - ❖ (CoSA is *the* poster child) to...
- ❖ **Oceans and Coasts – Most applicable to CoSA**
 - Due to historical emissions, SLR through 2050 locked in
 - Atlantic and Gulf Coasts are facing above average risk
 - High-tide flooding, coastal erosion, higher storm surge, heavier precipitation
 - Emphasizes shoreline protection, conservation of coastal ecosystems to achieve...
 - >50% of coastal damages are avoidable through well-timed adaptation measures



HISTORIC PRESERVATION MASTER PLAN:

Hazard Mitigation Chapter



Participate in Disaster Mitigation Planning

Document Historic and Cultural Resources most vulnerable

Implement design guidelines for flood mitigation and provide information to property owners

Protect city-owned historic and cultural resources

Provide flexible administrative review procedures/expedited review

Identify Preservation Partners to Assist in Post-Flood Review Process

Establish a debris management plan for historic building materials

Adopted October 2018

Partially implemented. Major projects and any code revisions will require additional public input.

http://www.citystaug.com/government/planning_and_building/HistoricPreservationMasterPlan.php



RESILIENT HERITAGE IN THE NATION'S OLDEST CITY GRANT FY2019-2020

#1 Ranked Florida Division of Historical Resources Grant (\$100k)

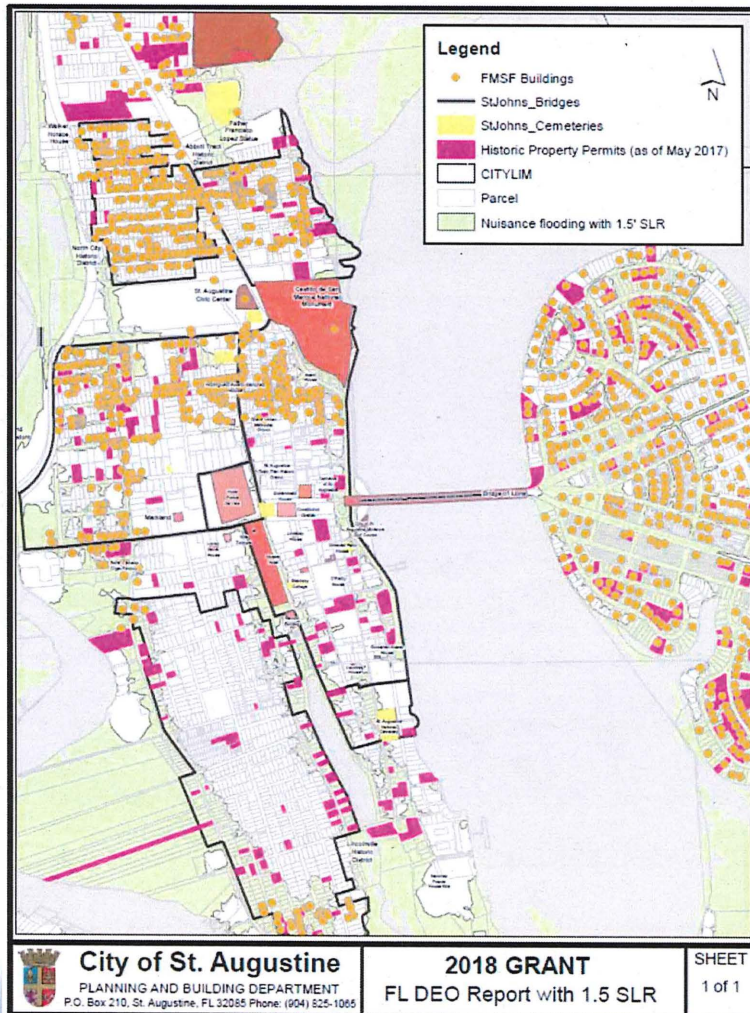
Publication of resiliency strategies for St. Augustine's historic resources with following data and analysis:

- Assess economic impacts from flooding by collecting permit valuation data and evaluating affects of site and building characteristics
- Create graphics and public education opportunities, potentially with UF Preservation Institute: St. Augustine
- Develop recommendations for flood mitigation design using city-owned historic resources
- Develop method for prioritizing documentation of archaeological resources
- Evaluate existing policies and develop recommendations for future policy changes and programs



Avenida Menendez Rendered Perspective View

Above image courtesy of Florida Climate Institute Report, 2018, University of Florida

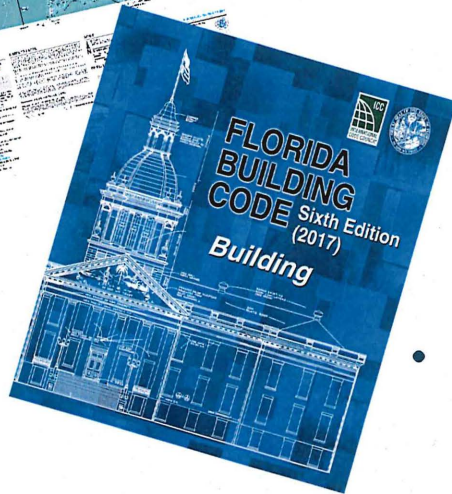
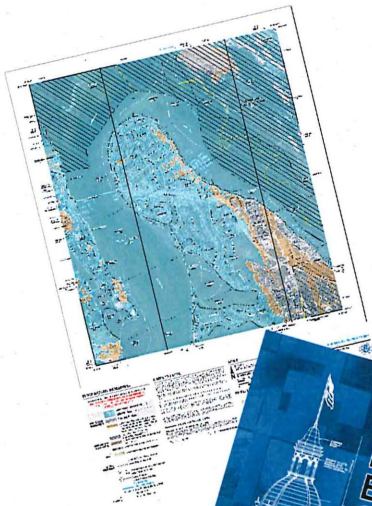




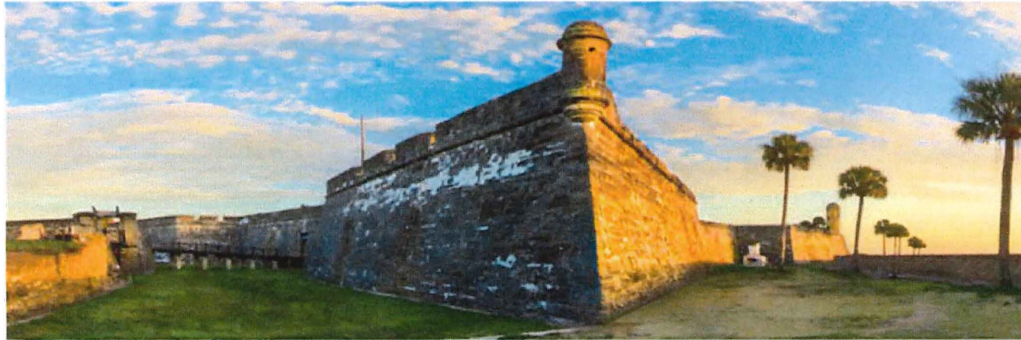
Building Division Guidance & Assistance



- Implemented the updated Florida Building Codes that meet or exceed FEMA's requirements for flood-resistant construction.
- Implemented the new Flood Insurance Rate Maps that have updated engineering data.
- Adopted higher regulatory standards to the floodplain management ordinance:
 - Requires finished floor elevation for all structures have at least one foot above the base flood elevation.
 - Stricter requirements for construction documents, ensures structures are designed to resist flood loads and comply with requirements of flood-resistant construction.
 - Structures built outside special flood hazard area must have the lowest habitable floor at least one foot above the road crown.
- Provide site visits, with the City Stormwater Engineer, to provide advice and guidance to mitigate flood damage to structures and improve property drainage.



ST. AUGUSTINE:
Community Resilience and Cultural Resources
Keeping History Above Water: A Workshop on Heritage and Community Values



Castillo de San Marcos National Monument - Photo: Stacey Sather, SGS Design & Art - First Place Award, National Park Service, "Find Your Park" Centennial 2016



CITY OF
ST. AUGUSTINE
EST. 1565



National Trust for
Historic Preservation®

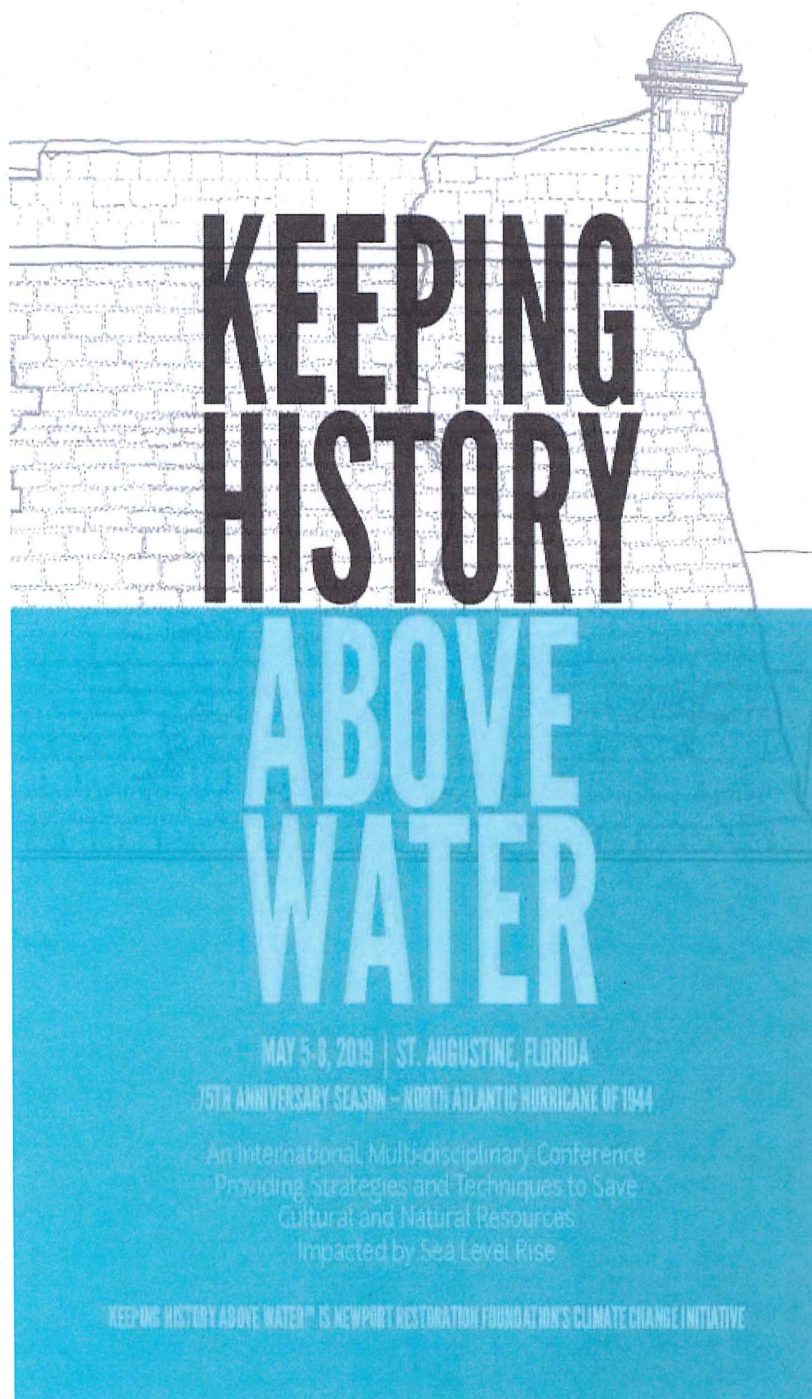


FLAGLER
COLLEGE

THE CRAIG GROUP
Your partners in preservation, planning and policy.

Breakout Groups

- Land Use Policy, Regulations & Incentives
- Adaptation Strategies for Buildings
- Public Awareness & Preparedness
- Cultural & Historic Resource Planning, Protection & Recovery
- Nature-Based Mitigation Strategies
- Business & Economic Development Impacts



KEEPING HISTORY ABOVE WATER CONFERENCE

MAY 5 - 8, 2019
in St. Augustine

- **Fourth KHAW Conference**

Flagler College
University of Florida
City of St. Augustine
Newport Restoration Foundation
Casa Monica Hotel

- **Conference Chairs**

Dr. Leslee Keys
Morris (Marty) Hylton III

- **Historic Preservation, Sustainability**
- **Business, Culture, Tourism, Economics**
- **Urban Planning, Environment**
- **Design, Engineering and Public Policy**

historyabovewater.org



ST. AUGUSTINE
EST. 1565



CASA MONICA
RESORT & SPA



SUMMARY AND CONCLUSIONS

- ❖ **The City of St. Augustine – Has Been Planning for Resiliency and Adaptation > 25 years**
- ❖ **Capital Improvement Plan committed to Annually....**
 - Reduce Nuisance Flooding & Improve Stormwater Treatment
 - Protect Utilities (Pump stations, WWTP)
 - Maintain and Protect Roadways
 - Address Social Equality for Implementing Resiliency
- ❖ **Historic Preservation Plan and Building Codes**
- ❖ **Moving Forward . . .**
 - ❖ USACE – Back Bay Feasibility Study – Authorized
 - ❖ Comprehensive Plan – Water Supply Plan, Mobility Plan, and Perils of Flood

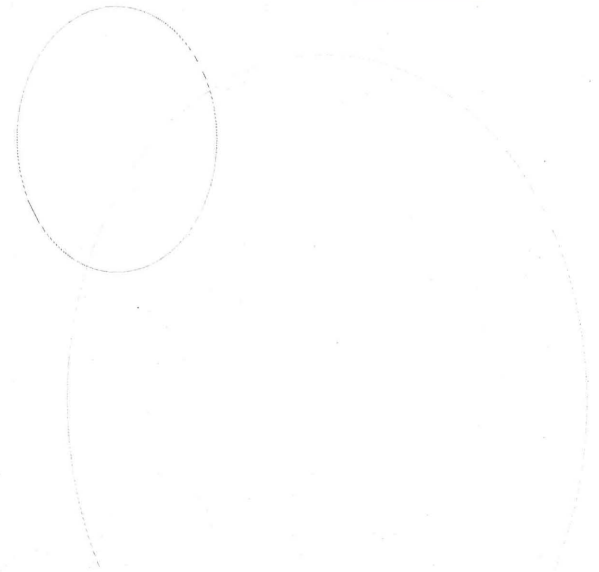




CITY OF
ST AUGUSTINE
EST. 1565



QUESTIONS



ITEM 11.A.
Ethics Minute

Former City Manager Rick Fernandez fined \$6K in ethics case

Jeff Burlew, Tallahassee Democrat Published 8:52 a.m. ET March 8, 2019 | Updated 9:19 a.m. ET March 8, 2019

[CONNECT](#) [TWEET](#) [LINKEDIN](#) [COMMENT](#) [EMAIL](#) [MORE](#)



[Buy Photo](#)

Former Tallahassee City Manager Rick Fernandez. (Photo: Hali Tauxe/Democrat)

The Florida Commission on Ethics agreed Friday to settle civil charges against former Tallahassee City Manager Rick Fernandez involving his acceptance of illegal gifts.

Fernandez will pay \$6,000 in fines and face public censure and reprimand as part of the settlement. The Ethics Commission voted to sign off on the settlement during its meeting at the 1st District Court of Appeal in Tallahassee.

Fernandez, who was ousted early last year as city manager, did not personally appear before the commission.

Last year, the Ethics Commission found probable cause Fernandez committed 20 state ethics violations when he accepted Florida State University skybox tickets from local lobbyist Adam Corey's firm and a nearly \$7,000 catering discount at The Edison restaurant, which Corey co-owns. The city and the Community Redevelopment Agency

spent \$2.1 million to rehab the old electric plant in Cascades Park where the restaurant is located.

As part of the settlement, the Ethics Commission agreed to dismiss 14 of the counts against him. The commission found he violated six other counts, including soliciting and accepting gifts from a lobbyist and failing to report gifts.

Contact Jeff Burlew at jburlew@tallahassee.com or follow @JeffBurlew on Twitter.

ITEM 11.B.
Bill Tracking

2019 FLORIDA LEGISLATIVE SESSION BILL TRACKING

Information provided by
City Attorney's Office
3/14/2019 1:36 PM

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES
SB 542	Micromobility Devices and Motorized Scooters	Brandes	Micromobility Devices and Motorized Scooters; Defining the term "micromobility device"; revising the definition of the term "motorized scooter"; authorizing a county or municipality to regulate the operation of micromobility devices and for-hire motorized scooters, subject to certain restrictions; authorizing a county or municipality to require that a person offering micromobility devices or for-hire motorized scooters be licensed; exempting a micromobility device or motorized scooter from certain registration, insurance, and licensing requirements, etc.	
HB 453	Micromobility Devices and Motorized Scooters	Toledo	Micromobility Devices and Motorized Scooters; Authorizes county or municipality to regulate operation of micromobility devices & for-hire motorized scooters; authorizes county or municipality to require licensure; requires proof of certain insurance coverage; provides that regulation of micromobility devices & for-hire motorized scooters is controlled by state & federal law; provides that operator has all rights & duties applicable to rider of bicycle; exempts micromobility device or motorized scooter from certain requirements; provides that person is not required to have valid driver license to operate micromobility device or motorized scooter; authorizes parking on sidewalk; removes requirements for sale of motorized scooters; exempts micromobility devices & motorized scooters from certain emblem requirements.	Favorable by Transportation and Infrastructure Subcommittee on 3/6 - 14-0 vote
SB 602	Public Records	Perry	Public Records; Prohibiting an agency that receives a request to inspect or copy a record from responding to such request by filing a civil action against the individual or entity making the request, etc.	
HB 407	Public Records	Rodrigues	Public Records; Prohibits agency that receives request to inspect or copy record from responding to such request by filing civil action against individual or entity making request.	Favorable by Oversight, Transparency and Public Management Subcommittee on 3/13 - 7-4 vote
SB 518	Public Meetings	Rader	Public Meetings; Specifying that a board or commission of any entity created by general or special law is subject to public meetings requirements; specifying that such a board's or commission's adoption of an ordinance or a code is not binding unless public meetings requirements are met; revising notice requirements applicable to public meetings of such a board or commission, etc.	

2019 FLORIDA LEGISLATIVE SESSION BILL TRACKING

Information provided by
City Attorney's Office
3/14/2019 1:36 PM

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES
HB 265	Public Meetings	Newton	Public Meetings; Specifies that certain boards & commissions are subject to public meetings requirements; revises public meeting notice requirements; provides that member of public has right to speak at public meeting; requires members of board or commission to respond to questions made at public meetings within a specified timeframe; repeals provision relating to reasonable opportunity to be heard at public meetings; provides penalties.	
SB 350	Affordable Housing	Hutson	Affordable Housing; Authorizing local governments to provide exceptions or waivers for impact fees for affordable housing developments; revising the criteria used by a review committee when evaluating and selecting specified applications for state apartment incentive loans; creating the Community Workforce Housing Loan Program in the place of the Community Workforce Housing Innovation Pilot Program to provide workforce housing for essential services personnel affected by the high cost of housing, etc.	CS by Community Affairs on 2/28 - 5-0 vote
HB 1155	Affordable Housing	Plasencia	Affordable Housing; Requires that certain data relating to impact fees be included in annual financial reports for specified entities; provides local permit approval process; creates Community Workforce Housing Loan Program in the place of the Community Workforce Housing Innovation Pilot Program; authorizes Florida HFC to provide loans under the program; requires corporation to establish a certain loan application process; specifies projects that receive priority consideration for funding; specifies interest rate & term.	
SB 144	Impact Fees	Gruters	Impact Fees; Revising the minimum requirements for impact fees adopted by a local government; exempting water and sewer connection fees from the Florida Impact Fee Act, etc.	Favorable by Community Affairs on 3/5 - 5-0 vote
HB 207	Impact Fees	Donalds	Impact Fees; Revises minimum requirements for adoption of impact fees by specified local governments; exempts water & sewer connection fees from Florida Impact Fee Act.	CS by Local, Federal and Veterans Affairs Subcommittee on 2/21 - 14-0 vote; Favorable by Commerce Committee on 3/5 - 22-0 vote
SB 82	Vegetable Gardens	Bradley	Vegetable Gardens; Prohibiting local governments from regulating vegetable gardens on residential properties except as otherwise provided by law; specifying that such regulations are void and unenforceable, etc.	Favorable by Community Affairs on 1/8 - 5-0 vote; CS by Rules on 3/6 - 17-0 vote

2019 FLORIDA LEGISLATIVE SESSION BILL TRACKING

Information provided by
City Attorney's Office
3/14/2019 1:36 PM

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES
SB 145	Vegetable Gardens	Fetterhoff	Vegetable Gardens; Prohibits local governments from regulating vegetable gardens on residential properties except as otherwise provided by law; specifies that such local regulations are void & unenforceable.	CS by Local, Federal and Veterans Affairs Subcommittee on 1/23 - 13-1 vote
SB 288	Monuments and Memorials	Baxley	Monuments and Memorials; Citing this act as the "Soldiers' and Heroes' Monuments and Memorials Protection Act"; revising the definition of "veteran" to include additional periods of military service; prohibiting specified activities concerning remembrances on public property; prohibiting damage to or removal of certain remembrances, etc.	
HB 97	Monuments and Memorials	Hill	Monuments and Memorials; Designates act "Soldiers' and Heroes' Monuments and Memorials Protection Act"; defines "remembrance"; prohibits damage to or removal of certain remembrances; prohibits removal or other specified activities concerning remembrances on public property; grants certain persons standing for enforcement.	
HP 6003	Traffic Infraction Detectors	Sabatini	Traffic Infraction Detectors; Repealing provisions relating to the installation and use of traffic infraction detectors to enforce specified provisions when a driver fails to stop at a traffic signal, provisions that authorize the Department of Highway Safety and Motor Vehicles, a county, or a municipality to use such detectors, and the distribution of penalties collected for specified violations; repealing provisions relating to the authorization to use traffic infraction detectors, etc.	Favorable by Transportation and Infrastructure Subcommittee on 1/23 - 12-1 vote
SB 622	Traffic Infraction Detectors	Brandes	Traffic Infraction Detectors; Repealing provisions relating to the installation and use of traffic infraction detectors to enforce specified provisions when a driver fails to stop at a traffic signal, provisions that authorize the Department of Highway Safety and Motor Vehicles, a county, or a municipality to use such detectors, and the distribution of penalties collected for specified violations; repealing provisions relating to the authorization to use traffic infraction detectors, etc.	
SB 216	Water Quality Improvements	Gruters	Water Quality Improvements; Requiring each wastewater facility that unlawfully discharges specified volumes of sewage into a waterway or aquifer to notify certain customers by first class mail within a specified timeframe; providing penalties for wastewater treatment facilities that unlawfully discharge a specified volume of sewage into designated areas, etc.	CS by Environment and Natural Resources on 3/12 - 5-0 vote

2019 FLORIDA LEGISLATIVE SESSION BILL TRACKING

Information provided by
City Attorney's Office
3/14/2019 1:36 PM

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES
HB 141	Water Quality Improvements	Fine	Water Quality Improvements; Provides appropriation for certain projects related to Indian River Lagoon Comprehensive Conservation & Management Plan; authorizes DEP, with other specified entities, to provide grants for such projects; directs DEP to submit an annual report; requires each wastewater facility that unlawfully discharges sewage into waterway or aquifer to notify its customers; provides penalties.	CS by Agriculture and Natural Resources Subcommittee on 3/12 - 14-0 vote
SB 588	Single-use Plastic Straws	Hutson	Preemption of Local Regulations; Prohibiting local government entities from adopting or enforcing local ordinances or regulations relating to single-use plastic straws before a specified date; requiring the Department of Environmental Protection, or an entity designated by the department, to conduct a study evaluating the environmental impact of single-use plastic straws; providing penalties for violations of the moratorium by a local government entity; preempting the regulation of over-the-counter proprietary drugs or cosmetics to the state, etc.	CS by Commerce and Tourism on 3/4 - 3-1 vote
HB 603	Single-use Plastic Straws	Sabatini	Single-Use Plastic Straws; Authorizes food service establishments to distribute single-use plastic straw to customers upon request & to make single-use plastic straws available through self-serve straw dispensers; preempts regulation of single-use plastic straws to state.	
SB 70	State Funds	Mayfield	State Funds; Exempting the State Housing Trust Fund and the Local Government Housing Trust Fund from a provision authorizing the Legislature, in the General Appropriations Act, to transfer unappropriated cash balances from specified trust funds to the Budget Stabilization Fund and the General Revenue Fund, etc.	
HB 1003	State Funds	Silvers	State Funds; Exempts State Housing Trust Fund & Local Government Housing Trust Fund from provision authorizing Legislature, in General Appropriations Act, to transfer unappropriated cash balances from specified trust funds to Budget Stabilization Fund & General Revenue Fund.	
SB 594	State Shared Revenues	Hutson	State Shared Revenues; Requiring the Attorney General, at the request of one or more members of the Legislature, to investigate whether a certain official action of the governing body of a county or municipality violated state law or the State Constitution; requiring the Attorney General to report his or her findings and conclusions to the Governor, the Legislature, and the Secretary of State; providing requirements if no violation is found, etc.	

2019 FLORIDA LEGISLATIVE SESSION BILL TRACKING

Information provided by
City Attorney's Office
3/14/2019 1:36 PM

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES
SB 246	Public Construction	Hooper	Public Construction; Revising the amounts of retainage that local governmental entities and contractors may withhold from progress payments for any construction services contract; revising requirements for Department of Management Services rules governing certain contracts; revising the amounts of retainage that certain public entities and contractors may withhold from progress payments for any construction services contract, etc.	CS by Governmental Oversight and Accountability on 2/12 - 4-0 vote; CS/CS by Community Affairs on 3/5 - 5-0 vote
HB 101	Retainage	Andrade	Public Construction; Revises amounts of retainage that certain local government entities & contractors may withhold from progress payments for construction services contract; revises requirements for DMS rules governing certain contracts; revises amounts of retainage that certain public entities & contractors may withhold from progress payments for construction services contract.	CS by Business and Professions Subcommittee on 2/14 - 14-1 vote; Favorable by Oversight, Transparency and Public Management Subcommittee on 3/13 - 13-1 vote
SB 628	Water Resources	Albritton	Water Resources; Revising requirements for the Office of Economic and Demographic Research's annual assessment of this state's water resources and conservation lands; requiring the office to consult with the Department of Environmental Protection; requiring the assessment to be submitted to the Legislature by a specified date, etc.	
HB 1199	Water Resources	Jacobs	Water Resources; Revising requirements for the Office of Economic and Demographic Research's annual assessment of this state's water resources and conservation lands; requiring the office to consult with the Department of Environmental Protection; requiring the assessment to be submitted to the Legislature by a specified date, etc.	
SB 426	Firefighters	Flores	Firefighters; Granting certain benefits to a firefighter upon receiving a diagnosis of cancer if certain conditions are met; requiring an employer to make certain disability payments to a firefighter in the event of a total and permanent disability; providing for death benefits to a firefighter's beneficiary if a firefighter dies as a result of cancer or cancer treatments, etc.	Favorable by Governmental Oversight on 2/19 - 4-0 vote; CS by Community Affairs on 3/5 - 5-0 vote

2019 FLORIDA LEGISLATIVE SESSION BILL TRACKING

Information provided by
City Attorney's Office
3/14/2019 1:36 PM

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES
HB 857	Firefighters	Willhite	Firefighters; Grants certain benefits to firefighter upon receiving diagnosis of cancer if certain conditions are met; requires employer to make certain disability payments to firefighter in event of total & permanent disability; provides for death benefits to firefighter's beneficiary if firefighter dies as result of cancer or cancer treatments; specifies that any costs associated with benefits granted by act must be borne by employer; requires Division of State Fire Marshal to adopt certain rules.	
SB 432	Employment Conditions	Gruters	Employment Conditions; Prohibiting a political subdivision from establishing, mandating, or otherwise requiring an employer to offer conditions of employment not otherwise required by state or federal law; specifying that certain requirements related to minimum wage and other conditions of employment are expressly preempted to the state, etc.	Favorable by Governmental Oversight & Accountability on 3/12 - 3-2 vote
HB 847	Preemption of Conditions of Employment	Rommel	Preemption of Conditions of Employment; Preempts to state the right to regulate conditions of employment by an employer; voids existing ordinance, regulation, or policy that is preempted by act.	
SB 240	Sexual Harassment	Book	Sexual Harassment; Creating the Task Force on the Prevention of Sexual Harassment and Misconduct; prohibiting public officers, qualified candidates, agency employees, and lobbyists from sexually harassing any person; providing penalties for lobbyists who violate the prohibition against sexual harassment, etc.	
SB 54	Possession of Real Property	Rouson	Possession of Real Property; Repealing provisions relating to a governmental entity's establishment of recreational customary use on a portion of a beach above the mean high-water line on private property, etc.	
HB 1019	Takings	Altman	Takings Claims within Areas of Critical State Concern; Provides for apportionment of awards of damages for takings claims within areas of critical state concern.	
SJR 232	Percentage of Elector Votes Required to Approve an Amendment or a Revision	Baxley	Percentage of Elector Votes Required to Approve an Amendment or a Revision; Proposing an amendment to the State Constitution to increase the percentage of elector votes required to approve an amendment or a revision to the State Constitution from 60 percent to 66 and 2/3 percent, etc.	

2019 FLORIDA LEGISLATIVE SESSION BILL TRACKING

Information provided by
City Attorney's Office
3/14/2019 1:36 PM

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES
HB 57	Percentage of Elector Votes Required to Approve an Amendment or a Revision	Roth	Percentage of Elector Votes Required to Approve Constitutional Amendment or Revision; Proposes amendment to State Constitution to increase percentage of elector votes required to approve amendment or revision to State Constitution from 60 percent to 66 & 2/3 percent.	
HB 3	Preemption of Local Regulations	Grant	Preemption of Local Regulations; Prohibits local governments from imposing or adopting new regulations on businesses & business entities; specifies certain regulations expire & may only be readopted after meeting specified criteria; preempts regulation & licensing of professions & occupations to state; prohibits local governments from requiring certain specialty contractors to obtain license; specifies job scopes for which local jurisdiction may not require license.	CS by Business and Professions Subcommittee on 2/21 - 9-5 vote; CS/CS by State Affairs Committee on 3/14 - 15-7 vote
SB 1748	Preemption of Local Regulations	Perry	Preemption of Local Regulations; Prohibiting certain local governments from imposing or adopting certain regulations on businesses and business entities on or after a specified date; specifying that certain regulations expire and may only be readopted or continue to be imposed after meeting specified criteria; specifying that specified specialty contractors are not required to register with the Construction Industry Licensing Board, etc.	
HB 9	Community Redevelopment Agencies	LaMarca	Community Redevelopment Agencies; Specifies ethics training requirements for community redevelopment agency commissioners; establishes procedures for appointing board of community redevelopment agency board members; requires referendum to create community redevelopment agency; establishes procurement procedures; provides reporting and boundary map requirements; provides termination dates for certain community redevelopment agencies; provides phase-out period for existing community redevelopment agencies; requires DEO to declare inactive certain community redevelopment agencies; requires DEO to maintain website identifying inactive community redevelopment agencies; specifies level of tax increment financing that governing body may establish; revises requirements for budgets of community redevelopment agencies; revises requirements for annual audit.	Favorable by Local, Federal and Veterans Affairs Subcommittee on 3/5 - 10-4 vote; Favorable by Ways and Means Committee on 3/12 - 11-6 vote

2019 FLORIDA LEGISLATIVE SESSION BILL TRACKING

Information provided by
City Attorney's Office
3/14/2019 1:36 PM

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES
SB 1054	Community Redevelopment Agencies	Lee	Community Redevelopment Agencies; Prohibiting a person from lobbying a community redevelopment agency until he or she has registered as a lobbyist with that agency; authorizing an agency to establish an annual lobbyist registration fee, not to exceed a specified amount; requiring ethics training for community redevelopment agency commissioners; revising the list of projects that are prohibited from being financed by increment revenues; specifying the level of tax increment financing that a governing body may establish for funding the redevelopment trust fund, etc.	
HB 1383	Private Property Rights Protection	Grant	Private Property Rights Protection; Revises notice of claim requirements for property owners; revises procedures for determination of compensation; requires that certain settlements of claims apply to all similarly situated residential properties within political subdivision under certain circumstances; authorizes property owners to bring claims against governmental entities in certain circumstances; provides that property owners are not required to submit formal development applications or proceed through formal application processes to bring such claims; authorizes property owners to bring actions to declare prohibited exactions invalid.	
SB 1720	Property Rights	Lee	Property Rights; Providing applicability relating to claims that involve one or more residential properties which are brought as a result of certain regulations or ordinances; authorizing a property owner to waive a jury and request that the court make a determination of compensation; authorizing a property owner to bring an action to declare a prohibited exaction invalid, etc.	
HB 797	Public Utility Storm Protection Plans	Fine	Public Utility Storm Protection Plans; Requires public utilities to submit to PSC, for review & approval, transmission & distribution storm protection plan; requires PSC to conduct an annual proceeding to allow utilities to justify & recover certain costs through storm protection cost recovery clause; provides that party may challenge prudence of certain costs; provides that utilities may not include certain costs in their base rates; authorizes utilities to recover depreciation on certain capital costs through recovery clause.	
SB 796	Public Utility Storm Protection Plans	Gruters	Public Utility Storm Protection Plans; Requiring public utilities to individually submit to the Public Service Commission, for review and approval, a transmission and distribution storm protection plan as part of the storm hardening plan required by the commission; requiring the commission to conduct an annual proceeding to allow utilities to justify and recover certain costs through a storm protection cost recovery clause; providing that utilities may not include certain costs in their base rates, etc.	CS by Innovation, Industry, and Technology on 3/6 - 10-0 vote

2019 FLORIDA LEGISLATIVE SESSION BILL TRACKING

Information provided by
City Attorney's Office
3/14/2019 1:36 PM

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES
HB 791	Sports Franchises and Facilities	Avila	Sports Franchises and Facilities; Deletes provisions authorizing counties to impose specified taxes to pay debt service on bonds related to sports facilities; prohibits county from leasing specified professional sports franchise facilities; prohibits lease of public lands for certain purposes related to sports franchises & their facilities; requires lease of a facility on public lands for certain purposes to be at fair market value; requires sports franchise to repay specified debt incurred by local government related to construction of facilities.	Favorable by Workforce Development and Tourism Subcommittee on 3/7 - 13-2 vote; Favorable by Ways and Means Committee on 3/12 - 17-0 vote
HB 233	Sports Development	Beltran	Sports Development; Repeals provision relating to state funding for sports facility development by unit of local government, or by certified beneficiary or other applicant, on property owned by local government.	
SB 414	Sports Development	Lee	Sports Development; Repealing provisions relating to state funding for sports facility development by a unit of local government, or by a certified beneficiary or other applicant, on property owned by the local government, etc.	Favorable by Commerce and Tourism on 2/11 - 3-0 vote
HB 7053	Taxation Transparency	Ways and Means Committee/Avila	Taxation Transparency; Renames certain fees & assessments as taxes; renames certain surcharges as surtaxes; renames certain fees as surtaxes; requires municipalities, counties, & special districts to rename certain levies & assessments as specified taxes.	
SB 824	Private Property Rights of Homeowners	Diza	Private Property Rights of Homeowners; Preempting the regulation of vacation rentals to the state; requiring each person applying for a vacation rental license to provide the Division of Hotels and Restaurants of the Department of Business and Professional Regulation with specified information, etc.	
HB 987	Vacation Rentals	Grant	Vacation Rentals; Preempts to state regulation of vacation rentals, with exception; revises application requirements for vacation rental licensure; requires Division of Hotels & Restaurants of DBPR to make certain vacation rental license information available on its website.	
SB 812	Vacation Rentals	Simmons	Vacation Rentals; Requiring persons engaged in certain public lodging-related transactions to display a valid certificate of registration number in rental listings or advertisements; revising the inspection responsibilities of the Division of Hotels and Restaurants regarding vacation rentals; specifying the conditions under which a notice to depart a premises is effective; revising the classification of "vacation rental", etc.	
HB 715	Florida Building Code Enforcement	Robinson	Florida Building Code Enforcement; Prohibits local government from carrying forward more than specified amount of unexpended revenue; revises requirements for expenditure of certain unexpended revenue.	Favorable by Local, Federal and Veterans Affairs Subcommittee on 3/12 - 11-1 vote

2019 FLORIDA LEGISLATIVE SESSION BILL TRACKING

Information provided by
City Attorney's Office
3/14/2019 1:36 PM

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES
SB 1036	Florida Building Code	Gruters	Florida Building Code; Prohibiting local governments from carrying forward balances resulting from its enforcement of the Florida Building Code which exceed a specified amount; requiring local governments to use any excess funds for specified purposes, etc.	
HB 1139	Inspections and Permits	Plakon	Inspections and Permits; Requires county or municipality that imposes inspection fees to establish expedited inspection process that provides priority processing for such inspections; authorizes county or municipality to charge additional fee up to specified amount for expedited inspection process; requires such local governments to establish expedited permitting process that provides priority processing for such permits; authorizes local government to charge additional fee for expedited inspection process; provides that local government must require applicant to pay only specified percentage of fees due upon receipt of application; provides for reduction of outstanding fees due; provides for refund of fees; specifies that certain procedures apply to building permit applications for any nonresidential buildings.	Favorable by Local, Federal and Veterans Affairs Subcommittee on 3/12 - 12-2 vote
SB 1752	Inspections and Permits	Perry	Inspections and Permits; Requiring a county or municipality that imposes inspection fees to establish an expedited inspection process that provides priority processing for such inspections; requiring a local government that imposes permit fees to establish an expedited permitting process that provides priority processing for such permits; specifying that certain procedures apply to building permit applications for any nonresidential buildings, instead of nonresidential buildings less than a specified size, etc.	
SB 806	Local Government Public Construction Works	Perry	Local Government Public Construction Works; Requiring the governing board of a local government to consider estimated costs of certain projects using generally accepted cost-accounting principles that account for specified costs when making a specified determination; requiring that a local government that performs projects using its own services, employees, and equipment disclose the actual costs of the project after completion to the Auditor General; requiring estimated total construction project costs for certain projects to include specified costs, etc.	Favorable by Community Affairs on 3/12 - 5-0 vote

2019 FLORIDA LEGISLATIVE SESSION BILL TRACKING

Information provided by
City Attorney's Office
3/14/2019 1:36 PM

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES
HB 167	Local Government Public Construction Works	Oversight, Transparency and Public Management Subcommittee; Andrade	Local Government Public Construction Works; Requires governing board of local government to consider estimated costs of certain projects using generally accepted cost-accounting principles that account for specified costs when making specified determination; requires local government that performs project using its own services, employees, & equipment to disclose actual costs of project after completion to Auditor General; requires Auditor General to review such disclosures as part of his or her routine audits of local governments; requires estimated total construction project costs for certain projects to include specified costs.	CS by Oversight, Transparency and Public Management Subcommittee on 2/20 - 13-0 vote
HB 771	Environmental Regulation	Overdorf	Environmental Regulation; Requires counties & municipalities to address contamination of recyclable material in specified contracts; prohibits counties & municipalities from requiring collection or transport of contaminated recyclable material by residential recycling collectors; specifies required contract provisions; prohibits local governments from requiring certain project verification from DEP; revises types of dock & pier replacements & repairs that are exempt from verification & certain permitting requirements.	CS by Local, Federal and Veterans Affairs Subcommittee on 3/12 - 12-0 vote
SB 816	Environmental Regulation	Perry	Environmental Regulation; Requiring counties and municipalities to address the contamination of recyclable material in specified contracts; prohibiting counties and municipalities from requiring the collection or transport of contaminated recyclable material by residential recycling collectors, etc.	
SB 1278	Biosolids Management	Mayfield	Biosolids Management; Defining the term "biosolids"; requiring the Department of Environmental Protection to adopt rules for biosolids management which meet certain requirements; authorizing a county or municipality to enact or retain in effect certain ordinances, moratoriums, or regulations, etc.	CS by Environment and Natural Resources on 3/12 - 5-0 vote
HB 5	Discretionary Sales Surtaxes	DiCeglie	Discretionary Sales Surtaxes; Requires two-thirds vote of certain county governing boards to authorize discretionary sales surtax; requires local government discretionary sales surtax referenda to be held on specified date; requires such referenda to be approved by specified percentage of voters for passage; revises requirements & procedures for discretionary sales surtax performance audits; requires OPPAGA, upon receiving certain notice, to procure certified public accountant for performance audit; requires supervisor of elections to verify petition signatures & retain signature forms in specified manner; provides that an initiative sponsor's failure to comply with specified requirements renders any referendum held void.	CS by Local, Federal and Veterans Affairs Subcommittee on 3/5 - 9-3 vote; Favorable by Ways and Means Committee on 3/12 - 12-5 vote

2019 FLORIDA LEGISLATIVE SESSION BILL TRACKING

Information provided by
City Attorney's Office
3/14/2019 1:36 PM

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES
SB 336	Local Tax Referenda	Brandes	Local Tax Referenda; Providing that a referendum to adopt or amend a local discretionary sales surtax must be held at a general election, etc.	Favorable by Ethics and Elections on 2/13 - 5-2 vote
SB 1000	Communications Services	Hutson	Communications Services; Reducing the rates of certain communications services taxes; specifying limitations and prohibitions on municipalities and counties relating to registrations and renewals of communications services providers; prohibiting certain municipalities and counties from electing to impose permit fees; specifying prohibited acts by municipalities and counties in the use of their authority over the placement of facilities for certain purposes, etc.	CS by Innovation, Industry, and Technology on 3/12 - 9-0 vote
HB 693	Communications Services	Fischer	Communications Services; Reduces communications services tax rate on sales of communications services; revises authority for municipalities, and counties to impose permit fees on providers of communications services that use or occupy municipal or county roads or rights-of-way; deletes procedures, requirements, & limitations with respect to such fees.	
SB 536	911 Services	Brandes	911 Services; Requiring counties to develop a plan for implementing a text-to-911 system and to implement a system to receive E911 text messages by a specified date; requiring that the Technology Program within the Department of Management Services develop and implement a plan to require that emergency dispatchers be able to transfer an emergency call from one E911 system to another E911 system in this state; defining the terms "first responders" and "911 public safety answering point" or "PSAP"; requiring a PSAP to be able to directly communicate by radio with first responders, etc.	CS by Innovation, Industry, and Technology on 3/12 - 9-0 vote
HB 441	E911 Systems	DuBose	E911 Systems; Requires counties to develop plan for implementing text-to-911 system & to receive E911 text messages by specified date; requires Technology Program within DMS to develop plan to upgrade 911 public safety answer points to allow transfer of emergency calls from one E911 system to another one in state; provides declaration of important state interest.	
HB 15	Local Government Fiscal Transparency	Burton	Local Government Fiscal Transparency; Revises Legislative Auditing Committee duties; specifies purpose of local government fiscal transparency requirements; requires local governments to post voting record information on websites; requires property appraisers & local governments to post property tax information & history on websites; requires public notices for public hearings & meetings prior to increases of local government tax levies; specifies noticing & advertising requirements; requires local governments to conduct debt affordability analyses under specified conditions; provides method for local governments to post certain required information.	CS by Local, Federal and Veterans Affairs Subcommittee on 3/12 - 12-1 vote

2019 FLORIDA LEGISLATIVE SESSION BILL TRACKING

Information provided by
City Attorney's Office
3/14/2019 1:36 PM

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES
SB 1350	Local Government Fiscal Transparency	Hutson	Local Government Fiscal Transparency; Expanding the scope of the Legislative Auditing Committee review to include compliance with local government fiscal transparency requirements; providing procedures for the Auditor General and local governments to comply with the local government fiscal transparency requirements; revising reporting requirements for certain local government economic development incentives, etc.	
HB 861	Local Government Financial Reporting	Roach	Local Government Financial Reporting; Requires county & municipality budget officers to submit certain information to EDR within specified timeframe; requires adopted budget amendments & final budgets to remain posted on each entity's official website for specified period of time; requires EDR to create form by specified date.	Favorable by Local, Federal and Veterans Affairs Subcommittee on 3/12 - 13-1 vote
SB 1616	Local Government Financial Reporting	Baxley	Local Government Financial Reporting; Requiring county and municipal budget officers, respectively, to submit certain information to the Office of Economic and Demographic Research within a specified timeframe; requiring adopted budget amendments and final budgets to remain posted on each entity's official website for a specified period of time, etc.	
HB 9159	St. Augustine West Septic to Sewer	Stevenson	St. Augustine West Augustine Septic to Sewer, West 5th Street, Phase 1 of 2; Provides an appropriation for the St. Augustine West Augustine Septic to Sewer, West 5th Street, Phase 1 of 2. APPROPRIATION: \$444,871.00	Favorable by Agriculture and Natural Resources Appropriations Subcommittee on 3/12 - 10-0 vote
HB 9161	St. Augustine WTP Armoring	Stevenson	St. Augustine Wastewater Treatment Plant Armoring; Provides an appropriation for the St. Augustine Wastewater Treatment Plant Armoring. APPROPRIATION: \$1,575,000.00	Favorable by Agriculture and Natural Resources Appropriations Subcommittee on 3/12 - 10-0 vote

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor, Vice-Mayor, and Commissioners
DATE: March 14, 2019
RE: ST. JOHNS COUNTY PROPERTY REGISTRATION ORDINANCE

Background

The St. Johns County Board of County Commissioners recently passed a property registration ordinance and will soon be implementing it. The ordinance requires any property to be registered within 10 days of one of these two occurrences: 1) a foreclosure on the property, whether the property is occupied or unoccupied; or 2) A property is vacant for more than 30 days or where utilities are not on for more than 10 days. The ordinance also requires a mortgagee, also known as the lender, which is usually a bank, to inspect the property and determine its occupancy status, and to continue inspections every 30 days during the default period. The registration must include a local property manager if the property is determined to be vacant. Each registration must include a registration fee, which is to be used for implementation, administration, and enforcement of the ordinance. After 12 months, the property registration must be renewed if still in default.

The ordinance imposes maintenance requirements on registrants, including keeping the property free of weeds, debris, and graffiti, etc., along with maintaining landscaping and pools. The ordinance specifically provides that "the property shall be kept and maintained in accordance with all applicable codes and ordinance of the County." The ordinance also requires securing the property and posting vacant properties with the local property manager's name and contact info.

By its own terms, the ordinance is enforced by the County, and immunity applies to "any person authorized by the County to enforce" the ordinance. The ordinance municipal opt-in provision is specifically limited "to participate in the registration of Defaulted Mortgage and Vacant Property program only".

Analysis

The County Attorney's office reached out to see if the City of St. Augustine would like to opt-in to their program. After discussion with an Assistant County Attorney, it seems that the opt-in as they envision it would be limited to piggybacking on the contract or entering into an interlocal agreement for registration services, not necessarily the underlying ordinance.

If the City would be interested in pursuing this opportunity, we would likely need an ordinance of our own, establishing requirements for registration, maintenance, and security. The requirement to register itself would become a code enforcement issue for non-compliance, so there has to be a city ordinance to enforce. It would not be appropriate to incorporate their ordinance by reference, as we did with animal control, because unlike with animal control services, we have not outsourced our code enforcement to the County.

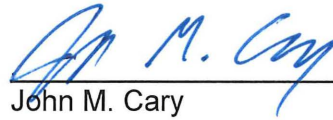
Conclusion

If the City Commission directs our office to proceed, we can prepare:

1. A city ordinance requiring the registration, maintenance, and security.
2. An Interlocal Agreement with the County with respect to administration of the registry.

Please place this item under City Attorney item 11.C. for discussion and direction.

Thank you,



John M. Cary
Assistant City Attorney

xc: Tim Burchfield, Assistant City Manager
Isabelle C. Lopez, City Attorney
Darlene Galambos, City Clerk

13**AGENDA ITEM
ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS***Deadline for Submission - Wednesday 9 a.m. - Thirteen Days Prior to BCC Meeting***1/15/2019****BCC MEETING DATE****TO: Michael D. Wanchick, County Administrator****DATE: December 18, 2018****FROM: Bradley Bulthuis, Senior Assistant County Attorney****PHONE: 904 209-0563****SUBJECT OR TITLE: First Reading of Foreclosure Registry Ordinance****AGENDA TYPE: Business Item, Ordinance****BACKGROUND INFORMATION:**

The Board of County Commissioners has authorized the Office of the County Attorney to prepare an ordinance providing for registration of foreclosed and vacant properties. Foreclosed, vacant, and abandoned property can lead to a decline in community and property value, create nuisances, generally decrease the neighborhood and community aesthetic, and create conditions that invite criminal activity and foster an unsafe and unhealthy environment. The establishment of a County registry for foreclosed and vacant properties will help the County gather information to track problem properties and serve to discourage property owners from allowing their property to be abandoned, neglected, or unsupervised. The proposed ordinance would establish such a registry, including a registration fee, set forth certain inspection requirements and minimum security and maintenance standards for registrable properties, and provide for enforcement. A draft proposed ordinance is attached to this agenda item. The draft was prepared in coordination with the Code Enforcement Division. Review and comment was also solicited from a firm that currently operates web-based foreclosure registries for sixty counties and municipalities in Florida, including Clay County and Duval County, as well as with a number of local governments in other states. (The County may "piggyback" on the contract with Duval County, if the proposed ordinance is enacted after second reading.)

1. IS FUNDING REQUIRED? No**2. IF YES, INDICATE IF BUDGETED.** No**IF FUNDING IS REQUIRED, MANDATORY OMB REVIEW IS REQUIRED:****INDICATE FUNDING SOURCE:****SUGGESTED MOTION/RECOMMENDATION/ACTION:**

No Board action is requested at this time. The proposed ordinance will be brought back to the Board at a later date for second reading, and the Board will vote on the proposed ordinance at that time.

For Administration Use Only:**Legal: BB 12/27/2018****OMB: JDD 12/28/2018****Admin: DML 12/28/2018**

ORDINANCE 2019-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA RELATING TO DEFAULTED OR VACANT PROPERTY; MAKING FINDINGS OF FACT; PROVIDING FOR PURPOSE AND INTENT; PROVIDING DEFINITIONS; PROVIDING FOR APPLICABILITY AND JURISDICTION; ESTABLISHING A DEFAULTED AND VACANT PROPERTY REGISTRY; PROVIDING FOR THE INSPECTION AND REGISTRATION OF CERTAIN REAL PROPERTY BY OWNERS AND MORTGAGEES; PROVIDING FOR MAINTENANCE AND SECURITY REQUIREMENTS FOR REGISTRABLE PROPERTY; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING SUPPLEMENTAL AUTHORITY; PROVIDING FOR THE ABATEMENT OF REAL PROPERTY CONSTITUTING A PUBLIC NUISANCE; PROVIDING FOR IMMUNITY OF ENFORCEMENT OFFICERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR MUNICIPAL OPT-IN PROCEDURES; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the St. Johns County Board of County Commissioners desires to protect the public health, safety, and welfare of the citizens of the County and maintain a high quality of life for the citizens of the County through the maintenance of structures and properties in the County; and

WHEREAS, the Board recognizes that properties with defaulted mortgages and properties that are subject to foreclosure action or foreclosed upon and vacant properties located throughout the County lead to a decline in community and property value; create nuisances; lead to a general decrease in neighborhood and community aesthetic; create conditions that invite criminal activity; and foster an unsafe and unhealthy environment; and

WHEREAS, the Board has adopted certain property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and

WHEREAS, the Board recognizes that, in the best interest of the public health, safety, and welfare, a more regulated method is needed to discourage Registrable Property Owners and Mortgagees from allowing their properties to be abandoned, neglected or left unsupervised; and

WHEREAS, the Board has a vested interest in protecting neighborhoods against decay caused by Registrable Property and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration requirements of Registrable Property located within the County to discourage Registrable Property Owners and Mortgagees from allowing their properties to be abandoned, neglected or left unsupervised; and

WHEREAS, the Board finds that the implementation of this ordinance will assist the County in protecting neighborhoods from the negative impact and conditions that occur as a result

of vacancy, absentee ownership, and lack of compliance with existing St. Johns County regulations and laws.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY:

Section 1. Findings of Fact. The above recitals are true and correct and incorporated by reference into the body of this Ordinance and adopted as findings of fact.

Section 2. Title. This Ordinance shall be known as the St. Johns County Foreclosure Registration Ordinance.

Section 3. Purpose and Intent. It is the purpose and intent of the Board of County Commissioners of St. Johns County, Florida to establish a process to address the deterioration, crime, and decline in value of St. Johns County neighborhoods caused by property with defaulted mortgages located within the County, and to identify, regulate, limit and reduce the number of these properties located within the County. It has been determined that Owner-occupied structures are generally better maintained when compared to vacant structures, even with a diligent off-site property Owner. Vacant structures or structures owned by individuals who are economically strained and unable to meet their mortgage obligations are often not properly or diligently maintained, which contributes to blight and declined property values and has a negative impact on social perception of the residential areas in which the properties are located. It is the Board of County Commissioners' further intent to establish a registration program as a mechanism to help protect neighborhoods from becoming blighted through the lack of adequate maintenance of properties that are in Default.

Section 4. Definitions. The following words, terms, and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this Section 4, except where the context clearly indicates a different meaning.

Board shall mean the Board of County Commissioners of St. Johns County, Florida.

County shall mean, depending on the context, either (a) the unincorporated area of St. Johns County, Florida, or (b) the government of St. Johns County, acting through the Board or the Board's designees.

Default shall mean a claim by the Mortgagee, or other lien holder, that the mortgagor has not complied with the terms of the mortgage on the property, or the promissory note, or other evidence of the debt, referred to in the mortgage.

Enforcement Officer shall mean any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector, building inspector, or other person authorized by the County to enforce the applicable county codes or ordinances.

Evidence of Vacancy shall mean any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to, overgrown or dead vegetation; past due Utility or Service notices

or disconnected or discontinued Utilities or Services; accumulation of trash, junk, or debris; abandoned vehicles, auto parts or materials; the absence of furnishings or personal items consistent with habitation or occupancy; the presence of an unsanitary, stagnant swimming pool; the accumulation of newspapers, circulars, flyers, or mail; statements by neighbors, passers-by, delivery agents, or government agents that the property is vacant; and the presence of boards over doors, windows, or other openings in violation of applicable codes or ordinances.

Foreclosure and Foreclosure Action shall mean the legal process by which a Mortgagee, or other lien holder, terminates or attempts to terminate a property Owner's equitable right of redemption to obtain legal and equitable title to the Real Property pledged as security for a debt or the Real Property subject to the lien. The legal process is not concluded until the property obtained by the Mortgagee, lien holder, or their designee, by certificate of title, or any other means, is sold to a non-related bona fide purchaser in an arm's length transaction to satisfy the debt or lien.

Mortgagee shall mean the creditor, including, but not limited to, trustees; mortgage servicing companies; lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests or obligations under the mortgage agreement; or any other person or entity with the legal right to foreclose on the Real Property, excluding governmental entities.

Owner shall mean any person, entity, or Mortgagee, who alone or severally with others, has legal or equitable title to any Real Property as defined by this Ordinance; has legal care, charge, or control of any such property; is in possession or control of any such property; and/or is vested with possession or control of any such property. The Local Property Manager shall not be considered the Owner.

Local Property Manager shall mean any party designated by the Owner as responsible for inspecting, maintaining and securing the property as required in this Ordinance with offices within twenty (20) road miles of the property.

Real Property shall mean any residential or commercial land and/or buildings, leasehold improvements and anything affixed to the land, or portion thereof, identified by a property parcel identification number, located within the County.

Registrable Property shall mean:

A. Any Real Property located in the County, whether Vacant or occupied, that is encumbered by a mortgage in Default, is subject to an ongoing Foreclosure Action by the Mortgagee, has been the subject of a Foreclosure Action by a Mortgagee and a judgment has been entered, or has been the subject of a Foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the Foreclosure and any properties transferred under a deed in lieu of foreclosure/sale. The designation of such a property as "Registrable" shall remain in place until such time as the property is sold to a non-related bona fide purchaser in an arm's length transaction or the Foreclosure Action has been dismissed and any Default on the mortgage has been cured; or

B. Any property that is Vacant for more than thirty (30) days or for which any Utility or Service has been cancelled, disconnected, or discontinued for more than ten (10) days, whichever occurs first.

Registry shall mean a list or database of real property records used by the County to allow Mortgagees the opportunity to register properties and pay applicable fees as required in this Ordinance.

Unimproved Lot shall mean any lot in its natural state.

Utilities and Services shall mean any utility or service that is essential for a building to be habitable or that performs a service necessary to comply with all St. Johns County codes and ordinances. This includes, but is not limited to, electrical, gas, water, and wastewater.

Vacant and *Vacancy* shall mean any parcel of land in the County that contains any building or structure that is not lawfully occupied or inhabited by human beings, as shown by Evidence of Vacancy. Vacant shall not mean property that is unoccupied or uninhabited by human beings while the occupants or inhabitants are temporarily away or that is not intended by the Owner to be left vacant, provided that (a) the lack of occupancy or inhabitation does not exceed one hundred eighty (180) days; (b) the property is maintained in accordance with Section 8, below, and secured in accordance with Subsections 9.A and B, below; and (c) no other Evidence of Vacancy exists.

Section 5. Applicability and Jurisdiction. This Ordinance applies to Defaulted and Vacant property within the unincorporated area of St. Johns County. This Ordinance shall not apply to any rights-of-way of municipal, county, state, or federal roads or highways; any property owned or under the control of any municipality, county, state, or federal government or agency thereof; or any unimproved lot.

Section 6. Establishment of a Registry. There shall be established a Registry cataloging each Registrable Property within the County and containing the information required by this Ordinance. The Registry may be web-based, and the County may contract with an entity to develop, operate, and maintain the Registry and collect applicable fees, and, if so, any reference to the Enforcement Officer herein shall include the entity the County may contract with for such purposes.

Section 7. Inspection and Registration of Defaulted Mortgage.

A. Any Mortgagee who holds a mortgage on Real Property located within the County shall perform an inspection of the property upon it being in Default or Defaulted by the mortgagor or prior to the issuance of a notice of Default.

B. Within ten (10) days of the date any Mortgagee declares its mortgage to be in Default or Defaulted, the Mortgagee shall register the Real Property with the Registry, and, at the time of registration, indicate whether the property is Vacant, and, if so, shall designate in writing a Local Property Manager to inspect, maintain and secure the Real Property subject to the mortgage in Default or Defaulted. The Local Property Manager shall be available for contact by the County

between 8:00 a.m. and 5:00 p.m. on weekdays, except for recognized county holidays. A separate registration is required for each Registrable Property.

C. Any Owner of Vacant Real Property located within the County shall, within ten (10) days after the property becomes Registrable, or within ten (10) days after assuming ownership of the property, whichever is later, register the Real Property with the Registry.

D. Initial registration pursuant to this Section 7 shall contain at a minimum the name and mailing address of the Owner or Mortgagee; the name, e-mail address, and telephone number of a contact person with the Owner or Mortgagee; and the name, mailing address, office address, e-mail address, and telephone number of the Local Property Manager, if one is required to be designated pursuant to Subsection 7.B, above.

E. At the time of initial registration and any renewal registration, each registrant shall pay a non-refundable registration fee for each Registrable Property in the amount established by the Board by resolution. Said fees shall be deposited to a special account, which account shall be for the purpose of implementation, administration, and enforcement of this Ordinance, county property maintenance ordinances, the Florida Building Code, and other related property codes and ordinances, and fulfilling the purpose and intent of this Ordinance. None of the funds provided for in this Section 7 shall be utilized for the legal defense of Foreclosure Actions.

F. Property inspected pursuant to Subsection 7.A, above, that remains in Default or Defaulted, shall be inspected every thirty (30) days by the Mortgagee or Mortgagee's designee. If an inspection shows a change in the property's Vacancy status, the Mortgagee shall, within ten (10) days of that inspection, update the Vacancy status of the property registration.

G. Registrations are valid for twelve (12) months from the date of initial registration. Renewal registrations and renewal registration fees are due on or before the expiration of the previous registration. Properties subject to this Ordinance shall remain subject to the annual registration requirement and the inspection, security, and maintenance standards of this Ordinance as long as the property remains Registrable.

H. If the Defaulted mortgage on a property is sold or transferred, or if there is a change of servicing company with respect to the Defaulted mortgage, the new Mortgagee is subject to all the terms of this Ordinance. Within ten (10) days of the transfer or the change of servicing company, the new Mortgagee shall register the property or update the existing registration and pay the registration fee. The previous Mortgagee(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Mortgagee's involvement with the Registrable Property.

I. If the Mortgagee sells or transfers the Registrable Property in a non-arm's length transaction to a related entity or person, the transferee is subject to all the terms of this Ordinance. Within ten (10) days of the transfer, the transferee shall register the property or update the existing registration and pay the registration fee. Any and all previous unpaid fees, fines, and penalties, regardless of who the Mortgagee was at the time registration was required, including, but not limited to, unregistered periods during the Foreclosure process, are the responsibility of the transferee and are due and payable with the updated registration. The previous Mortgagee will not

be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Mortgagee's involvement with the Registrable Property.

J. If a Registrable Property is not registered, or the registration fee is not paid, within thirty (30) days of when the registration and fee are required pursuant to this Section 7, a late fee equivalent to ten percent (10%) of the registration fee shall be charged for every thirty-day (30) period, or portion thereof, that the property is not registered and shall be due and payable with the registration. This subsection shall apply to the initial registration, renewal registrations, and required registrations by subsequent transferees, Owners and Mortgagees of the Registrable Property.

K. This Section 7 shall also apply to properties that have been the subject of a foreclosure sale where title is transferred to the Mortgagee, as well as any properties transferred to the Mortgagee under a deed in lieu of foreclosure or by any other legal means.

L. Failure of the Mortgagee and/or property Owner of record to properly register or to modify or update the registration to reflect a change of circumstances as required by this Ordinance is a violation of this Ordinance and shall be subject to enforcement by any enforcement means available to the County.

Section 8. Maintenance Requirements.

A. Registrable Property shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper circulars, flyers, notices (except those required by federal, state or local law), and discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material, or any other items that give the appearance that the property is abandoned.

B. Registrable Property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.

C. Front, side, and rear yards, including landscaping, of Registrable Property shall be maintained including, but not limited to, cutting and mowing of required ground cover or landscape and removal of all trimmings. Required yard maintenance of Registrable Property shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod. Acceptable maintenance of yards or landscaping shall not include weeds, gravel, or broken concrete, asphalt, or similar material.

D. Pools and spas on Registrable Property shall be maintained so the water remains free and clear of pollutants and debris and shall comply with applicable county codes and ordinances and the Florida Building Code, including, but not limited to, barrier requirements.

E. Failure of the Mortgagee, Owner, and transferees to properly maintain the property as required by this Section 8 is a violation of this Ordinance and may result in the issuance of a citation or notice of violation in accordance with Section 10, below.

F. In addition to the above, the property shall be kept and maintained in accordance with all applicable codes and ordinances of the County, including, but not limited to, the St. Johns County Property Maintenance Code (St. Johns County Ordinance 1994-49), the St. Johns County Solid Waste Ordinance (St. Johns County Ordinance 2017-39), and the Standard Unsafe Building Abatement Code (St. Johns County Ordinance 2000-48), as each may be amended from time to time.

Section 9. Security Requirements.

A. Properties subject to this Ordinance shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

B. A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates, and other openings of such size that may allow a child to access the interior of the property or structure must be repaired or sealed with solid sheathing consisting of one-inch boards or minimum one-half-inch exterior grade plywood or equivalent, securely nailed in place. Broken windows shall be secured by re-glazing of the window or by covering same with solid sheathing consisting of one-inch boards or minimum one-half-inch exterior grade plywood or equivalent, securely nailed in place. Where there is no window frame, or where the window frame is loose or defective, a sub frame of two-by-four-inch lumber shall be provided to secure the sheathing.

C. If a property is Registrable, and the property has become Vacant, a Local Property Manager shall be designated by the Mortgagee or Owner to perform the work necessary to bring the property into compliance with the applicable code(s), and the Local Property Manager must perform regular inspections to verify compliance with the requirements of this Ordinance, and any other applicable laws.

D. When a property subject to this Ordinance becomes Vacant, it shall be posted by the Mortgagee or Local Property Manager with the name and twenty-four (24) hour contact telephone number of the Local Property Manager. The posting shall be no less than eighteen (18) inches by twenty-four (24) inches in size and shall be of a font that is legible from a distance of forty-five (45) feet. The posting shall contain the following language with supporting information:

THIS PROPERTY IS MANAGED BY _____.
AND IS INSPECTED ON A REGULAR BASIS.
THE PROPERTY MANAGER CAN BE CONTACTED
BY TELEPHONE AT _____.
OR BY EMAIL AT _____.

E. The posting required by Subsection 9.D, above, shall be placed on the interior of a window facing the street to the front of the property so that it is visible from the street, or secured to the exterior of the building/structure facing the street to the front of the property so that it is visible from the street or, if no such area exists, on a stake of sufficient size to support the posting in a location that is at all times visible from the street to the front of the property but not readily

accessible to vandals. A posting placed on the exterior of the property shall be constructed of and printed with weather-resistant materials.

F. Failure of the Mortgagee and/or property Owner of record to properly inspect or secure a property as required by this Section 9, or to post and maintain the required signage, is a violation of this Ordinance.

Section 10. Enforcement. Violations of this Ordinance may be enforced by an Enforcement Officer by any method allowable in law or equity, including, but not limited to, the enforcement mechanisms provided by Chapter 162, Florida Statutes, and any ordinances enacted thereunder. Pursuant to a finding and determination that any property is in violation of this Ordinance, the County may take the necessary action to ensure compliance with this Ordinance and may place a lien on the property for the cost of the outstanding obligation and any additional cost incurred to bring the property into compliance.

Section 11. Provisions Supplemental. The provisions of this Ordinance are cumulative with and in addition to other available remedies. Nothing contained in this Ordinance shall prohibit the County from collecting on fees, fines, and penalties in any lawful manner; or enforcing its codes by any other means, including, but not limited to, injunction, abatement, or as otherwise provided by law or ordinance.

Section 12. Public Nuisance. All Registrable Property is at risk of being a public nuisance and, if vacant or blighted, can constitute a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare, and safety of the residents of the County.

Section 13. Immunity of Enforcement Officer. To the extent allowable by law, any Enforcement Officer or any person authorized by the County to enforce the sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon Real Property while in the discharge of duties imposed by this Ordinance.

Section 14. Severability. It is hereby declared to be the intention of the County that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional or otherwise invalid by the judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

Section 15. Municipal Opt-In Procedures. Any incorporated municipality within the County may enter into an interlocal agreement with the County to participate in the registration of Defaulted Mortgage and Vacant Property program only as established by this Ordinance, subject to the provisions of this Ordinance and the terms of the interlocal agreement.

Section 16. Effective Date. This Ordinance shall become effective immediately upon the filing of a certified copy with the Secretary of State.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida
this ____ day of _____ 2019.

**BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA**

By: _____
Paul M. Waldron, Chair

ATTEST: Hunter S. Conrad

Deputy Clerk

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners

DATE: March 25, 2019

RE: Scheduling of workshop meeting as requested by the City Commission

During the last Commission meeting, it was determined that a workshop should be scheduled for a discussion regarding the Vacation Rental ordinance. Below are some suggested dates for consideration.

Wednesday, April 17, 2019
Tuesday, April 30, 2019
Wednesday, May 1, 2019
Thursday, May 2, 2019
Wednesday, May 15, 2019

The timeframe for this workshop may be scheduled for either morning from 9:00am until noon or afternoon from 1:00pm until 4:00pm.



Darlene Galambos
City Clerk

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: March 25, 2019

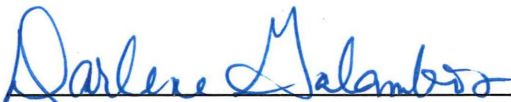
RE: Request for **two (2)** appointments for the Historic Architectural Review Board (HARB)

Notification was previously given regarding one term expiration and one vacancy on the Historic Architectural Review Board. These terms expire March 28, 2019

Advertisements requesting applications was placed in the St. Augustine Record and posted on the City's website. Applications were received from the following:

Barbara Wingo (current board member)
Madie Martin
Ian Gaere MacDonald
Roger White
Dr. Chris Balaschak

Attached are the applications received, in addition to the current HARB roster, board profile and responsibilities.



Darlene Galambos
City Clerk

Xc: City Clerk Files

P. O. Box 497
St. Augustine, FL 32085
March 9, 2019

City Commission
St. Augustine, Florida

Re: Historic Architectural Review Board

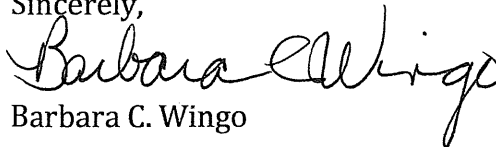
Commissioners:

Thank you for allowing me the opportunity to be of service to the City of St. Augustine as a member of the Historic Architectural Review Board for the past three years. I am applying for a second term because I believe that the work is extremely valuable and, indeed, essential.

I am an historian with a strong interest in historic preservation. I am also the owner of Time Zones Antiques and Collectibles in St. Augustine. I was an adjunct faculty member in the Department of History at the University of Florida for more than 30 years and have served as the president of the St. Augustine Historical Society. I continue to be vitally interested in historic preservation in Florida and am president of the Friends of the Marjorie Kinnan Rawlings Farm (a National Historic Landmark) and the vice president of Norman Studios Silent Film Museum, Inc. (also a National Historic Landmark). I am a board member of the Tolomato Cemetery Preservation Association and the Florida Supreme Court Historical Society.

I very much appreciate your consideration.

Sincerely,


Barbara C. Wingo

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee

1. APPLICANT Barbara C. Wingo
2. RESIDENCE
(address) 17 Saragossa St. PHONE 904-824-5146
3. BUSINESS OWNED (Address) Time Zones Antiques et. A Step Back in Time PHONE 352-367-4256
160 San Marco Ave.
4. PROPERTY OWNED (Address) 17 Saragossa Street
5. MAILING ADDRESS PREFERRED P.O. Box 497, St. Augustine, FL.
6. E-mail Address bcwingo@gmail.com 32085
7. BOARD DESIRED Historic Architectural Review Board
8. OCCUPATION (include resume if available) Attorney, historian, antiques dealer (resume attached)
9. PROFESSIONAL QUALIFICATIONS: (you are encouraged to submit a cover letter)
Historian (Ph.D.) with extensive experience in teaching and researching U.S. history and historic preservation.
See cover letter and resume.
10. OTHER COMMENTS OR INFORMATION
See cover letter.

11. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) Yes ☐ No ☒	
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
☐ American Indian or Alaska Native	
☐ Asian	
☐ Black or African American	
☐ Native Hawaiian or Other Pacific Islander	
☒ White	

12. SIGNATURE OF APPLICANT
Barbara C. Wingo DATE 3-9-19

13. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, FL 32085

BLW

Initial

QUALIFICATIONS FOR PLANNING AND ZONING BOARD (PZB):

Authorization: Chapter 28, Zoning, Code of the City of St. Augustine, Art II, Div. II. Section 28-57
Amended 4.14.2003, Ordinance 2003-14.

Qualifications: All members of the planning and zoning board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two (2) consecutive full terms.

Please check those qualifications that apply to you:

- ☐ Architect, Florida registered
- ☐ Planner, member APA or AICP
- ☐ Real Estate broker, with County occupational license
- ☐ Educator, college level
- ☐ Engineer, Florida registered
- ☐ Landscape architect Florida registered
- ☐ Preservation organization officer
- ☐ Environmental or land use organization officer
- ☐ Attorney, Florida Bar
- ☐ Merchant/business person, City occupational license
- ☐ Contractor, City contractor's license

QUALIFICATIONS FOR HISTORIC ARCHITECTURAL REVIEW BOARD (HARB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 3 and Ordinance 2005-15.

Qualifications: All members of the historic architectural review board shall hold no government office nor receive any salary or compensation for their services to the board herein created. While preference shall be given to current city residents, the city commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. No member shall be appointed for more than two (2) consecutive full terms. Alternates shall be appointed for a three (3) year term. Alternates shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members.

Persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines who do not have a professional degree in any of the fields set forth in this section may be appointed by the city commission when persons with such degrees are not available for appointment, or when such appointment is determined to be in the best interest of the city.

Please check those qualifications that apply to you:

- ☒ History or related fields
- ☐ Archaeology
- ☐ Architectural history
- ☐ Historic architecture
- ☐ Art history
- ☒ Former HARB member (current member)
- ☐ Other

CURRICULUM VITAE

Barbara C. Wingo

6613 NW 81st Blvd., Gainesville, FL 32653
17 Saragossa Street, St. Augustine, FL 32084
Telephone: 352-373-8885; 904-824-5146
Cell phone: 352-214-1214
Email: bcwingo@gmail.com

Attorney and Historian

Law Office of Barbara C. Wingo, PLLC, Jacksonville, Florida

Proprietor, Time Zones Antiques and Collectibles, St. Augustine, Florida

Other Current Activities:

City of St. Augustine, *Historic Architectural Review Board (HARB)*, Board Member, 2016-present.

Florida Supreme Court Historical Society, Member, Board of Trustees, 2014-present.

Friends of the Marjorie Kinnan Rawlings Farm, Inc., Cross Creek, Florida, Member, Board of Directors, 2009-present (President, 2017-present).

Friends of Music at the University of Florida, Member, Board of Directors, 2015-present (President, 2018-present)..

Norman Studios Silent Film Museum, Inc., Jacksonville, Florida, Member, Board of Directors, 2016-present (Vice President, 2018-present).

Tolomato Cemetery Preservation Association, Inc., St. Augustine, Florida, Member, Board of Directors, 2015-present.

The Florida Bar, *Board of Legal Specialization and Education*, 2018-present.

Degrees Earned:

J.D. cum laude, Order of the Coif, December 1980, Southern Methodist University, Dallas, Texas.

Ph.D., May 1976, Tulane University, New Orleans, Louisiana.

Fields of concentration: 1) United States history, with specialization in colonial, revolutionary, and early national periods. 2) British history. 3) European history.

M.A. (history), December 1972, Tulane University, New Orleans, Louisiana

A.B., with great distinction (major: history; minor: music), Phi Beta Kappa, April 1970,
Stanford University, Stanford, California

Bar Admissions and Board Certifications:

State Bar of Texas, admitted 1981.

The Florida Bar, admitted 1982.

Board Certified, State and Federal Government and Administrative Practice.

Board Certified, Education Law.

United States District Court for the Middle District of Florida, admitted 1983.

United States District Court for the Northern District of Florida, admitted 1990.

United States Court of Appeals for the Eleventh Circuit, admitted 1983.

United States Supreme Court, admitted 2000.

Previous Professional Positions:

Associate Vice President (March 2005 to August 2015) *and Deputy General Counsel* (July 1990 to 2015).

Associate General Counsel (January 1985 through June 1990)

Assistant to the University Attorney (March 1983 through December 1984)

University of Florida, Gainesville, Florida

Adjunct Professor (adjunct faculty member, 1982 to 2015).

Department of History, University of Florida

Taught United State survey courses and upper division courses in the American Revolutionary Era, the Early National Period, and the United States Constitution.

Adjunct Professor (Spring 1980; Fall 1979)

Department of History, Southern Methodist University

Lecturer (Fall 1977; Spring 1977; Summer 1976)

Department of History, University of Houston, Downtown College

Visiting Assistant Professor (Fall 1976)

Department of History, University of Houston

Adjunct Instructor (Spring 1976)

Division of Social Sciences, Houston Community College

Publications:

“Divulging School Records: What is Confidential, What is Not,” in School Law in Florida, National Business Institute, 2003.

“The Presidential Election of 1928 in Louisiana,” Louisiana History, XVIII (Fall 1977), 405-435.

Invited Presentations at National and International Meetings:

Marjorie Kinnan Rawlings at Home in Florida, XXXI Annual Marjorie Kinnan Rawlings Society Conference, Mt. Dora, Florida, April 21, 2018.

Open Access: Opportunities and Challenges, National Association of College and University Attorneys (NACUA), November 2014 CLE Workshop: Sponsored Research and Technology Transfer, Washington, D.C., November 7, 2014.

Top Ten Issues for Research Universities: Current Issues of Note and Key Ongoing Issues, National Association of College and University Attorneys (NACUA), Annual Conference, Philadelphia, Pennsylvania, June 19, 2013.

Building Collaborative Relationships with Your Legal Affairs Office, National Council of University Research Administrators (NCURA) Pre-award Research Administration Conference, Hilton Head Island, South Carolina, August 12, 2008.

Disclosure and Monitoring of Conflicts of Interest in Creating and Managing Conflicts of Interest in Faculty Start-Ups: A How-To Guide. National Association of College and University Attorneys (NACUA) Annual Conference. New York, New York, June 25, 2008.

What is Shared Governance? in Why a Good Relationship with Your Academic Senate Is Important: How to Be Part of the Campus Conversation. National Association of College and University Attorneys (NACUA) Annual Conference, New York, New York, June 23, 2008.

Research Foundations: Establishment, Activities, and Affiliated Entities, National Association of College and University Attorneys (NACUA) Workshop on Higher Education Research Compliance and Technology Transfer, Arlington, Virginia, November 11, 2004.

Corporate and Transactional Issues: Needs of a Research University, University of Florida, Third Annual Law & Technology Conference, Orlando, Florida, February 20, 2003.

Establishment and Activities of Affiliated Research Foundations, National Association of College and University Attorneys (NACUA) Workshop on University Research and Technology Transfer, Arlington, Virginia, October 31, 2002.

Conflicts of Interest: Individual and Institutional, Society of Research Administrators International (SRAI) Annual Conference, Orlando, Florida, October 27, 2002.

Launching a Successful Start-Up: The University's Perspective, National Council of University Research Administrators (NCURA) Workshop, University/Industry Collaboration: Partners in the Research Enterprise, Keystone, Colorado, August 20, 2002.

The Entrepreneurial Professorate, Faculty Start-ups and Other Entrepreneurial Activity for the Employment Lawyer: Special Considerations in dealing with Faculty Start-up Companies, National Association of College and University Attorneys (NACUA) Faculty Employment Law Workshop, New Orleans, Louisiana, March 23, 2002.

Advanced Conflict of Interest, Technology Transfer and Security Issues: Negotiating Conflicts of Interest in Faculty Start-ups, National Association of College and University Attorneys (NACUA) Annual Conference, San Diego, California, June 26, 2000.

Risk Management and Other Legal Considerations in a Crisis involving Students, Institute for Crisis Management in Higher Education, Gainesville, Florida, May 25, 1999.

The Institutional Response to Alcohol on Campus: Developing and Enforcing Campus Alcohol Policies, National Association of College and University Attorneys (NACUA) Workshop on Alcohol on Campus, Orlando, Florida, March 11, 1999.

Issues in Research Misconduct Cases: Confidentiality and Records, Workshop on Research Integrity Issues presented by the Office of Research Integrity, U.S. Department of Health and Human Services, and the Office of Research, Technology and Graduate Education, University of Florida, Gainesville, Florida, April 15, 1997.

Managing Your Crisis: Some Legal Considerations in Student Emergencies, National Association of College and University Attorneys (NACUA) Workshop on Current Legal Issues in Student Affairs, San Diego, California, October 21, 1993.

Outside Employment of College and University Faculty Members and Other Employees, National Association of College and University Attorneys (NACUA), Workshop on Employment Law on a Changing Campus, Dallas, Texas, March 13, 1992.

Copyright Issues and Other Legal Issues Affecting Faculty Members, Conference on Interactive Telecommunications in Higher Education: Implementation and Academic Issues, sponsored by the University of Alabama System and University of Missouri System, Tuscaloosa, Alabama, March 25, 1991.

Conflicts of Interest in Faculty Involvement in Sponsoring Organization: Overview of State Laws and Institutional Policies, National Association of College and University Attorneys (NACUA) Annual Conference, Baltimore, Maryland, June 25, 1986.

State Conflict of Interest Law and College and University Faculty Members, Society of University Patent Administrators Conference (now AUTM), Stanford University, Stanford, California, June 20, 1985.

Invited Participation at National and International Meetings:

Moderator, *Research and Social Media*, National Association of College and University Attorneys (NACUA), Fall CLE Workshop, Washington, D.C., November 12, 2010.

Moderator, *After St. Augustine*, Why St. Augustine Symposium, St. Augustine, Florida, February 22-23, 2008.

Panelist, *Leadership Training for the Professional Woman*, SAI International Music Fraternity Triennial Convention, Orlando, Florida, July 29, 2006.

Moderator, *Researching for the Federal Government: Contracts*, National Association of College and University Attorneys (NACUA) Annual Conference, Orlando, Florida, June 28, 2005.

Discussion Leader, *Role of Research Foundations*, National Association of College and University Attorneys (NACUA) Workshop on Higher Education Research Compliance and Technology Transfer, Arlington, Virginia, November 11, 2004.

Moderator, *Faculty Employment Outside of the University: Conflict of Commitment*, National Association of College and University Attorneys (NACUA) Workshop, "From Handshakes to Headaches: Key Issues in Higher Education Employment Law," Atlanta, Georgia, March 5, 2004.

Moderator, *Copyright and On-Line Education: Ownership, Fair Use and Faculty Conflicts of Interest and Commitment*, National Association of College and University Attorneys (NACUA), Annual Conference, Baltimore, Maryland, June 20 and 24, 2001.

Moderator, *Intellectual Property Primer: What You Need to Know*, and *Software and Technology Licensing Issues*, National Association of College and University Attorneys (NACUA) Annual Conference, Washington, D.C., June 21 and 22, 1998.

Recorder, *Do the Models (those presented as well as those developed at other institutions) Meet the Expectations? Creating a "Robust" University Environment to Support Research and Technology Transfer in a Changing World*, National Workshop sponsored by the Council on Research Policy & Graduate Education, National Association of State Universities and Land-Grant Colleges (NASULGC), Gainesville, Florida, April 7, 1998.

Moderator and Chair of Conference Committee, *Hot Legal (and Other) Issues Involving Informational and Instructional Technology*, National Association of College and University Attorneys (NACUA) Workshop "Lost in Cyberspace," Albuquerque, New Mexico, February 29, 1996.

Moderator, *Conflicts of Interest*, National Association of College and University Attorneys (NACUA) Annual Conference, Marco Island, Florida, June 27, 1994.

Moderator, *Indecent Proposal? The Debate over Consensual Relationships Heats Up*, National Association of College and University Attorneys (NACUA) Workshop on Current Legal Issues in Student Affairs, San Diego, California, October 23, 1993.

Panelist, *Case Study -- Conflicts of Interest*, National Association of College and University Attorneys (NACUA) Workshop, Clearwater Beach, Florida, February 9, 1992.

Discussion Leader, *Academic/Administrative Affairs*, Conference on Law and Higher Education, Stetson University College of Law, Clearwater Beach, Florida, January 23, 1991.

Moderator, *The Law of Unfair Competition in the University Setting*, Conference on Law and Higher Education, Stetson University College of Law, Clearwater Beach, Florida, January 17, 1989.

Commentator, *Early American Religious History*, Society of Historians of the Early American Republic (SHEAR) Annual Meeting, Bentley College, Waltham, Massachusetts, June 1983.

Invited Presentations at Regional Meetings:

Marjorie Kinnan Rawlings and St. Augustine, Lightner Museum, St. Augustine, Florida, February 1, 2018.

Distance Learning, Florida Bar Education Law Committee, Jacksonville, Florida, June 15, 2012.

Eleventh Amendment Immunity, Florida Bar Continuing Legal Education Program, Tallahassee, Florida, April 27, 2012.

Sovereign Immunity in Florida, Florida Bar Continuing Legal Education Program, Tallahassee, Florida, April 9, 2010.

Sovereign Immunity: State and Federal, Florida Bar Continuing Legal Education Program, Orlando, Florida, June 30, 2007.

An Intellectual Property Primer: Fair Use and Intellectual Property Policies, Florida Bar General Meeting, Tampa, Florida, September 15, 2006.

An Introduction to Selected Intellectual Property Issues at State Universities in Florida, State University System Inspector General Spring Conference, Ft. Lauderdale, Florida, April 17, 2001.

An Introduction to Conflict of Interest and the Florida Code of Ethics for Public Officers and Employees, State University System Inspector General Spring Conference, Gainesville, Florida, April 6, 2000.

Legal Issues Facing Higher Education Administrators (panelist), 2000 Florida Leadership Summit (Educational Leadership Enhancement Grant Program), Live Oak, Florida, February 24, 2000.

Institutional Conflict, with Catherine Longstreth, State University System Employment Conference, Tampa, Florida, June 3, 1998.

The Administrator's Right and Responsibility to Manage, with Catherine Longstreth, Institute for Academic Leadership, Florida State University, Department Chairpersons Workshop, Deans Workshop, Howey-in-the-Hills, Florida, June 11, 1995, June 10, 1996, May 18, 1998.

Selected Risk Management Issues for Faculty Members in Clinical Medicine, University of Florida and North Florida Medical Malpractice Claims Council, Risk Management Seminar, Jacksonville, Florida, October 2, 1993.

Sexual Harassment, with Catherine Longstreth and Jacquelyn Hart, Southeastern Association of Chief Academic Officers, Gainesville, Florida, February 17, 1992.

Sexual Harassment: Policy Development and Educational Programming, with Catherine Longstreth and Helen Mamarchev, 1992 Florida Association for Women Deans, Administrators and Counselors -- American Council of Education/National Identification Program Conference, Tampa, Florida, January 24, 1992.

An Introduction to Copyright and Educational Technology, Southeastern Association of Learning Laboratories Conference, Gainesville, Florida, March 10, 1990.

Liability Concerns in College Union Programs, Association of College Unions International Region VI Conference, Gainesville, Florida, November 6, 1987.

Peer-Reviewed Presentations at National and International Meetings:

Norman Studios: History and Regeneration of a Silent Film Studios Complex and a National Historic Landmark, Mostly Lost 7 (Library of Congress), Culpeper, Virginia, June 14, 2018.

Fast, Fun and Efficient Business Meetings. SAI International Music Fraternity Triennial Convention, Chicago, Illinois, August 1, 2009.

Football! Physiology! Sports Stars! Marketing! The Gatorade Story, with J. Robert Cade, M.D., Association of University Technology Managers (AUTM) Annual Conference, Orlando, Florida, February 7, 2003.

Managing University Technology involving both Copyrights and Patents, Association of University Technology Managers (AUTM) Annual Conference, New Orleans, Louisiana, March 3, 2001.

Learning to Deal with Conflict in Academia, with Catherine Longstreth, American College Personnel Association 1996 Annual Conference, Baltimore, Maryland, March 9, 1996; *Dealing with Institutional Conflict*, with Catherine Longstreth, Florida Community College at Jacksonville, Eighth National Conference on College Teaching and Learning, Jacksonville, Florida, April 18, 1997; *Dealing with Institutional Conflict in Academic Affairs*, with Catherine Longstreth, College and University Personnel Association, 1998 National Conference, Indianapolis, Indiana, October 6, 1998.

Empowering a University Community to Combat Sexual Harassment (workshop) with Helen Mamarchev, Catherine Longstreth, Jacquelyn Hart, and Jacquelyn Resnick, 1995 Conference of the National Association for Women in Education, Washington, D.C., March 7, 1995.

Knotty Problems in Dealing with Sexual Harassment, with Catherine Longstreth, Eighth Annual Conference on Women in Higher Education Conference, sponsored by the Women's Studies Program, University of Texas at El Paso, San Francisco, California, January 6, 1995; Florida Community College at Jacksonville, Sixth National Conference on College Teaching and Learning, Jacksonville, Florida, April 8, 1995.

Enhancing the Classroom Environment: A Simulation of an Institutional Sexual Harassment Educational Program, with Catherine Longstreth and Helen Mamarchev, National Association for Women in Education 1994 Conference, Orlando, Florida, March 4, 1994; Florida Community College at Jacksonville, Fifth National Conference on College Teaching and Learning, Jacksonville, Florida, April 7, 1994.

Sexual Harassment: Policy Development and Educational Programming, with Catherine Longstreth and Helen Mamarchev, National Association for Women in Education 1992 Conference, San Antonio, Texas, March 8, 1992.

Sexual Harassment: Policy Development and Educational Programming, 5th Annual Conference on Women in Higher Education, sponsored by the Women's Studies Program, University of Texas at El Paso, San Diego, California, January 5, 1992.

The Treaty Power Under the Articles of Confederation: The Case of Article 4 of the Treaty of Peace and its Enforcement in Virginia, Triumph of the American Revolution Symposium, Keene State College, Keene, New Hampshire, April 9, 1983.

Other Presentations and Consulting:

Consultant to: Eastern Washington University (Cheney, Washington) on faculty matters (1998); Florida Atlantic University (Boca Raton) on conflict of interest and faculty start-up company issues (2000); University of South Florida (Tampa) on conflict of interest, faculty start-up companies, and technology transfer issues (1999, 2008-2009); Broward County School District on the early American presidency (2009).

Historical reviewer for the Education/Interpretation/Facilities Committee, University of Florida Historic St. Augustine, Inc., 2011-2014.

Separation of Powers, Checks and Balances and the Constitution, four presentations in the State of Florida, May and September 1987, for the Bicentennial of the United States Constitution.

Numerous presentations to University of Florida and University-related groups on legal issues, particularly on public records and open meetings, conflict of interest, patents and copyrights, intellectual property policies, sexual harassment, medical and psychological records, student records, research compliance issues, medical risk management, technology transfer, parliamentary procedure, conflict resolution, volunteer activities, and tort liability.

Other Related Education, Activities and Honors:

University of Florida President's Medallion, 2015.

Florida Trend's Florida Legal Elite, 2014.

Florida Bar Board Certified, Education Law, 2011-present.

Florida Bar Board Certified, State and Federal Government and Administrative Practice, 2007-present.

Award for Outstanding Leadership and Service to the Division of Student Affairs, University of Florida, September 1999.

State of Florida Civil Mediation Training, December 1997.

National Association of College and University Attorneys (NACUA) Professional Development Institute at Harvard University, August 4-9, 1996.

National Association of College and University Attorneys (NACUA) Mediator Training Workshop for College and University Attorneys and Administrators, July 11-13, 1996.

Member, J. Wayne Reitz Union Board of Managers, University of Florida, 1993-1996.

Congressional intern, Johns Hopkins School of Advanced International Studies, Summer 1969.

Membership and Service in Professional Organizations (not otherwise noted above):

National Association of College and University Attorneys (NACUA)

Member, Continuing Legal Education Committee, 2014-2015, 2008-2011, 1992-1996; November 2014 CLE Workshop Planning Group, 2013-2014; Strategic Planning Committee, 2007-2008; Editorial Board of the *Journal of College and University Law*, 2005-2006; Annual Program Committee, 2000-2002, 2004-2005; Publications Committee, 1990-1992, 1998-2000; Honors and Awards Committee, 1996-1998.

The Florida Bar

Inaugural Member, Federal Practice Committee, 1990-1993.

Government Lawyers Section, Member, Executive Council (served as chair, secretary and treasurer), 1996-2015; ex officio Executive Council member, 2015-present.

Inaugural Member, Education Law Certification Committee, 2009-2016 (served as chair and vice chair).

American Bar Association; Association of University Technology Managers (AUTM); Administrative Law and Entertainment and Sports Law Sections, The Florida Bar; Federal Bar Association; American Society for Legal History; Organization of American Historians; Southern Historical Association; Society for Historians of the Early Republic; Florida Historical Society; National Trust for Historic Preservation; Florida Trust for Historic Preservation; Costume Society of America.

Other Current and Recent Volunteer Activities:

Gainesville Alumnae Chapter of Sigma Alpha Iota International Music Fraternity, President 2009-present.

Girl Scouts of Gateway Council volunteer, 1986-present: Leader, 1986-1999, 2001-2003 (Outstanding Leader Recognition awarded 1990; Exceptional Leader Recognition awarded 1999); Neighborhood Service Team member, 1987-1996 (Outstanding Volunteer Recognition awarded 1992); Association Chair, 2001-2008; Association Delegate, 2008-2010; National Council Member, 2008-2011; Gateway Girl Scout Council Endowment Committee (2011-2013), CEO Search Committee (2012-2013), Constituency Engagement Committee (2011-2014).

St. Augustine Historical Society, Inc., Member, Board of Trustees, 2003-2009 (President and Chair of Board of Trustees, 2007-2009).

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee

1. APPLICANT MADIE MARTIN
2. RESIDENCE
(address) 709 PINEHURST PLACE PHONE 720.480.2108
3. BUSINESS OWNED (Address) ST. AUGUSTINE PHONE 32080
4. PROPERTY OWNED (Address) _____
5. MAILING ADDRESS PREFERRED _____
6. E-mail Address madieridermartin@gmail.com
7. BOARD DESIRED HARB
8. OCCUPATION (include resume if available) ARCHITECT / REALTOR
9. PROFESSIONAL QUALIFICATIONS: (you are encouraged to submit a cover letter)
(see resume, attached)
10. OTHER COMMENTS OR INFORMATION
(see resume + cover letter, attached)

11. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) Yes ☐ No ☒	
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
☐ American Indian or Alaska Native	
☐ Asian	
☐ Black or African American	
☐ Native Hawaiian or Other Pacific Islander	
☒ White	

12. SIGNATURE OF APPLICANT

Madie Martin

DATE 8 Mar 2019

13. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, FL 32085

MM
Initial

QUALIFICATIONS FOR PLANNING AND ZONING BOARD (PZB):

Authorization: Chapter 28, Zoning, Code of the City of St. Augustine, Art II, Div. II. Section 28-57
Amended 4.14.2003, Ordinance 2003-14.

Qualifications: All members of the planning and zoning board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two consecutive full terms.

Please check those qualifications that apply to you:

- ☒ Architect, Florida registered
- ☐ Planner, member APA or AICP
- ☐ Real Estate broker, with County occupational license
- ☐ Educator, college level
- ☐ Engineer, Florida registered
- ☐ Landscape architect Florida registered
- ☐ Preservation organization officer
- ☐ Environmental or land use organization officer
- ☐ Attorney, Florida Bar
- ☐ Merchant/business person, City occupational license
- ☐ Contractor, City contractor's license

QUALIFICATIONS FOR HISTORIC ARCHITECTURAL REVIEW BOARD (HARB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 3 and Ordinance 2005-15.

Qualifications: All members of the historic architectural review board shall hold no government office nor receive any salary or compensation for their services to the board herein created. While preference shall be given to current city residents, the city commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. No member shall be appointed for more than two (2) consecutive full terms. Alternates shall be appointed for a three (3) year term. Alternates shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members. Persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines who do not have a professional degree in any of the fields set forth in this section may be appointed by the city commission when persons with such degrees are not available for appointment, or when such appointment is determined to be in the best interest of the city.

Please check those qualifications that apply to you:

- ☐ History or related fields
- ☐ Archaeology
- ☒ Architectural history
- ☒ Historic architecture
- ☒ Art history
- ☐ Former HARB member
- ☐ Other

MADIE RIDER MARTIN

709 Pinehurst Place
St. Augustine, Florida, 32080, USA

Mobile: 720-480-2108

Email: madieridermartin@gmail.com

EDUCATION

Master of Architecture University of Colorado Boulder, Colorado	1977
--	-------------

Bachelor of Arts McGill University Montreal, Quebec, Canada	1973
--	-------------

Associate of Arts Pine Manor College Chestnut Hill, Massachusetts	1970
--	-------------

LEADERSHIP AND SERVICE

Chapter President of American Institute of Architects Jacksonville, Florida	1989-1990
---	------------------

Member of Historic Landmarks Commission Jacksonville, Florida	1984-1990
---	------------------

Member of Board of Florida Association American Institute of Architects Tallahassee, Florida	1986-1990
--	------------------

Riverside Avondale Preservation Board Jacksonville, Florida	1986-1990
---	------------------

Ritz Theatre Redevelopment Board Jacksonville, Florida	1987-1990
--	------------------

Mayor's Commission on Housing Jacksonville, Florida	1989-1990
---	------------------

Big Brothers and Big Sisters Jacksonville, Florida/Denver, Colorado	1989-2000
---	------------------

City of Denver Public Art Committee Denver, Colorado	1995-2006
--	------------------

Denver Community Leadership Forum Denver, Colorado	2000
--	-------------

Cultural Resource Review Board St. Johns County, Florida	2011-2015
--	------------------

MADIE RIDER MARTIN

WORK EXPERIENCE

Real Estate Agent
Most recently with RE/MAX Unlimited
Ponte Vedra Beach, Florida,

February 2007 - 2018

City and County of Denver
Design and Construction Management -Division of Public Works
Denver, Colorado

May 1999 – February 2007

Senior Architect/Project Manager

General Duties

- Managed the design and construction of city-owned properties involving new construction, renovation, historic preservation, urban design and planning.
- Managed diverse project types: interior and exterior design and construction of city office buildings, courtrooms, council chambers, community centers, recreation centers and parks.
- Wrote Requests for Proposals for architects, contractors and design-build teams to perform design and construction work for the city.
- Managed projects from architect selection through programming, concept development, design and construction.
- Worked with city user groups to develop building programs and space requirements.
- Implemented standard design-bid-build and design-build methods of project delivery.
- Developed and managed budgets and schedules.
- Managed on-call architects' and contractors' contracts and projects associated with them.

Sample Projects

- Denver Justice Center - \$378 million
- Wellington E. Webb Municipal Office Building - \$128 million
- Minoru Yasui Office Building Remodel - \$17 million
- The City and County Building - \$5 million
- McNichols Civic Center Building - \$1 million
- Greek Theatre Remodel - \$3 million

EDAW, Landscape and Urban Design
Denver, Colorado

May 1998 – May 1999

Project Manager/Urban Designer

Duties

- Led community workshops to identify issues and develop plans for downtown revitalization.
- Worked on team to generate revitalization ideas and action plans.
- Illustrated design concepts and plans.
- Organized work and wrote planning documents.
- Presented plans in public forums to stakeholders and public officials.

Projects

- Downtown Plan for St. Louis, Missouri
- Downtown Plan for Jacksonville, Florida

MADIE RIDER MARTIN

City and County of Denver
Planning & Community Development
Denver, Colorado

May 1993 – May 1998

Urban Designer

Duties

- Led, managed and organized the work multiple disciplinary teams in writing neighborhood, urban design and corridor plans in multiple jurisdictions.
- Led community design workshops and charrettes through collaborative processes.
- Developed guiding principles and design framework plans for redevelopment sites.
- Developed and administered design guidelines and review procedures for special zone districts and historic districts, working with design advisory boards on public and private projects.

Sample Projects:

- Colfax Corridor Plan
- Uptown Hospital District Plan
- Lowry Airforce Reuse Plan
- Former Elitch Gardens Redevelopment
- Lower Downtown Plan
- Denver Light Rail Transit Oriented Development (TOD) Studies
- Cherry Creek Design Advisory Board
- Lower Downtown Design Review Board
- Civic Center Design Guidelines
- Golden Triangle Design Guidelines

LICENSES

Real Estate License, Florida (and formerly Colorado)
Architectural License, Florida (and formerly Colorado)

SKILLS

Proficient in Microsoft Office programs.
Speak some French.

REFERENCES on request

MADIE RIDER MARTIN

709 Pinehurst Place
St. Augustine, Florida, 32080

Cell: 720-480-2108

Email: madieridermartin@gmail.com

March 11, 2017

City Clerk
City of St. Augustine
cityclerk@citystaug.com

RE: Historic Architectural Review Board Membership

Good morning,

I would very much like to sit on the Historic Architectural Review Board for the City of St. Augustine. I have a passion for historic architecture and a love for this great city, and I would be honored to contribute to the continuity and enhancement of its historic value. I am pleased to submit my qualifications.

I am an architect with over 35 years of experience in design and construction, much of it focused on historic preservation. In my early years in Jacksonville, I completed several preservation and adaptive reuse projects in Springfield; two won awards. I sat on the Historic Landmarks Commission for the City of Jacksonville, as well as the Riverside Avondale Preservation board, tasked with overseeing preservation efforts and implementing design guidelines for historic districts.

As an urban designer for the Planning and Community Development Department of the City and County of Denver, I helped develop and administer design guidelines and review procedures for projects in historic districts. One of these districts was the Lower Downtown historic warehouse district, which was busy redeveloping itself with lofts, a baseball park and sports bars in the 1990's. I staffed the Design Review Board which reviewed all new infill, as well as preservation projects.

As a project manager in the Design and Construction Management Department of Public Works for the City and County of Denver, I worked on three major preservation projects in the historic Civic Center district: the preservation of the Greek Amphitheatre, the City and County Building (the historic city hall) and the McNichols Building (previously a Carnegie Library). Each involved sensitive exterior preservation and modern implementation methods.

I fell in love with St. Augustine in the 1980's, and moved here in 2008, because of its history and my love of its buildings. I would love to be part of the group that watches over it.

Thank you for your consideration of my application to the Historic Architectural Review Board.

Sincerely,

Madie Rider Martin

Application and resume attached to email

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee

1. APPLICANT Ian Gaere MacDonald
2. RESIDENCE
(address) 23 Water St, COSA, FL 32084 PHONE 904 814 7799
3. BUSINESS OWNED (Address) AS above PHONE as above
4. PROPERTY OWNED (Address) AS above
5. MAILING ADDRESS PREFERRED AS above
6. E-mail Address gmdconstruction@aol.com
7. BOARD DESIRED HARB
8. OCCUPATION (include resume if available) State Cert General Contractor
9. PROFESSIONAL QUALIFICATIONS: (If necessary, attach additional information)
Building contractor / certified executive chef
10. OTHER COMMENTS OR INFORMATION
Most of building has been in the historic areas of downtown St Augustine

11. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) Yes ☐ No ☒	
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
☐ American Indian or Alaska Native	
☐ Asian	
☐ Black or African American	
☐ Native Hawaiian or Other Pacific Islander	
☒ White	

12. SIGNATURE OF APPLICANT I. MacDonald DATE 3/12/19

13. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, FL 32085

IGLM
Initial

QUALIFICATIONS FOR PLANNING AND ZONING BOARD (PZB):

Authorization: Chapter 28, Zoning, Code of the City of St. Augustine, Art II, Div. II. Section 28-57
Amended 4.14.2003, Ordinance 2003-14.

Qualifications: All members of the planning and zoning board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two 2 consecutive full terms.

Please check those qualifications that apply to you:

- ☐ Architect, Florida registered
- ☐ Planner, member APA or AICP
- ☐ Real Estate broker, with County occupational license
- ☐ Educator, college level
- ☐ Engineer, Florida registered
- ☐ Landscape architect Florida registered
- ☐ Preservation organization officer
- ☐ Environmental or land use organization officer
- ☐ Attorney, Florida Bar
- ☐ Merchant/business person, City occupational license
- ☒ Contractor, City contractor's license CGC 1504717

QUALIFICATIONS FOR HISTORIC ARCHITECTURAL REVIEW BOARD (HARB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 3 and Ordinance 2005-15.

Qualifications: All members of the historic architectural review board shall hold no government office nor receive any salary or compensation for their services to the board herein created. While preference shall be given to current city residents, the city commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. No member shall be appointed for more than two (2) consecutive full terms.

Persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines who do not have a professional degree in any of the fields set forth in this section may be appointed by the city commission when persons with such degrees are not available for appointment, or when such appointment is determined to be in the best interest of the city.

Please check those qualifications that apply to you:

- ☒ History or related fields
- ☒ Archaeology
- ☒ Architectural history
- ☒ Historic architecture
- ☐ Art history
- ☐ Other.

March 13, 2019

Darlene Galambos, City Clerk
PO Box 210
St. Augustine, FL 32085
Historic Architectural Review Board

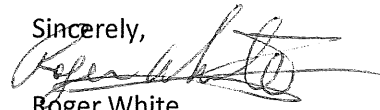
Dear Ms. Galambos,

Please consider my application to serve on the Historic Architectural Review Board for St. Augustine. My wife and I relocated to St. Augustine in June of 2017. For us, the city was love at first sight, and we were eager to join the community. I majored in History as an undergraduate, and wanted to move to a city with an appreciation of its historical importance. St. Augustine has that. We moved from Duxbury, Massachusetts which was founded by leaders of the Plymouth Colony in 1638. A relatively new town compared to this City.

I have grown in my appreciation for St. Augustine through both reading several books including those by Thomas Graham, Edward Avery, "The Houses of St. Augustine 1565-1821" by Albert Manucy, and by walking through its various neighborhoods. Each section has its own history and distinct charm.

Navigating the fine line between maintaining the historical beauty and those who desire improvements is the challenge that the board addresses. I have attended a few of the HARB meetings to get a feel for the process, and believe I could be of service to my new home. Attached is my resume and application for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Roger White", with a stylized flourish at the end.

Roger White

3 Murat St.
St. Augustine, FL 32080

Roger White

3 Murat St. Saint Augustine, FL 32080

Cell: 617.694.2506

akwrew@yahoo.com

Summary of Qualifications

- 30 years Business, Marketing, Sales, Administrative, Managerial and Executive Experience
- Taught at the college level; rewrote the Economics curriculum at Eastern Nazarene College

Experience as an Educator

Instructor and Student Development Associate

9/2008-6/2017

Quincy College, Plymouth Campus, Plymouth, MA 02360

Taught Economics, Management, Business, Psychology, and Colonial History Classes

Managed a Learning Center to provide educational support and disabilities services

Adjunct Faculty

Eastern Nazarene College, Quincy, and University of Phoenix, Braintree, MA

4/1997-5/2012

Taught Economics, Business and Psychology courses

Regional Manager

Behavioral Science Associates

6/1978-1/1981

Managed professional staff in 5 locations providing educational and career preparation services.

Counselor, then Director

Cooperative Learning Center, University of Massachusetts, Dartmouth, MA

7/1974-6/1978

Designed, developed, and directed a compensatory educational support service.

History Teacher

Bourne High School, Bourne MA

9/1972-6/1973

Business and Managerial Experience

Account Representative

Supercoups (Mailcoups Direct, Inc.)

11/2006-6/2008

Sold direct mail advertising to Southeastern MA business owners.

Account Executive

Verizon Information Services

1/1996-6/2006

To stay with parent company returned Massachusetts and to sales at a higher level

Early retirement in 2006.

Sales Manager, Regional Manager and VP of Sales

United Publishers a subsidiary of Nynex (now Verizon)

4/1991-12/1995

Managed 20 sales, training and marketing managers and over 100 sales people.

Account Representative

Nynex

9/1984-4/1991

Developed and sold advertising programs to Eastern MA business owners.

Franchise Owner

Success Motivational International

1/1981-8/1984

Education:

- **Doctor of Business Administration**, California InterContinental University ABD
- **Masters of Science in Economics**, Suffolk University 5/2009
- **Financial Planning Courses**, Boston University and UCLA 1/1990-6/1994
- **Masters of Education in Counseling**, Northeastern University 9/1976
- **Bachelors of Arts in History and Education**, Ohio Wesleyan University 6/1972

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee

1. APPLICANT ROGER E. WHITE
2. RESIDENCE (address) 3 MURAT ST. ST. AUGUSTINE PHONE 617-694-2502
3. BUSINESS OWNED (Address) _____ PHONE _____
4. PROPERTY OWNED (Address) 3 MURAT ST. ST. AUGUSTINE, FL 32080
5. MAILING ADDRESS PREFERRED SAME
6. E-mail Address AKWREW@YAHOO.COM
7. BOARD DESIRED HISTORIC ARCHITECTURAL REVIEW BOARD
8. OCCUPATION (include resume if available) RETIRED
9. PROFESSIONAL QUALIFICATIONS: (you are encouraged to submit a cover letter)
SEE ATTACHED
10. OTHER COMMENTS OR INFORMATION

11. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) <u>Yes</u> <u>No</u>	
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
☐ American Indian or Alaska Native	
☐ Asian	
☐ Black or African American	
☐ Native Hawaiian or Other Pacific Islander	
☐ White	

12. SIGNATURE OF APPLICANT

Roger E. White DATE 3/11/2019

13. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, FL 32085



Initial

QUALIFICATIONS FOR PLANNING AND ZONING BOARD (PZB):

Authorization: Chapter 28, Zoning, Code of the City of St. Augustine, Art II, Div. II. Section 28-57
Amended 4.14.2003, Ordinance 2003-14.

Qualifications: All members of the planning and zoning board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two 2 consecutive full terms.

Please check those qualifications that apply to you:

- ☐ Architect, Florida registered
- ☐ Planner, member APA or AICP
- ☐ Real Estate broker, with County occupational license
- ☐ Educator, college level
- ☐ Engineer, Florida registered
- ☐ Landscape architect Florida registered
- ☐ Preservation organization officer
- ☐ Environmental or land use organization officer
- ☐ Attorney, Florida Bar
- ☐ Merchant/business person, City occupational license
- ☐ Contractor, City contractor's license

QUALIFICATIONS FOR HISTORIC ARCHITECTURAL REVIEW BOARD (HARB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 3 and Ordinance 2005-15.

Qualifications: All members of the historic architectural review board shall hold no government office nor receive any salary or compensation for their services to the board herein created. While preference shall be given to current city residents, the city commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. No member shall be appointed for more than two (2) consecutive full terms. Alternates shall be appointed for a three (3) year term. Alternates shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members.

Persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines who do not have a professional degree in any of the fields set forth in this section may be appointed by the city commission when persons with such degrees are not available for appointment, or when such appointment is determined to be in the best interest of the city.

Please check those qualifications that apply to you:

- ☒ History or related fields
- ☐ Archaeology
- ☐ Architectural history
- ☐ Historic architecture
- ☐ Art history
- ☐ Former HARB member
- ☐ Other

March 13, 2019

St Augustine City Commission
St. Augustine, FL 32084

Dear Commissioners,

I am pleased to be applying for an appointment on the Historic Architecture Review Board. I am a resident of St. Augustine, residing at 4 Beacon St., and have been a professor of Art History at Flagler College since 2010. My academic qualifications, combined with my commitment to a strong sense of place, community, and quality of life for St. Augustine, have driven my desire to seek this position.

At Flagler College, I am the academic coordinator for the Art History program. I oversee curriculum planning, academic assessment, and advise several dozen students who major or minor in Art History. My true passions for the subject are apparent in the classroom where I teach on everything from the History of Western Art and Visual Culture, to specialized courses in the History of Photography, African American Art History, Modern European Art, and Gallery Management. Throughout my teaching I discuss issues regarding "sense of place," and particularly focus on local histories of architecture and urban planning. My academic scholarship considers the intersection of modern American photography with issues of environmental justice. This work is particularly informed by histories of civic design, urban space, and the preservation of community. My scholarship is well documented on my attached CV, as are my academic accolades.

I believe you will find me to be an active, research-focused, and insightful colleague on the Historic Architecture Review Board. I sincerely relish the idea of being a part of conversations as the City adopts and discusses the Historic Preservation Master Plan, along with numerous other initiatives. Thank you for considering my appointment.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Chris Balaschak', with a long, sweeping horizontal stroke extending to the right.

Dr. Chris Balaschak

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee

1. APPLICANT Dr. Chris Balaschak
2. RESIDENCE
(address) 4 Beacon St., 32084 PHONE 904 826 8574
3. BUSINESS OWNED (Address) _____ PHONE _____
4. PROPERTY OWNED (Address) 4 Beacon St, 32084
5. MAILING ADDRESS PREFERRED 4 Beacon St., St Augustine, FL 32084
6. E-mail Address cbalaschak@gmail.com
7. BOARD DESIRED HARB
8. OCCUPATION (include resume if available) Associate Professor of Art History, Flagler College
9. PROFESSIONAL QUALIFICATIONS: (you are encouraged to submit a cover letter)
see attached CV and cover letter

10. OTHER COMMENTS OR INFORMATION

11. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) <u>Yes</u> ☒ <u>No</u>	
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
☐ American Indian or Alaska Native	
☐ Asian	
☐ Black or African American	
☐ Native Hawaiian or Other Pacific Islander	
☒ White	

12. SIGNATURE OF APPLICANT

 DATE 3/13/19

13. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, FL 32085

C2
Initial

QUALIFICATIONS FOR PLANNING AND ZONING BOARD (PZB):

Authorization: Chapter 28, Zoning, Code of the City of St. Augustine, Art II, Div. II. Section 28-57
Amended 4.14.2003, Ordinance 2003-14.

Qualifications: All members of the planning and zoning board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two (2) consecutive full terms.

Please check those qualifications that apply to you:

- ☐ Architect, Florida registered
- ☐ Planner, member APA or AICP
- ☐ Real Estate broker, with County occupational license
- ☐ Educator, college level
- ☐ Engineer, Florida registered
- ☐ Landscape architect Florida registered
- ☐ Preservation organization officer
- ☐ Environmental or land use organization officer
- ☐ Attorney, Florida Bar
- ☐ Merchant/business person, City occupational license
- ☐ Contractor, City contractor's license

QUALIFICATIONS FOR HISTORIC ARCHITECTURAL REVIEW BOARD (HARB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 3 and Ordinance 2005-15.

Qualifications: All members of the historic architectural review board shall hold no government office nor receive any salary or compensation for their services to the board herein created. While preference shall be given to current city residents, the city commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. No member shall be appointed for more than two (2) consecutive full terms. Alternates shall be appointed for a three (3) year term. Alternates shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members.

Persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines who do not have a professional degree in any of the fields set forth in this section may be appointed by the city commission when persons with such degrees are not available for appointment, or when such appointment is determined to be in the best interest of the city.

Please check those qualifications that apply to you:

- ☐ History or related fields
- ☐ Archaeology
- ☐ Architectural history
- ☐ Historic architecture
- ☒ Art history
- ☐ Former HARB member
- ☐ Other

Chris Balaschak, Ph. D.
Associate Professor of Art History
Flagler College
74 King Street, Box 1433
St. Augustine, FL 32084
(904) 826 8574
cbalaschak@flagler.edu

Education

- Ph.D. 2010, University of California at Irvine, Program in Visual Studies
 Dissertation: "Unstable Ground: Photography books and the
 modern landscape, 1938-1975" (Advisor: Dr. Sally Stein)
- M.F.A. 2005, Art Center College of Design, Program in Criticism and Theory
- B.A. 1998, New York University, Gallatin School of Individualized Study

Professional Experience

- 2016 – Associate Professor of Art History, Flagler College,
 Department of Visual and Performing Arts
 Art History & Film Studies Program coordinator
- 2010-2016 Assistant Professor of Art History, Flagler College
- 2010 Lecturer, California State, Long Beach, Department of Art 411/511,
 History of 20th Century Photography; Spring Semester
- 2007-2010 Teaching Assistant, UC Irvine Department of Art History
- 2009 Lecturer, UC Irvine Department of Art History 183C,
 History of Photography; Summer Session I
- 2008 Lecturer, UC Irvine Department of Art History 40A,
 History of Western Art: Ancient; Summer Session I
- 2000-2006 Director, Gallery Luisotti, Santa Monica, CA
- 1998-2000 Registrar & Preparator, Elizabeth Leach Gallery, Portland, OR
- 1996-1998 Assistant to Registrar, Grey Art Gallery and Study Center, New York, NY

Publications and Exhibitions

Book contributions:

- forthcoming* "Forest Formats: Photography, Puerto Rico, and
The Caribbean Forester" in *Imperial Islands: Vision and
 Experience in the American Empire after 1898* (under review)
- 2016 "Dear Lewis" in TITLE TK [Lewis Baltz memorial book]
 "No Doubt: The politics of photography in Antonioni's *Blow-Up*"
Truth in the Public Sphere (New York: Lexington Books)
- "Proving Grounds: Artists' Books in the Wake of Three Mile Island,"
Conflict, Identity and Protest in American Art
 (Newcastle: Cambridge Scholars Publishing)
- "The Slavic Court: Lewis Hine and Informal Urbanism in *Homestead*,"
Paper Cities: Urban Portraits in Photographic Books
 (Leuven: Leuven University Press)
- 2012 Annotator, *Lewis Baltz: Texts* (Steidl)
- 2011 "New Worlds: Lewis Baltz and a Geography of Aesthetic Decisions" in
*Reconsidering the New Industrial Parks near Irvine, California by
 Lewis Baltz, 1974* (Berlin: Sternberg Press)

Journals, catalog essays, and reviews:

- 2018 "Richard Twine and the Historical Value of Photography," *El Escribano:
 The St. Augustine Journal of History* (St. Augustine: St. Augustine
 Historical Society)
- 2017 *Jake Longstreth: Pastures and Parking Lots*
 (St. Augustine: Crisp-Ellert Art Museum)
- 2013 contributor, *Celebrating the Legacy: 125 Years of the Hotel Ponce de
 Leon* (Flagler College)
- 2012 "Planet of the Apes: John Szarkowski, My Lai, and *The Animals*," *Art
 Journal* (Fall)
- "Give You the Ghost," *Frank Selby: Misunderstanding* (Winston-Salem:
 Southeastern Center for Contemporary Art)
- 2010 "Between Sequence and Seriality: Landscape photography and its
 historiography in *Anonyme Skulpturen*," *Photographies*, v. 3, n. 1
- "Flag This Comment," *Folio Weekly* (Nov. 23-29, 2010)
- 2009 *Hammer Projects: 1999-2009*, contributor
 (Los Angeles: Hammer Museum)
- Words without Pictures*, contributor (Los Angeles: LACMA)
- 2008 *Shirana Shahbazi* (Los Angeles: Hammer Museum)
- Isabelle Hayuer: Model Homes*
 (Quebec: National Research Center for Contemporary Digital Art)
- "Abstract, Representational, and so forth: An Interview with James
 Welling," *Octopus*, vol. 4
- 2007 *The Frieze Yearbook*, contributor (London: Frieze)

- "Color Fields and Concrete Logic," *Yanai Toister*
 (Los Angeles: Sandroni Rey)
 "SUPERFLEX at 1301PE," *Art Review 10* (April)
 "Michelle O'Mara at Sister," *Frieze 104* (January-February)
 2006 "Rubble Rouser," *Art Review 3* (September)
 "Walead Beshty at China Art Objects," *Frieze 96* (January-February)
 "Defiance through Mediation," *X-tra*, vol. 8, no. 3
 "Seminal and Impenetrable" *X-tra*, vol. 8, no. 3
 2005 "Dike Blair at Mary Goldman Gallery," *Frieze 95* (November-December)
 2004 "A Sliver of Locus," *Supersonic* (Pasadena: Art Center College of Design)
 1998 "Y.Z. Kami at Dietch Projects," *Flash Art*, May-June
 "Jorge Galindo at Ramis Barquet," *Flash Art*, Summer
 "John Fraser at Tidbit," *Plazm*, Issue 19
 "Interview with Julia Scher," *Grey Art Gallery Newsletter*, Summer
 1996-1997 *Culture Shock*, art & music coverage

Curatorial projects:

- 2018 *Florida East Coast: selections from the Guidi Collection*
 in collaboration with students of ART415: Gallery Management
 Crisp-Ellert Art Museum, Flagler College
 2012 *Sold Out Show*, film series, Flagler College
 2011 *Andy Warhol: Films*, film series, Crisp-Ellert Art Museum,
 Flagler College, May
 2007 *Déjà Vu*, film series, University of California at Irvine, August
 2005 *Landscape in Flux*, Gallery Luisotti, 5/4 – 7/2
 2004 *Itineraries*, Gallery Luisotti, 7/10 – 8/28
 2002 *Vacant: Recent Landscapes of Los Angeles*, Gallery Luisotti, 1/12 – 3/9

Conferences and Public Lectures

- 2018 "Photographie et Capitalisme" Conference at the University of Paris,
 Sorbonne-Pantheon, Paris, France
 Paper: "Visualizing Struggle: Robert Van Lierop's 'Mozambique
 Portfolio' (1976)"
 College Art Association, Los Angeles, CA
 Paper: "Forest Formats: Photography, Puerto Rico, and
The Caribbean Forester"
 2017 International of Word and Image Studies Triennial Conference, "Images
 and Texts Reproduced," University of Lausanne, Switzerland
 Paper: "File System Access: *Evidence* and the
 post-industrial Bay Area"
 College Art Association, New York, NY
 Paper: "Imitation as a Form of Research"

- 2015 "Photography in Print" Conference at the Photographic History Research Centre, De Montfort University, Leicester, UK
 Paper: "Getting Oriented: *Death of a Valley* and horizontal photographs in *Aperture*"
 Southeastern College Art Conference, Pittsburgh, PA
 Paper: "Constructing Solidarity: Lewis Hine and Zoe Strauss in Homestead"
- 2014 International Conference on Urban History, Lisbon, Portugal
 Paper: "The Slavic Court: Lewis Hine and Informal Urbanism in *Homestead*"
- 2013 Flagler College Ideas & Images Series
 Paper: "Horses Running Endlessly: Modern Art and Chess"
- 2012 Public talk with Mark Ruwedel, in conjunction with Crisp Ellert Art Museum exhibition, *Mark Ruwedel: Shelter*
- 2011 Flagler College Community Lecture Series
 Paper: "Guerilla / Gorilla: The My Lai Massacre and Modern Art"
 Southeastern College Art Conference, Savannah, GA
 Paper: "Lyrical and Clinical: The Photography Book between Barthes and Benjamin"
 American Comparative Literature Association, Vancouver, BC
 Paper: "A Valid Flowering: Walter Benjamin and the Photobook"
- 2009 Urbanism and Urbanization, 5th International PhD Seminar, Leuven, BE
 Paper: "Privation and Privatization: The American landscape between Robert Frank and Ed Ruscha"
- 2008 Conference Chair, "The Street," Visual Studies Graduate Student Association, UC Irvine, CA
- 2007 Midwest Popular Culture Association, Kansas City, MO
 Paper: "Fragments of Excess: The Incidental and the Indexical in John Divola's Vandalism"

Honors

- 2017 Council of Independent Colleges, Seminar Participant in
Landscape and Identity in Britain and the United States
 Hosted by the Yale Center for British Art
- 2015 Flagler College, Kahler Award for Teaching of the Liberal Arts
- 2009 UC Irvine, School of Humanities Summer Dissertation Fellowship
 UC Irvine, Humanities Center Research Grant
 Outstanding Teaching Award, UC Irvine, Humanities Division
- 2008 UC Irvine, International Center for Writing and Translation Grant
- 2007 UC Irvine, School of Humanities Graduate Travel Grant
 UC Irvine, Garrard Family Trust Summer Grant
- 2006-2007 UC Regents Fellowship, UC Irvine
- 2003-2005 Critical Theory Graduate Scholarship, Art Center College

Service

2011-present	Program Coordinator, Art History and Film Studies, Flagler College
2018	Advancement Committee, Flagler College
2016-18	Flagler Faculty Senator, Art Department & At-Large representative Study Abroad Committee, Flagler College
2015-16	Flagler Faculty Senator, Art Department representative General Education Committee, Flagler College
2015	Peer Reviewer, <i>Art Journal</i>
2014-2015	Study Abroad Committee, Flagler College
2013-2014	Flagler Faculty Senator, at-large representative Curriculum Committee, Flagler College Ad-Hoc Honors Program Committee, Flagler College
2012-2013	Flagler Faculty Senator, Art Department representative General Education Assessment Coordinator, Flagler College Ad-Hoc Honors Program Committee, Flagler College
2011-2012	General Education Assessment Coordinator, Flagler College Sustainability Committee, Flagler College Faculty Advisor, Flagler Photography Club, Flagler College
2010-2011	Student Life Committee, Flagler College
2007-2008	Co-chair, Visual Studies Graduate Student Association, University of California at Irvine

Affiliations

College Art Association

Member

HISTORIC ARCHITECTURAL REVIEW BOARD

Meets Monthly, 3rd Thursday - 1:00 p.m.
Alcazar Room, City Hall

Board Member	Contact information	Appointment	3-Year Terms Expire
Antoinette Wallace Archaeologist	104 Lincoln Street, 32084 904-501-9449 ab_wallace@bellsouth.net	10/28/13 fill vacancy 02/22/16 1 st full term	3/28/2019
Jon Benoit Contractor	900-D Anastasia Blvd, 32080 904-540-3065 jonbenoit@behstbuilders.com	03/26/18 1 st full term	3/28/2021
Catherine Duncan CHAIR Architect	5 Althea St, 32084 904-824-4673 catherinedunc@aol.com	11/09/15 fill vacancy 3/26/18 1 st full term	3/28/2021
Barbara Wingo VICE-CHAIR Attorney/Historian	17 Saragossa St. 32084 <u>PO Box 497, 32085 (preferred)</u> 824-5146; cell 352-214-1214 bcwingo@gmail.com	02/22/16 1 st full term	3/28/2019
Paul Weaver, III Professional Preservation Consultant	5 Milton St, 32084 160 Vilano Rd, Ste 7 824-5178 – 347-6090 hpa007@aol.com	06/25/18 1 st full term	3/28/2020
H. Randal Roark Architect/Planner <u>Alternate</u>	50 E. Park Ave., 32084 829-8929 randalroark@bellsouth.net	05/14/18 fill vacancy	3/28/2019
VACANT			03/28/2019

HARB also hears appeals formerly heard by the Entrance Corridor Review Committee which was sunset permanently by Ordinance 2013-05, effective 2/21/2013

02/01/18

HISTORIC ARCHITECTURAL REVIEW BOARD

Authorization:	Code of Ordinances, Chapter 28, Article II, Division 3 and Ordinance 2005-15.
Number of Members:	Five (5) Regular Members and Two (2) Alternates
Terms of Office:	Three (3) years, expiring on March 28 th - Original terms staggered; no member appointed for more than two full consecutive terms.
Appointment:	By City Commission.
Qualifications:	While preference shall be given to current City residents, City Commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. All members of the historic architectural review board shall have either thorough training and/or experience in: 1 history or related fields; 2 archaeology; 3 architectural history; 4 historic architecture; and 5 art history. Alternates shall be appointed for a three (3) year term, and shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members. See Section 28-82 for the criteria required in order to be appointed to the Board.
Duties:	Act on applications for Certificates of Appropriateness in HP-1 through HP-5; act on applications for building permits on property abutting HP-1 through HP-3; act on all applications for demolition permits for structures 50 years old or older within the City limits; cooperate with governments in planning proposed and future projects reflecting concerns and policies and assist as a consultant in development of future land use plans; advise property owners & government agencies concerning maintenance, protection, enhancement and preservation of historic resources; advise the City Commission concerning effects of local governmental actions on resources designated under the ordinance; recommend issuance of stop work order when not in compliance; develop rules and procedures necessary to implement powers and duties of the HARB consistent with ordinance; conduct regular public meetings and call special meetings; and designate historical landmarks.
Attendance:	Failure to attend two 2 of three 3 consecutive meetings without approval of the chair shall be considered a resignation of the position. Sec 28-85
Meetings:	Third Thursday of each month, 1 P.M. the Alcazar Room, City Hall.

**HISTORIC ARCHITECTURAL REVIEW BOARD
(HARB)**

TALLY SHEET – 3-25-2019

Ballot 1

BARBARA WINGO:	<u> 111 </u>	TOTAL:	<u> 3 </u>
MADIE MARTIN:	<u> 1 </u>	TOTAL:	<u> 1 </u>
IAN GAERE MACDONALD:	<u> 111 </u>	TOTAL:	<u> 3 </u>
ROGER WHITE:	<u> </u>	TOTAL:	<u> </u>
DR. CHRIS BALASCHAK:	<u> 1 </u>	TOTAL:	<u> 1 </u>

Ballot 2

BARBARA WINGO:	<u> </u>	TOTAL:	<u> </u>
MADIE MARTIN:	<u> </u>	TOTAL:	<u> </u>
IAN GAERE MACDONALD:	<u> </u>	TOTAL:	<u> </u>
ROGER WHITE:	<u> </u>	TOTAL:	<u> </u>
DR. CHRIS BALASCHAK:	<u> </u>	TOTAL:	<u> </u>

Ballot 3

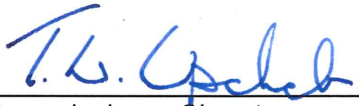
BARBARA WINGO:	<u> </u>	TOTAL:	<u> </u>
MADIE MARTIN:	<u> </u>	TOTAL:	<u> </u>
IAN GAERE MACDONALD:	<u> </u>	TOTAL:	<u> </u>
ROGER WHITE:	<u> </u>	TOTAL:	<u> </u>
DR. CHRIS BALASCHAK:	<u> </u>	TOTAL:	<u> </u>

Ballot - Historic Architecture Review Board

Please select TWO candidates

3-25-2019

- ☒ BARBARA WINGO
- ☐ MADIE MARTIN
- ☐ IAN GAERE MACDONALD
- ☐ ROGER WHITE
- ☒ DR. CHRIS BALASCHAK



Commissioner Signature

☐ 1st Ballot

☐ 2nd Ballot

☐ 3rd Ballot

☐ 4th Ballot

Ballot - Historic Architecture Review Board

Please select TWO candidates

3-25-2019

- ☐ BARBARA WINGO
- ☒ MADIE MARTIN
- ☒ IAN GAERE MACDONALD
- ☐ ROGER WHITE
- ☐ DR. CHRIS BALASCHAK



Commissioner Signature

☒ 1st Ballot

☐ 2nd Ballot

☐ 3rd Ballot

☐ 4th Ballot

Ballot - Historic Architecture Review Board

Please select TWO candidates

3-25-2019

- ☒ BARBARA WINGO
- ☐ MADIE MARTIN
- ☒ IAN GAERE MACDONALD
- ☐ ROGER WHITE
- ☐ DR. CHRIS BALASCHAK



Commissioner Signature

☒ 1st Ballot

☐ 2nd Ballot

☐ 3rd Ballot

☐ 4th Ballot

Ballot - Historic Architecture Review Board

Please select TWO candidates

3-25-2019

- ☒ BARBARA WINGO
- ☐ MADIE MARTIN
- ☒ IAN GAERE MACDONALD
- ☐ ROGER WHITE
- ☐ DR. CHRIS BALASCHAK



Commissioner Signature

☒ 1st Ballot

☐ 2nd Ballot

☐ 3rd Ballot

☐ 4th Ballot

**CONSENT
AGENDA**

CONSENT AGENDA – MARCH 25, 2019

CA.1. PREVIEW OF UPCOMING COMMISSION MEETINGS.

a) **THE FOLLOWING ORDINANCES** ARE TENTATIVELY SCHEDULED FOR 2ND READING ON APRIL 8, 2019:

- Ordinance 2019-05

b) **REMINDER OF UPCOMING MEETINGS:**

- April 3, 2019, 1:30 p.m., Charter Review
- April 8, 2019, 5:00, Regular Meeting
- April 22, 2019, 5:00 p.m., Regular Meeting
- May 2, 2019, 8:30 a.m., Mid-Year Budget Meeting

CA.2. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:

- March 4, 2019, Special Meeting

CA.3. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S): NONE.

CA.4. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING). NONE.

CA.5. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: NONE.

CA.6. Updated task tracking list. (*J. Regan, City Manager*).

CA.7. Approval of License for Use of City Right-of-Way at 58 Lemon Street for the installation and maintaining landscaping. (*T. Grant, Deputy Director, Public Works*).

END OF CONSENT AGENDA

CITY OF ST. AUGUSTINE

City Commission Special Meeting
Monday, March 4, 2019

The City Commission met in formal session Thursday, March 4, 2019 at 9:00 A.M. in the Alcazar Room at City Hall. The meeting was called to order by Vice Mayor Leanna S.A. Freeman, and the following were present:

1. Roll Call: Leanna S.A. Freeman, Vice Mayor/City Commissioner
Nancy Sikes-Kline, City Commissioner
Roxanne Horvath, City Commissioner
John Valdes, City Commissioner

John Regan, City Manager
Timothy A. Burchfield, Assistant City Manager
John Cary, Assistant City Attorney
Darlene Galambos, City Clerk
David Birchim, Director, Planning and Building
Jim Piggott, General Services Director
Mike Cullum, Director, Public Works
Mark Litzinger, Director, Financial Services
Meredith Breidenstein, Director, Budget & Performance Management
Paul K. Williamson, Director, Public Affairs
Barry Fox, Police Chief
Carlos Aviles, Fire Chief
Robin DiAngelis, Recording Secretary

2. General Public Comments

The Commissioners heard from the following members of the public:

- Keith Willard
- Tom Reynolds
- BJ Kalaidi
- Chris Fulmer
- Ron Rawls
- David Williamson
- Jason Forrest

3. Discussion and possible appointment of the vacancy for Seat Three, designated as the mayor/commissioner seat.

Vice Mayor Freeman said that each Commissioner probably had someone in

mind for the position, and invited each Commissioner to speak about their thought process and short list candidates.

Commissioner Sikes-Kline stated her initial approach focused on candidate who met the qualifications of the law and the charter.

John Cary, Assistant City Attorney, advised the new mayor would have to be a resident of the city, and not a current office holder. Commissioner Sikes-Kline continued that she also considered candidates who had previously been duly elected, seated and served. She also felt anyone appropriate as mayor would not seek office at the end of the current term so that it would not appear that the Commission was creating a future candidate. She felt the candidate

should understand the roll of mayor, the charter, and its limits and boundaries, and who had the time to fulfill obligations. She also felt the candidate should be highly regarded and trusted. She asked to hear the list of candidates who expressed interest or were recommended to Mr. Regan.

Mr. Regan read the names he received (in no particular order):

- Bill McClure
- Alexius Ferguson
- Tracy Upchurch
- Greg Baker
- Joes Boles
- Sara Ryan
- Leonard Pellicier
- Mike Davis
- Les Thomas
- Henry Green
- Don Crichlow
- Pat Canan
- Jason Forrest
- Bill Lennon
- Hank Whetstone
- Bruce Maguire
- Todd Neville
- Martha Mickler

Mr. Cary noted a state law "Restrictions on Individuals Qualifying for Public Office" that required anyone who was a current office holder to resign at least ten days prior to the qualifying period.

Vice Mayor Freeman stated there were many great people who were suggested or willing to serve. She asked fellow Commissioners if one candidate stood out among the others.

Commissioner Sikes-Kline said Tracy Upchurch met the requirements she was seeking.

Vice Mayor Freeman agreed.

Commissioner Horvath said he was on her list as well and she felt that since he had previously served as mayor and his unique prospective from his service on the state legislative level, could bring something extra to the position.

Commissioner Valdes thanked all the citizens who threw their hat in the ring. He said the Commission had not been faced with an easy decision; however, he agreed with his fellow Commissioners that Tracy Upchurch would be an asset for the City.

MOTION

Commissioner Sikes-Kline NOMINATED Tracy Upchurch to fill the remainder of the mayoral vacancy. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION

AYES: Sikes-Kline, Horvath, Valdes, Freeman

NAYES: None

MOTION APPROVED UNANIMOUSLY

Commissioner Sikes-Kline said she appreciated all the comments, phone calls, emails, texts and all the people who spoke. She felt the community outreach was amazing.

Commissioners thanked Nancy Shaver for all her hard work service on behalf of the City and wished her a speedy recovery. They also expressed a wish to honor her service during a future meeting.

4. Adjournment

There being no further business, the meeting was adjourned at 9:37 A.M.¹

Leanna S. A. Freeman, VICE MAYOR

Darlene Galambos, CITY CLERK

¹ Transcribed by Robin DiAngelis

CITY OF ST. AUGUSTINE
COMMISSION MEETING TASK TRACKING LIST
AS OF 3/25/2019

Date	Requestor	Request/Comment	Assigned	Comments	Anticipated Completion Date
4/9/2018	Commission	Free parking for residents	Reuben Franklin	Establishment and promotion of free parking in downtown to be coordinated with new parking technology	4/1/2019
8/13/2018	Comm. Sikes-Kline	Thank you to the Contextualization Committee	Darlene Galambos	Staff to determine a proper thank you to the committee	3/1/2019
10/22/2018	Commission	CONTINUING Strategy discussion on Air B&B	Birchim/Lopez	Monthly updates will be provided	5/1/2019
10/22/2018	Commission	Charter amendment review	Darlene Galambos	Workshop scheduled	4/3/2019
12/10/2018		HARB/PZB education of sea level rise	David Birchim	Ongoing process through various programs and workshops	6/1/2019
1/14/2019	Comm. Sikes-Kline	Vehicle for Hire	Admin	Review of franchise options	4/1/2019
1/14/2019	Comm. Sikes-Kline	Schedule Workshop on Adaptation Plan	Mike Cullum	Workshop scheduled	3/13/2019
1/28/2019	Comm. Sikes-Kline	"Ban the Box"	John Regan	Policy discussion with the Commission	4/8/2019
3/11/2019	Comm. Freeman	Follow up on reliabilty and areas related to FPL upground opportunities	Mike Cullum		
3/11/2019	Commission	Recommendations and Suggestions to request direction of the Commission relevant to Noise Ord			

CITY OF ST. AUGUSTINE

MEMORANDUM

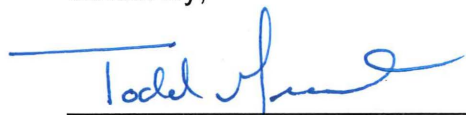
TO: John Regan, P.E.
City Manager

DATE: March 14, 2019

RE: Consent Agenda Item for March 25, 2019 Commission Meeting
License Agreement to Lisa Franzino – 58 Lemon Street
from the City of St. Augustine

Ms. Franzino is requesting a license agreement for the use of city right-of-way. The purpose of the agreement is to install low-lying landscaping affronting Lemon and Riberia Streets. The signed agreement is included in this correspondence.

Sincerely,

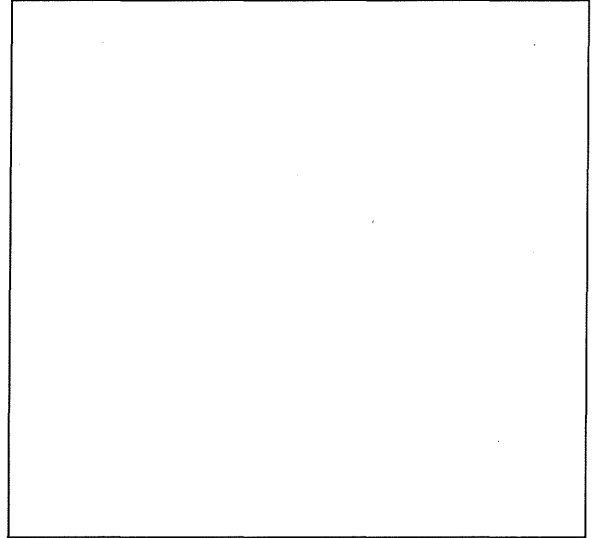
A handwritten signature in blue ink, appearing to read "Todd Grant", is written over a horizontal line.

Todd Grant, P.G.
Public Works Deputy Director

Enclosure

cc: Tim Burchfield, Assistant City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Michael Cullum, P.E., Public Works Director

This instrument was prepared under the direction and supervision of Isabelle C. Lopez, City Attorney, P.O. Box 210, St. Augustine, Florida 32085

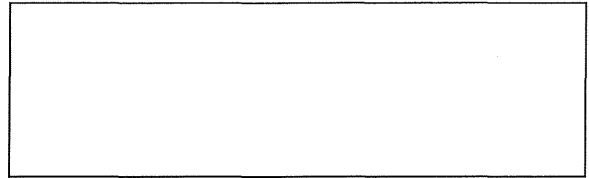


LICENSE FOR USE OF CITY RIGHT-OF-WAY

COMES NOW **THE CITY OF ST. AUGUSTINE, FLORIDA**, a Florida municipal corporation ("LICENSOR"), whose address is P.O. Box 210, St. Augustine, Florida 32085, and grants to **LISA H. FRANZINO**, owner ("LICENSEE"), whose address is 58 Lemon Street, St. Augustine, Florida 32084, a non-exclusive, revocable License for the permissive use of the Grantor's public right-of-way known as Portion of the Flagler Model Land Subdivision Right-Of-Way located on the west and south side of the intersection of Lemon Street and Riberia Street, situated in the State of Florida, County of St. Johns, and City of St. Augustine and described in composite Exhibit "A," attached hereto and incorporated herein by reference.

This License is subject to the following terms and conditions:

1. The LICENSOR may revoke this License at any time by delivery to the Grantee of written notice of revocation directed to the LICENSEE.
2. All notices required by this License shall be effected by delivery of said notice in writing to the recipient party by U.S. Mail, certified, return receipt requested. All notices shall be sent to the address of the recipient LICENSOR or LICENSEE and as described herein.
3. LICENSOR grants this License to LICENSEE on a continuing basis for use of the LICENSOR'S right-of-way but only to the extent required by LICENSEE for the use and maintenance of landscaping located by the LICENSEE within a portion of said right-of-way as shown in Exhibit "A," attached hereto and incorporated herein by reference. LICENSEE shall not use the property for parking, storage or placement of any structure other than the landscaping described herein without the written permission of the City Manager or his or her designee.



4. LICENSEE shall not occupy or use said right-of-way, nor shall LICENSEE permit the occupation or use of said right-of-way, for any purpose other than those purposes expressly permitted by this License.

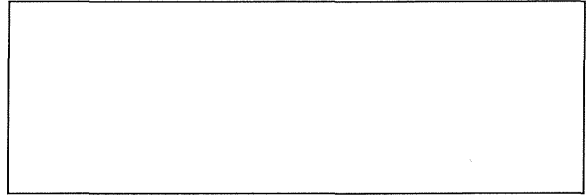
5. In addition to any other reservations made herein, LICENSOR, in its sole discretion, may deem it in the public interest to use the subject right-of-way, or any portion thereof, for any public purpose and, therefore, declare a need to remove the LICENSEE'S improvements. In that event, LICENSOR shall give LICENSEE one hundred eighty (180) days' written notice of revocation and cancellation of this License. LICENSEE shall have a reciprocal right of cancellation of this License upon one hundred eighty (180) days' written notice to the LICENSOR.

6. During the term of this License, LICENSOR shall bear no responsibility for the maintenance of any improvements made by LICENSEE within the right-of-way, and LICENSEE shall, at LICENSEE'S sole expense, keep all such improvements in good order and repair.

7. LICENSEE shall not directly or indirectly assign, sublease, hypothecate, sell, mortgage, encumber or otherwise transfer this License or any interest therein without the written permission of LICENSOR.

8. LICENSEE shall indemnify LICENSOR and hold LICENSOR harmless for any and all claims for damages, costs and expense to any person or property, whether real or personal, due to any act or omission of LICENSEE, or any representative, agent, customer or employee of LICENSEE, arising out of the use of the LICENSOR'S property subject to this License. This provision shall be full and total indemnity against any kind or character of claim whatsoever which may be asserted against the City of St. Augustine by reason of, or as a consequence of, having granted permission to LICENSEE to use and maintain the LICENSOR'S right-of-way. LICENSEE, by acceptance of this License, hereby agrees to defend on behalf of the City any and all suits, claims or causes of action brought against the City of St. Augustine and to pay any judgment or judgments which may be rendered against the City of St. Augustine in connection therewith.

9. LICENSEE, at all times during the term hereof, shall carry public liability insurance against personal injury and property damage with a company authorized to conduct business in the State of Florida and satisfactory to the LICENSOR, protecting the City of St. Augustine against any and all claims for damages to persons or property as a result of or arising out of the use and maintenance by LICENSEE of the LICENSOR'S right-of-way. Said insurance shall name the City of St. Augustine as an additional insured with



limits of coverage not less than: \$200,000, bodily injury or death, each person; \$300,000, bodily injury or death, each accident; \$200,000, property damage, each individual claim; and \$300,000, property damage, each accident. LICENSEE shall supply written proof of insurance to LICENSOR within fifteen (15) days of the date of execution of this License and shall continue to supply such proof to LICENSOR annually on the anniversary date of the execution of this License. LICENSOR'S representative with regard to providing the written proof required herein shall be the City Manager for the City of St. Augustine, P.O. Box 210, St. Augustine, Florida, 32085-0210, unless and until Grantor notifies Grantee otherwise in writing.

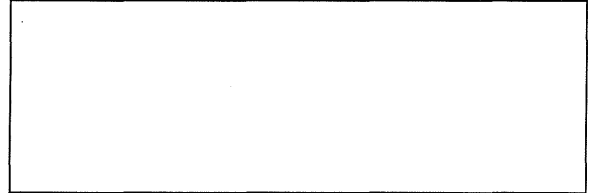
10. Upon the notice of termination or cancellation of this License by LICENSOR or LICENSEE, this License shall become null and void, at which time LICENSEE shall remove all improvements located within the right-of-way, if so requested by LICENSOR, within thirty (30) days of receipt of such notice of termination or cancellation. If such improvements are not removed within thirty (30) days of initial notice, LICENSOR may remove such structures, and LICENSEE shall pay LICENSOR'S costs of such removal within thirty (30) days of receipt of notice of such costs. If LICENSEE fails to pay such costs within thirty (30) days of notice, LICENSEE shall be liable for all costs of collection, including court costs and attorney's fees incurred by LICENSOR to collect such costs.

11. LICENSEE, at LICENSEE'S expense, shall record this License in the Public Records of St. Johns County, Florida.

12. For any litigation arising out of the interpretation or enforcement of the terms and conditions of this License, venue shall lie exclusively in a court of competent jurisdiction located in St. Johns County, Florida.

13. LICENSEE, by acceptance of this License, acknowledges that the LICENSEE, and the LICENSEE'S heirs, assigns and successors shall be unequivocally bound by the terms and covenants contained in this License, including specifically the provisions of paragraphs 6, 8 and 9 herein.

* * * SIGNATURES APPEAR ON THE FOLLOWING PAGE * * *



IN WITNESS WHEREOF, the parties hereto have executed this Agreement,
this _____ day of _____, 201__.

LICENSOR:

**CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation**

ATTEST:

By: _____
John P. Regan, P.E., City Manager

Darlene Galambos, City Clerk

(SEAL)

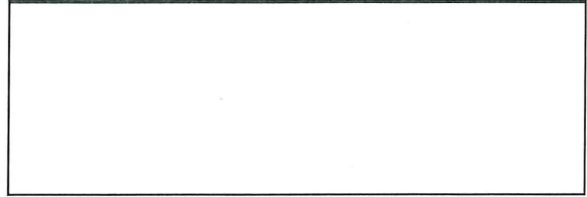
STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **John P. Regan, P.E., City Manager of St. Augustine, Florida**, who is personally known to me and is the person described in and who executed the foregoing instrument and acknowledged before me that she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this _____ day of _____, 201__.

Notary Public, State of Florida

* * * SIGNATURES CONTINUE ON THE FOLLOWING PAGE * * *



Signed, sealed and delivered
in the presence of:

Aminda Anderson
Witness
Printed Name: Aminda Anderson

LICENSEE,

Lisa H. Franzino
Lisa H. Franzino

STATE OF FLORIDA
COUNTY OF ST. JOHNS

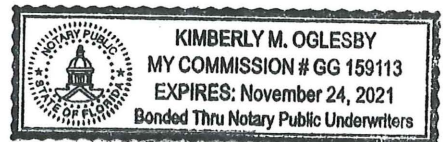
I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Lisa Franzino, who is personally known to me or who has produced _____ as identification and are is individual described in and who executed the foregoing instrument and who acknowledged before me that she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 11 day March, 2019.

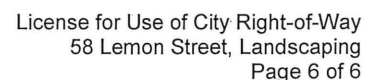
[Signature]
Notary Public, State of Florida

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

CITY ATTORNEY



LEGAL DESCRIPTION



3.25.19
COSA

BJ KALAI DI
8 NEWCOMB ST

IN 2014 THE MEDIA REPORTED F.C. V.P. FOR ENROLLMENT EXAGGERATED SAT AND ACT TEST SCORES, GPA, AND CLASS RANKINGS OF INCOMING STUDENTS FROM (9yr) 2004 TO 2013 TO IMPROVE THE SCHOOL'S STANDING.

UFHSA PAT THE UF HISTORIC ST. AUGUSTINE BOARD MEETING ON FRI. MARCH 22, 2019, MR. UPCHURCH'S LETTER OF RESIGNATION WAS READ. PCOSA POLITICIANS AND CITY EMPLOYEES FAILED TO BE GOOD STEWARDS OF OUR HISTORIC BUILDINGS. THE SCHOOL IN GAINESVILLE WAS

2009 GIVEN THE AUTHORITY TO TAKE OVER BY THE STATE LEGISLATURE. PIT WAS STATED AT THE MEETING THEIR ACTIONS WILL "PUT ST. AUGUSTINE ON THE MAP." PWE ARE A LIVABLE CITY-PEOPLE LIVE HERE. OUR LOCAL, STATE AND FEDERAL TAX DOLLARS SEEM TO BE USED BY 501C3 THESE TAX EXEMPT SCHOOLS TO IMPROVE THEIR REPUTATIONS WHILE TREATING OUR CITY AS THEIR LABORATORY.

PTHE ALLEGIANCE OF POLITICIANS AND BUREAUCRATES SHOULD BE TO TAX PAYERS NOT SCHOOLS THEY ATTENDED OR CRONIES. FACT: 569 MILLION PROPERTY TAX DOLLARS ARE NOT COLLECTED FROM 501C3 IN THE CITY LIMITS OF ST. AUGUSTINE. PTHE COMMENTS OF CITY POLITICIANS AND CITY EMPLOYEES ARE NOT MORE IMPORTANT. THAN PUBLIC COMMENT. IT'S UNFORTUNATE THE WRITTEN MINUTES OF THESE MEETINGS IGNORE THIS FACT.

REPEAT 8C- PRESOLUTION 2019-05- THE CURRENT OWNER, WHO HAS A CONTRACT TO SELL TO A DEVELOPER-WHO LIVES ON 2005-2016 DAVIS SHORES- HAD ELEVEN (11) YEARS TO CLEAN UP 409 ANASTASIA BLVD. DID THE CURRENT OWNER RECEIVE 5.5 MILLION TAX BREAK FOR THE PAST 11 YEARS? THE BUYER WILL RECEIVE 500 THOUSAND STATE TAX CREDIT ANNUALLY. IT'S ALL ABOUT THE MONEY NOT THE PUBLIC'S HEALTH, SAFETY AND WELFARE.

3.25.19
COSA

(2)

9A. ORDINANCE 2019-05 NUISANCE - ~~SEC~~ SEC 19-1 AND SEC. 19-4 WILL BE MISINTERPRETED. FERN WHICH IS MAINTAINED AS LANDSCAPING GROWS OVER 12" ON PUBLIC AND PRIVATE PARCELS IN THE CITY. WILD FLOWERS ARE NOT WEEDS. WEEDS, GRASS AND UNDER-BRUSH ARE ALL GROWING OVER 12". THESE SECTIONS ARE TOO BROAD AND OVER REGULATION. BAMBOO

Spanish
nettles
Spanish
bambos

ON FEB. 21, 2019 THE COUNTY WROTE RESOLUTION 2019-39-FORECLOSURE ORDINANCE. NOW THIS COMMISSION WANTS TO CREATE A FORECLOSURE ORDINANCE. ~~IF~~ YET THIS COMMISSION HAS CHOSEN TO IGNORE THE COUNTY'S PLAINLY AUDIBLE BY A HUMAN EAR NOISE ORD. 2015-19. ~~A~~ LAWYERS WHO WORK FOR POLITICIANS AND NOT TAX PAYERS SEEM TO BE CREATING ORDINANCES AND LAWS WHICH DO NOT PROTECT THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC. WARNING: DO NOT PURCHASE A HOME IN THE CITY LIMITS OF ST. AUGUSTINE AS LONG AS SELECTIVE ENFORCEMENT CREATES AN UNSAFE TRASHY CITY. THE TALE ABOUT A FROG THAT BOILED TO DEATH, DESCRIBES THE CITY OF ST. AUGUSTINE.