

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting August 6, 2024

The Planning and Zoning Board met in formal session Tuesday, August 6, 2024, at 1:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Charles Pappas, Chairperson and the following were present:

1. Roll Call: Charles Pappas, Chairperson
Christine Tucker, Vice- Chairperson
Carl Blow
Matthew Shaffer
Ashleigh Barnes

Absent Mike Davis (Excused)

City Staff: Amy Skinner, Director, Planning & Building Department
Jacob Fredriksson, Planning Manager
Sarah Daugherty, Senior Planner
Victoria Murphy, Planner I
Isabelle Lopez, City Attorney
Michele Fudo, Recording Secretary

2. General Public hearings for Items Not on the Agenda

3. Approval of Minutes

MOTION

Mr. Blow MOVED to APPROVE the June 4, 2024 minutes as presented. The motion was SECONDED by Christina Tucker and PASSED by UNANIMOUS VOICE VOTE.

4. Modification and Approval of Agenda

Mr. Fredriksson advised the Board that Amy Skinner would be presenting information regarding other business.

MOTION

Mr. Blow MOVED to APPROVE the agenda as modified. The motion was SECONDED by Mr. Pappas and PASSED by UNANIMOUS VOICE VOTE.

5. Variance

5. (a) PZB2024-0054 – William Dale Caswell & Olivia Ingram Caswell – Applicant & Owner 40 East Park Avenue

To approve a variance request to reduce the side and rear yard setback requirements, increase the guest house square footage limitation and increase the maximum lot coverage.

Mr. Fredriksson read the staff report and said based on a review of Sec. 28-29, staff finds that the Board can:

- **APPROVE** a variance request to reduce the rear and side yard minimum setback requirements to allow for the construction of a guesthouse as shown on the submitted site plan
- **APPROVE** a variance request to increase the maximum square footage of a guesthouse as shown above the

existing garage, with the condition that the required building permit application be made to include structural engineering plans, and

- **APPROVE** a variance request to increase the lot coverage to allow for a breezeway extension as shown on the submitted site plan at 40 E. Park Avenue / PID 152450-0000

William Caswell reviewed the application.

The Board presented their Ex Parte Communication.

15 certified notices were sent, 5 were returned in favor, 0 were returned opposed and 3 had comments.

Public hearing was opened.

Randy Rourke lived on Park Avenue and had reviewed the plans with the applicant. He said that the plans were well thought out and he was in support of the application.

Mr. Pappas summarized an email received that was not in favor of the application.

Public hearing was closed.

The Board discussed:

- This would be occupied space with a reduced setback, but did not appear to be an imposition to the neighbors
- Would this have to go before the HARB as it was a contributing building
- Only demolition had to go to HARB
- The plan used the existing footprint of the building
- Criteria was met
- There would be no kitchen, only a sink and a countertop
- Public response was in favor of the project
- Affordable housing for the elderly was scarce; aging in place was a good use of the property

- Variance stayed with the land
- Guest house was defined as a place for sleeping, sanitation, and cooking
- A full kitchen was not being installed and would not be allowed in RS-1
- Clarified for the record that the setbacks in RS-1 were twenty feet on the front and back of the building and fifteen feet on the sides
- Second floor occupied space
- Lot coverage was 28 percent as proposed

MOTION

Mr. Pappas MOVED to APPROVE application PZB2024-0054, a variance request for reduced side and rear yard setbacks and increased lot coverage. The motion was SECONDED by Mr. Shaffer.

VOTE ON MOTION:

AYES: Pappas, Shaffer, Barnes, Blow, Tucker

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. (b) PZB2024-0056 – Sarah Ryan, Architect – Applicant
Eric A. Lee c/o DRL Management LLC – Owner 83 Saint Francis Street

To approve a variance request to reduce side and rear yard setback requirements and increase lot coverage.

Ms. Murphy read the staff report and said based on a review of Sec. 28-29, staff finds that the Board may APPROVE this application as variance criteria is met for the variance request to reduce the side and rear yard setbacks and increase lot coverage at 83 Saint Francis Street / PID 207660-0000

Sarah Ryan reviewed the application. She explained that the wheelchair ramp was pushing them into the setback.

The Board presented their Ex Parte Communication.

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

Public hearing was opened.

Donna Donahue spoke in favor of the application but had a concern with the ADA ramp and any potential for flooding as her property was significantly lower. She also asked that any construction vehicles be mindful of parking. She was in support of the project.

Public hearing was closed.

Ms. Ryan presented her rebuttal.

The Board discussed:

- Renovation and restoration of the house would be on piers
- Small non-conforming lot
- ADA ramp was necessary for wheelchair access
- The application met the four criteria
- Consistent with the comprehensive plan
- There was significant lot coverage
- Staff had presented numerous ways that the proposed changes would serve the public interest

MOTION

Mr. Shaffer MOVED to APPROVE variance request PZB2024-0056 at 83 Saint Francis Street to approve a variance request to reduce the side and rear setback requirements and to approve the variance request to increase the lot coverage. The motion was SECONDED by Ms. Tucker

VOTE ON MOTION:

AYES: Shaffer, Tucker, Barnes, Blow, Pappas

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. Use by Exception

6. (a) PZB2024-0052 – John Valdes c/o John Valdes and Associates – Applicant Rick Amos c/o Partners Team One LLC – Owner 26 Toques Place

To approve a use by exception request to allow an eight-unit inn.

Mr. Fredriksson read the staff report and said staff recommends that the Board APPROVE or APPROVE with conditions the use by exception request for an eight (8) unit inn at 26 Toques Place / PID 196660-0070.

John Valdes reviewed the application.

The Board presented their Ex Parte Communication.

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

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

The Board discussed:

- Felt that the Inn was a good use of the building
- Not in favor of more traffic
- There were four parking spots on the site
- Property was adjacent to a city parking lot
- Hotel use was less intense than a restaurant or café
- HP-3 states that hotels, motels and inns were a use by exception
- Mr. Fredriksson read the list of allowable uses in the HP districts
- The application was consistent with the comprehensive plan

MOTION

Ms. Tucker MOVED to APPROVE Use by Exception PZB2024-0052 at 26 Toques Place to approve a use by exception request to allow an eight-unit inn. The motion was SECONDED by Mr. Shaffer.

VOTE ON MOTION:

AYES: Tucker, Shaffer, Barnes, Blow, Pappas

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. Conservation Overlay Zone Development

7. (a) PZB2024-0046 – James Pantling – Applicant & Owner 81 Coquina Avenue

Continued from the July 2, 2024 Regular Meeting

Mr. Pappas suggested tabling the application to the end of the meeting after 7e. There was consensus with the Board to do so.

To approve a request to construct a dock and boat lift within Conservation Overlay Zones 1 & 2.

Ms. Daugherty read the staff report and said a review of Section 11-29 is the responsibility of the Planning and Zoning Board for the proposed development within Conservation Overlay Zone 1. This application is for the after the fact installation of a boatlift at 81 Coquina Avenue / PID 221410-0000.

Applicant failed to attend the meeting.

MOTION

Mr. Pappas MOVED to CONTINUE application PZB2024-0046 to the September 3, 2024 meeting. The motion was SECONDED by Mr. Shaffer.

VOTE ON MOTION:

AYES: Pappas, Shaffer, Barnes, Blow, Tucker

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. (b) PZB2024-0053 – Hayden Whetstone – Applicant & Owner Pelican Reef Drive/PID 158573-0040

Mr. Pappas noted the physical address as 223 Pelican Reef

To approve the construction of a new single-family home and retaining wall within Conservation Overlay Zones 2 & 3.

Item was heard prior to Item 8

Ms. Daugherty read the staff report and said review of Section 11-29 is the responsibility of the Planning and Zoning Board for the proposed development within Conservation Overlay Zones 1 and 2. This application is for the construction of a bulkhead, single family home, and the removal of significant trees at 223 Pelican Reef Drive / PID 158573-0040.

Because the application is inconsistent with Chapter 25 and the requirement for 10 Southern Red Cedar trees, staff recommends CONTINUATION for additional information or reconsideration or DENIAL of the application.

Hayden Whetstone reviewed the application.

Ex Parte Communication: none

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

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

The Board discussed:

- Credits for tree removal would be met when the applicant added the ten Red Cedar Trees
- Wanted to see a plan that would show trees being removed
- Needed to provide a landscape plan
- House would be constructed on stem walls

- If the garage was moved to the right, trees 51 and 52, two cedars in good condition, would be saved and two trees in fair condition would be removed
- A landscape plan would show what the canopy would look like and help to see how the drainage plan would work
- No pool was being built on the property
- No circular driveway would be built
- The swales on the property were related to the water drainage
- There would be fill on the property that would destroy some of the trees that were slated for removal
- Overall, the application looked good; however, there were missing details
- Needed to show that the required ten cedar trees would be accommodated
- The board was comfortable with the retaining wall as presented
- There would be no rip rap
- The Board advised the applicant that there would need to be clarification for items three and six of the criteria, impact on the flood plan, as well as a landscape plan

MOTION

Mr. Shaffer MOVED to CONTINUE application PZB2024-0053 to the September 3, 2024 meeting. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

AYES: Shaffer, Pappas, Barnes, Blow, Tucker

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. (c) PZB2024-0055 – Kevin Marks c/o Shoreland Home Builders – Applicant Stephen & Lindsey Hutson – Owner Pelican Reef Drive/ PID 158573-0020

Mr. Pappas noted the physical address as 209 Pelican Reef Drive

To approve the construction of a new single-family home within Conservation Overlay Zones 2 & 3.

Ms. Daugherty read the staff report and said review of Section 11-29 is the responsibility of the Planning and Zoning Board for the proposed development within Conservation Overlay Zones 1 and 2. This application is for the removal of significant trees at 209 Pelican Reef Drive / PID 158573-0040.

Because the application is inconsistent with Chapter 25, staff recommends CONTINUATION for additional information or reconsideration or DENIAL of the application.

Kevin Marks reviewed the application.

Ex Parte Communication: none

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

Public hearing was opened.

Steven Hutson, owner of the property, reviewed the arborist report and said that two of the cedar trees to be removed would be saved.

BJ Kalaidi thought that this application should be continued based on the staff report. She said that this always seemed to be the case in the Pelican Reef area. She felt that arborist information should be provided prior to the meeting so that decisions could be made.

Public hearing was closed.

The Board discussed:

- Application was not forthcoming with enough information
- Suggested that the applicant coordinate with staff so they would have all the information needed

- The application did not show positive tree credits
- Needed to see a more complete rendering of the tree removal to make it easier for the Board to decide
- Wanted to see a landscape plan as well
- A complete arborist report had not been provided
- A complete tree survey was needed
- Would not support the application without an arborist report
- The tree canopy needed more balance
- This was Pelican Reef and there was a requirement for ten Red Cedar trees
- Needed to see a site plan showing where the ten required cedar trees would be placed
- There would be fill on the property.
- No planned retaining wall

MOTION

Mr. Shaffer MOVED to CONTINUE application PZB2024-0055 to date certain September 3, 2024 to approve the construction of a new single-family home within Conservation Overlay Zones 2 & 3 at 209 Pelican Reef Drive. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Shaffer, Blow, Barnes, Tucker, Pappas

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. (d) PZB2024-0057 – Ryan Carter c/o Carter Environmental Services, Inc. – Applicant
City of St. Augustine – Owner
399 Iberia Street

To approve the construction of a new dock within Conservation Overlay Zone 1.

Mr. Fredriksson read the staff report and said review of Section 11-29 is the responsibility of the Planning and Zoning Board for the proposed development within Conservation

Overlay Zones 1 and 2 along the eastern boundary of Eddie Vickers Park. This request is for the construction of a community dock that leads to an observation platform and floating kayak launch at 300 Iberia Street / PID 203500-0000

Ryan Carter and Jeremy Marquis reviewed the application.

The Board presented their Ex Parte Communication.

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

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

The Board discussed:

- The plans had been changed and no significant trees were being removed
- Consistent with the policies set forth by the city code
- Storm water treatment would be on site
- No issue with the project
- FIND (Florida Inland Navigational District) had offered a grant previously for this project but it had not been used
- There was a new grant application being processed
- Suggested the reference to fishing pier as a use for the dock be removed

MOTION

Mr. Blow MOVED to APPROVE application PZB2024-0057 with the stipulation that the applicant, being the City of St. Augustine, would not allow any fishing on this facility and the words fishing pier be struck from all approval and that no significant trees would be removed. The motion was SECONDED by Ms. Barnes.

VOTE ON MOTION:

AYES: Blow, Barnes, Shaffer, Tucker, Pappas
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

7. (e) PZB2024-0058 – Joseph D. Weed III
– Applicant & Owner
32 Mulberry Street

To approve the construction of a new dock within Conservation Overlay Zone 1.

Ms. Daugherty read the staff report and said review of Section 11-29 is the responsibility of the Planning and Zoning Board for the proposed development within Conservation Overlay Zone 1. This application is for the construction of a dock at 32 Mulberry Street / PID 195780-0000.

Joseph Weed reviewed the application

Ex Parte Communication: none

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

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

The Board discussed:

- Based on the presentation the application appeared to meet the criteria regarding size and relation to the neighbors
- Some of the information provided was not detailed enough
- The height of the dock was fine; however, the applicant could go as high as eight feet
- Recommended building a higher dock because of vegetation
- Normally there would be a survey showing the precise measurement and detail for the positioning of the proposed dock

- A scale survey should be provided

Mr. Blow thought that the applicant might need a permit from the DEP (Department of Environmental Protection). He was concerned that there could be problems if other residents had navigational issues in the creek. He wanted to know what would be needed to protect the city if there was a problem with egress to the creek. He asked the applicant if he had a DEP permit.

Mr. Weed told the Board that the size of the dock (less than 1000 Square feet) exempted him from needing a permit from the DEP, according to the website information.

Mr. Pappas was not comfortable without a letter from DEP stating the permit was not required, he also wanted to see a survey from an engineer.

Ms. Lopez reminded the Board that the city could not require state approval. She advised that there was other data that could be analyzed to determine if the seventeen criteria had been met.

Mr. Blow restated that he wanted to be sure that the city would be able to defend approving this application. He felt that a minimum would be to provide a hydrographic survey that showed the water depths.

Mr. Pappas advised the applicant that an official survey would be needed for approval.

MOTION

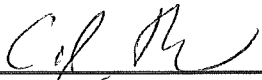
Mr. Pappas MOVED to CONTINUE application PZB2024-0058 to the September 3, 2024 meeting. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Pappas, Blow, Shaffer, Barnes, Tucker
NAYES: NONE
MOTION CARRIED UNANIMOUSLY¹

¹ Break 3:06pm – 3:20pm

Applicant was still not present for item 7a.
Please refer to item 7a; Motion to Continue



Charles Pappas, Chairperson

8. Other Business

Amy Skinner, Director of Planning and Building, provided an update to the Board for the Parking Code update that had been forwarded to the City Commission, she told the Board that the commission had tabled the action and Planning and Building was regrouping on the project as there were some significant concerns brought forth from the public.

Ms. Skinner continued and advised that the commission wanted to have an updated plan for 2014 vision statement, which had been ten years since the initial plan and been developed. There would be workshops in September and October for the public to have input for the vision plan.

Ms. Skinner addressed the concerns that had been presented at the previous meeting by Mr. Davis regarding flood prevention. She said that she had taken those concerns to the city commission, and they agreed that something needed to be drafted to address those concerns. She told the Board that the commission advised that since the PZB was the recommending body, they should be involved in the planning for those regulations.

Ms. Barnes confirmed that there would be no drafts until the public had had a chance to comment and have input.

9. Adjournment

Having no further business, Mr. Pappas adjourned the meeting at 4:05 P.M.²

² Transcribed by Michele Fudo