



AGENDA

Planning and Zoning Board
City of St. Augustine, Florida

CMT/Virtual Hearing

OR

Alcazar Room, City Hall
75 King Street

Tuesday, July 7, 2020 at 2:00 p.m.

1. **Roll Call**
2. **General Public Comments for Items Not on the Agenda**
3. **Approval of Minutes**
 - a. Regular Meeting Minutes from March 3, 2020.
 - b. CMT/Virtual Meeting Minutes from May 5, 2020.
 - c. CMT/Virtual Minutes from June 2, 2020.
4. **Variance**
 - a. 2020-0032
Kurt McAteer – Applicant
Eric Piard - Owner
[Davis St](#) – PID 119920-0270
To reduce the required side yard setback from 10’ to 7’.
5. **Conservation Overlay Zone Development**
 - ~~a. 2020-0021
(continued March 3, 2020)
WITHDRAWN~~
Kurt McAteer – Applicant
Eric Piard – Owner
[Davis St](#) – PID 119920-0270
~~To approve the removal of two (2) significant trees (live oaks) within Conservation Overlay Zone 3.~~
 - a. 2020-0022
(continued March 3, 2020)
Kurt McAteer - Applicant
Eric Piard – Owner
[Davis St](#) – PID 119920-0250
To approve the removal of one (1) significant tree (live oak) within Conservation Overlay Zone 3.

- b. 2020-0035
(continued June 2, 2020)

Herbert Vandermark
c/o Yelton Construction
Alan Stevenson – Owner
c/o St. Augustine Beach Investments, LLC.

34. N St. Augustine Blvd

To approve a five-foot (5') by one hundred twenty-foot (120') dock with a twelve-foot (12') by twenty foot (20') terminal platform with two (2) associated boat lifts in Conservation Overlay Zone 1.

- c. 2020-0057

Ryan Carter – Applicant
c/o Carter Environmental Services
Joe Tringali - Owner

211 Inlet Drive

To approve the expansion of an existing dock to allow for a one hundred twenty nine (129') foot long by five foot (5') wide dock with two (2) boat lifts, a ten foot (10') by thirty six foot catwalk between them, a fourteen (14') by twenty six foot (26') terminal platform and a forty foot (40') by twelve foot (12') floating dock accessed by a thirty foot (30') long by four foot (4') wide gangway in Conservation Overlay Zone 1.

6. Use by Exception

- a. 2020-0037

Shane Sheltra - Applicant
c/o Pizzalleys, LLC
Baker Revocable Trust – Owner

121 St. George St

To approve a use by exception to allow for a lounge/tavern and special event venue within Historic Preservation (HP-2) zoning district.

- b. 2020-0058

Don Crichlow – Applicant
Hewlett Enterprises, LP - Owner

24 Avenida Menendez

To approve a use by an exception for lounge/tavern within Historic Preservation (HP-2) zoning district.

- c. 2020-0059

John Tipton c/o Altmed Florida – Applicant
Phillip Forbes – Owner

400 S. Ponce de Leon Blvd

To approve a use by an exception for a legally available marijuana dispensary within Commercial, medium-two (CM-2) zoning district.

- d. 2020-0061
James Whitehouse
Patti Southard c/o Casa De Vino 57 - Owner
Dept of State – University of Florida – Owner
[57 Treasury St](#)
To approve a use by an exception for a
tavern/lounge within Historic Preservation (HP-2)
zoning district.
- e. 2020-0062
Christopher Gugel - Applicant
Gregory Dettra - Owner
[213 W King St](#)
To approve a use by an exception for light
manufacturing for a winery within Commercial,
medium-two (CM-2) zoning district
- f. 2020-0063
Greg Lord Jr – Applicant
Jimmy Wells Long - Owner
[303 S Ponce de Leon Blvd](#)
To approve a use by an exception for auto & boat
sales within Commercial, medium-two (CM-2)
zoning district.
7. **Preliminary Plat**
a. 2020-0060
James Whitehouse – Applicant
David Watkinson – Owner
[8 DeSoto Place](#)
To approve a preliminary subdivision plat for 5
townhomes within Residential, General-one (RG-1)
zoning district.
8. **Rezoning**
a. 2020-0023
(continued March 3, 2020)
James Whitehouse – Applicant
Sea-wall Motor Lodge, Inc. – Owner
[32 Avenida Menendez](#)
To amend the Hilton Bayfront Inn PUD (Ord 2009-
02) to increase the maximum lot coverage.

9. Future Land Use Map Amendment & Rezoning

a. 2020-0039

Ross Galbraith – Applicant

c/o KPM Franklin

Phyllis Fitzpatrick – Owner

c/o ABC Liquors, Inc.

1830 A1A S

A request to amend the Future land Use Map (FLUM) designation from St. Johns County Commercial Land Use to Commercial Medium Intensity in conjunction with an annexation from St. Johns County. A request to rezone the parcel from St. Johns County Commercial, General (CG) zoning to Commercial Medium-two (CM-2) zoning in conjunction with an annexation from St. Johns County.

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.

Please note that one or more members of the City Commission or its appointed boards or committees may attend this meeting and participate, however they may not engage in a discussion or debate amongst themselves on any issue that will likely come before their respective elected or appointed body.

The materials prepared and presented are part of the City’s ongoing Florida Public Records and Government in the Sunshine compliance, and are not intended to be relied upon or to reach investors or the trading markets.

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting March 3, 2020

The Planning and Zoning Board met in formal session Tuesday, March 3, 2020, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Karen Zander, Chairperson and the following were present:

1. Roll Call:

Karen Zander, Chairperson
Jon DePreter, Vice Chairperson
Grant Misterly
Sarah Ryan
Christina Opsahl
Carl Blow

Absent: Mike Davis

City Staff: David Birchim, Director, Planning & Building Department
Patrick Doty, Senior Development Review Planner
John Cary, City Attorney
Candice Seymour, Recording Secretary

2. General Public hearings for Items Not on the Agenda

The Board heard from the following member of the public:

- B.J. Kalaidi

3. Approval of Minutes

Mr. Misterly corrected a scrivener's error on page 4.

Ms. Ryan asked that discussion items be clarified on pages 7 and 9 as follows:

- Clarify that applicant was not fencing the property
- Verify six-inch additional finished floor elevation discussed

MOTION

Mr. DePreter MOVED to APPROVE the February 4, 2020 minutes as amended. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: DePreter, Blow, Opsahl, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY¹

Modifications to the Agenda

Mr. Doty announced that items 7(b), 8(a), and 8(c) requested a continuance to the April 7, 2020 meeting.

There was Board consensus via voice vote to CONTINUE application 2020-0020 to the April 7, 2020 meeting.

There was Board consensus via voice vote to CONTINUE application 2019-0126 to the April 7, 2020 meeting.

¹ Ms. Zander abstained from the vote as she was not present at the February 4, 2020 meeting

There was Board consensus via voice vote to **CONTINUE** application **2020-0023** with Ms. Zander and Ms. Ryan recusing themselves from the vote.²

4. Rezoning

4. (a) 2019-0115 – Paul Harden – Applicant John Wilson, West Sebastian, LLC – Owner San Sebastian View – PID: 084560-, 102990-, 102810-, 154860-, and 155540-0000

A request to rezone Flagler Crossing PUD (Ord. 2013-18) to Residential, Low-One (RL-1).

Mr. Doty read the staff report and said staff did not make recommendations regarding the rezoning of land.

There was a brief discussion regarding the differences between amending a PUD and potential conditions that could be placed on such an amendment, and a strict rezoning of land upon which no conditions could be placed outside of existing zoning regulations and recorded conservation easements.

Paul Harden, Alex Harden, and Ryan Carter reviewed the application with additional information as requested by the Board at the previous meeting³ and responded to Mr. Blow's question.

The Board provided their ex parte communications.

Public hearing was opened.

B.J. Kalaidi gave a brief history of the property and spoke against the application as overdevelopment that would negatively impact the public.

Public hearing was closed.

² Forms attached to original minutes

³ Attached to original minutes

Paul Harden addressed public comment, noting that the proposed project would be less dense than the project to the north and would be consistent with the area and the needs of the community.

The Board discussed:

- Clarification of the existing conservation easements
- Lot coverage would be calculated for developable acreage only
- Clarification for the 7.5 acres noted as buffer, likely located along the railroad
- Concerns for the loss of control to mitigate resiliency and coastal issues
- Possibility of modifying the PUD to afford the City more control over development of the property
- Need for workforce housing in the City, though there was no guarantee of such development through rezoning
- Proposed elevation and amount of fill to be added to the site
- Lot coverage of PUD allowed removal of more trees
- Public benefit of developing the property

MOTION

Ms. Zander MOVED to RECOMMEND APPROVAL of application 2019-0115, San Sebastian View – PID: 084560-, 102990-, 102810-, 154860-, and 155540-0000 to rezone Flagler Crossing PUD (Ord. 2013-18) to Residential, Low-One (RL-1) to the City Commission based on findings of fact. The motion was SECONDED by Ms. Opsahl.

VOTE ON MOTION:

AYES: Zander, Opsahl, Blow, Misterly

NAYES: Ryan, DePreter

MOTION CARRIED 4/2

5. Variance

5. (a) 2020-0005 – Robert Balch, Black Box Design, Inc. – Applicant
Roland Anderson – Owner
4 Lighthouse Avenue

A request to reduce the rear and side yard setbacks within RS-2 Zoning.

Mr. Doty read the staff report and said Based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board may be able to **DENY** a Variance to reduce the front and side yard setbacks in RS-2 zoning district at **4 Lighthouse Ave / PIN 157080-0040.**

Ex Parte Communication:

(None)

Robert Balch reviewed the application.

12 certified notices were sent and 1 had comments.

Public hearing was opened.

- B.J. Kalaidi asked whether notice responses would be read and encouraged public speakers to submit their comments.

Public hearing was closed.

The Board discussed:

- Confirmation that the proposed generator would be natural gas, connected to an existing propane tank
- Details of the generator and system
- Screening requirement as existing did not apply to generators
- Generator could still be installed without an addition to the structure
- Property did not suffer a singular disadvantage

Mr. Balch added that the need for the addition stemmed from the property owner's

desire to be prepared for future power outages while protecting the generator from the elements.

MOTION

Mr. Misterly MOVED to DENY Variance application 2020-0005, 4 Lighthouse Avenue, because the property does not meet a singular disadvantage and the staff detailed that the applicant could do the proposed project on another portion of the property that would not trigger a variance, other properties in the area had similar disadvantages, and the owner could make reasonable use of the property without the variance. The motion was SECONDED by Ms. Ryan.

VOTE ON MOTION:

AYES: Misterly, Ryan, Blow, Opsahl, DePreter, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. (b) 2020-0019 – Les Thomas– Applicant
Sarah Robert – Owner
36 Magnolia Avenue

A request to exceed the maximum lot coverage and to reduce the minimum side yard setback within residential, single family-one (RS-1) zoning.

Mr. Doty read the staff report and said Based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board may be able to **APPROVE** a variance to reduce the side yard setback and to exceed the maximum lot coverage in RS-1 zoning district at **36 Magnolia Ave I PIN 191870-0000.**

The Board provided their ex parte communications.

Les Thomas reviewed the application.

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

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

The Board discussed:

- Clarification of the necessity for the variance due to a non-conforming lot and formerly existing porch
- Port cochere was proposed to be 11 feet in width with no porch or deck above
- Limited parking on the site
- Proposed additions as esthetic benefit to the neighborhood
- Neighbor adjacent to port cochere objected to the application

MOTION

Ms. Ryan MOVED to APPROVE Variance application 2020-0019, 36 Magnolia Avenue, to exceed the maximum lot coverage and to reduce the minimum side yard setback within residential, single family-one (RS-1) zoning with the drawings as presented. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Ryan, DePreter, Blow, Opsahl, Misterly, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY⁴

6. Conservation Zone Development

6. (a) 2020-0008 – Josh Killian, Culpepper Engineering – Applicant
Florida Power & Light – Owner
179 SR 16

To approve the removal of four (4) significant trees (three southern red cedars and one live oak) within Conservation Overlay Zone 3.

Mr. Doty read the staff report and said Based on a review of Section 11-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** removal of the trees at the subject property including four (4) significant trees (three southern red cedars and one live oak) within Conservation Overlay Zone 3 located at **176 State Road 16 / PIN 093220-0000.**

Bruce Barber, representative of Florida Power & Light (FPL) was available for questions.

The Board provided their ex parte communications.

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

The Board discussed:

- FPL's response as to why the expansion could not be placed on the southeast side of the property due to necessary location of future electrical equipment
- Necessity of removing the trees for safety of the electrical lines
- Buffer between electrical equipment and road
- Recommendation of a vault system for drainage retention
- Board could not ask applicant to provide underground electrical utilities
- Retention ponds would be above the level of underground electrical feeders
- Odd shape of proposed retention ponds were due to attempt to preserve trees
- Property did not currently have any on-site storm water retention and proposed retention would cover entire property, not just additional development
- Tree credits on property did not require a replanting plan, though applicant was amenable to replanting

⁴ Brief recess from 3:34p.m. to 3:45p.m.

- Desire to form a motion with a condition for replanting

Mr. Barber offered 10 understory trees on the property in appropriate locations related to the electrical equipment and as close to State Road 16 as feasible.

MOTION

Mr. DePreter MOVED to APPROVE Conservation Overlay Zone Development application 2020-0008 with the applicant having agreed to plant ten understory trees where possible on the property that does not interfere with transmission or structure needs and with priority given to protecting the view shed along State Road 16. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: DePreter, Blow, Opsahl, Ryan, Misterly, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. (b) 2020-0017 – Ryan Carter, Carter Environmental Services, Inc. – Applicant Stephen Content – Owner 33 Water Street

To approve a three hundred thirty-eight foot (338') extension to a one hundred fifty six (156') foot dock, for a total length of four hundred ninety four foot (494') long dock, with one associated boat slip within Conservation Overlay Zone 1.

Mr. Doty read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff generally supports the request for a three hundred thirty-eight foot (338') extension to a one hundred fifty six (156') foot dock, for a total length of four hundred ninety four foot (494') long dock, with one associated boat slip in Conservation Overlay Zone 1, however, staff is unable to determine the impacts to the scenic vistas without additional information and input from the

general public for the property located at **33 Water St / PIN 195810-0000.**

The Board provided their ex parte communications.

Ryan Carter and Bart Pinias reviewed the application.

15 certified notices were sent, 1 was returned in favor, 1 returned opposed and 1 had comments, as well as additional e-mails from the public in opposition.

Public hearing was opened.

Joseph Weed was concerned, as a neighboring property owner, with precedence should the application be approved. He noted that only during the lowest of low tides did the creek have major access problems and if his neighbor to the north also decided to build a similarly long dock, he would not be able to access the channel without also building a long dock.

B.J. Kalaidi did not feel the proposed dock was necessary and spoke against the application citing concerns for cluttering the waterway and precedence of an application approval.

Public hearing was closed.

Mr. Carter responded to public concerns, stating that the DEP would require that they maintain conveyance under the dock for those utilizing the natural channel for kayaking or paddle boarding. He added that, with exception for extreme high tides, no vessels larger than a kayak or small skiff would be able to access the channel south of the dock.

The Board discussed:

- Excessive length of the dock because the property already had access to water

- Concern for setting precedent
- Channel proposed dock would reach was busier than other areas of hospital creek with long docks
- Concern for impacting the scenic vista in the area

Mr. Misterly clarified the criteria of concern for the applicant as follows:

- Site specific conditions: site has access to water without proposed dock
- Site's relationship to adjacent properties, bodies of water, and surrounding conservation zones: adjacent properties were not extending their docks to reach deeper water and approval of the application could change the entire approach to dock for the neighborhood
- Impacts to scenic vistas

MOTION

Mr. Misterly MOVED to DENY Conservation Overlay Zone 1 Development application 2020-0017, 33 Water Street because it does not meet criteria 1, 2, or 12 as discussed. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Misterly, DePreter, Blow, Opsahl, Ryan, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

**6. (c) 2020-0021 – Kurt McAteer – Applicant
Eric Piard – Owner
Davis St – PID 119920-0270**

To approve the removal of two (2) significant trees (live oaks) within Conservation Overlay Zone 3.

Mr. Doty read the staff report and said based on a review of Section 11-29, and without the

support of evidence to the contrary, staff finds that the Board can **APPROVE** removal of two (2) significant trees at the subject property within Conservation Overlay Zone 3 located at **Davis Street / PID: 119920-0270**.

The Board provided their ex parte communications.

Kurt McAteer reviewed the application.

29 certified notices were sent, 1 was returned in favor, 26 returned opposed and 18 had comments.

Public hearing was opened.

Ryan Dettra spoke in favor of application citing development as a means to reduce trash from the homeless population along Oyster Creek. He noted also that neighboring residents have used the subject property as a parking area. He did ask that the Board require the applicant to replace the trees removed.

Bridget Yunker was not opposed to development on the property but was opposed to removal of the trees on the lot because of the loss of canopy along the street.

Phil Dodge spoke regarding the history of the existing pond. He spoke against the application to remove the trees to protect the ecosystem in the area. He noted that the subject property flooded easily during storm events and excessively high tides.

Greg Wrisberg noted that there was a problem with the homeless in the past; however, most of the existing trash likely washed down the creek. He objected to removal of the trees.

B.J. Kalaidi spoke against the application stating that the applicant could build a smaller house.

Robert Krainson was against the removal of

the live oak trees. He added that the homeless population in the area had grown.

Janet Miskinisa explained that she used the ten foot right of way in front of the subject property to park their vehicles to allow neighbors and mail carriers access the area.

Robert Balch, designer of the proposed house, noted that they were saving 77% of the trees on site and removing only two significant trees. He clarified the site plan at the request of the Board and added that the applicant was amenable to replacement of the trees being removed.

Andrew Dodge was concerned with the flooding that occurred on the property and the proposed structure's proximity to the water. He felt the trees were necessary to soak up the water that would flood the street.

Public hearing was closed.

Mr. McAteer emphasized the amount of time and effort that went into designing the structure.

Mr. Balch responded to concerns regarding flooding, stating he had designed the house on spot piers to minimize impacts to sheet-flow. He noted the structure would be built above-grade and be above the FEMA flood elevation requirements.

The Board discussed

- House would be on city water and sewer
- Clarification of the site plan
- Recommendation to design the home as a two-story structure with the two bedrooms above the living-space; however, applicant responded that the property owner was clear not to have the structure two-story, and other site conditions could prohibit such constructions
- Reducing the side-yard setback could save at least one tree but would

require a variance application to be heard at a subsequent meeting

- Ways to save trees numbered T8 and T9
- Parking requirements and availability on the site

There was discussion regarding the Board's options to approve, continue, or deny the application and the possibility that the applicant may apply for a variance to alter the site plan.

The applicant was amenable to continue the application to the April meeting.

MOTION

Mr. DePreter MOVED to CONTINUE Conservation Overlay Zone Development application 2020-0021, PID 119920-0270, to the April 7, 2020 meeting. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: DePreter, Blow, Opsahl, Ryan, Misterly, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. (d) 2020-0022 – Kurt McAteer – Applicant
Eric Piard – Owner
Davis St – PID 119920-0250

To approve the removal of one (1) significant tree (live oak) within Conservation Overlay Zone 3.

Based on discussion from the previous application, the applicant requested a continuance of the item to the April 7, 2020 meeting.

MOTION

Mr. DePreter MOVED to CONTINUE Conservation Overlay Zone Development

application 2020-0022, PID 119920-0250 to the April 7, 2020. The motion was **SECONDED** by Ms. Opsahl.

VOTE ON MOTION:

AYES: DePreter, Opsahl, Blow, Ryan,
Misterly, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. Use by Exception

7. (a) 2020-0018 – Herrick H. Smith – Applicant
Herrick A. Smith – Owner
24 Grove Avenue

To approve a use by exception for a home occupation to allow for a pottery workshop within Residential Single-Family-two (RS-2) zoning.

Mr. Doty read the staff report and said Based on a review of Section 28-29 and 28-347, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a home occupation as a permitted use by exception for a pottery workshop at **24 Grove Ave / PIN 194340-0000**.

Herrick H. Smith reviewed the application.

The Board provided their ex parte communication.

21 certified notices were sent, 8 were returned in favor, and 4 had comments.

Public hearing was opened.

Gene Griffin spoke in favor of the application.

B.J. Kalaidi spoke in favor of the application.

Public hearing was closed.

The Board discussed:

- Exception would run with the applicant

- No noise concerns
- Code allowed four students at one time, though application stated up-to two students at one time
- Possible conditions
- Retail sales were not allowed per code

MOTION

Mr. Misterly **MOVED** to **APPROVE** Used by Exception application 2020-0018 for 24 Grove Avenue because the use is the only known pottery business in the area, it is good for the neighborhood per testimony from neighboring residents and property owners, and it promotes the public safety, health, welfare, morals, order, comfort, convenience, appearance, prosperity, and general welfare of the community. The motion was **SECONDED** by Mr. DePreter

VOTE ON MOTION:

AYES: Misterly, DePreter, Blow, Opsahl,
Ryan, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. (b) 2020-0020 – Lorraine Searle – Applicant
Cobeca Holdings, LLC – Owner
240 San Marco Avenue

To approve a use by exception for a child day care center within Commercial Medium-two (CM-2) Zoning.

Prior to the meeting, the applicant requested a continuance to the April 7, 2020 meeting. See Modifications to the Agenda for consensus to continue.

8. Rezoning

8. (a) 2019-0126 – Ellen Avery-Smith – Applicant

SA Marina Holdings, LLC, and Seavin, Inc. – Owners
Sebastian Harbor Dr – PID 203350-0000, 203350-0010, 203350-0030, 203470-0000

A request to amend the Sebastian Inland Harbor PUD (Ord. 2007-14 & Ord 2016-15) to allow for a maximum of 165 multi-family units, a maximum of 167 hotel units, a maximum of 26,050 square feet of retail/commercial space, a maximum of 65 marina slips, and the existing San Sebastian Winery (approx. 24,000 square feet of commercial space). To approve a 65-slip marina within Conservation Overlay Zone 1. To approve the construction of multi-family housing, retail/commercial space, and a hotel within Conservation Overlay Zone 2. The applicant has requested this item be continued to April 7, 2020 Planning & Zoning Board meeting.

Prior to the meeting, the applicant requested a continuance to the April 7, 2020 meeting. See Modifications to the Agenda for consensus to continue.

8. (b) 2020-0003 – James Whitehouse – Applicant
Sarris Family Trust, Phillip Sarris – Owner
415 S. Ponce de Leon Blvd

A request to rezone the Rivers Edge PUD (Ord. 2006-14) to Commercial Medium-two (CM-2) zoning. A request to amend the Future land Use Map (FLUM) designation from residential medium density/mixed use to commercial medium intensity.

Mr. Doty read the staff report and said Staff does not make recommendations concerning rezoning or amending the land use of property.

James Whitehouse reviewed the application.

Ex Parte Communication:

(None)

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

Public hearing was opened.

B.J. spoke against the application citing overdevelopment and impact to scenic vistas.

Public hearing was closed.

Mr. Whitehouse clarified that the existing zoning allowed a maximum height of 50 feet, while the requested zoning allowed only a 35 foot maximum height.

The Board discussed:

- History of the existing, failed PUD
- Proposed use met intent of the Comprehensive Plan

MOTION

Ms. Opsahl MOVED to RECOMMEND APPROVAL of Rezoning and Future Land Use Map Amendment application 2020-0003 to rezone the Rivers Edge PUD (Ord. 2006-14) to Commercial Medium-two (CM-2) zoning and to amend the Future land Use Map (FLUM) designation from residential medium density/mixed use to commercial medium intensity because there was a need and justification for the change and the relationship of the amendment and rezoning was consistent with the general planning program and the Comprehensive Plan. The motion was SECONDED by Mr. Misterly.

VOTE ON MOTION:

AYES: Opsahl, Misterly, Blow, Ryan, DePreter, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

8. (c) 2020-0023 – James Whitehouse – Applicant
Sea-wall Motor Lodge, Inc. – Owner
32 Avenida Menendez

A request to amend the Hilton Bayfront Inn PUD (Ord 2009-02) to increase the maximum lot coverage.

Prior to the meeting, the applicant requested a continuance to the April 7, 2020 meeting. See Modifications to the Agenda for consensus to continue.

9. Other Business

Ms. Zander asked that the Board consider requiring, stamps, title blocks or attribution on all drawings submitted to the Board.

Mr. Birchim announced the scheduling of workshops including:

- March 25, 2020 Workshop for review of the Parking Code from 1pm to 3pm; and,
- April 22, 2020 Joint Workshop with HARB to conduct yearly review of the Historic Preservation Master Plan.

There was Board consensus via voice vote to proceed with scheduling the workshops.

Mr. Birchim announced that John Cary, Assistant City Attorney, was leaving the City and staff and the Board thanked Mr. Cary for his assistance with the Board.

10. Adjournment

Having no further business, Ms. Zander adjourned the meeting at 6:12 P.M.⁵

Karen Zander, Chairperson

⁵ Transcribed by Candice Seymour

CITY OF ST. AUGUSTINE

Planning and Zoning Board Communications Media Technology (CMT) Meeting May 5, 2020

The Planning and Zoning Board met in formal session Tuesday, May 5, 2020, at 10:00 a.m. via CMT and with limited capacity in the Alcazar Room at City Hall. The meeting was called to order by Karen Zander, Chairperson and the following were present:

1. Roll Call:

Karen Zander, Chairperson
Jon DePreter, Vice Chairperson
Grant Misterly
Sarah Ryan
Christina Opsahl
Mike Davis
Carl Blow

City Staff:

David Birchim, Director, Planning & Building Department
Patrick Doty, Senior Development Review Planner
Denise May, City Attorney
Darlene Galambos, City Clerk
Laura Morse, Recording Secretary
Maria Lopes, Office Assistant
Candice Seymour, Recording Secretary

Patrick Doty reviewed the CMT meeting procedures and public participation options.

Modifications to the Agenda

Ms. Zander announced that item 3(b) had been withdrawn by the applicant and item 3(d) was administratively continued by staff. She advised no action was required by the Board.

2. General Public hearings for Items Not on the Agenda

(None)

3. Conservation Overlay Zone Development

3. (a) 2020-0028 – Ryan Carter, Carter Environmental Services – Applicant Brian Crawford – Owner 25 Avista Circle

To approve a five-foot expansion of an existing terminal platform, a boat lift and two three foot (3') wide catwalks south of the existing boat slips on a one hundred eighty-nine-foot (189') long dock. within Conservation Overlay Zone 1.

Mr. Doty read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the construction of a five-foot expansion of an existing terminal platform, a boat lift and two three foot (3') wide catwalks in Conservation Overlay Zone 1 located at **25 Avista Circle / PIN 214450-0000**.

Ryan Carter reviewed the application.

The Board provided their ex parte communications.

18 certified notices were sent, 1 returned opposed and 1 had comments.

Mr. Carter responded to the notice returned opposed, stating that the extension would minimally impact their vista relative to the existing footprint of the dock.

The Board discussed the following:

- Neighbor in opposition had not seen the proposed plans
- Impacts to the neighboring property owner's scenic vista
- Aerial photos which were taken prior to construction of a neighboring dock extension
- The dock already offered a wet-slip for a boat much larger than the kind that could utilize the proposed boat lift.

MOTION

Mr. Davis MOVED to APPROVE application 2020-0028, 25 Avista Circle, to approve a five-foot expansion of an existing terminal platform, a boat lift and two three foot (3') wide catwalks south of the existing boat slips on a one hundred eighty-nine-foot (189') long dock. within Conservation Overlay Zone 1. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Davis, Blow, Opsahl, Ryan, DePreter, Zander

NAYES: Misterly

MOTION CARRIED 6/1.

3. (b) 2020-0035 – Herbert Vandermark, Yelton Construction – Applicant
Alan Stevenson, St. Augustine Beach Investments, LLC – Owner
34. N St. Augustine Blvd

To approve a five-foot (5') by one hundred twenty-foot (120') dock with a twelve-foot (12') by twenty foot (20') terminal platform with two (2) associated boat lifts.

Item had been withdrawn by the applicant prior to the meeting.

3. (c) 2020-0036 – Rob Bowmaster, Hayward Construction, Inc. – Applicant
Jeff Yancey – Owner
156 Ancient Island Drive

To approve a 10,000-pound boat lift and associated platform at the end of an existing dock within Conservation Overlay Zone 1.

The Board provided their ex parte communications.

Mr. Doty read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** the construction of a 10,000-pound boat lift and associated platform at the end of an existing dock within Conservation Overlay Zone 1 located at **156 Ancient Island Dr / PIN 161252-0050.**

Rob Bowmaster and Jeff Yancey were available for questions.

Mr. Misterly asked for clarification from staff regarding the layout as described in the staff report and Mr. Doty clarified there had been a scrivener's error on page 3. Mr. Bowmaster clarified that the dock would not extend beyond what was previously approved.

Mr. Blow stated his main concern was navigation and he felt the dock did not block the channel.

13 certified notices were sent; however, there was no response.

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

MOTION

Mr. DePreter MOVED to APPROVE the application 2020-0036 based on the staff report that detailed how the application met the criteria. The motion was SECONDED by Ms. Opsahl.

VOTE ON MOTION:

AYES: DePreter, Opsahl, Blow, Davis,
Ryan, Misterly, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

3. (d) 2020-0038 – Brian Spahr – Applicant
Steven Stewart – Owner
259 S. Matanzas Blvd

To approve a five-foot (5') by three hundred ten (310') long dock with a fifty foot (50') by twenty foot (20') terminal platform and a three foot (3') by twenty four (24') foot finger pier to support a single boatlift within Conservation Overlay Zone 1.

Item was administratively continued by staff due to a noticing error.

4. Use by Exception

4. (a) 2020-0020 – Lorraine Searle – Applicant
Cobeca Holdings, LLC – Owner
240 San Marco Avenue

To approve a use by exception for a child day care center within Commercial Medium-two (CM-2) Zoning.

The Board provided their ex parte communications.

Mr. Doty read the staff report and said based on a review of Section 28-29 and 28-347, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for a daycare at **240 San Marco Ave / PIN 155670-0000**.

Ms. Zander asked for clarification regarding the location of parking on the property.

Lorraine Searle reviewed the application.

The Board clarified the following with the applicant:

- The student loading/unloading area would be a drive through area with an entrance and exit
- Hours of operation for the daycare would be 7:30a.m to 5:30p.m. with the spa opening 9:00a.m. to 5:30p.m.
- Drop-off would be staggered
- Previous Capacity of Montessori classes on the property was 6-12 students per class
- Ingress and egress of the parking lot would be clearly marked one-way with an entrance and exit

10 certified notices were sent, 1 was returned in favor.

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

The Board discussed:

- Applicant anticipated 20 children, though the premises was approved for 25 and the Board should make their decision based on the maximum number of students allowed
- Applicant met the City's parking requirements, though he still had parking and staging concerns
- Possible conditions including a formal ingress/egress plan, and opening the application for review of code enforcement complaints were received

MOTION

Mr. Misterly MOVED to APPROVE the Use by Exception application 2020-0020. 240 San Marco Avenue, for a child day care center within Commercial Medium-two (CM-2) Zoning, with the conditions that the approval run with the applicant, with a maximum of 25 kids, and that the applicant submit a formal ingress/egress plan to staff that identifies how kids will

be dropped off at the daycare for staff approval. The motion was **SECONDED** by Mr. Davis.

VOTE ON MOTION:

AYES: Misterly, Davis, Blow, Opsahl,
Ryan, DePreter, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

Board Comments

Ms. Zander thanked staff for their assistance in making the virtual meeting run smoothly.

8. Adjournment

Having no further business, Ms. Zander adjourned the meeting at 11:17 A.M.¹

Karen Zander, Chairperson

¹ Transcribed by Candice Seymour

CITY OF ST. AUGUSTINE

Planning and Zoning Board Communications Media Technology (CMT) Meeting June 2, 2020

The Planning and Zoning Board met in formal session Tuesday, June 2, 2020, at 10:00 a.m. via Communications Media Technology (CMT) and with limited capacity in the Alcazar Room at City Hall. The meeting was called to order by Karen Zander, Chairperson and the following were present:

1. Roll Call: Karen Zander, Chairperson
Jon DePreter, Vice Chairperson
Sarah Ryan
Christina Opsahl
Mike Davis
Carl Blow (arrived 10:10 a.m.)

Absent: Grant Misterly

City Staff: David Birchim, Director, Planning & Building Department
Patrick Doty, Senior Development Review Planner
Denise May, City Attorney
Darlene Galambos, City Clerk
Laura Morse, Recording Secretary
Maria Lopes, Office Assistant
Candice Seymour, Recording Secretary

Mr. Doty reviewed participation procedures for the virtual meeting.

2. General Public hearings for Items Not on the Agenda

After a brief pause to mitigate technical difficulties, the Board heard from the following member of the public:

- Ed Slavin

3. Conservation Overlay Zone Development

3. (a) 2020-0038 – Brian Spahr – Applicant Steven Stewart – Owner 259 S. Matanzas Boulevard / PIN 221310-0000

To approve a five-foot (5') by three hundred ten (310') long dock with a fifty

foot (50') by twenty foot (20') terminal platform and a three foot (3') by twenty four (24') foot finger pier to support a single boatlift within Conservation Overlay Zone 1.

Ms. Ryan recused herself from the item.¹

Mr. Doty read the staff report and said Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the construction of the advertised dock layout with a single boatlift within Conservation Overlay Zone 1 located at **259 S. Matanzas Blvd / PIN 221310-0000** adding, alternatively, staff finds that the Board can **APPROVE** the construction of the revised dock layout with two boat lifts and a floating submitted after the date of advertising, May 20, 2020, (as it is a

¹ Form attached to original minutes

reduction in overall size) within Conservation Overlay Zone 1 located at **259 S. Matanzas Blvd / PIN 221310-0000**.

Brian Spahr reviewed the application.

Ex Parte Communication:

(None)

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

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

The Board discussed clarification of the dock length which was 330 feet and similar in length to surrounding docks.

MOTION

Mr. Blow MOVED to APPROVE application 2020-0038 based on the revised drawing presented by staff and with the condition that the dock be a maximum of 330 feet as depicted in the aerial photo in the meeting packet. The motion was SECONDED by Mr. DePreter.

Mr. Doty clarified that the platform was 330 feet with an addition 10-foot floating dock for a total length of 340 feet.

Mr. Blow AMENDED his motion to reflect that the dock be a maximum of 340 feet as the additional 10-foot floating dock would not inhibit traffic along the waterway. The amendment was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Blow, DePreter, Davis, Opsahl, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

3. (b) 2020-0035 – Herbert Vandermark, Yelton Construction – Applicant
Alan Stevenson – Owner

34 N. St. Augustine Boulevard / PIN 213510-0000

To approve a five-foot (5') by one hundred twenty-foot (120') dock with a twelve-foot (12') by twenty-foot (20') terminal platform with two (2) associated boat lifts.

Ms. Ryan recused herself from the item.²

Mr. Doty read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the construction of a five-foot (5') by one hundred twenty-foot (120') dock with a twelve-foot (12') by twenty-foot (20') terminal platform with two (2) associated boat lifts within Conservation Overlay Zone 1 located at **34 N. St. Augustine Boulevard / PIN 213510-0000**.

Herb Vandermark reviewed the application.

The Board provided their ex parte communications.

21 certified notices were sent, 5 were returned in favor, and 1 had comments.

Public hearing was opened.

Margaret Edmiston, representing owners of the neighboring property was opposed to the length and width of the dock.

Anne Edmiston-Fitzgibbons offered an alternative design to reduce the total width of the lift.

Public hearing was closed.

Mr. Vandermark responded to public comment, citing the proposed design allowed the boats to access the deepest water and alterations would access shallower waters. He added that the proposed plan was in keeping with city

² Form attached to original minutes

requirements and was comparable to other docks in the area.

The Board discussed:

- Environmentally friendly pilings
- Connection to the pilings was substantial to avoid uplift
- Alternative configurations that may lessen the width without impacting desired use of the dock, some of which may cause boating safety concerns
- Desire to see detailed drawings comparing the proposed dock to other docks in the area, the size of the subject property, and area channel depths

MOTION

Mr. Blow MOVED to CONTINUE application 2020-0035 to the July 7, 2020 meeting to allow the applicant time to provide requested drawings. The motion was SECONDED by Ms. Opsahl.

VOTE ON MOTION:

AYES: Blow, Opsahl, Davis, DePreter, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

**3. (c) 2020-0042 – Ryan Carter, Carter Environmental Services – Applicant
Caleb King – Owner
2 Tremerton Place / PIN 201290-00000**

To approve a one hundred four (104') linear foot bulkhead within Conservation Overlay Zone 1.

Mr. Doty read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the construction of a one-hundred-four (104') linear foot bulkhead within Conservation Overlay Zone 1 located at **2 Tremerton Place / PIN 201290-0000**. He added that this

staff recommendation was the same as those for items 3(d) and 3(e).

Ryan Carter reviewed application.

Ex Parte Communication:

(None)

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

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

The Board discussed the bulkheads in relation to the adjacent properties.

MOTION

Mr. Davis MOVED to APPROVE Conservation Overlay Zone 1 Development application 2020-0042 for a one hundred four (104') linear foot bulkhead at 2 Tremerton Place. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Davis, DePreter, Blow, Opsahl, Ryan, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

**3. (d) 2020-0043 – Ryan Carter, Carter Environmental Services – Applicant
Forrest Myers – Owner
1 Tremerton Street / PIN 201410-0000**

To approve a sixty (60') linear foot bulkhead within Conservation Overlay Zone 1.

Mr. Doty read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the construction of a sixty (60') linear foot bulkhead within Conservation Overlay Zone 1 located at **1 Tremerton Street / PIN 201410-0000**.

Mr. Carter reviewed the application.

Ex Parte Communication:

(None)

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

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

MOTION

Ms. Ryan **MOVED** to **APPROVE** Conservation Overlay Zone 1 application 2020-0043 for a sixty (60') linear foot bulkhead at 1 Tremerton Street. The motion was **SECONDED** by Ms. Opsahl.

VOTE ON MOTION:

AYES: Ryan, Opsahl, Blow, Davis,
DePreter, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

3. (e) 2020-0044 – City of St. Augustine – Applicant and Owner 0 Tremerton Place / PIN 196150-0001

To approve a bulkhead at the eastern R-O-W terminus of Tremerton Place within Conservation Overlay Zone 1.

Mr. Doty read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the construction of a thirty-seven (37') linear foot bulkhead within Conservation Overlay Zone 1 located at **0 Tremerton Place / PIN 196150-0001**.

Ex Parte Communication:

(None)

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

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

MOTION

Mr. Davis **MOVED** to **APPROVE** Conservation Overlay Zone 1 Development application 2020-0044 a bulkhead at the eastern R-O-W terminus of Tremerton Place. The motion was **SECONDED** by Ms. Ryan.

VOTE ON MOTION:

AYES: Davis, Ryan, Blow, DePreter,
Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

4. Use by Exception

4. (a) 2020-0045 – Todd B. Wilson – Applicant 97 Masters, LLC, T & B Properties, LLC – Owners 97 & 99 Masters Dr / PIN 110060-0000 & 110090-0000

To approve a use by an exception for building trades contractor not requiring outside storage.

There was a brief discussion which determined that Brenda Wilson, as a registered representative for the LLCs that own the subject properties, had the authority to speak as applicant.

Mr. Doty read the staff report and said based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for a building trades contractor not requiring outside storage at **97 & 99 Masters Dr / PIN 110060-0000 & 110090-0000**.

Brenda Wilson reviewed the application, confirming that the business would be relocating to the subject location rather than operating from two locations.

The Board provided their ex parte communications.

14 certified notices were sent, 4 were returned in favor, and 1 had comments.

Public hearing was opened.

Public hearing was closed.

The Board discussed:

- Fenced parking area for installation trucks when not being used
- Type of fencing along Avery St. would be a solid white privacy fence and the side had existing wood fencing
- Landscaping and fencing buffer requirements as well as parking requirements which would be reviewed for compliance with city codes during the permitting process
- Clarification that the parking of vehicles was not considered outside storage
- Details regarding the shop area which would store materials for pending jobs and not be used to fabricate materials
- Exception approval would run with the applicant

MOTION

Mr. Blow MOVED to APPROVE Use y Exception application 2020-0045 with the condition that the approval run with the applicant. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Blow, DePreter, Davis, Opsahl, Ryan, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

Board member comments

Ms. Zander thanked city staff for their efforts in streamlining the virtual meeting process. She asked that Board opinion regarding virtual meetings be sought if the Commission revisits the decision to continue holding virtual meetings.

Mr. Blow and Mr. Davis also thanked staff and Ms. Zander for facilitating the meeting.

5. Adjournment

Having no further business, Ms. Zander adjourned the meeting at 11:48 A.M.³

Karen Zander, Chairperson

³ Transcribed by Candice Seymour

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 7, 2020

RE: **VARIANCE #2020-0032**

AGENDA ITEM 4(a)

APPLICANT Kurt McAteer
c/o Coastal Craftsman Company

OWNER Eric Piard

LOCATION Davis St / PIN 119920-0270

REQUEST To reduce the required side yard setback from 10' to 7'.

LAND USE Residential Low Density

ZONING Residential, Single Family-two (RS-2)

APPLICABLE CODES/ORDINANCES

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

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

(b) Variances:

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

- a. The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, which disadvantage does not apply to other properties in the vicinity; and
- b. Because of this disadvantage, the owner is unable to make reasonable use of the affected property; and

- c. This disadvantage does not exist because of conditions created by the owner or applicant; and
- d. Grant of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this section.

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

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

(6) Minimum yard requirements:

a. Residential uses:

- 1. Front, fifteen (15) feet.
- 2. Side, ten (10) feet.
- 3. Rear, ten (10) feet.

STAFF SUMMARY AND ANALYSIS

The applicant seeks to reduce the side yard setback from 10 feet to 7 feet to avoid impacting two significant live oak trees located on the southern portion of the property.

In particular, the applicant is proposing the following:

Requested Change to:	Code	Existing	Proposed
Side yard setback	10'	n/a	7'

Staff interpretation of findings of fact in *italics*.

No variance shall be granted unless the applicant shall show and the board shall find that:

- a. The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, which disadvantage does not apply to other properties in the vicinity;

Staff believes there is a singular disadvantage in this situation. The lot is an irregular shape because of the physical conditions, layout and topography of the lot, including the existing pond, results in a singular disadvantage.

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

The applicant can make reasonable use of their property without granting this variance; however, it would require the removal of significant trees, which the applicant is hoping to avoid with this variance request to maintain the public interest of the neighboring properties.

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

The configuration and size of the lot were established well before the current property owner purchased the lot. The pond on the property existed prior to the current owner purchasing the lot.

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

Granting of the variance would not be contrary to the public interest or result in adverse effects to other properties in the vicinity in that it would allow for the home to be located further off of Lewis Blvd and allow for the retention of the two significant trees on the property. The request is in harmony with this section as there is a singular disadvantage of the property in that the lot is an irregular size and configuration with unique physical conditions (the pond).

STAFF RECOMMENDATION

Based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board may be able to **Approve** a variance to reduce the side yard setback in RS-2 zoning district at 4 Davis St / PIN 119920-0270.

Attachments

Attachment 1 – Application, Location and Property Records

Attachment 2 – Site Plan

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

Attachment 1

Application, Narrative, Property Records



CITY OF ST AUGUSTINE APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED
MAR 06 2020
Planning/Building Dept.

Application Fee: \$350 (plus advertising costs) Project Number: 2020-0032
Receipt Number: 1808425 Meeting Date: April 7, 2020
Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Kurt McAteer Contact Number: 904.521.1835
Business (if applicable): Coastal Craftsmen Company
Address: 134 Ribera St, Unit 102 City: St Augustine State: FL Zip: 32084
E-Mail Address: Kurtmcaateer@coastalcraftsmen.co.com

2. NAME OF PROPERTY OWNER: Eric Piard Contact Number: 352.665.1140
Business (if applicable): N/A
Address: 420 NW 10th Ave City: Gainesville State: FL Zip: 32601
E-Mail Address: eric.piard@mac.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: 27, 28 & 32 Block: 1-43
Subdivision: Brave Park Parcel Number: 1199200270

4. PROJECT STREET ADDRESS: NA - not registered

5. SPECIFIC PROPOSED USE: Vacant Land - Proposed Residential New Construction

6. ACTION REQUESTED:

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

7. DESCRIPTION OF ACTION REQUESTED: Side Set back Variance - 3' set back
Reduction in total

8. JUSTIFICATION FOR ACTION REQUESTED: To save all significant trees on
property

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

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: Yes, corner lot, & design impact by lot size combined by the imposing pond & its associated setbacks.
- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: Yes greatly impacts the lot geometry & conditions demand a unique form.
- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: Yes, owner purchased property w/ existing conditions
- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: Not contrary to public interest because this variance allows us to preserve all significant trees, adjustment will not adversely affect property in the vicinity as the adjacent property is owned by the same owner.

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.

Continuation from last zoning meeting - 3/3 → Added Variance to Continuation

11. AGREEMENT:

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

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

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

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

[Signature]
Signature of Applicant

03/06/20
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 Chapter 166.033, Florida Statutes.

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

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

Kurt McHear
Print name of applicant

[Signature]
Signature of applicant

03/06/20
Date



Owner's Authorization For Agent

Kurt McAteer is/are hereby authorized TO ACT ON BEHALF
OF Eric Piard, the owner(s) of those lands described within

☒ the attached application, or ☐ described within the previously filed
Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:

Parcel ID 1199200270

BY: [Signature]
Signature of Owner
Eric Piard
Print Name of Owner
1-352-665-1140
Telephone Number

State of Florida

County of Alachua

Signed and sworn before me on this 6th day of February, 2020

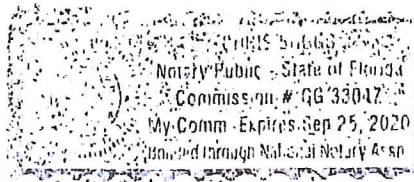
By Eric Piard

Identification verified: [Signature]

Oath sworn: [Signature] Yes No

Notary Signature: [Signature]

My Commission expires: 9-25-2020



Tax Bill

My Tax Bill

Estimate Taxes

Tax Estimator

2019 TRIM Notice

2019 TRIM Notice

Summary

Parcel ID	1199200270
Location Address	DAVIS ST SAINT AUGUSTINE 32084-0000
Neighborhood	Bravo Park (684)
Tax Description*	1-43 BRAVO PARK PT OF LOTS 27 28 & 32 & VACA ROW LYING BETWEEN SAID LOTS VACA BY COSA ORD 2004-03 IN OR2144/1660 OR4646/1176 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Residential (0000)
Subdivision	Bravo Park, Plat Of Property Known As
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	20.0503
Acreage	0.160
Homestead	N

Owner Information

Owner Name	Piard Eric J 100%
Mailing Address	420 NW 10TH AVE GAINESVILLE, FL 32601-0000

Map



Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$60,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$60,000
Total Deferred	\$0
Assessed Value	\$60,000
Total Exemptions	\$0
Taxable Value	\$60,000

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2019	\$0	\$0	\$60,000	\$0	\$0	\$60,000	\$60,000	\$0	\$60,000

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	0	0	1	UT	\$60,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
11/29/2018	11/28/2018	\$85,000.00	WD	4646	1176	Q	V	DETTRA LIVING TRUST D: 11-30-2007	PIARD ERIC J

No data available for the following modules: 2018 TRIM Notice, Exemption Information, Building Information, Extra Feature Information, Sketch Information.

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

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

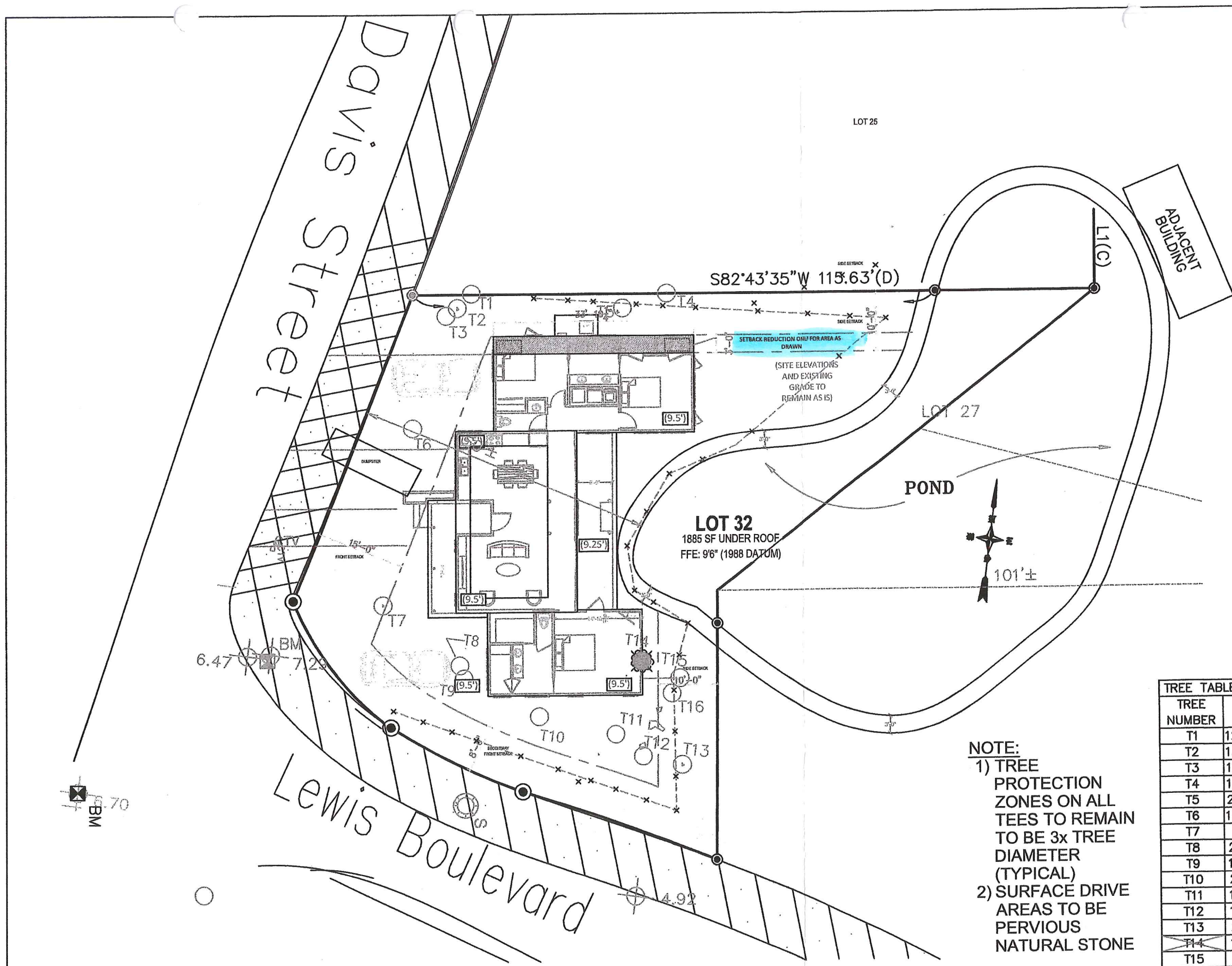
Developed by
 Schneider
 GEOSPATIAL

Last Data Upload: [3/18/2020, 12:15:23 AM](#)

[Version 2.3.46](#)

Attachment 2

Site Plan



Square Footage	
Proposed New sf Under Roof	1885
Total Cond. Under Roof	1185
Lot Area	6795 SF
Building Area	1885
Lot Coverage	27%
Total Impervious*	32%
ALL DRIVES AND WALKWAYS TO BE PERVIOUS SURFACE	
DRAINAGE TYPE : B	

-NO PUBLIC SIDEWALKS EXIST IN THIS AREA
-A MINIMUM 1% SLOPE SHALL BE PROVIDED PER SECTION 6.04.06.H OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE.
-EROSION CONTROL MEASURES (I.E. SILT FENCE) SHALL BE USED AROUND PROPERTY BOUNDARY TO PREVENT IMPACT ON ADJACENT PROPERTIES.
-SETBACKS MEASURED TO FURTHEST PROJECTION 30' OR MORE ABOVE LOWEST ESTABLISHED GRADE.

TREE CALCULATIONS:	
EXISTING TREES TO REMAIN:	
SPECIES	SIZE (")
SEE TREE TABLE BELOW	
TOTAL INCHES MAINTAINED	172"

TREES TO BE REMOVED	
LIVE OAK	21"
CABBAGE PALM	19"
LIVE OAK	20"
HACKBERRY	12"
CABBAGE PALM	13"
TOTAL (") TO BE REMOVED	85"

CANOPY COVERAGE:
-EXISTING (PRE-DEVELOPMENT) CANOPY IS 40%
-POST DEVELOPMENT IS 20%
50% OF ON-SITE TREES TO REMAIN AS PER C.O.S.A. CRITERIA

LEGEND	
---	= CONTOURS
x-x-x	= SILT FENCE
---	= DRAINAGE DIRECTION
---	= LOT LINES
---	= SETBACKS
[10.2]	= EXISTING SITE ELEVATIONS
(11')	= PROPOSED SITE ELEVATIONS
(12')	= PROPOSED BUILDING CORNERS
⊗	= REPRESENTS TREES TO BE REMOVED

NOTE:
1) TREE PROTECTION ZONES ON ALL TEES TO REMAIN TO BE 3x TREE DIAMETER (TYPICAL)
2) SURFACE DRIVE AREAS TO BE PERVIOUS NATURAL STONE

TREE TABLE: BASED ON C.O.S.A. LANDSCAPE CODE				
TREE NUMBER	TREE TYPE	REMOVE/RETAIN	CREDITS	DEBITS
T1	12" LAUREL OAK	RETAIN	3	
T2	13" LAUREL OAK	RETAIN	3	
T3	16" LIVE OAK	RETAIN	3	
T4	16" CABBAGE PALM	RETAIN	3	
T5	22" CABBAGE PALM	RETAIN	3	
T6	19" CABBAGE PALM	RETAIN	3	
T7	7" OAK	RETAIN	2	
T8	21" LIVE OAK	REMAIN	2	
T9	19" CABBAGE PALM	REMAIN	1.5	
T10	20" LIVE OAK	REMAIN	2	
T11	12" HACKBERRY	REMAIN	2.5	
T12	16" HACKBERRY	RETAIN	3	
T13	20" LIVE OAK	RETAIN	4	
T14	13" CABBAGE PALM	REMOVE		2.5
T15	17" CABBAGE PALM	RETAIN	3	
T16	14" CABBAGE PALM	RETAIN	3	
TOTAL TREE CREDITS			41	
TOTAL TREE DEBITS				2.5
			41 - 2.5 = 38.5+	

REVISIONS		
DATE:	NO.:	BY:

New Residence for
Eric Piard
Lot 25 / 32 Davis Street
St Augustine, FL 32084

BLACK BOX DESIGN
BLACK BOX DESIGN INC. @ GMAIL.COM
SUSTAINABLE BUILDING DESIGN - PROJECT PLANNING - PROTOTYPE DEVELOPMENT
1 PONCE DE LEON AVE - ST AUGUSTINE - FLORIDA - 32080
(904) 217-9977

DATE:	3/6/20
DRN BY:	RKB
CHECKED BY:	RKB
PROJ. NO.	030702
SHEET NUMBER	
A-1	

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 7, 2020 (continued March 3, 2020)

RE: **CONSERVATION OVERLAY ZONE DEVELOPMENT #2020-0022**

AGENDA ITEM 5(a)

APPLICANT Kurt McAteer
Coastal Craftsmen Company

OWNER Eric Piard

LOCATION Davis Street / PID 119920-0250

REQUEST To approve the removal of one (1) significant tree (live oak) within Conservation Overlay Zone 3.

PLANS DATED March 6, 2020

LAND USE Residential Low Density

ZONING Residential Single Family-two (RS-2)

APPLICABLE CODES/ORDINANCES

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

Conservation Overlay Zone 3 is comprised of uplands and urban/residential areas which are inland from Zones 1 and 2, and which require special environmental consideration. Zone 3 is comprised of those undeveloped areas considered to be special flood hazard areas and significant tree canopy areas.

Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover or cause the removal of protected or preserved trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation.

Sec. 11-28. Issuance of building permits.

(d) Removal of a significant tree shall be approved by the planning and zoning board. All significant trees removed shall be replaced in accordance with the requirements of chapter 25.

Sec. 11-29. Standards for review.

- (d) Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover, or cause the removal of protected or preserved trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation.
- (1) In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following:
- a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
 - b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
 - c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
 - d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.
 - e. Whether the tree has been designated a significant tree.
 - f. Impact upon the urban and natural environment, including:
 - Ground and surface water stabilization.
 - Water quality and aquifer recharge.
 - Ecological impacts.
 - Noise pollution.
 - Air movement.
 - Air quality.
 - Wildlife habitat.
 - g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.

STAFF SUMMARY AND ANALYSIS

This application seeks to construct a single-family home and associated driveway on site which includes the proposed removal of five (5) trees. One (1) is a significant live oak tree within Conservation Overlay Zone 3. A tree removal plan indicating removal and preservation of the trees along with an arborist report completed by the applicant's arborist has been included in the packet. The applicant indicates that only the trees necessary to construct the house, and driveway are being removed due to their location and close, proximity within the building footprint and driveways/walkways.

Not more than 50% of the tree canopy is proposed to be removed. The applicant indicates that 60% of the canopy will be retained.

See the proposed site plan and credit/debit chart below:

Tree #	Health/Structure	Diameter	Name	Credit	Debit
1	Retain	10"	Laurel Oak	2	
2	Retain	17"	Laurel Oak	3	
3	Retain	12"	Laurel Oak	3	
4	Retain	16"	Cabbage Palm	3	
5	Good/Remove	14"	Cabbage Palm		2.5
6	Retain	15"	Laurel Oak	3	
7	Retain	15"	Cabbage Palm	3	
8	Retain	24"	Live Oak	4	
9	Retain	20"	Cabbage Palm	4	
10	Retain	15"	Cabbage Palm	3	
11	Good/Remove	9"	Live Oak		1
12	Good/Remove	9"	Laurel Oak		1
13	Retain	21"	Live Oak	4	
14	Good/Remove	8"	Live Oak		1
15	Retain	11"	Laurel Oak	2	
16	Good/Remove	22"	Live Oak		2
17	Retain	18"	Live Oak	3	
18	Retain	27"	Laurel Oak	4	
19	Retain	19"	Hackberry	3	
	<i>Southern Red Cedar Multiplier (+1/-1 per tree)</i>			-	-
	Total Tree Credits			44	
	Total Tree Debits (Note correction from site plan)				8.5 (7.5)
			44 – 7.5 = 36.5+ net	36.5	

Since the applicant has more credits than debits there is no requirement for the applicant to mitigate by planting new trees. [Ref. LDC Sec. 25-53(d)(2)].

1. Conservation Overlay Zone 3 Development to remove one (1) significant tree (22" Live Oak) being removed within Conservation Overlay Zone 3

In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following: *Staff interpretations are in italics*

- a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.

The arborist completed a spreadsheet of the trees on site. All the trees are in good health except for trees #6 and #15 which are in poor health according to the report.

- b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.

Based on the proposed site plan the removal appears to be necessary to construct a home and driveway.

- c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.

Since the site will be developed per City development standards, issues related to erosion will be lessened. A drainage plan is reviewed by the Building Official during the building permit review process to ensure stormwater runoff flows to the proper conveyance. The applicant indicates that the proposed single family home is to be built on piers.

- d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.

The neighborhood does have an established tree canopy and removal of the tree does not appear to significantly alter the tree canopy, however, the removals are necessary for home construction.

UPDATE: *The applicant has provided an updated site plan and photos (attachment 5) that shows the location of the significant live oak tree would impede the construction of a home in that area. The angle that the tree leans (southward) impacts the buildable area of the lot in a way that removal of the tree is the only way to construct a home within the buildable area of the lot.*

- e. Whether the tree has been designated a historic specimen, preserved or protected tree.

One (1) of the five (5) trees is designated as a significant tree.

- f. Impact upon the urban and natural environment, including:
 - Ground and surface water stabilization. – *Any new construction must retain surface water.*
 - Water quality and aquifer recharge. – *The proposed new site must comply with storm water management regulations.*
 - Ecological impacts. – *The removal of the tree(s) will temporarily affect ecology.*
 - Noise pollution. – *The removal of the tree(s) should not increase noise pollution.*
 - Air movement. – *This project should not substantially affect air movement.*
 - Air quality. – *This project should not affect air quality.*
 - Wildlife habitat. – *The effect of tree (s) removal on wildlife habitat is not known.*
- g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.

All the proposed removed trees fall within the proposed footprint of the home and driveway. Only one (1) is considered a significant tree.

The number of debits for tree removal is – **7.5 debits**.
The number of credits for tree preservation is - **44 credits**.
The number of credits for tree plantings (incl. relocation) is **N/A**

STAFF RECOMMENDATION

Based on a review of Section 11-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** removal of one (1) significant tree at the subject property within Conservation Overlay Zone 3 located at Davis Street / PID: 119920-0250.

SUPPLIMENTS

Attachment 1 – Application
Attachment 2 – Property Appraiser Information & Location Map
Attachment 3 – Arborist Report
Attachment 4 - Site & Tree Removal Plan
Attachment 5 – Updated Site Plan and Site Photos – March 6, 2020

Patrick Doty, CFM
Senior Development Review Planner
Planning & Building Department

Attachment 1

Application



CITY OF ST AUGUSTINE APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$165 (plus advertising costs) Project Number: 2020-0021
 Receipt Number: 1790397 Meeting Date: 3/3/20
 Advertising Costs: \$ 156.39 Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Kurt McAteer Contact Number: 904.521.1835
 Business (if applicable): Coastal Craftsmen Company
 Address: 134 Ribera St, Unit 101 City: St Augustine State: FL Zip: 32084
 E-Mail Address: Kurtmcaeer@coastalcraftsmenco.com

2. NAME OF PROPERTY OWNER: Eric Piard Contact Number: 352.665.1140
 Business (if applicable): N/A
 Address: 420 NW 10th Ave City: Gainesville State: FL Zip: 32601
 E-Mail Address: eric.piard@mac.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
 Lot: 25 + 26 Block: 1-43
 Subdivision: Bravo Park Parcel Number: 1199200250

4. PROJECT STREET ADDRESS: N/A - not registered

5. SPECIFIC PROPOSED USE: Vacant Land - Proposed Residential New Construction

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

7. DESCRIPTION OF ACTION REQUESTED: Conservation over zone 3 - Tree removal
for residential new construction

8. JUSTIFICATION FOR ACTION REQUESTED: Property has a small buildable area,
moving proposed home from side/side and back/front is difficult due to
the setbacks and lake.

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

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: Yes, the size and shape of the lot is minimal. The lake affects the property lines in turn affecting the setbacks and buildable area.
- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: Yes, proposed home was designed around the above listed parameters.
- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: Yes, owner purchased property with existing conditions
- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: Yes, proposed home will enhance the public interest, increase property values to the surrounding homes and the architecture compliments the iconic existing home across the street at Oyster Creek

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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


Signature of Applicant

02/06/20
Date


Signature of Property Owner

02/06/20
Date



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

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

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

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

Kurt McAtcer
Print name of applicant

Kurt McAtcer
Signature of applicant

02/06/20
Date



Owner's Authorization For Agent

Kurt McAteer is/are hereby authorized TO ACT ON BEHALF
OF Eric Piard, the owner(s) of those lands described within

☒ the attached application, or ☐ described within the previously filed

Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:

Parcel ID 1199200250

BY: [Signature]
Signature of Owner
Eric Piard
Print Name of Owner
1-352-665-1140
Telephone Number

State of Florida

County of Alachua

Signed and sworn before me on this 6th day of February, 2020

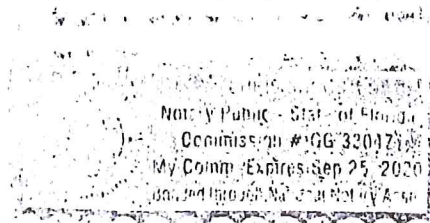
By Eric Piard

Identification verified:

Oath sworn: / Yes No

Notary Signature: [Signature]

My Commission expires: 9-25-2020



Attachment 2

Property Appraiser Information & Location Map

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

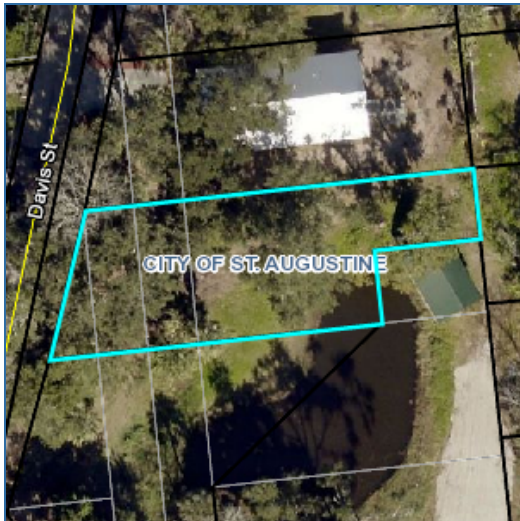
Summary

Parcel ID	1199200250
Location Address	DAVIS ST SAINT AUGUSTINE 32084-0000
Neighborhood	Bravo Park (684)
Tax Description*	1-43 BRAVO PARK PT OF LOTS 25 & 26 & VACA ROW LYING BETWEEN SAID LOTS VACA BY COSA ORD 2004-03 IN OR2144/1660 OR4626/436 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Residential (0000)
Subdivision	Bravo Park, Plat Of Property Known As
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	20.0503
Acreage	0.140
Homestead	N

Owner Information

Owner Name	Piard Eric J 100%
Mailing Address	420 NW 10TH AVE GAINESVILLE, FL 32601-0000

Map



Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$60,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$60,000
Total Deferred	\$0
Assessed Value	\$60,000
Total Exemptions	\$0
Taxable Value	\$60,000

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2019	\$0	\$0	\$60,000	\$0	\$0	\$60,000	\$60,000	\$0	\$60,000

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	0	0	1	UT	\$60,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
10/15/2018	10/12/2018	\$85,000.00	WD	4626	436	Q	V	DETTRA LIVING TRUST D: 11-30-2007	PIARD ERIC J

No data available for the following modules: 2018 TRIM Notice, Exemption Information, Building Information, Extra Feature Information, Sketch Information.

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 GEOSPATIAL

Last Data Upload: [2/21/2020, 12:05:39 AM](#)

[Version 2.3.41](#)



Map data ©2020 , Map data ©2020 20 ft

Attachment 3

Arborist Report



Arborist Report

Parcel # 1199200250

St. Augustine, FL 32084

For:

Coastal Craftsmen Company

134 Ribera St. Unit 101

St. Augustine FL, 32084

By:

Treeco

267 Big Oak Road

St. Augustine, FL 32095

Email - michael@treecofl.com

Office - 904-810-1033

Cell- 904-687-8145

TREECO

4720 Salisbury Rd. Jacksonville, FL 32256 | 126 S. Prairie Lakes Dr. St. Augustine, FL 32084

Phone: 904-810-1033 • TreeCoFL.com

City of St. Augustine Arboriculture Report

This report is to be completed by an ISA certified arborist to accompany a request for removal of a significant trees as defined in chapter 11 of the City of St. Augustine Development Code. The information described below does not constitute a "hazard inspection" and the inspecting Arborist is responsible for providing additional information, if necessary, regarding the condition of the subject tree(s).

ARBORIST INFORMATION

NAME OF APPLICANT Coastal Craftsmen Co.
 ISA Certification # FL - 9471A
 Business (if applicable) TreeCo
 Address 267 Big Oak Rd
 City St. Augustine State FL Zip Code 32092
 Daytime Telephone 904-810-1533 Other Phone _____
 Email Address Michael@TreeCoFL.com

PROPERTY INFORMATION

STREET ADDRESS _____
 Legal Description: Lot _____ Block _____ Subdivision _____
 Parcel 1149200250

SCOPE OF WORK & SITE OBSERVATIONS

Provide a short description of the work completed, reason for removal, any targets and the method(s) of inspection. Include any additional information or explanation on an attached report.

Level 2 visual assessment, tree survey, species,
DBH. Trees within footer of proposed construction.

TREE INVENTORY (attach additional trees on separate sheet)

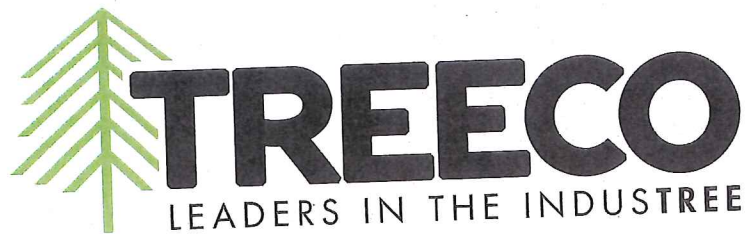
Size (dbh)	Species	Condition (good, fair, poor, dead)	Recommendations
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

TREE CONDITION & POTENTIAL TARGETS

Provide a short description of defects, hazards or items of concern to the board. Include any additional information or explanation on an attached report.

ADDITIONAL REQUIRED MATERIALS

- Aerial photo of the subject property indicating the approximate location of the tree
- Photo(s) of the subject tree(s)



To Whom it may concern,

This letter serves to assess trees flagged for potential removal on parcel # 1199200250, located on the corner of Davis St. and Lewis Blvd. There are a total of nineteen trees located on this parcel. I estimate the total canopy coverage pre-development to be approximately 70 percent and post-development approximately sixty percent. A total of five trees are flagged for removal. All trees specified are within the footer of the building. There is no alternate configuration of the building that could avoid removal of these trees. Trees number, five, eleven, twelve, fourteen, and sixteen are the six trees within the footer and must be remove.

I recommend that a temporary fence be erected during construction around each remaining tree. The fence should be no less than a five foot radius around each tree and will mitigate root damage, soil compaction and potential mechanical damage to the trunk of each tree.

Please do not hesitate to contact me with any questions regarding this matter

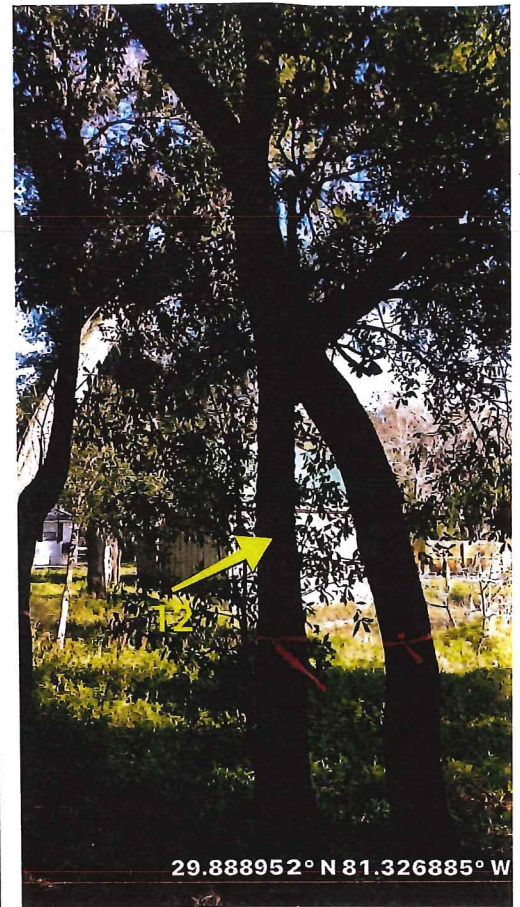
Michael Guillotte
Michael@Treecofl.com
ISA Certified Arborist
Tree Risk Assessment Qualified
FL-9471A

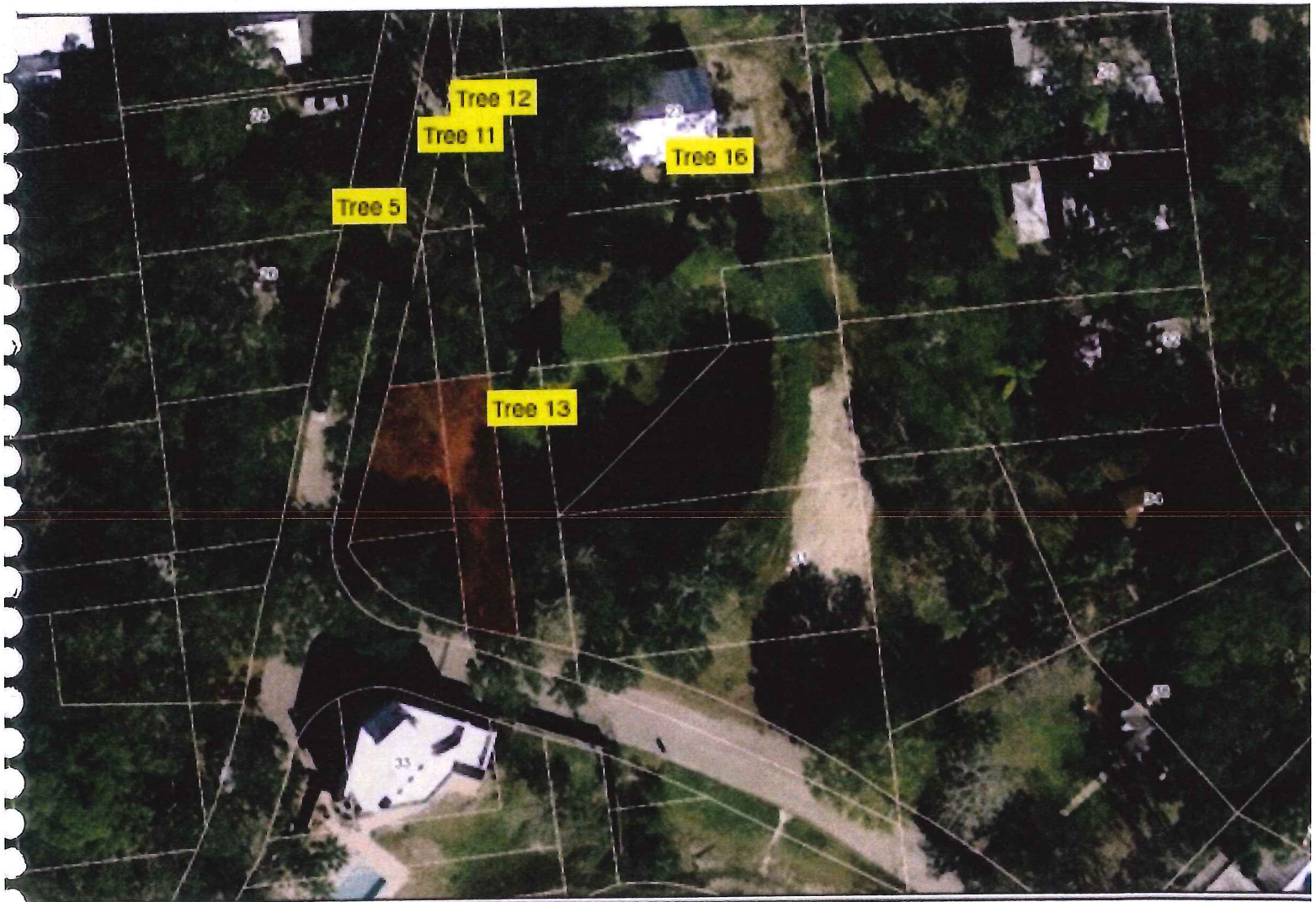
TREECO

4720 Salisbury Rd. Jacksonville, FL 32256 | 126 S. Prairie Lakes Dr. St. Augustine, FL 32084
Phone: 904-810-1033 • TreeCoFL.com

Tree Survey Parcel # 1199200250

SPECIES	DBH	HEALTH	REMOVE/RETAIN	REASON FOR REMOVAL
Tree # 1 Laurel Oak	10 Inches	Good	Retain	
Tree # 2 Laurel Oak	17 Inches	Good	Retain	
Tree # 3 Laurel Oak	12 Inches	Good	Retain	
Tree # 4 Cabbage Palm	16 Inches	Good	Retain	
Tree # 5 Cabbage Palm	14 Inches	Good	Remove	Within Footer
Tree # 6 Laurel Oak	15 Inches	Poor	Retain	
Tree # 7 Cabbage Palm	15 Inches	Good	Retain	
Tree # 8 Live Oak	24 Inches	Good	Retain	
Tree # 9 Cabbage Palm	20 Inches	Good	Retain	
Tree # 10 Cabbage Palm	15 Inches	Good	Retain	
Tree # 11 Live Oak	9 Inches	Good	Remove	Within Footer
Tree # 12 Laurel Oak	9 Inches	Good	Remove	Within Footer
Tree # 13 Live Oak	21 Inches	Good	Retain	
Tree # 14 Live Oak	8 Inches	Good	Remove	Within Footer
Tree # 15 Laurel Oak	11 Inches	Poor	Retain	
Tree # 16 Live Oak	22 Inches	Good	Remove	Within Footer
Tree # 17 Live Oak	18 Inches	Good	Retain	
Tree # 18 Laurel Oak	27 Inches	Good	Retain	
Tree # 19 Hackberry	19 Inches	Good	Retain	

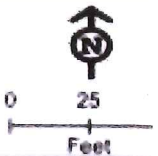




Consistent with St. Johns County's Map
AIR
This is for reference use only. Data
is derived from multiple sources with
varying degrees of accuracy. The St. Johns County
assesses all responsibility for the
completeness of the data shown herein.
3/4/2019

Parcel ID: 1199200250

Lot 27 25 & 26



Explanation of Impacts – Chapter 11 Conservation Zone Development

Parcel ID: 119200250

Applications for development in any of the Conservation Overlay Zones shall be evaluated according to the following criteria:

- (1) Site specific conditions – **Vacant lot is located on the South end of Davis St. Buildable area is minimal. Lot area 6,273sf, proposed building area 1821sf, proposed lot coverage 29%, total impervious ratio 33%**
- (2) The relationship of the site to adjacent properties, bodies of water and surrounding conservation zones – **Site is bordered to the North by 23 Davis St and to the South by Parcel ID 1199200270 (owned by same property owner). On the East portion of the property is an existing manmade lake.**
- (3) Natural and proposed drainage patterns – **Proposed home is to be constructed using piers. The off-grade home will allow natural drainage of the site.**
- (4) Effect of point and nonpoint discharge in the marine environment - **None**
- (5) Proposed soil stabilization and erosion control methods – **Will be provided during construction within the plans.**
- (6) Impact on floodplain – **Off-grade home that will not affect the floodplain as the home is to be built on piers.**
- (7) Impact of development on vegetative and animal communities – **No impact is foreseen or expected**
- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials – **N/A**
- (9) Effect of shade on vegetation and shellfish – **N/A**
- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion – **N/A**

- (11) Impact of development on shoreline by linear feet and percent of site – **N/A**
- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site – **No scenic opportunities or vistas will be impacted**
- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes – **Intent is to maintain as much existing natural plants and vegetation**
- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site – **Negligible impact on plant and animal habitat. Lot area 6,273sf, proposed building area 1821sf, proposed lot coverage 29%.**
- (15) Impact of development on water quality – **Negligible impact, off grade home, city water and septic**
- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl – **N/A**
- (17) The City shall pursue no net loss in wetlands by both amount and type of community – **N/A**

Detailed Analysis - Proposed Tree Removal
per Chapter 25, landscape code

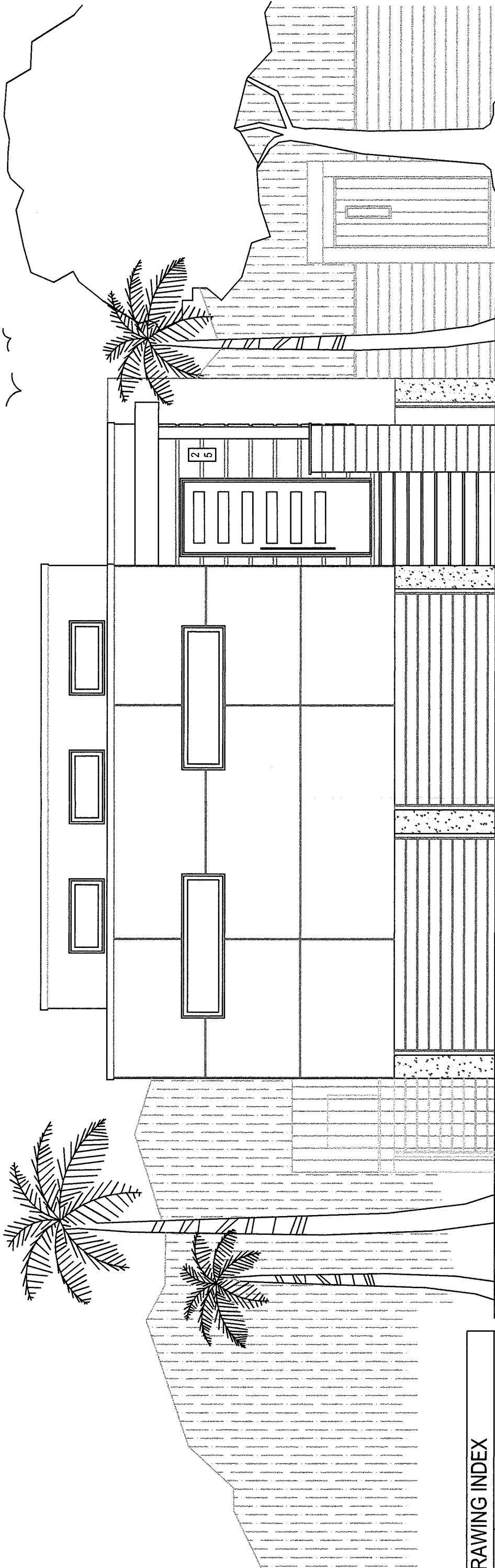
Parcel ID: 119200250

TREE TABLE: BASED ON C.O.S.A. LANDSCAPE CODE				
TREE NUMBER	TREE TYPE	REMOVE/RETAIN	CREDITS	DEBITS
T1	10" LAUREL OAK	RETAIN	2	
T2	17" LAUREL OAK	RETAIN	3	
T3	12" LAUREL OAK	RETAIN	3	
T4	16" CABBAGE PALM	RETAIN	3	
T5	14" CABBAGE PALM	REMOVE		2.5
T6	15" LAUREL OAK	RETAIN	3	
T7	15" CABBAGE PALM	RETAIN	3	
T8	24" LIVE OAK	RETAIN	4	
T9	20" CABBAGE PALM	RETAIN	4	
T10	15" CABBAGE PALM	RETAIN	3	
T11	9" LIVE OAK	REMOVE		1
T12	9" LAUREL OAK	REMOVE		1
T13	21" LIVE OAK	RETAIN	4	
T14	8" LIVE OAK	REMOVE		1
T15	11" LAUREL OAK	RETAIN	2	
T16	22" LIVE OAK	REMOVE		2
T17	18" LIVE OAK	RETAIN	3	
T18	27" LAUREL OAK	RETAIN	4	
T19	19" HACKBERRY	RETAIN	3	
TOTAL TREE CREDITS			44	
TOTAL TREE DEBITS				8.5
			44 - 8.5 = 35.5+	

Attachment 4

Site & Tree Removal Plan

Residential for **Eric** **Piars**



DRAWING INDEX	
DWG.#	DESCRIPTION
ARCHITECTURAL	
A-1	SITE PLAN
A-2	FLOOR PLAN
A-3	ROOF PLAN
A-4	ELEVATIONS
A-5	ELEVATIONS
A-6	FOUNDATION PLAN
A-7	BUILDING SECTION
A-8	BUILDING SECTION
A-9	BUILDING SECTION
A-10	ELECTRICAL PLAN
ENGINEERING	

LOT 25 DAVIS STREET
ST. AUGUSTINE, FLORIDA 32084

COPYRIGHT
HOUSE
BLACK BOX DESIGN INC.
TAMPA, FLORIDA

Surveyor's Standard Notes

- 1) Legal Description has been Furnished or Confirmed by Client or by His/Her Agents.
- 2) Lands shown hereon were not independently abstracted for Post-Plat Rights-of-way, Easements, etc.
- 3) Measurements shown hereon are in accordance with US Standard Feet.
- 4) Bearings shown hereon based on Reference Bearing Line as indicated on Sheet 2 of 2.
- 5) Contiguous lots lie in same block, unit, phase, section, etc unless noted.
- 6) Type of Survey: BOUNDARY with Improvements.
- 7) Stated Legal Purpose of Survey: Acquisition\Sale\Mortgage\Permits\Planning.
- 8) This Survey is not Intended to Locate any subsurface improvements, foundations etc.
- 9) This Survey is Not Intended to Reflect or Determine Ownership.
- 10) This Survey is NOT Insured for Multiple uses. Fiduciary and all other obligations are limited to the Certifyees listed above/right utilizing survey for purposes in item 7 above.
- 11) Construct Improvements to Iron Markers as Described Only.
- 12) All Above-ground Evidences of Utilities lie Within their respective easements unless noted.
- 13) Any conflicting uses onto or from easements are listed as POI's on Sheet 2.
- 14) Fences and Driveways though properly permitted, are common POI's
- 15) boundary dimensions shown hereon are field measured and are in agreement with the plat and/or legal description unless noted.
- 16) Streets shown hereon are centered +\ - in their respective right-of-way unless noted.
- 17) Elevations, if shown, are based on North American Vertical Datum of 1988.
- 18) State Plane Coordinates, if shown, based on the North American Datum of 1983, Florida East Zone. (1990)
- 19) Some features' (especially fences) relationship to adjacent property line (s) may be graphically exaggerated as thickly depicted property line would obscure otherwise. Dimension listed always overrides graphic depiction.
- 20) Water Lines Shown are to current waters edge at time of survey. This line is NOT a "Mean High Water Line" as per Chapter 177.39, F.A.C. or other applicable rules.
- Fences' Dimensions at corners, particularly Wood or PVC construction are labeled to closest side TO or ON Subject Tract
- Property as required by law, though at average 6" Wide Fence (including posts, stringers etc) the "PROPERTY LINE" many times lies between the face and post side making the fence legally and physically "on line".
- Fences' Dimensions at corners, particularly Wood or PVC construction are labeled to closest side TO or ON Subject Tract

Reproductions of this Sketch are not valid unless Sealed with Florida PSM embossed seal.

THE SKETCH OF SURVEY DEPICTED HEREON CONFORMS TO THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS IN ACCORDANCE WITH CHAPTER 54-17.050-17.053, PURSUANT TO CHAPTER 472, FLORIDA STATUTES, AND WAS DONE UNDER DIRECT SUPERVISION.



This Survey is NOT for Multiple uses. Fiduciary obligations limited to Certifyees above using Survey for purposes listed in item 7 Above.

©COPYRIGHT PROTECTED
DO NOT COPY OR REPRODUCE WITHOUT PERMISSION

Date of Field Survey: 12/10/2018

Survey Certifications:

Eric J. Piar

LOT 25
Davis Street, St. Augustine, FL 32084

Legal Description:

LEGAL DESCRIPTION:

LOT 25 AND PART OF LOT 26, BRAVO PARK, ACCORDING TO PLAT THEREOF RECORDED IN MAP BOOK 1, PAGE 43 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.
TOGETHER WITH: A PORTION OF A 35 FOOT RIGHT OF WAY VACATED BY CITY OF ST. AUGUSTINE IN ORDINANCE NO. 2004--03, OFFICIAL RECORDS BOOK 2144, PAGE 1660, EXCLUDING THE LAND GRANTED TO THE CITY OF ST. AUGUSTINE BY QUIT CLAIM DEED IN OFFICIAL RECORDS BOOK 2129, PAGE 13.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 19 OF BRAVO PARK IN NEW AUGUSTINE ACCORDING TO PLAT RECORDED IN DEED BOOK "NN", PAGE 614, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE N 81°08'43" E, A DISTANCE OF 99.78 FEET TO THE EAST LINE OF LOT 19; THENCE S 07°06'40" E ALONG EAST LINE OF LOTS 19, 21, AND 23 A DISTANCE OF 152.75 FEET TO A POINT ON THE NORTH LINE OF LOT 25 AND THE POINT OF BEGINNING: THENCE CONTINUE S 07°06'40" E ALONG EAST LINE OF LOT 25, A DISTANCE OF 24.44 FEET; THENCE S 82°43'35" W, A DISTANCE OF 37.01 FEET; THENCE S 07°13'35" E, A DISTANCE OF 25.56' TO A POINT ON THE SOUTH LINE OF LOT 25; THENCE S 82°43'35" W ALONG THE SOUTH LINE OF LOT 25, A DISTANCE OF 115.63 FEET TO A POINT ON A CURVE TO THE LEFT ON THE EAST RIGHT-OF-WAY LINE OF DAVIS STREET, AS IT NOW EXISTS; THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1661.46 FEET, A CENTRAL ANGLE OF 01°49'51", AN ARC LENGTH OF 53.09 FEET, A CHORD BEARING OF N 12°22'08" E, AND A CHORD LENGTH OF 53.09 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF LOT 25; THENCE N 82°43'35"E ALONG THE NORTH LINE OF LOT 25, A DISTANCE OF 134.88 FEET TO THE POINT OF BEGINNING. THE AFOREDESCRIBED PARCEL CONTAINS 6,234 SQUARE FEET, OR 0.143 ACRES MORE OR LESS.

IME CIVIL & SURVEYING, LLC

3000 N. Ponce De Leon Blvd, Suite 1
St. Augustine, Florida 32084
LB # 8139

SURVEYING

Contact:

Brandon D. Shugart, PSM

904.460.5475

surveying@imecivil.com

Drawing\Job # 011318.1-25.dwg

Legend and Abbreviations:

- AC = Acres
- BLDG = Building
- BRL = Building Restriction Line
- CM = Concrete Monument
- CONC = Concrete
- DB = Deed Book
- EC = Edge of Concrete
- EP = Edge of Asphalt/Pavement
- ESMT = Easement
- FT. = Feet
- FIP = Found Iron Pipe (Size Delineated)
- FIR = Found Iron Rod (Size Delineated)
- LS = Licensed Surveyor
- not = not to scale
- now = now or formerly (owned by)
- OHW = Overhead Wire/Line
- ORB = Official Records Book
- ORV = Official Records Volume
- PC = Point Of Curvature
- PCpt = Permanent Control Point
- Pg = Page
- PI = Point Of Intersection
- PK = Parker-Kalon or Mag Nail
- POB = Point Of Beginning
- POC = Point Of Commencement
- POI = Point of Interest
- PRC = Point of Reverse Curvature
- PRM = Permanent Reference Monument
- PT = Point Of Tangency
- RBL = Reference Bearing Line
- R/W = Right-of-Way Line
- SIP = Set Iron Pipe (Size Delineated)
- SIR = Set Iron Rod (Size Delineated)
- SQ. = Square
- STY = Story
- S = Section
- T = Township
- R = Range
- Sanitary Manhole
- Cable Box TV
- Power Pole
- Guy Anchor (If Dimensioned- Dimension to Ground Entry Point- Underground Extent not Determined)
- Water Meter
- X Cut in Concrete Found FOUND NAIL/DISC #7111
- SET PK/DISC #4889
- FOUND CONCRETE MONUMENT AS DESCRIBED
- SET CONCRETE MONUMENT # 4889
- PRM/BLOCK CORNER FOUND UNNUMBERED 1/2" IRON PIPE
- FOUND 5/8" IRON PROPERTY MARKER #7111
- SET 1/2" IRON ROD #8139 AT PROPERTY CORNER (unless noted otherwise)
- CHAIN LINK FENCE
- WOOD FENCE
- Delta or Central Angle
- Radius
- Chord Bearing & Distance
- Arc Length
- Plat Call
- Field Measured Value
- Calculated Value
- Deed Call
- Record Value
- Identification
- Iron Pipe
- Iron Rod
- Licensed Survey Business
- Licensed Surveyor
- Registered Licensed Surveyor
- Professional Licensed Surveyor
- Professional Surveyor & Mapper
- Fire Hydrant
- Sanitary Sewer Manhole
- Stormwater Drainage Manhole
- JEA Manhole
- JEA
- Clay County Electric Cooperative
- Clay Utility Authority
- City of Jacksonville
- Florida Power
- Florida Power & Light
- Jacksonville Electric Authority
- Okefenokee Rural Electric Cooperative
- Florida Administrative Code
- Face side of Wood Fence
- Post Side of Wood Fence
- WELL
- Wetland Flag

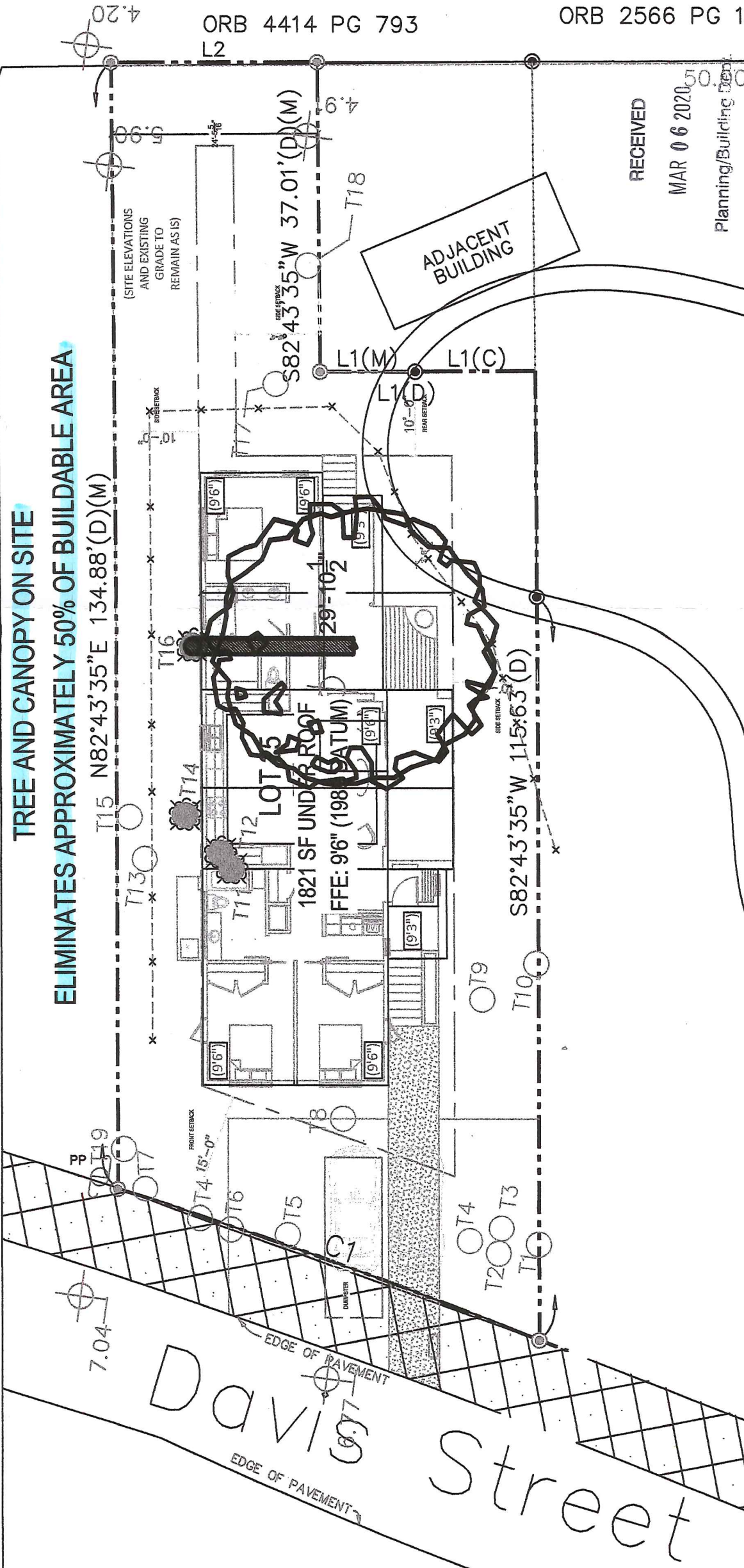
Drawn by TB

Sheet 1 of 2

Attachment 5

Updated Site Plan and Site Photos – March 6, 2020

TREE AND CANOPY ON SITE
ELIMINATES APPROXIMATELY 50% OF BUILDABLE AREA



REVISIONS	
DATE:	NO. BY:

Eric Piard
New Residence for
Lot 25 Davis Street
St Augustine, FL 32084

BLACK BOX DESIGN
(904) 217-9977
SUSTAINABLE BUILDING DESIGN - PROJECT PLANNING - PROTOTYPE DEVELOPMENT
1 Ponce de Leon Ave - St Augustine - Florida - 32080

DATE:	3/6/20
DRN BY:	RKB
CHECKED BY:	RKB
PROJ. NO.	030702
SHEET NUMBER	A-1.1

Square Footage	
Proposed New sf Under Roof	1821
Total CONDITIONED Under Roof	1185
Lot Area	6,273 SF
Building Area	1821
Lot Coverage	29%
Total Impervious*	33%
DRAINAGE TYPE B	

-NO PUBLIC SIDEWALKS EXIST IN THIS AREA
-A MINIMUM 1% SLOPE SHALL BE PROVIDED PER SECTION 6.04.06.H OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE.
-EROSION CONTROL MEASURES (IE SILT FENCE) SHALL BE USED AROUND PROPERTY BOUNDARY TO PREVENT IMPACT ON ADJACENT PROPERTIES.
-SETBACKS MEASURED TO FURTHEST PROJECTION 30" OR MORE ABOVE LOWEST ESTABLISHED GRADE.

TREE CALCULATIONS:	
EXISTING TREES TO REMAIN:	SIZE (")
SEE TREE TABLE BELOW	240"
TREES TO BE REMOVED	14"
CABBAGE PALM	9"
LIVE OAK	9"
LAUREL OAK	8"
LIVE OAK	22"
TOTAL (") TO BE REMOVED	62"
CANOPY COVERAGE:	
-EXISTING (PRE-DEVELOPMENT)	
CANOPY IS 70%	
-POST DEVELOPMENT IS 60%	
85% OF ON-SITE TREES TO REMAIN AS PER C.O.S.A. CRITERIA	

LEGEND

- = CONTOURS
- x- = SILT FENCE
- x- = DRAINAGE DIRECTION
- = LOT LINES
- = SETBACKS
- = EXISTING SITE ELEVATIONS
- (11) = PROPOSED SITE ELEVATIONS
- (12) = PROPOSED BUILDING CORNERS
- = REPRESENTS TREES TO BE REMOVED

10.2

TREE TABLE: BASED ON C.O.S.A. LANDSCAPE CODE			
TREE NUMBER	TREE TYPE	REMOVE/RETAIN	CREDITS DEBITS
T1	10" LAUREL OAK	RETAIN	2
T2	17" LAUREL OAK	RETAIN	3
T3	12" LAUREL OAK	RETAIN	3
T4	16" CABBAGE PALM	RETAIN	3
T5	14" CABBAGE PALM	REMOVE	2.5
T6	15" LAUREL OAK	RETAIN	3
T7	15" CABBAGE PALM	RETAIN	3
T8	24" LIVE OAK	RETAIN	4
T9	20" CABBAGE PALM	RETAIN	4
T10	15" CABBAGE PALM	RETAIN	3
T11	9" LIVE OAK	REMOVE	1
T12	9" LAUREL OAK	REMOVE	1
T13	21" LIVE OAK	RETAIN	4
T14	8" LIVE OAK	REMOVE	1
T15	11" LAUREL OAK	RETAIN	2
T16	22" LIVE OAK	REMOVE	2
T17	18" LIVE OAK	RETAIN	3
T18	27" LAUREL OAK	RETAIN	4
T19	19" HACKBERRY	RETAIN	3
TOTAL TREE CREDITS		44	8.5
TOTAL TREE DEBITS		44	8.5
		44 - 8.5 = 35.5+	



BUILDING RELATIONSHIP W/ TREE
AS PLANNED



BUILDING RELATIONSHIP W/ TREE
IF MOVED 5' SOUTHWARD



SUBJECT TREE IN RELATION TO
ADJACENT BUILDING



SUBJECT TREE IN RELATION TO DAVIS STREET

RECEIVED
MAR 06 2021
Planning/Building Dept.

- 1) TREE ORIENTATION (LEANING SOUTHWARD) AND CANOPY SIZE OVER ENTIRE BUILDING AREA MAKE BUILDING UNINSURABLE. THIS INCLUDES MOVING BUILDING SOUTHWARD ANY DISTANCE ON SITE. AS "ALL LIMBS MUST BE CUT FROM ABOVE HOUSE IN ORDER FOR HOME TO BE INSURED". IN THIS CASE, THIS MEANS VIRTUALLY THE ENTIRE TREE.

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 7, 2020 (continued June 2, 2020)

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT #2020-0035**

AGENDA ITEM 5(b)

APPLICANT Herbert Vandermark
c/o Yelton Construction

OWNER Alan Stevenson

LOCATION 34 N. St. Augustine Blvd. / PIN 213510-0000

REQUEST To approve a five-foot (5') by one hundred twenty-foot (120') dock with a twelve-foot (12') by twenty-foot (20') terminal platform with two (2) associated boat lifts.

PLANS DATED February 12, 2020 rev. June 23, 2020

LAND USE Residential Low Density
ZONING Residential Single Family-One (RS-1)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

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

CCM Objective 7

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

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

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

Sec. 11-26. - Purpose and intent.

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

Sec. 11-28. Issuance of building permits.

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

Sec. 11-29. Standards for review.

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

STAFF SUMMARY AND ANALYSIS

This proposed five-foot (5') by one hundred twenty-foot (120') dock with a twelve-foot (12') by twenty foot (20') terminal platform with two (2) associated boat lifts (one will be a dual jet ski lift, the other for a boat). The configuration of the proposed dock has not changed, however, the location of the two lifts have switched, with the jet ski lift proposed on the southern side of the dock and the boat lift on the north side of the dock (previous version was reversed). See attachment 2 graphics for details for the request.

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

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

- (1) Site specific conditions:

The site is currently vacant with an existing bulkhead.

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

Other neighboring sites have docks and platforms with boat lift.

- (3) Natural and proposed drainage patterns.

Patterns aren't expected to change since improvements are over the water.

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

Only potential effects would be from the use and storage of motorized vessels already experienced in the immediate and general area.

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

N/A

- (6) Impact on floodplain.

N/A

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

It would be a minimal impact towards these communities apart from disturbance during the construction process.

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

N/A

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

It should be minimal in nature given the dimensions of the existing dock.

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

No additional effect since this proposal is similar to other residential docks in the area.

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

It would be limited to the five-foot-wide dock attached to the existing bulkhead. The proposed dock width of 5' accounts for approximately 1.6% of the existing improved shoreline.

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

Minimal, due to multiple existing docks in the area, including to the north and south. This dock is proposed at a length that is generally consistent with the length of nearby docks, the closest dock to the north is approximately 140' in total overall length, which exceeds the proposed overall length of 132' for this dock and platform.

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

N/A

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

Minimal, if any.

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

N/A

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

Minor impacts from the placement of pilings.

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

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

The proposed dock, platform and lifts meet all standards set forth in LDC Sec. 11-29. The overall height of the dock does not exceed 6 feet above the mean highwater line. The proposed boat lifts will be rated at a maximum 12,000 pounds and will be low-profile. This request was continued at the June PZB hearing with the request to provide improved graphics of the proposed dock in relation to other docks and properties in the area, as well as providing the depth of the water along the proposed dock as a justification of the placement of the lifts. This supplementary information is provided under attachment 3.

The dock as proposed cannot be constructed until there is a permitted single-family home for the lot; if approved, this would be for the design and configuration of the dock only.

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** the construction of a five-foot (5') by one hundred twenty-foot (120') dock with a twelve-foot (12') by twenty foot (20') terminal platform with two (2) associated boat lifts within Conservation Overlay Zone 1 located at 34 N. St. Augustine Blvd. / PIN 213510-0000.

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

Attachments

Attachment 1 – Application & Property Record Card

Attachment 2 – Conservation Overlay Zone Narrative & Graphics

Attachment 3 - Supplemental information requested at the June 2, 2020 Hearing.

Patrick Doty, CFM
Senior Development Review Planner
Planning & Building Department

Attachment 1

Application & Property Record Card



CITY OF ST AUGUSTINE

APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: _____ (plus advertising costs) Project Number: _____

Receipt Number: _____ Meeting Date: _____

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

1. NAME OF APPLICANT: Herbert Vandermark Contact Number: 904-819-9141
 Business (if applicable): Yelton Construction Company, Inc.
 Address: 2435. Dobbs Rd. Ste. A. City: St. Augustine State: FL Zip: 32080

2. NAME OF PROPERTY OWNER: Alon Steinhilber Contact Number: 904-826-7242
 Business (if applicable): Sta. Beech Investments LLC. 100%
 Address: 590 AIA Beach Blvd City: St. Augustine State: FL Zip: 32080

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
 Lot: 15 + 13 Block: 1 + 6
 Subdivision: Davis Shores Oceanview select Parcel Number: 2135100000

4. PROJECT STREET ADDRESS: 34 N. St. Augustine Blvd. St. Augustine, FL 32080

5. SPECIFIC PROPOSED USE: S/F Private Dock

6. ACTION REQUESTED:

- ☐ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☒ Other: S/F Private Dock

7. DESCRIPTION OF ACTION REQUESTED: Construct a S/F Private Dock totaling 1,368 sq ft +
(2) two docked lifts, 5' x 120' walkway, 12' x 20' terminal end + 12' x 12' + 12' x 32'
docked lifts.

8. JUSTIFICATION FOR ACTION REQUESTED: S/F Private Dock

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: N/A.
- (b) Can you establish that this disadvantage is not due to the owner's actions?
Please explain fully: N/A.
- (c) Can you establish that this disadvantage prevents reasonable use of the property?
Please explain fully: N/A.
- (d) If granted, will the variance adversely affect other property in the area:
Please explain fully: NO.
- (e) If granted, can you establish that the variance will be in harmony with the intent and purpose of the code? Please explain fully: YES.

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

Signature of Applicant

Date

2/26/20.

Signature of Property Owner

Date

2-20-20

10/31/17



**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.

Herbert Vandermark
Print name of applicant

[Signature]
Signature of applicant

2/26/20
Date

Tax Bill

My Tax Bill

Estimate Taxes

Tax Estimator

2019 TRIM Notice

2019 TRIM Notice

2018 TRIM Notice

2018 TRIM Notice

Summary

Parcel ID	2135100000
Location Address	34 N ST AUGUSTINE BLVD SAINT AUGUSTINE 32080-0000
Neighborhood	Davis Shores (ICWFR) (590.05)
Tax Description*	OR4832/556 3-97 DAVIS SHORES LOT 15 BLK 1 & LOT 13 BLK 6 AVISTA SUB OF DAVIS SHORES MB7/7 *The Description above is not to be used on legal documents.
Property Use Code	Vacant Residential (0000)
Subdivision	Davis Shores Ocean View Section
Sec/Twp/Rng	17-7-30
District	City of St Augustine (District 452)
Millage Rate	20.0503
Acreage	0.420
Homestead	N

Owner Information

Owner Name	Sta Beach Investments LLC 100%
Mailing Address	580 A1A BEACH BLVD SAINT AUGUSTINE, FL 32080-0000

Map



Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$14,776
Total Land Value	\$781,200
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$795,976
Total Deferred	\$0
Assessed Value	\$795,976
Total Exemptions	\$0
Taxable Value	\$795,976

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2019	\$0	\$15,922	\$781,200	\$0	\$0	\$797,122	\$797,122	\$0	\$797,122
2018	\$0	\$15,977	\$781,200	\$0	\$0	\$797,177	\$797,177	\$0	\$797,177
2017	\$146,546	\$16,032	\$781,200	\$0	\$0	\$943,778	\$761,480	\$232,298	\$711,480
2016	\$278,287	\$14,776	\$781,200	\$0	\$0	\$1,074,263	\$856,793	\$267,470	\$806,793
2015	\$226,976	\$14,776	\$781,200	\$0	\$0	\$1,022,952	\$850,837	\$222,115	\$800,837
2014	\$216,434	\$14,776	\$781,200	\$0	\$0	\$1,012,410	\$844,084	\$218,326	\$794,084
2013	\$222,056	\$14,776	\$781,200	\$0	\$0	\$1,018,032	\$831,610	\$236,422	\$781,610
2012	\$204,433	\$14,776	\$598,500	\$0	\$0	\$817,709	\$817,709	\$50,000	\$767,709
2011	\$206,988	\$14,776	\$584,010	\$0	\$0	\$805,774	\$805,774	\$50,000	\$755,774
2010	\$172,850	\$14,776	\$648,900	\$0	\$0	\$836,526	\$836,526	\$50,000	\$786,526

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Bulkhead (Average)	0	0	0	0	1644

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	140	175	140	FF	\$781,200

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
11/15/2019	11/15/2019	\$1,200,000.00	WD	<u>4832</u>	<u>556</u>	Q	V	WHITMIRE LELAN F & MC CORKLE DENISE M(WIFE)	STA BEACH INVESTMENTS LLC
	2/27/2004	\$1,350,000.00	WD	<u>2148</u>	<u>1895</u>	Q	I	SCHNEIDER ELIZABETH M	WHITMIRE LELAN F & MC CORKLE DENISE M(WIFE)
	10/1/1990	\$0.00		<u>873</u>	<u>223</u>	U	I		SCHNEIDER FREDERICK E JR
	10/1/1990	\$435,000.00		<u>873</u>	<u>223</u>	Q	I		
	8/1/1988	\$0.00		<u>792</u>	<u>679</u>	U	I		
	8/1/1988	\$250,000.00		<u>791</u>	<u>246</u>	Q	I		

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

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

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

Last Data Upload: 2/14/2020, 11:18:25 PM

Developed by
 Schneider
 GEOSPATIAL

Version 2.3.40



Owner's Authorization For Agent

Herb Vandermark is/are hereby authorized TO ACT ON BEHALF
OF Man Stevenson, the owner(s) of those lands described within

☒ the attached application, or ☐ described within the previously filed

Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:

BY: [Signature]
Signature of Owner

Man Stevenson
Print Name of Owner

904-826-7242
Telephone Number

State of Florida

County of St. Johns

Signed and sworn before me on this 24th day of March, 2020.

By Alan Stevenson

Identification verified:

Oath sworn: ☒ Yes ☐ No

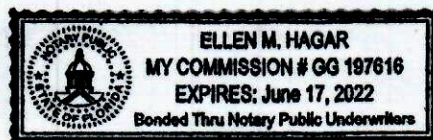
Notary Signature:

[Signature]

My Commission expires:

June 17, 2022

Rev:022117



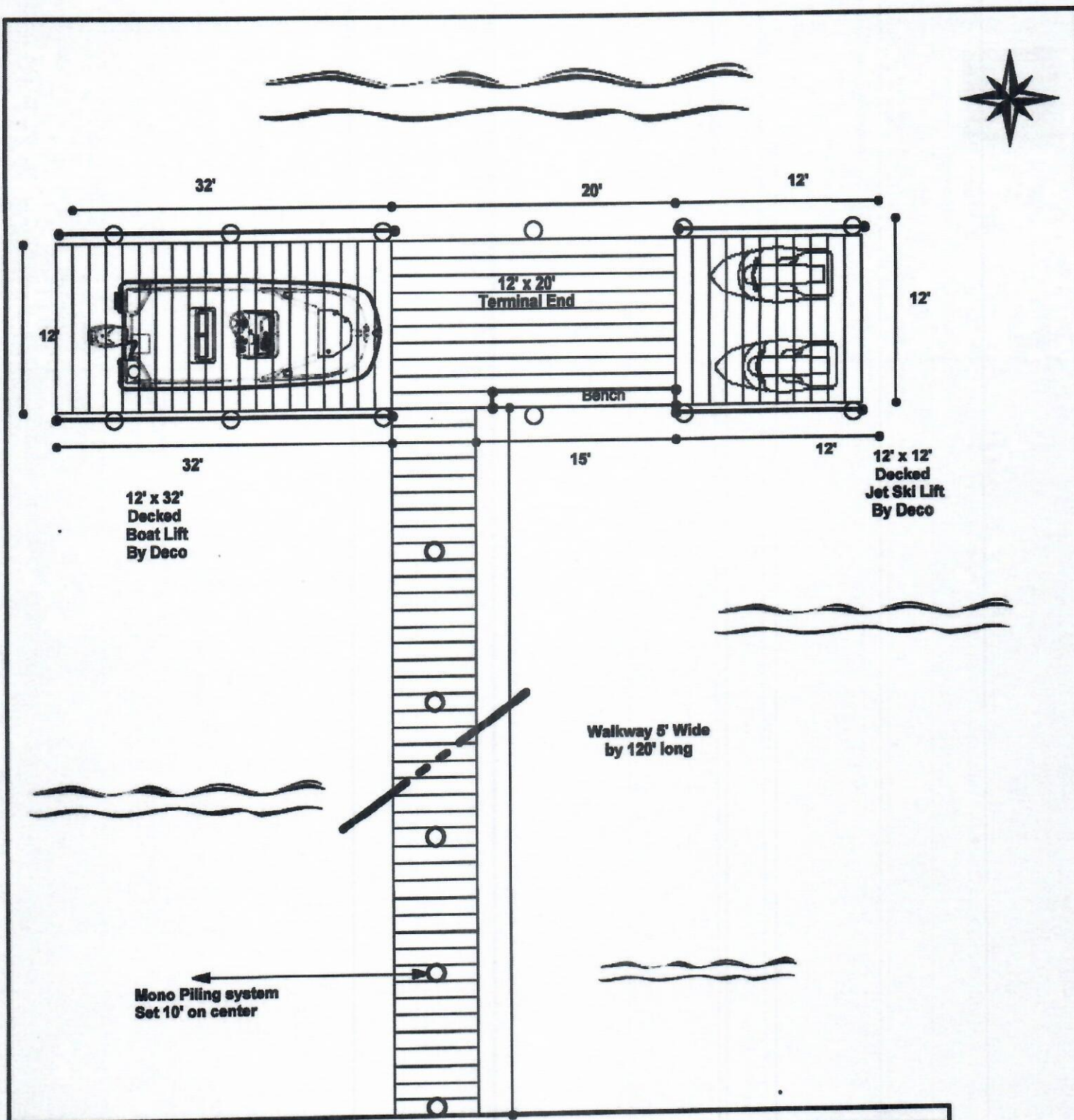
Personal Present

Attachment 2
Conservation Overlay Zone
Application Narrative & Graphics

Restoration plan(s) shall be developed to achieve the fifty (50) percent criteria. For those sites already disturbed. If altered shoreline is bulk-headed, softening of this hardened shoreline with riprap, environmentally engineered materials or other techniques to soften wave energies and promote vegetation is encouraged. Should a softening effort be employed, a reduction in the twenty-five (25) foot buffer may be permitted.

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

- (1) Site specific conditions. *All work to take place using barge / crane to construct s/f private dock.*
- (2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones. *N/A.*
- (3) Natural and proposed drainage patterns. *NONE.*
- (4) Effect of point and nonpoint discharge in the marine environment. *NONE. All materials discharge to remain in waterway.*
- (5) Proposed soil stabilization and erosion control methods. *NONE. No stabilization or erosion for s/f dock.*
- (6) Impact on floodplain. *NONE. All water to remain in intercoastal waterway.*
- (7) Impact of development on vegetative and animal communities. *N/A. No vegetation + / or animals present.*
- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials. *NONE.*
- (9) Effect of shade on vegetation and shellfish. *N/A. No vegetation or shellfish present.*
- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion. *N/A. All works via barge + turbidity curtains will be used if necessary. No shoreline erosions.*
- (11) Impact of development on shoreline by linear feet and percent of site. *NONE.*
- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site. *will be in compliance with city ordinance.*
- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes. *NONE.*
- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site. *NONE. No habitats present.*
- (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.) *All works to take place via barge / crane. All works to remain intercoastal waterway.*
- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl. *NONE. No present.*
- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or *single family private dock will be constructed in compliance with the city ordinance.*



32x12=384
 20x12=240
 12x12=144
 5x120=600
 Total 1,368 SQ. FT.

Yelton Construction Company, Inc.
 State Certified Building Contractor
CBC 1251736
 2435 Dobbs Rd. Ste. A
 St. Augustine, FL 32086
 Office (904) 819-9141 Fax (904) 819-9144

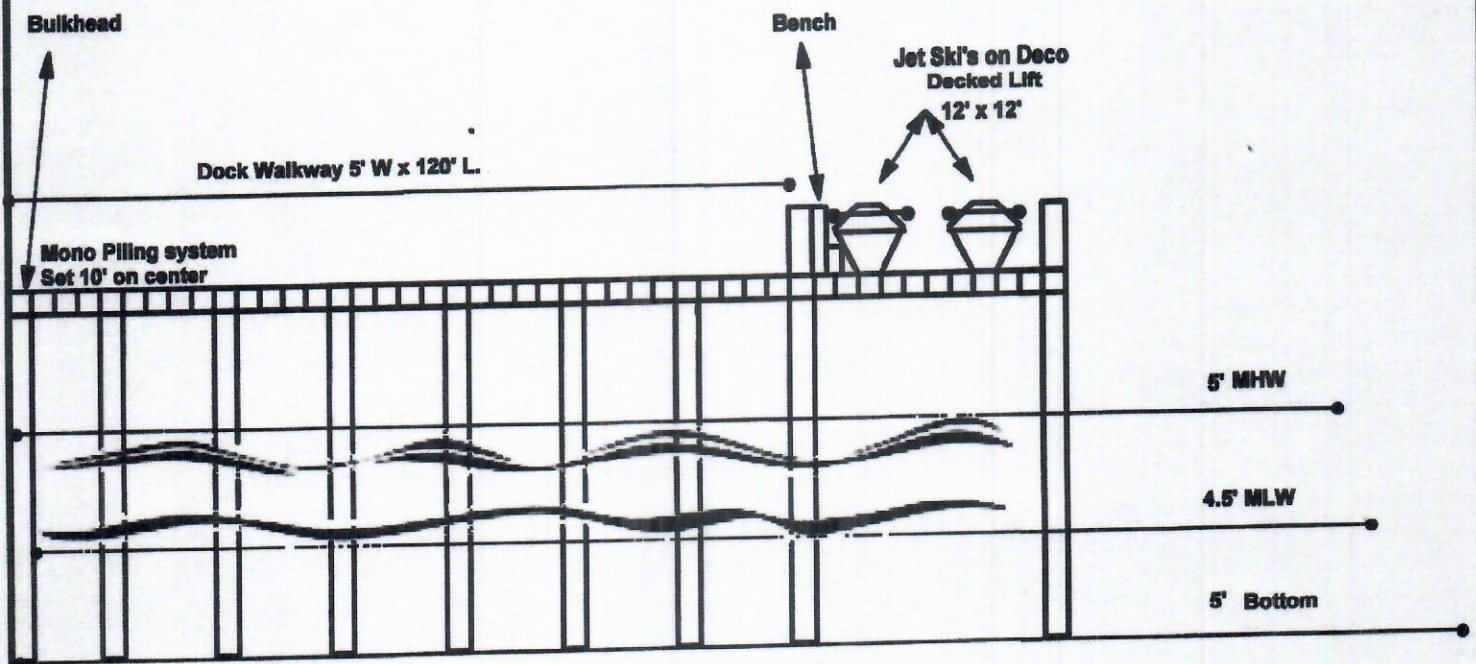
Plan View

Alan Stevenson
 34 N. St. Augustine Blvd.
 St. Augustine, FL 32080

JOB NO.: 20-014

Scale: Not to Scale

Date: 02/12/20



Yelton Construction Company, Inc.
State Certified Building Contractor
CBC 1251736
2435 Dobbs Rd. Ste. A
St. Augustine, FL 32086

Office (904) 819-9141 Fax (904) 819-9144

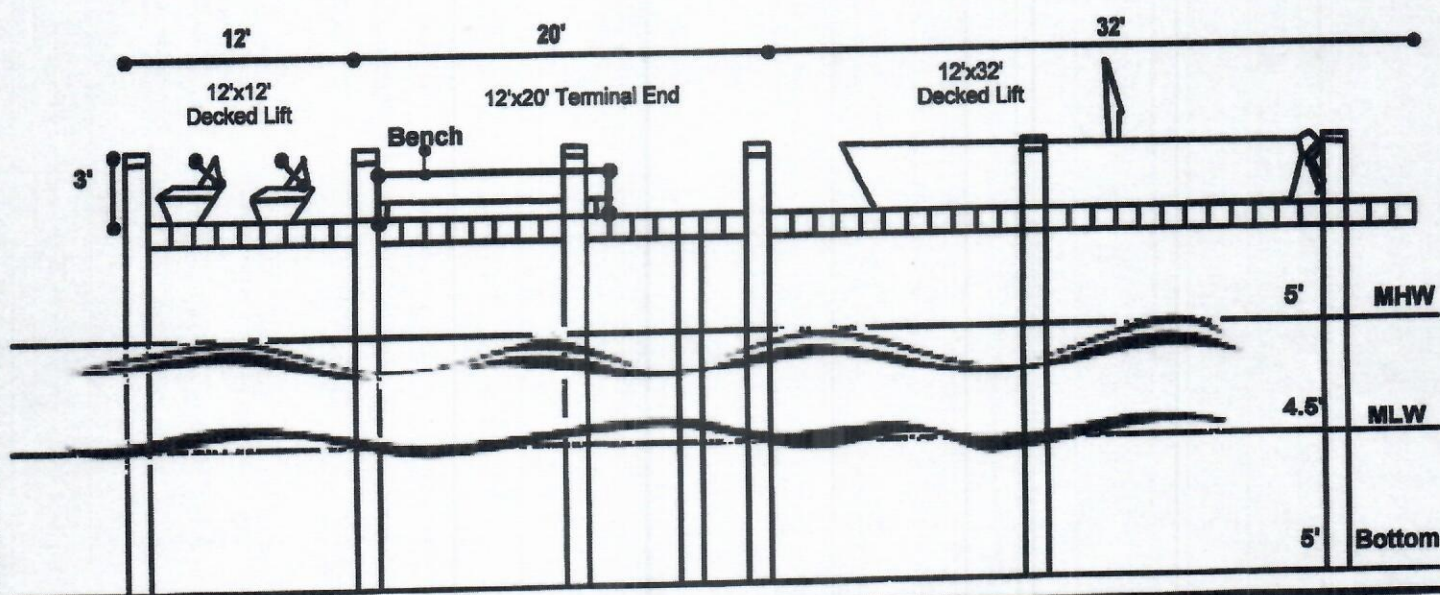
Profile View

Alan Stevenson
34 N. St. Augustine Blvd.
St. Augustine, FL 32080

JOB NO.: 20-014

Scale: Not to Scale

Date: 02/13/20



Yelton Construction Company, Inc.
State Certified Building Contractor
CBC 1251736



2435 Dobbs Rd. Ste. A
St. Augustine, FL 32086
Office (904) 819-9141 Fax (904) 819-9144

Cross Section

Alan Stevenson
34 N. St. Augustine Blvd.
St. Augustine, FL 32080

JOB NO.: 20-014

Scale: Not to Scale

Date: 02/13/20





34 N St Augustine Blvd

34 N St Augustine Blvd

Add to project

Camera: 307 m 29°53'45"N 81°18'15"W 15 m

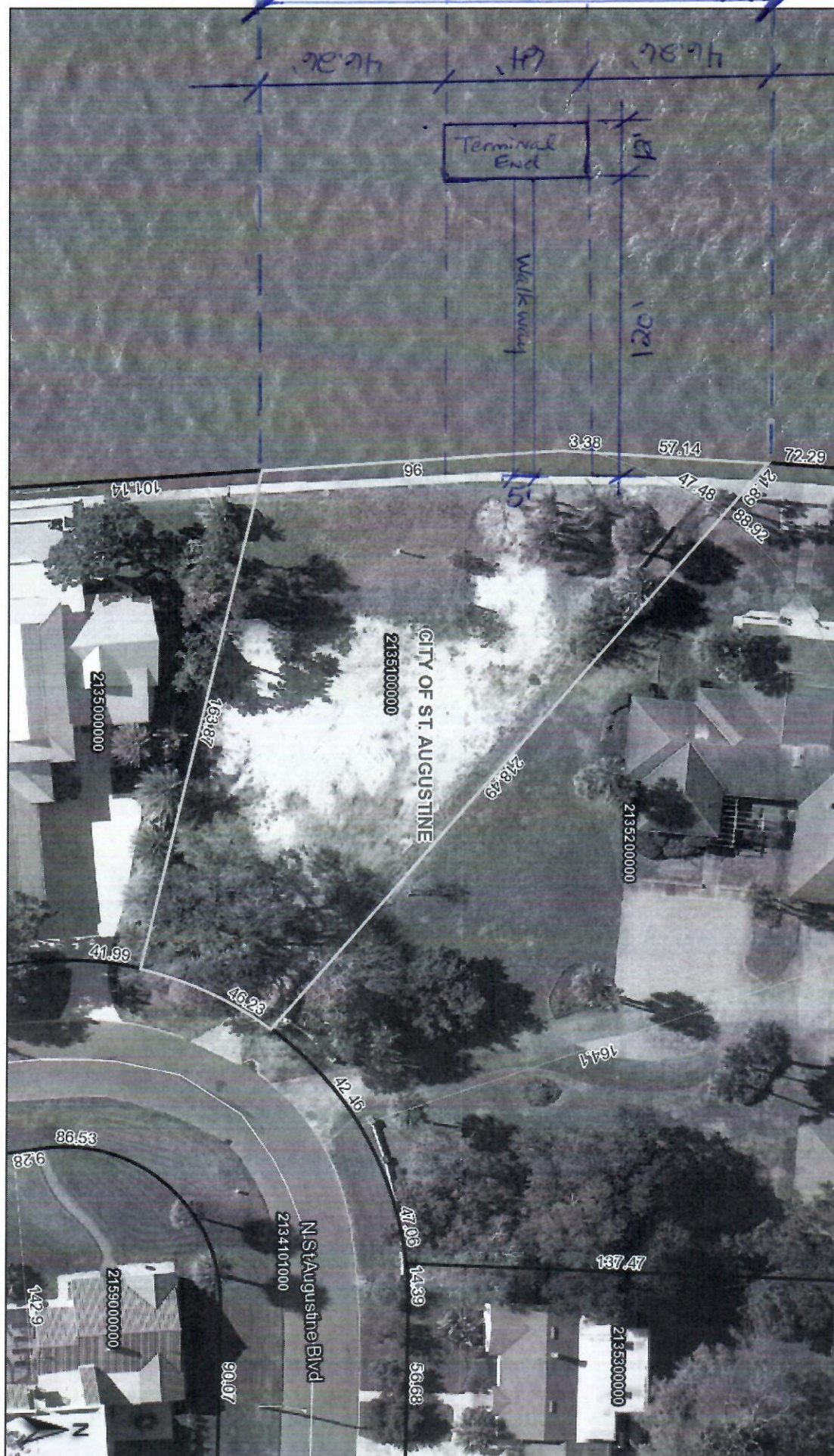


PROPERTY APPRAISER
Editor: [illegible]

St. Johns County, FL

ALAN STEVENSON

34 N ST. AUGUSTINE BLVD.



Attachment 3

Supplemental information requested at the June 2, 2020 Hearing

From: [Ellen Hagar](#)
To: [Patrick Doty](#)
Subject: Re: Agenda for July PZB
Date: Monday, June 22, 2020 4:38:28 PM
Attachments: [image001.jpg](#)

We have mirror imaged the dock, but the size and layout remains the same 32' on both sides for a total of 64'.

Water depths from the bulkhead measuring out:
at 120 feet there is 4' of water depth at low-tide.
at 132 feet there is 4' 9" of water depth at low-tide
at 142 feet there is 4' of water depth at low-tide
at 152 feet there is (drop of at the canal) over 6' at low-tide

On Mon, Jun 22, 2020 at 3:37 PM Patrick Doty <pdoty@citystaug.com> wrote:

Received. Just to be clear, there is no redesign of the dock layout?

And I will look for the water depth survey tomorrow.

Patrick Doty, CFM

Senior Planner

E: pdoty@citystaug.com | P: 904.209.4331 | W: www.CityStAug.com



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

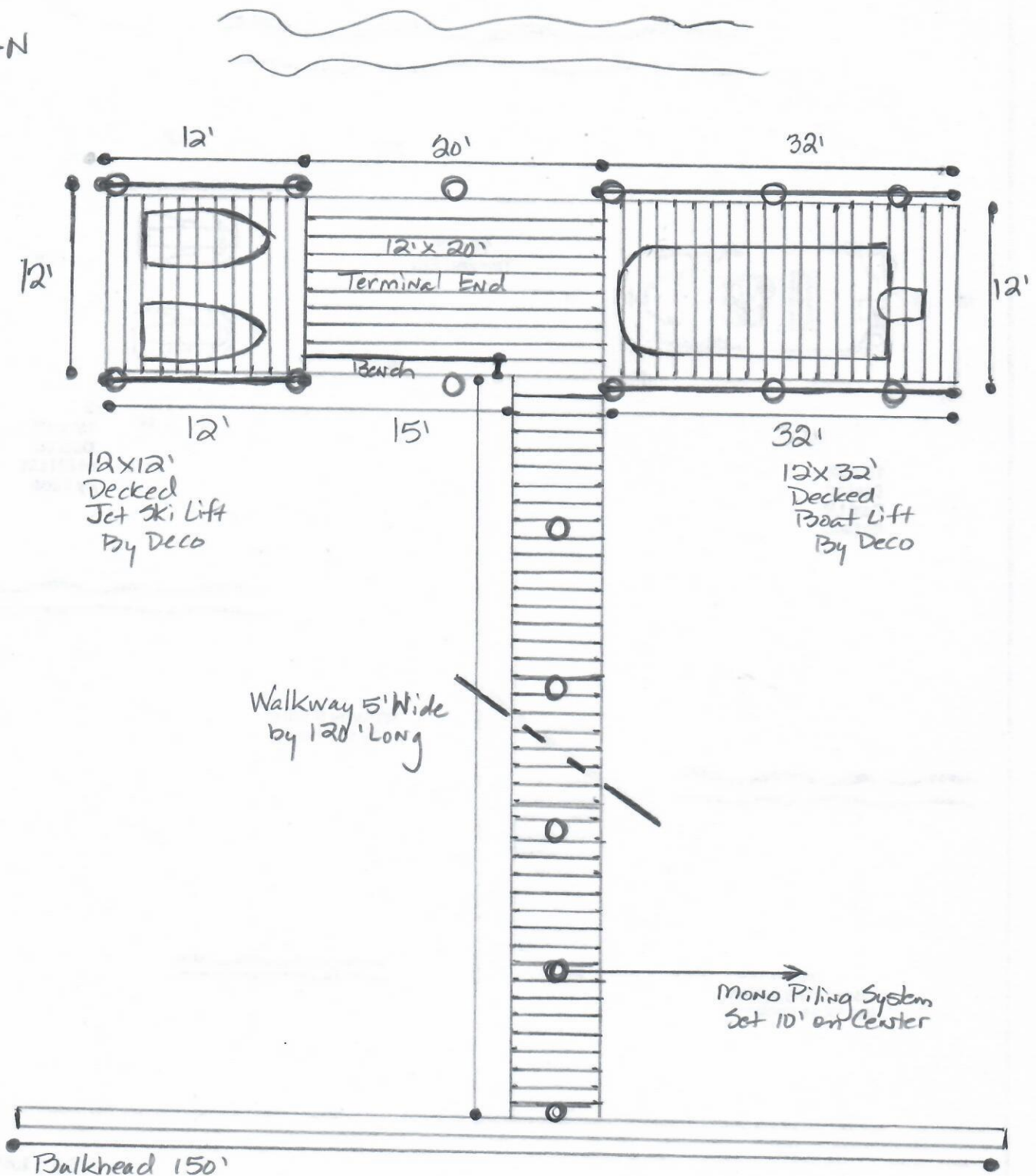
Please Note: Florida has a very broad Public Records Law. Unless specifically exempt by state law, written communications to city officials or staff regarding official city business are public records available to the public and media upon request. If your email communication is related to official government business, it may therefore be subject to public disclosure.

From: Ellen Hagar <office@yeltonconstruction.com>
Sent: Monday, June 22, 2020 3:27 PM
To: Patrick Doty <pdoty@citystaug.com>
Subject: Re: Agenda for July PZB

Attached please find the overlay views of the dock in comparison to the neighbors. Taylor and Herb will provide the water depth by the morning.

RECEIVED

By Patrick Doty at 12:50 pm, Jun 23, 2020



Yelton Construction Company, Inc.
State Certified Building Contractor
CBC 1251736

2435 Dobbs Rd. Ste. A
St. Augustine, FL 32086
Office (904) 819-9141 Fax (904) 819-9144

Plan View

Alan Stevenson
34 N. St. Augustine Blvd.
St. Augustine, FL 32080

JOB NO19

Scale: Not to Scale

Date: 02/12/20

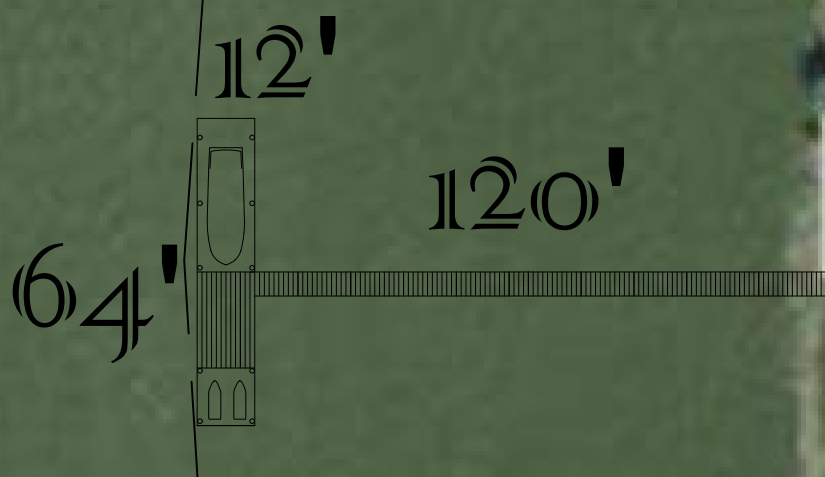
RECEIVED

By Patrick Doty at 3:38 pm, Jun 22, 2020



1:1000

1:40



12'

120'

64'

53

55

36

34

32

28

26

24

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 7, 2020

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT #2020-0057**

AGENDA ITEM 5(c)

APPLICANT Ryan Carter
c/o Carter Environmental Services, Inc.

OWNER Joe Tringali

LOCATION 211 Inlet Drive / PIN 213710-0000

REQUEST To approve the expansion of an existing dock to allow for a one hundred twenty nine (129') foot long by five foot (5') wide dock with two (2) boat lifts, a ten foot (10') by thirty six foot catwalk between them, a fourteen (14') by twenty six foot (26') terminal platform and a forty foot (40') by twelve foot (12') floating dock accessed by a thirty foot (30') long by four foot (4') wide gangway in Conservation Overlay Zone 1.

PLANS DATED May 20, 2020

LAND USE Residential Low Density
ZONING Residential Single Family-One (RS-1)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

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

CCM Objective 7

Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and

the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area.

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

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

Sec. 11-26. - Purpose and intent.

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

Sec. 11-28. Issuance of building permits.

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

Sec. 11-29. Standards for review.

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

enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.

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

STAFF SUMMARY AND ANALYSIS

This proposed expansion of an existing dock to allow for a one hundred twenty nine (129') foot long by five foot (5') wide dock with two (2) boat lifts, a ten foot (10') by thirty six foot catwalk between them, a fourteen (14') by twenty six foot (26') terminal platform and a forty foot (40') by twelve foot (12') floating dock accessed by a thirty foot (30') long by four foot (4') wide gangway. The total length of the dock is extending ten (10') additional feet. See attachment 2 graphics for details for the request.

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

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

The site is currently occupied by a single-family home and existing dock with two (2) boat lifts

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

Neighboring sites have docks and platforms of varying lengths generally perpendicular to the shore and extending into the water with terminal and boat lifts.

- (3) Natural and proposed drainage patterns.

Patterns are not expected to change since improvements are over the water.

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

Only potential effects would be from the use and storage of motorized vessels already experienced in the immediate and general area. This proposal would add to and modify the area of a previous dock.

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

N/A

- (6) Impact on floodplain.

N/A

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

It would be a minimal impact towards these communities apart from disturbance during the construction process.

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

N/A

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

It should be minimal in nature given the dimensions of the existing dock.

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

No additional effect since this proposal is like other residential docks in the area.

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

It would be limited to the existing dock at the site, no increase in width is proposed.

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

There are multiple existing docks within the area. The dock platform is five feet (5') wide and the dock is proposed to be extended ten-feet further out for a total length of 129'.

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

N/A

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

Minimal, if any.

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

N/A

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

Minor impacts from the placement of pilings, but there will be long term benefits in the form of artificial habitat for aquatic life.

- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.

As proposed, the proposed dock, platform and terminal end does meet all standards set forth in LDC Sec. 11-29. There are currently two boat lifts at the site and this request would result in a final configuration of two boat lifts and one floating dock. The proposed boat lift will be rated at 12,000 pounds and will be low-profile and will not exceed 32 feet in length.

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** the expansion of an existing dock to allow for a one hundred twenty nine (129') foot long by five foot (5') wide dock with two (2) boat lifts, a ten foot (10') by thirty six foot catwalk between them, a fourteen (14') by twenty six foot (26') terminal platform and a forty foot (40') by twelve foot (12') floating dock accessed by a thirty foot (30') long by four foot (4') wide gangway in Conservation Overlay Zone 1 located at **211 Inlet Drive / PIN 213710-0000**.

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

Attachments

Attachment 1 – Application & Property Record Card

Attachment 2 – Conservation Overlay Zone Narrative & Graphics

Patrick Doty, CFM
Senior Development Review Planner
Planning & Building Department

Attachment 1

Application & Property Record Card



CITY OF ST AUGUSTINE APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED

By Patrick Doty at 11:01 am, May 22, 2020

Application Fee: _____ (plus advertising costs) Project Number: _____

Receipt Number: _____ Meeting Date: _____

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

1. NAME OF APPLICANT: Ryan Carter Contact Number: 904-540-1786
Business (if applicable): Carter Environmental Services
Address: 42 Masters Dr. City: St. Augustine State: FL Zip: 32084
E-Mail Address: ryan@carterenv.com

2. NAME OF PROPERTY OWNER: Joe Tringali Contact Number: _____
Business (if applicable): _____
Address: 354 Marsh Point Circle City: St. Augustine State: FL Zip: 32080
E-Mail Address: bossman@aol.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: 40 & 41 Block: 1
Subdivision: Davis Shores Ocean View Section Parcel Number: 2137100000

4. PROJECT STREET ADDRESS: 211 Inlet Dr.

5. SPECIFIC PROPOSED USE: Dockage

6. ACTION REQUESTED:

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

7. DESCRIPTION OF ACTION REQUESTED: Proposed dock replacement

8. JUSTIFICATION FOR ACTION REQUESTED: See attached narrative

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

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____
- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____
- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____
- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPLICATIONS:

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

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

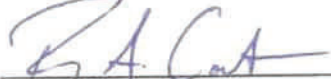
11. AGREEMENT:

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

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

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

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


Signature of Applicant

5-20-20

Date


Signature of Property Owner

5/30/20

Date

04/18/2019



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

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

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

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

RyanCarter

Print name of applicant

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

Signature of applicant

5-20-20

Date



Owner's Authorization For Agent

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

BY: _____

Signature of Owner

Joe Tringali

Print Name of Owner

904-466-0107

Telephone Number

State of Florida

County of St. Johns

Signed and sworn before me on this 21st day of May, 2020

By Joe Tringali

Identification verified:

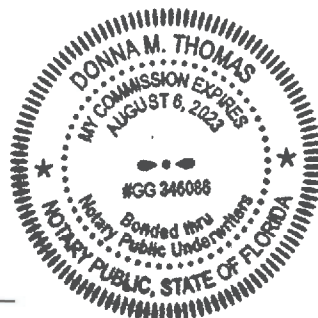
Oath sworn: ☒ Yes ☐ No

Notary Signature:

Donna M. Thomas

My Commission expires:

8/6/2023



Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

Summary

Parcel ID 2137100000
Location Address 211 INLET DR
SAINT AUGUSTINE 32080-0000
Neighborhood Davis Shores (ICVFR) (590.05)
Tax Description* 3-97 DAVIS SHORES PT OF LOTS 40 & 41 BLK 1 60FT ON INLET DR & 150FT ON MATANZAS RIVER OR2189/563
**The Description above is not to be used on legal documents.*
Property Use Code Single Family (0100)
Subdivision Davis Shores Ocean View Section
Sec/Twp/Rng 17-7-30
District City of St Augustine (District 452)
Millage Rate 20.0503
Acreage 0.540
Homestead Y

Owner Information

Owner Name [Gentry Thomas D. Nancy A](#) 100%
[Gentry Nancy A](#) 100%
Mailing Address 303 ANASTASIA BLVD
STE B
PMB#147
SAINT AUGUSTINE, FL 32080-0000

Map



Valuation Information

	2020
Building Value	\$859,257
Extra Features Value	\$63,421
Total Land Value	\$711,360
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$1,634,038
Total Deferred	\$112,226
Assessed Value	\$1,521,812
Total Exemptions	\$50,000
Taxable Value	\$1,471,812

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

Attachment 2

Conservation Overlay Zone Narrative & Graphics

**211 Inlet Dr.
Overlay Zone Development Application Supplement
June 2020**

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a proposed dock and boat lift at 211 Inlet Dr. (Figures 1 & 2). There is an existing dock at the property, totaling approximately 1,548 sq. ft. (Figure 3) that will be replaced by the proposed dock.

The proposed dock will allow the owners access to the Intracoastal Waterway. Total dock and lift area over open water will be 2,808 sq. ft. The height of the dock will be 6' above Mean High Water. Please see attached plans for detailed dimensions (Figures 4-7).

The construction proposed in this application would occur on lands located within Conservation Overlay Zones 1 and 2, as defined in Section 11-27 of the City Code. Section 11-29(a) of the Code sets forth certain criteria for structures located within Conservation Overlay Zones. The applicant has complied with each of those criteria, as detailed below:

1. *The proposed work will have a benefit to the public as a whole.*

This is a private dock. Public benefits may be economically-related through construction activities and marine/boating related purchases.

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

The dock will be entirely over open water, the existing shoreline has a seawall and no vegetation is present.

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

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

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

A new dock will replace the old one improving the appearance of the waterfront.

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

1. *Site specific conditions.*

This property has approximately 158 feet of water frontage. The shoreline is armored and the bottom substrate is sand. No vegetation or oyster colonies are present.

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

The property is adjacent to other single-family homes along Intracoastal Waterway/St. Augustine Bayfront.

3. *Natural and proposed drainage patterns.*

Drainage will not be altered by the proposed works.

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

Point and non-point discharge will not be altered.

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

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

6. *Impact on floodplain.*

There is no impact on floodplains associated with this application.

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

Vegetative impacts: None

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

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

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

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

9. *Effect of shade on vegetation and shellfish.*

None

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

None

11. *Impact of development on shoreline by linear feet and percent of site.*

Not applicable.

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

Not applicable.

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

Not applicable.

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

Not applicable.

15. *Impact of development on water quality.*

Not applicable.

16. *Impact of development on shellfish and on commercial and sport fish and waterfowl.*

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

Positive: None

Negative: None

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

Positive: None

Negative: None

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

Positive: None

Negative: None

17. Dock specifications:

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

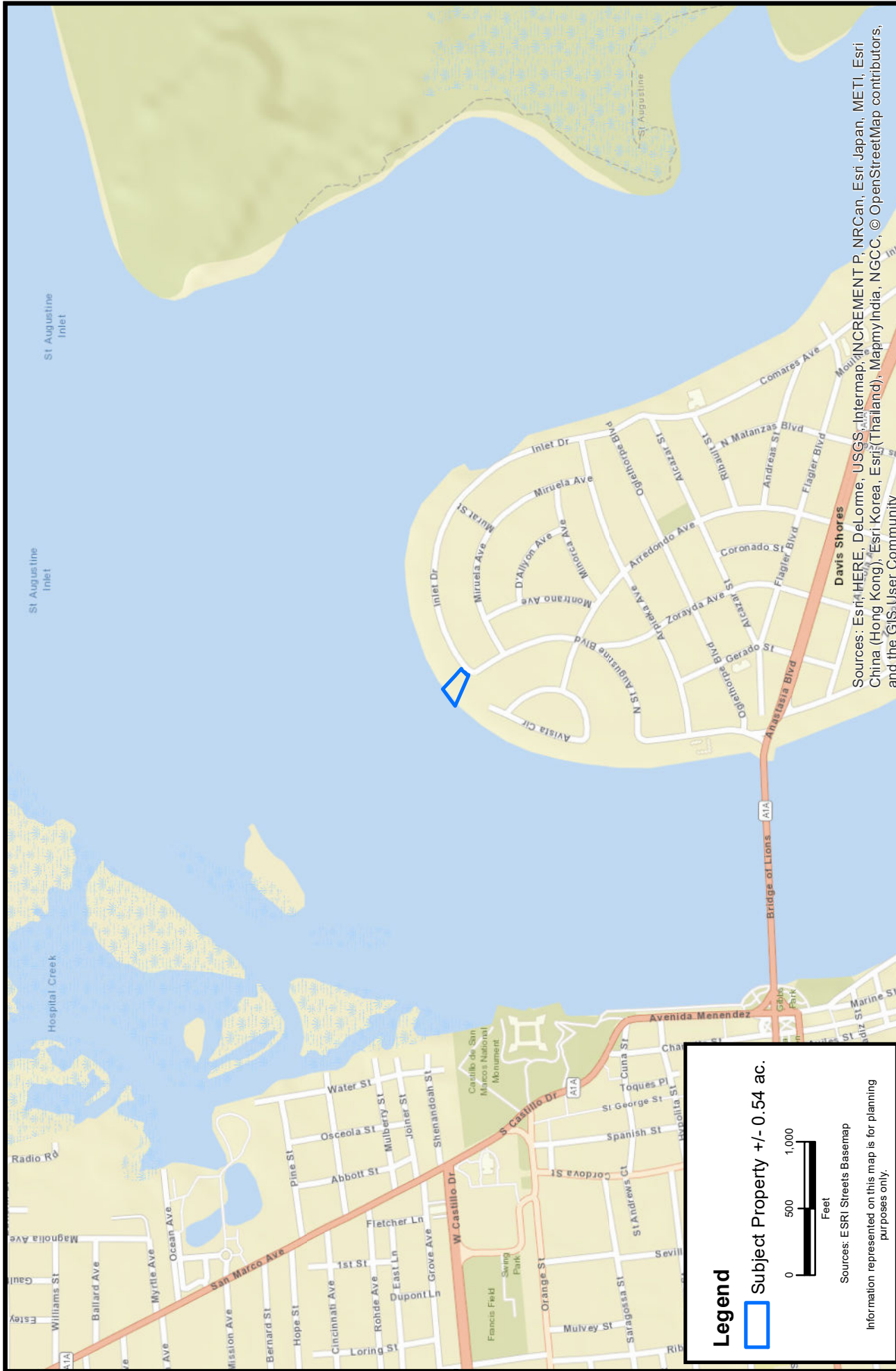
There are no proposed plans for any boathouse or roofed structure.

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

The deck will not exceed 6' above MHW. The top of the dock is proposed to sit at 6'.

- c) *Boatlifts shall have a maximum capacity of 12,000 pounds and shall be low-profile or no-profile.*

Boat lift will be low-profile and not exceed 12,000 pounds.

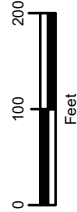


Location Map Tringali Inlet		 Figure: 1
CARTER ENVIRONMENTAL SERVICES, INC. 42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com	Project: 5.20161 Date: Apr 29 2020	



Legend

Subject Property +/- 0.54 ac.



Sources: ESRI Aerial Basemap

Information represented on this map is for planning purposes only.

CARTER ENVIRONMENTAL SERVICES, INC.

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

Aerial Map

Tringali Inlet

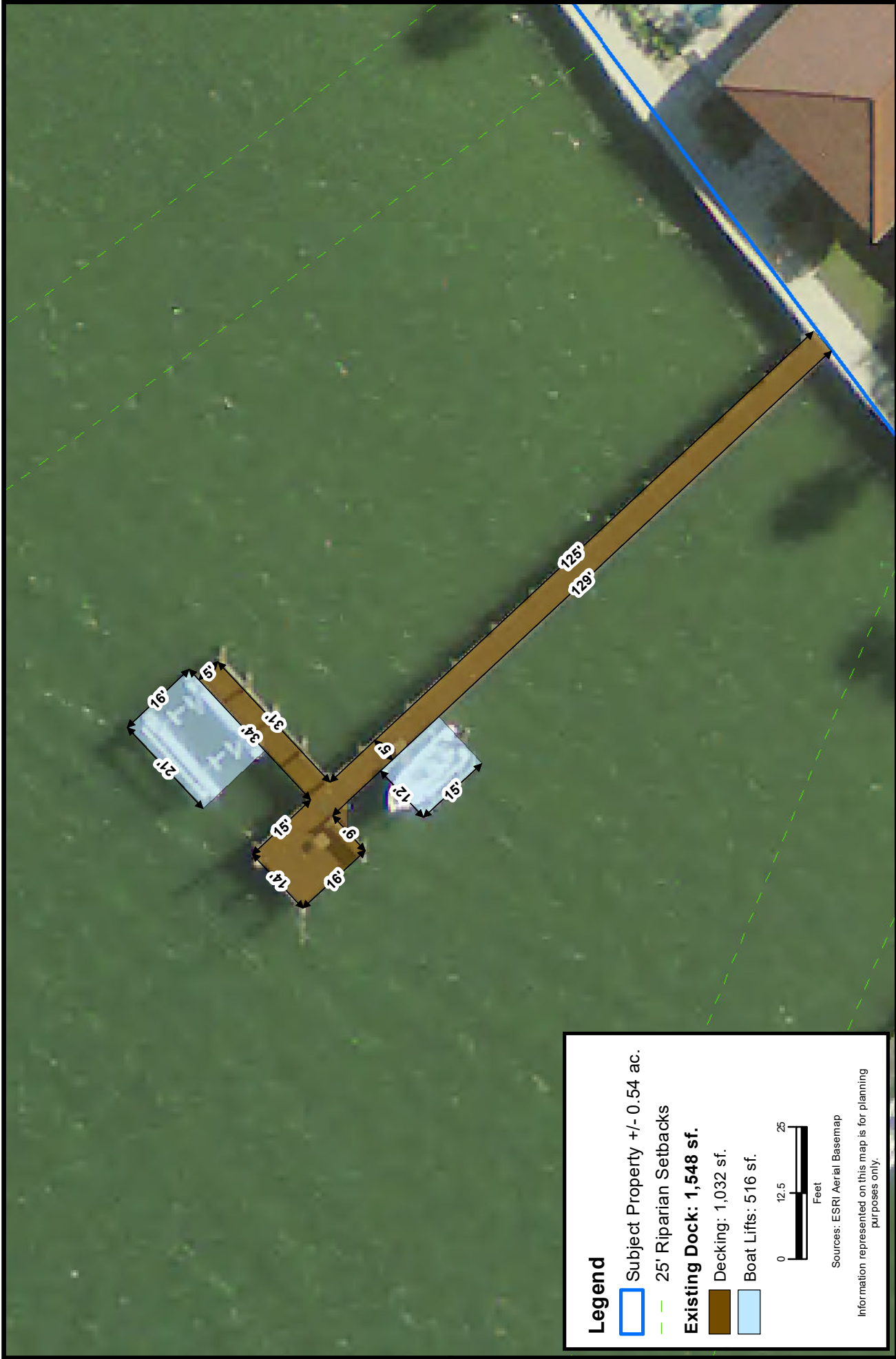
St. Augustine, FL

Project: 5.20161

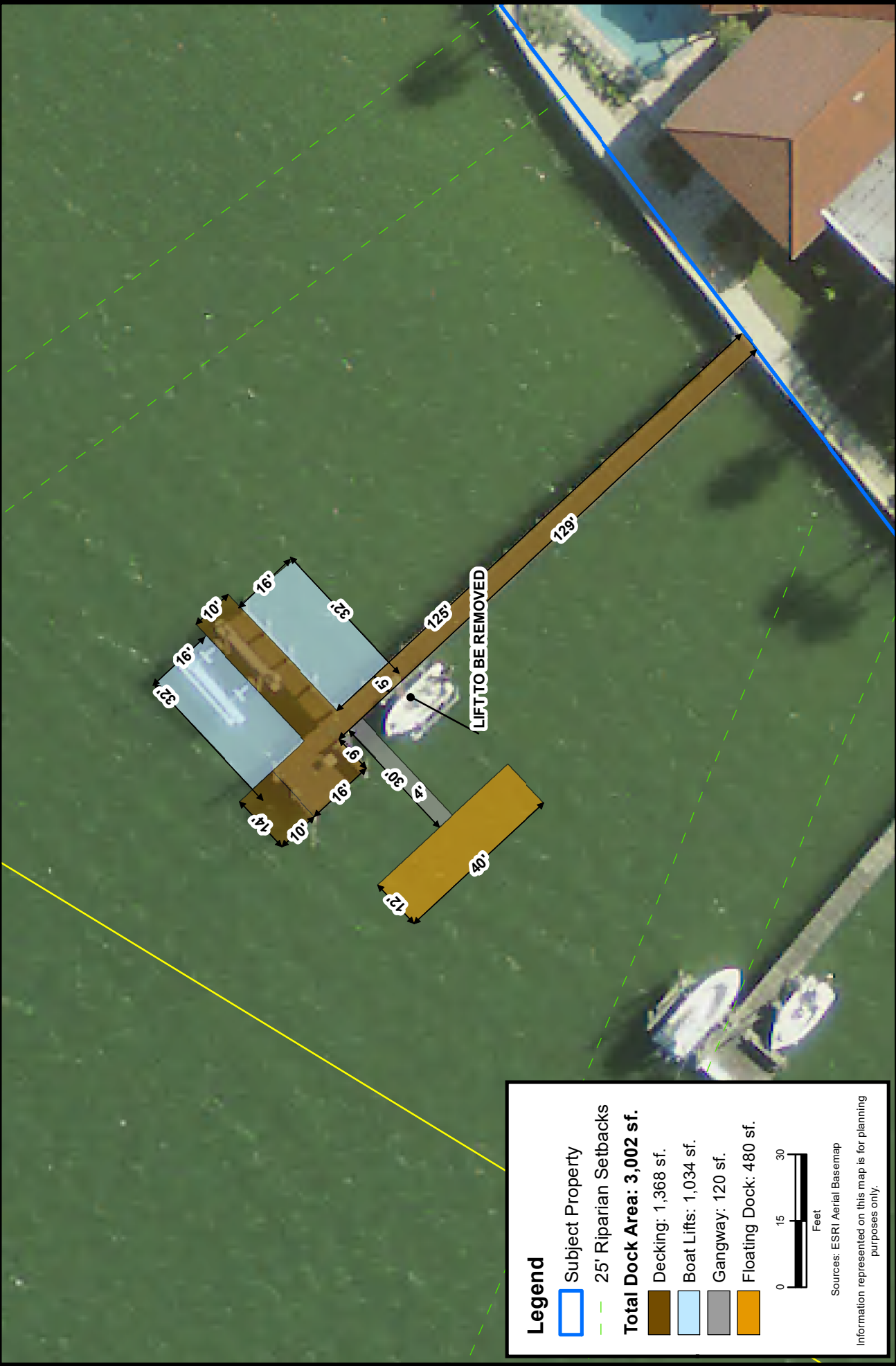
Date: Apr 29 2020

Figure: 2



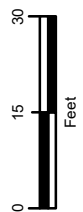


CARTER ENVIRONMENTAL SERVICES, INC. CES 42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com		Existing Dock Tringali Inlet St. Augustine, FL		Date: Apr 29 2020		Figure: 3	
Project: 5.20161							



Legend

- Subject Property
 - 25' Riparian Setbacks
- Total Dock Area: 3,002 sf.**
- Decking: 1,368 sf.
 - Boat Lifts: 1,034 sf.
 - Gangway: 120 sf.
 - Floating Dock: 480 sf.



Sources: ESRI Aerial Basemap
Information represented on this map is for planning purposes only.

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

Proposed Dock Tringali Inlet

Project:	5.20161	Date: Jun 18 2020	Figure: 4
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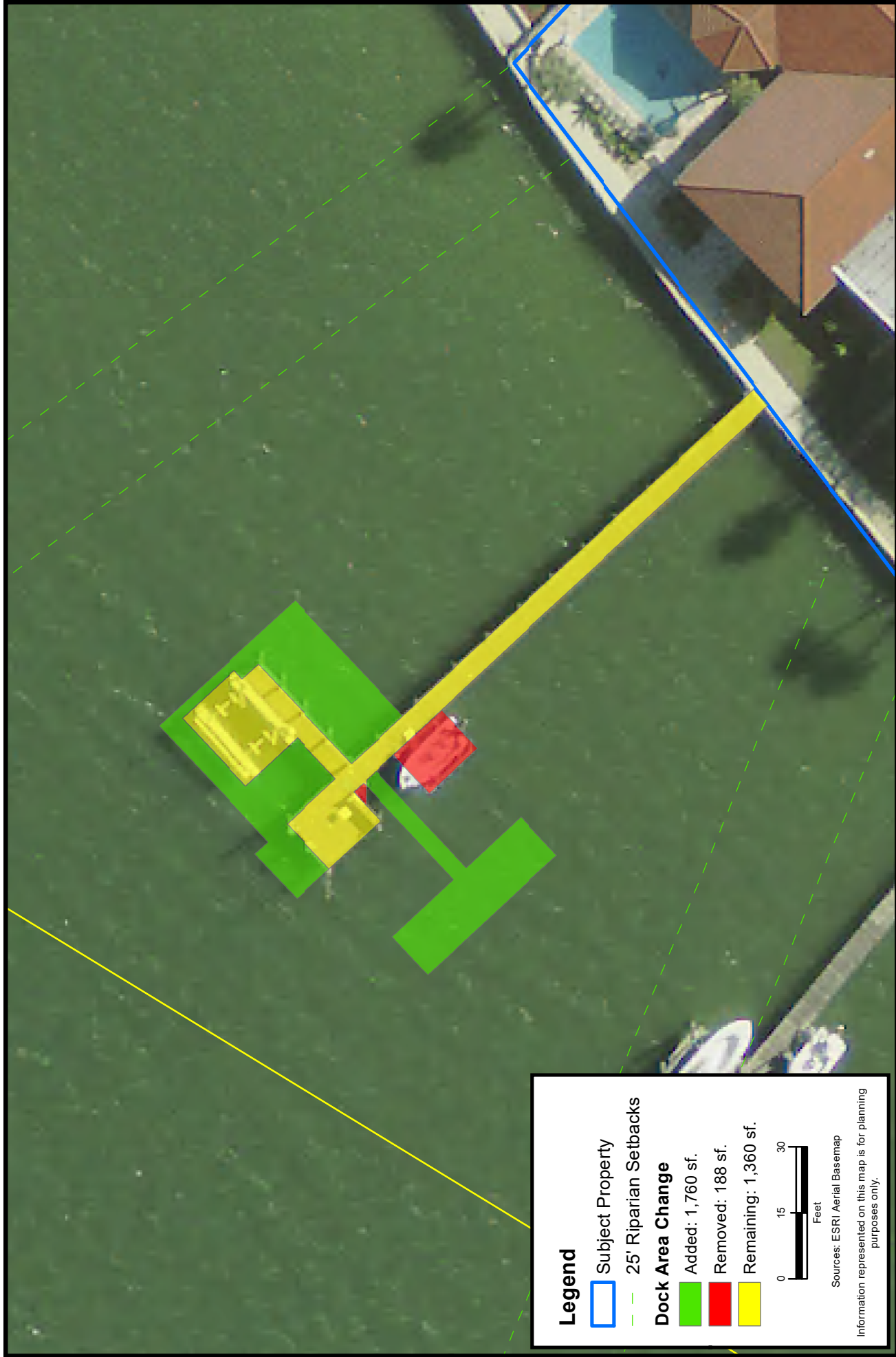


		Figure: 5
Proposed Dock Area Change Tringali Inlet		
Project: 5.20161	Date: May 20 2020	
St. Augustine, FL		
CARTER ENVIRONMENTAL SERVICES, INC.  42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com		

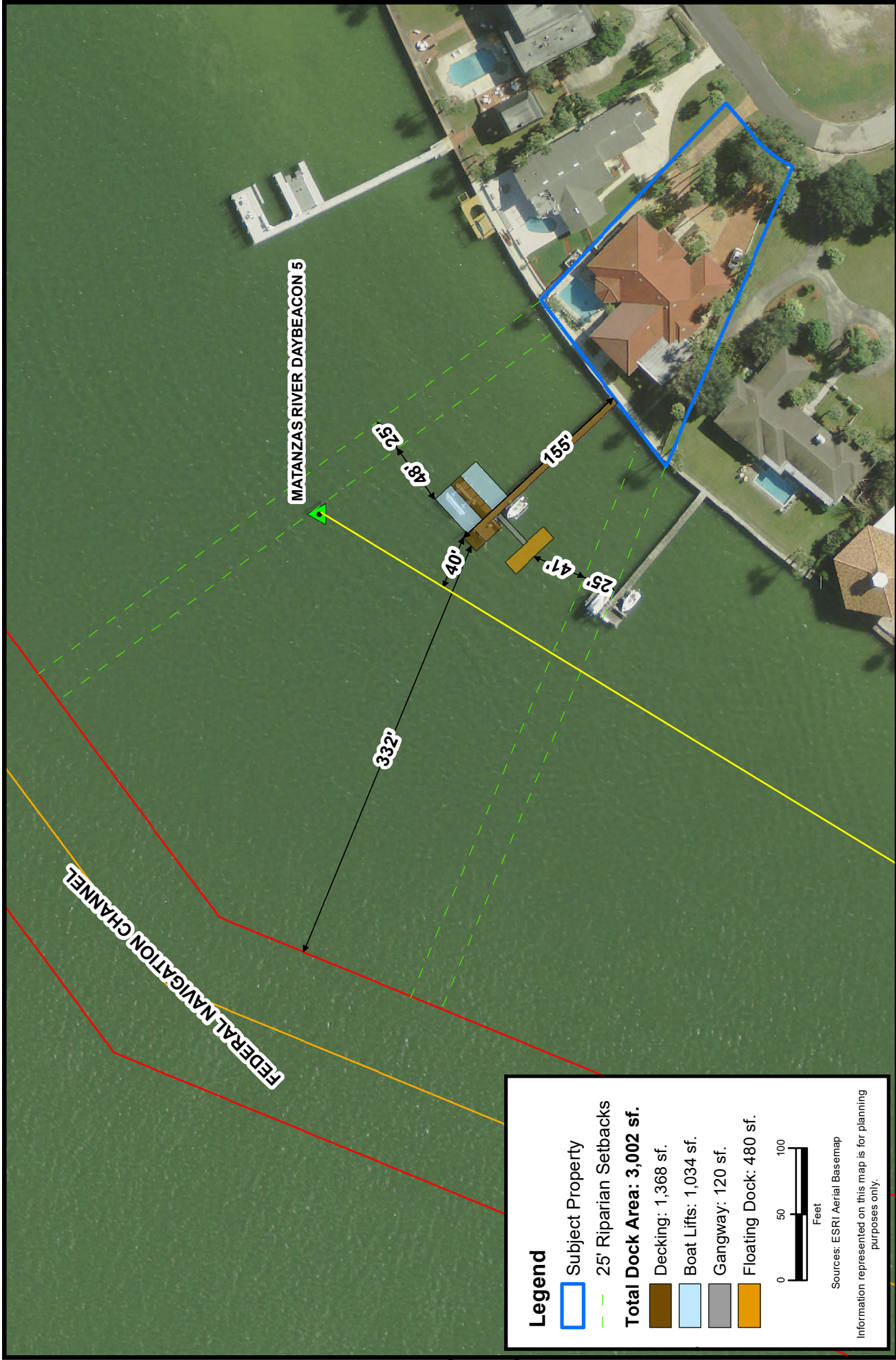
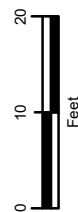
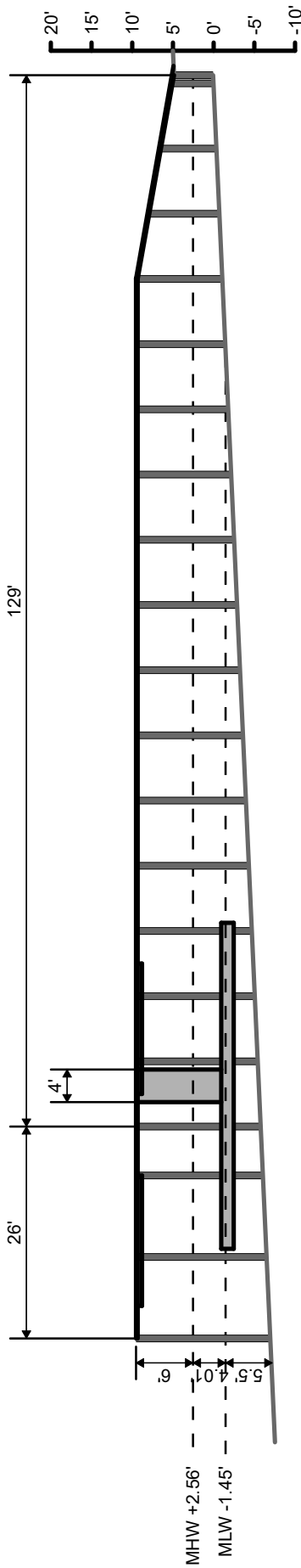


		Figure: 6
Proposed Dock Alignment Tringali Inlet		
Project: 5.20161	Date: May 20 2020	
St. Augustine, FL		
CARTER ENVIRONMENTAL SERVICES, INC. CES 42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com		



Information represented on this map is for planning purposes only.

CARTER ENVIRONMENTAL SERVICES, INC.

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

Proposed Dock Cross-Section
Tringali Inlet

Project: 5.20161

St. Augustine, FL

Date: May 20 2020

Figure:

7



CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 7, 2020

RE: **USE BY EXCEPTION #2020-0037**

AGENDA ITEM 6(a)

APPLICANT Shane Sheltra
c/o Baker Family Revocable Trust

OWNER Pizzalley's, LLC - Owner

LOCATION 121 St. George St / PIN 196920-0000

REQUEST To approve a use by exception to allow for a lounge/tavern and a special event venue within Historic Preservation (HP-2) zoning district.

LAND USE Historic Preservation

ZONING Historic Preservation Two (HP-2)

SURROUNDING USES Restaurants, Retail

APPLICABLE CODES/ORDINANCES

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

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

(a) Zoning exceptions:

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

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

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

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

General Zoning Standards:

Sec. 28-181. - Purpose.

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

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

Sec. 28-184. - Historic preservation district: HP-2.

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

(3) *Permissible uses by exception.*

c. Cocktail lounges/taverns.

g. Special event venue as per 28-347(8)

Sec. 28-347. - Supplementary regulations for certain uses. *Staff review in italics.*

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

(8) ***Special event venue.*** All special event venues whether permitted, permitted as a use by exception or as an accessory or ancillary use to other permitted uses maybe subject to conditions reasonably related to minimize negative impacts and achieve compatibility with the neighborhood and protect historic resources.

Application Summary and Analysis

There are two (2) requests related to this application:

c. Cocktail lounges/taverns.

The first request is an application to allow a Cocktail lounge/tavern to operate as a permitted use by exception at this location, 121 St. George Street, the former location of the “Bunnery”.

The definition of a cocktail lounge/tavern in the zoning code is:

Bar, cocktail lounge, saloon or tavern means any establishment devoted primarily to the retailing and on-premises drinking of malt, vinous or other alcoholic beverages, or any place where any sign is exhibited or displayed indicating that alcoholic beverages are obtainable for consumption on the premises, or any place other than a restaurant where alcohol is sold and consumed on-premises....

The applicant describes the proposed use of the property a breakfast restaurant, and should these requests be approved, as a bar and special event venue.

g. Special event venue as per section 28-347(8).

The second request is an application to allow a Special event venue to operate as a permitted use by exception at this location, 121 St. George Street, the former location of the “Bunnery”.

A special event venue shall be subject to the following conditions:

a. As a use the venue shall be in scale with the surrounding area as determined by code requirements, such as, parking outlined in applicable local codes. If the special event venue is in addition to a primary or principal use as an accessory or ancillary use the use of the premises for a special event venue shall be clearly incidental and subordinate to the primary or principal use, such as, the use of the premises as a hotel or motel or bed and breakfast, restaurant or convention facility and shall under no circumstances change the character of the primary or principal use.

The primary use of the property will be as a restaurant and bar, and the special event venue would allow the applicant to host banquets, corporate meetings, rehearsal dinners and fundraisers.

b. If the special event venue is an accessory or ancillary use there shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of the venue, except during the actual event. For any special event venues temporary tents, fencing, seating, catering arrangements or other requirements depending on the nature of the venue may be used during the event only and must be disassembled within forty-eight (48) hours (business days) after the event concludes (Friday thru Monday for weekend events), and the building or premises must be returned to its normal condition. Some events may require certain screening or buffering during the event.

The applicant plans to operate the facility as a restaurant with a bar and the outside appearance of the store front will reflect that.

c. No traffic shall be generated by the special event venue which obstructs the public right-of-way and any need for parking generated by the conduct of such special event venue shall meet the off-street parking requirements of this Code in other than the required front yard.

There will be no additional traffic generated should this request be approved because the use of the bar/restaurant and venue offset each other as the maximum occupancy is set by the fire Marshall and would be limited to this number (see subsection e below) regardless of proposed use based on the buildings layout.

d. No equipment or process shall be used in such special event venue, which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises. Any potential noise generators proposed by the venue shall comply with the requirements of the City of St. Augustine noise ordinance.

The proposed uses of the event venue would not warrant the use of any equipment resulting in mentioned effects, however, the applicant would be required to coordinate with the City on any potential impacts of this nature prior to

e. Occupancy limitations for indoor and outdoor areas, restroom facility and handicap accessibility requirements may be established by the local official having jurisdiction whether that is the building official and/or the fire marshal.

This number would be established by the City Building Official and Fire Marshal and shall, under no circumstances, exceed that amount. Per City Fire Marshall and Florida Fire Prevention Code, the facility is limited to a maximum occupancy of 49 people. This is due to there being only one exit located on the west end of the business. The exit in the kitchen cannot be approved as a second exit due to exiting through an increased hazardous area which is prohibited in the fire code.

f. If a special event venue includes the use of a boat or other nonpermanent or mobile type facility required provision of all applicable local codes, such as, but not limited to parking and restroom facilities shall be provided at the point of gathering or loading of patrons for the event.

Not applicable.

g. If an historic site is used for a special event venue the event cannot negatively impact historic or cultural resources on the site and if the historic site is a public site the event venue cannot impede the ability of others to experience the area or site, such that the special event venue shall be in a defined area indicated by an obvious barrier to maintain separation between it and the historic public area.

Not applicable, this is not a public site.

h. In residentially zoned areas, or historic preservation districts special event venues shall operate within normal business hours except until 10:00 p.m. Sunday through Thursday, and 11:00 p.m. Friday, Saturday and recognized holidays.

Should the use by exception be approved, these hours will be required.

i. Pyrotechnics, including fireworks, sparklers and similar devices shall not be permitted as part of a special event venue.

Not applicable, this is an interior space.

STAFF SUMMARY AND ANALYSIS

The applicant is requesting a use by exception to allow for the use of the subject property as a special event venue as well as tavern/lounge, the property is currently occupied by a restaurant. The space is approximately 2,200 square feet with approximately 700 square feet of that being back of house (kitchen/storage). The size of the establishment will limit the number of patrons to a maximum of 49 patrons per Florida Fire Code requirements and will maintain an intensity of many restaurant in the area that operate as restaurants with associated bars.

Both requests are consistent with the established uses in the area, which are predominantly restaurants, bars and retail uses. A condition of approval for the special event venue would be operating under the following hours, as prescribed by City Code, 10:00 p.m. Sunday through Thursday, and 11:00 p.m. Friday, Saturday and recognized holidays, as well as the maximum capacity of the lounge/tavern and/or special event venue will be limited to 49 people at all times. Staff finds that this request is consistent with the other established uses in the vicinity and zoning district.

STAFF RECOMMENDATION

Based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the use by exception to allow for a lounge/tavern at **121 St. George St / PIN 196920-0000**.

Based on a review of Section 28-29 and 28-347(8) and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the use by exception to allow for a special event venue with the conditions outlined above at **121 St. George St / PIN 196920-0000**

Attachments

Attachment 1 – Application & Property Record Card

Attachment 2 – Floor Plan

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

Attachment 1

Application & Property Record Card



CITY OF ST AUGUSTINE

APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED
By Patrick Doty at 4:52 pm, Apr 13, 2020

Application Fee: _____ (plus advertising costs) Project Number: _____

Receipt Number: _____ Meeting Date: _____

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

1. NAME OF APPLICANT: Shane SheHtra Contact Number: 904 347 3940

Business (if applicable): Pizzalleys LLC

Address: 117 St. George St. City: St. Augustine State: FL Zip: 32084

E-Mail Address: ShaneSheHtra@gmail.com

2. NAME OF PROPERTY OWNER: Baker Revocable Trust Contact Number: 904-814-4692

Business (if applicable): _____

Address: 36 Treasury St. City: St. Augustine State: FL Zip: 32084

E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: _____

Block: _____

Subdivision: _____

Parcel Number: 196 920 0000

4. PROJECT STREET ADDRESS: 121 St. George St.

5. SPECIFIC PROPOSED USE: Breakfast Restaurant - Special Events venue - Tavern/Lounge

6. ACTION REQUESTED:

☐ Conservation Zone Development

☐ Appeal of Staff Determination

☒ Exception

☐ Land Use Plan Amendment

☐ Variance

☐ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Use by exception for special events venue and tavern/Lounge

8. JUSTIFICATION FOR ACTION REQUESTED: To provide an intimate/upscale venue for banquets, corporate meetings/outings, rehearsal dinners and fundraisers. Original decor painstakingly restored to transport our guest into the early 1900s where they can rekindle the magnificent spirit of Saint Augustine's heritage.

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

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

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

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

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

10. PREVIOUS APPLICATIONS:

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

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

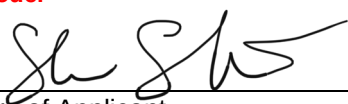
11. AGREEMENT:

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

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

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

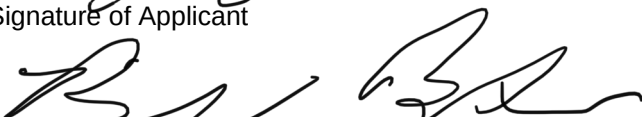
IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided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



Signature of Applicant

4/6/2020

Date



Signature of Property Owner

4/6/20

Date



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

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

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

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

Shane Sheltra

Print name of applicant

Shane Sheltra

Signature of applicant

4/6/2020

Date

Tax Bill

My Tax Bill

Estimate Taxes

Tax Estimator

2019 TRIM Notice

2019 TRIM Notice

2018 TRIM Notice

2018 TRIM Notice

Summary

Parcel ID	1969200000
Location Address	119 ST GEORGE ST 121 ST GEORGE ST 123 ST GEORGE ST 125 ST GEORGE ST 127 ST GEORGE ST Saint Augustine 32084-0000
Neighborhood	Restaurants Stand Alone Historic (COM) (610.02)
Tax Description*	CITY OF ST AUG LOTS 4 & N25FT OF GENOVAR REPLAT OF W160FT OF LOT 5 BLK 9 (LOT C) OR 786/624 & 2240/929 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Restaurants & Cafeterias (Owner Occupied) (2105)
Subdivision	City of St Augustine
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	20.0503
Acreage	0.500
Homestead	N

Owner Information

Owner Name	Baker Family Revocable Trust 100% Baker William T Jr 0%
Mailing Address	36 TREASURY ST SAINT AUGUSTINE, FL 32084-3651

Map



Valuation Information

	2020
Building Value	\$978,289
Extra Features Value	\$21,807
Total Land Value	\$1,487,920
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$2,488,016
Total Deferred	\$1,138,214
Assessed Value	\$1,349,802
Total Exemptions	\$0
Taxable Value	\$1,349,802

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2019	\$929,140	\$21,807	\$1,275,360	\$0	\$0	\$2,226,307	\$1,227,093	\$999,214	\$1,227,093
2018	\$912,570	\$21,807	\$1,169,080	\$0	\$0	\$2,103,457	\$1,115,539	\$987,918	\$1,115,539
2017	\$546,116	\$6,192	\$1,381,640	\$0	\$0	\$1,933,948	\$981,246	\$952,702	\$981,246
2016	\$371,015	\$6,234	\$425,120	\$0	\$0	\$802,369	\$737,358	\$65,011	\$737,358
2015	\$744,690	\$20,975	\$684,648	\$0	\$0	\$1,450,313	\$1,287,652	\$162,661	\$1,287,652
2014	\$464,660	\$21,285	\$684,648	\$0	\$0	\$1,170,593	\$1,170,593	\$0	\$1,170,593
2013	\$467,024	\$21,596	\$684,648	\$0	\$0	\$1,173,268	\$1,173,268	\$0	\$1,173,268
2012	\$469,387	\$21,905	\$684,648	\$0	\$0	\$1,175,940	\$1,175,940	\$0	\$1,175,940
2011	\$469,387	\$22,216	\$760,720	\$0	\$0	\$1,252,323	\$1,252,323	\$0	\$1,252,323
2010	\$471,751	\$22,526	\$1,045,990	\$0	\$0	\$1,540,267	\$1,540,267	\$0	\$1,540,267

Building Information

Building 1
Actual Area 10064
Conditioned Area 9447
Actual Year Built 1947
Use Mixed Use (Store/Office/Residential Combo)
Style 04
Class N
Exterior Wall Concrete Stucco, Jumbo Brick

Roof Structure Rigid Frame
Roof Cover Built Up
Interior Flooring Ceramic Tile
Interior Wall Custom Panel, Drywall
Heating Type Air Duct
Heating Fuel
Air Conditioning Central
Baths

Category	Type	Pct
Exterior Wall	Jumbo Brick	50%
Exterior Wall	Concrete Stucco	50%
Roofing Structure	Rigid Frame	100%
Roofing Cover	Built Up	100%
Interior Flooring	Ceramic Tile	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	16 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Slab	100%
Floor System	Concrete Slab	100%
Condition	Good	100%
Interior Walls	Custom Panel	60%
Interior Walls	Drywall	40%

Description	Conditioned Area	Actual Area
FINISHED MEZZANINE	535	972
BASE AREA	2640	2640
BASE AREA	6272	6272
CANOPY (COMMERCIAL)	0	144
CANOPY (COMMERCIAL)	0	36
Total SqFt	9447	10064

Building 1
Actual Area 10064
Conditioned Area 9447
Actual Year Built 1947
Use Mixed Use (Store/Office/Residential Combo)

Roof Structure Rigid Frame
Roof Cover Built Up
Interior Flooring Ceramic Tile
Interior Wall Custom Panel, Drywall
Heating Type Air Duct

Style
Class
Exterior Wall

04
N
Concrete Stucco, Jumbo Brick

Heating Fuel
Air Conditioning
Baths

Central

Category	Type	Pct
Exterior Wall	Jumbo Brick	50%
Exterior Wall	Concrete Stucco	50%
Roofing Structure	Rigid Frame	100%
Roofing Cover	Built Up	100%
Interior Flooring	Ceramic Tile	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	16 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Slab	100%
Floor System	Concrete Slab	100%
Condition	Good	100%
Interior Walls	Custom Panel	60%
Interior Walls	Drywall	40%

Description	Conditioned Area	Actual Area
FINISHED MEZZANINE	535	972
BASE AREA	2640	2640
BASE AREA	6272	6272
CANOPY (COMMERCIAL)	0	144
CANOPY (COMMERCIAL)	0	36
Total SqFt	9447	10064

Building
Actual Area
Conditioned Area
Actual Year Built
Use
Style
Class
Exterior Wall

2
6174
6174
1955
Stores (Retail)
04
N
Concrete Stucco

Roof Structure
Roof Cover
Interior Flooring
Interior Wall
Heating Type
Heating Fuel
Air Conditioning
Baths

Rigid Frame
Built Up, Clay Tile
Carpet
Drywall
Air Duct
Air Duct
Central

Category	Type	Pct
Exterior Wall	Concrete Stucco	100%
Roofing Structure	Rigid Frame	100%
Roofing Cover	Built Up	80%
Roofing Cover	Clay Tile	20%
Interior Walls	Drywall	100%
Interior Flooring	Carpet	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	9 Fixtures	100%
Electrical	Average	100%
Foundation	Concrete Slab	100%
Floor System	Concrete Slab	100%
Condition	Average	100%

Description	Conditioned Area	Actual Area
BASE AREA	6174	6174
Total SqFt	6174	6174

Building
Actual Area
Conditioned Area
Actual Year Built
Use
Style
Class
Exterior Wall

2
6174
6174
1955
Stores (Retail)
04
N
Concrete Stucco

Roof Structure
Roof Cover
Interior Flooring
Interior Wall
Heating Type
Heating Fuel
Air Conditioning
Baths

Rigid Frame
Built Up, Clay Tile
Carpet
Drywall
Air Duct
Air Duct
Central

Category	Type	Pct
Exterior Wall	Concrete Stucco	100%

Roofing Structure	Rigid Frame	100%
Roofing Cover	Built Up	80%
Roofing Cover	Clay Tile	20%
Interior Walls	Drywall	100%
Interior Flooring	Carpet	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	9 Fixtures	100%
Electrical	Average	100%
Foundation	Concrete Slab	100%
Floor System	Concrete Slab	100%
Condition	Average	100%

Description	Conditioned Area	Actual Area
BASE AREA	6174	6174
Total SqFt	6174	6174

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Concrete Paving	0	0	0	0	938
Asphalt Paving	0	0	0	0	8908
Sprinkler Wet	0	0	0	0	6174

Land Information

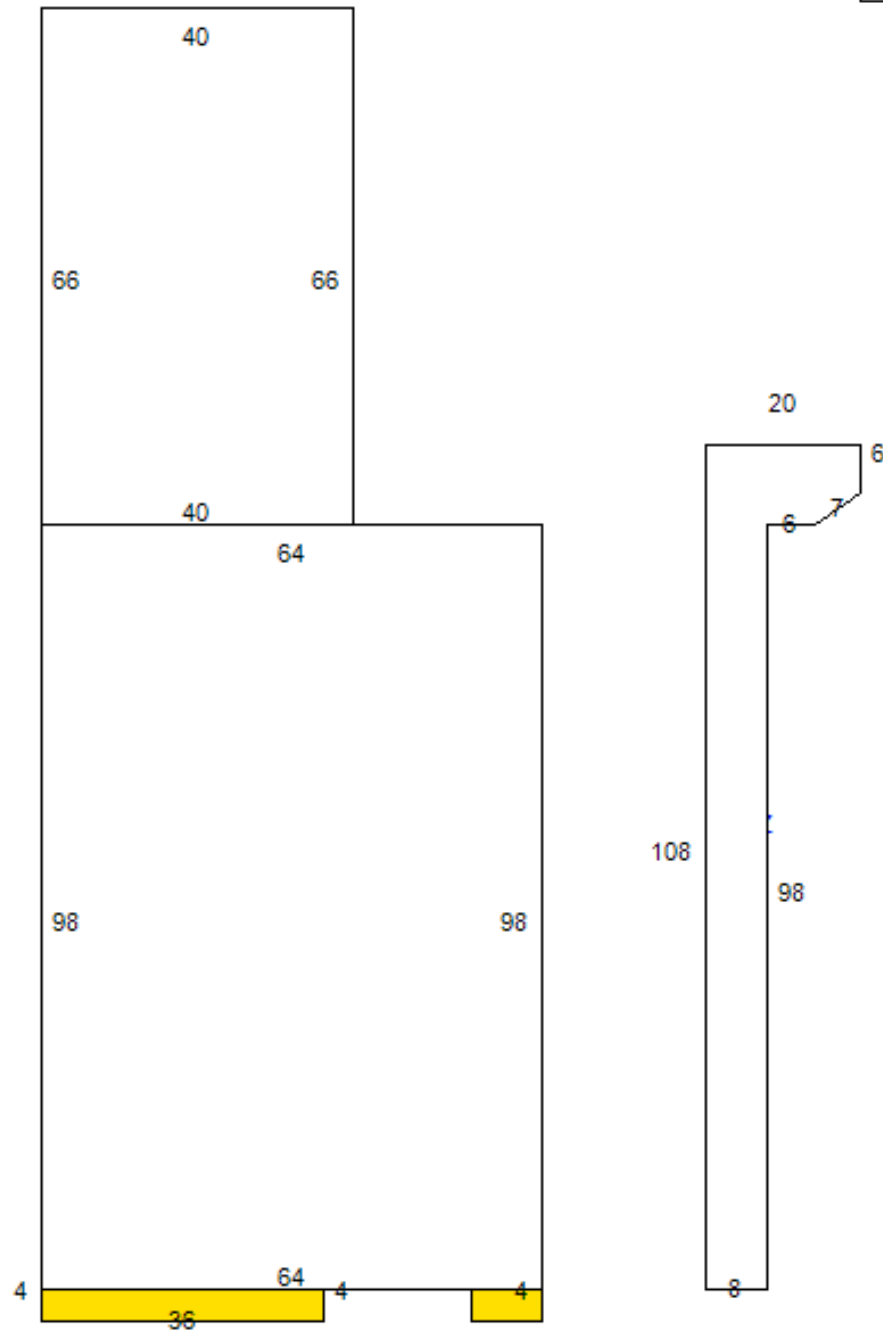
Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Owner Occupied Restaurants & Cafeterias	0	0	21256	SF	\$1,487,920

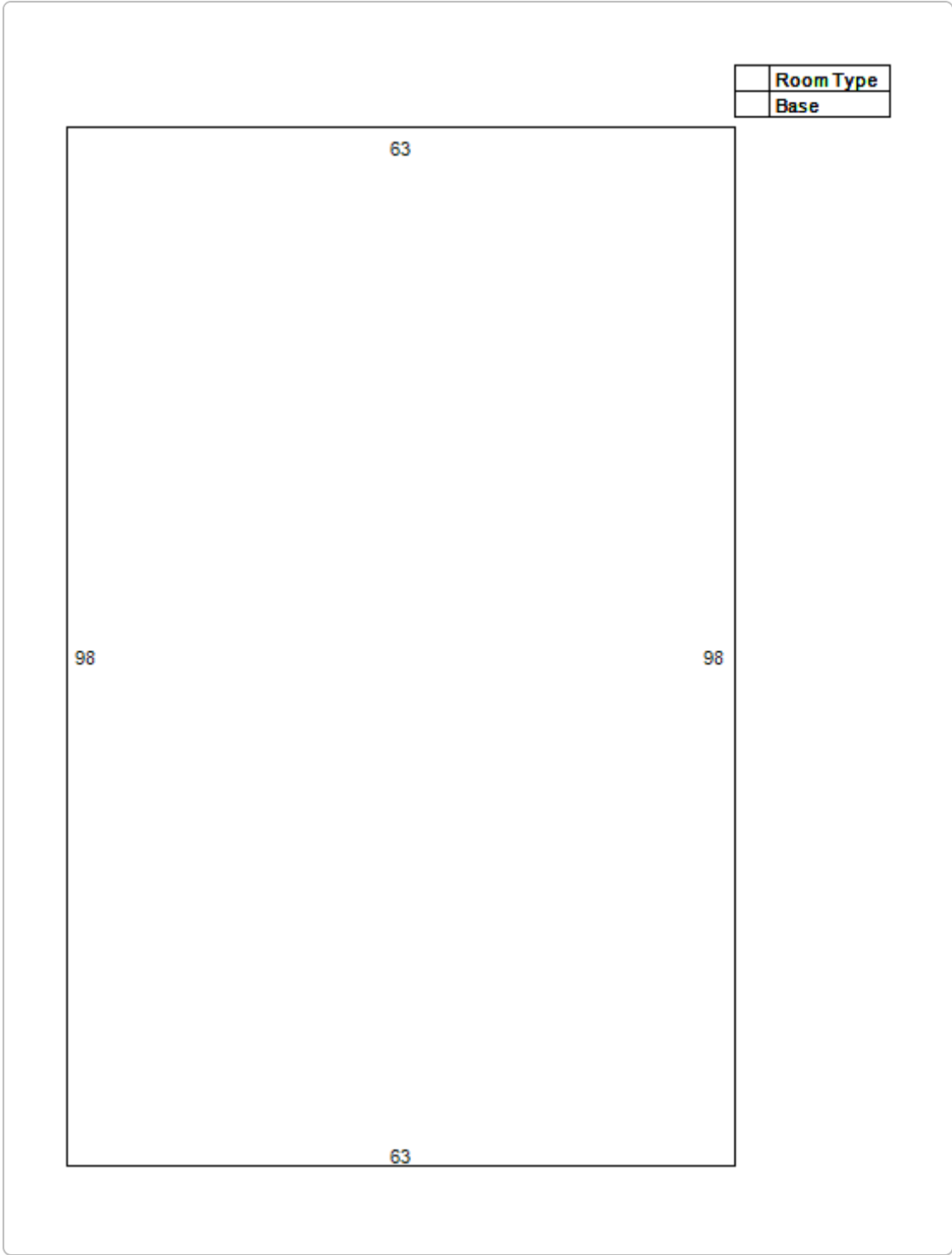
Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	6/29/2004	\$100.00	WD	2240	929	U	I	BAKER MARY G AKA MARY E JOINED BY WILLIAM JR	BAKER MARY E & WILLIAM T JR TRUSTEES
	4/1/1988	\$0.00		786	624	U	I		BAKER MARY G

Sketch Information

	Room Type
	CCN
	Base
	FMZ





No data available for the following modules: Exemption Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.
[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 7/1/2020, 1:55:45 AM

Developed by
 **Schneider**
GEOSPATIAL

[Version 2.3.66](#)



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

Detail by Entity Name

Florida Limited Liability Company
PIZZALLEY'S LLC

Filing Information

Document Number L04000050592
FEI/EIN Number 55-0878287
Date Filed 07/08/2004
State FL
Status ACTIVE

Principal Address

117 ST. GEORGE STREET
ST. AUGUSTINE, FL 32084

Mailing Address

117 ST. GEORGE STREET
ST. AUGUSTINE, FL 32084

Registered Agent Name & Address

SHELTRA, CAROL
117 SAINT GEORGE STREET
SAINT AUGUSTINE, FL 32084

Name Changed: 03/07/2005

Address Changed: 03/07/2005

Authorized Person(s) Detail

Name & Address

Title MGR

SHELTRA, THOMAS CARL
117 ST. GEORGE STREET
ST. AUGUSTINE, FL 32084

Title MGRM

SHELTRA, CAROL ANN
117 ST. GEORGE STREET
ST. AUGUSTINE, FL 32084

Title MGRM

SHELTRA, TRAVIS JAMES
117 ST. GEORGE STREET
ST. AUGUSTINE, FL 32084

Title MGRM

SHELTRA, SHANE THOMAS
117 ST. GEORGE STREET
ST. AUGUSTINE, FL 32084

Annual Reports

Report Year	Filed Date
2017	01/27/2017
2018	03/05/2018
2019	02/06/2019

Document Images

02/06/2019 -- ANNUAL REPORT	View image in PDF format
03/05/2018 -- ANNUAL REPORT	View image in PDF format
01/27/2017 -- ANNUAL REPORT	View image in PDF format
02/15/2016 -- ANNUAL REPORT	View image in PDF format
02/25/2015 -- ANNUAL REPORT	View image in PDF format
01/11/2014 -- ANNUAL REPORT	View image in PDF format
03/25/2013 -- ANNUAL REPORT	View image in PDF format
04/25/2012 -- ANNUAL REPORT	View image in PDF format
01/27/2011 -- ANNUAL REPORT	View image in PDF format
04/09/2010 -- ANNUAL REPORT	View image in PDF format
04/21/2009 -- ANNUAL REPORT	View image in PDF format
04/14/2008 -- ANNUAL REPORT	View image in PDF format
03/05/2007 -- ANNUAL REPORT	View image in PDF format
07/10/2006 -- ANNUAL REPORT	View image in PDF format
03/07/2005 -- ANNUAL REPORT	View image in PDF format
07/08/2004 -- Florida Limited Liability	View image in PDF format

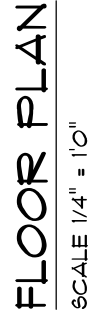
Attachment 2

Floor Plan

[illegible]

FLORIDA BUILDING CODE PLUMBING:
A-2 RESTAURANTS REQUIRES
WATER CLOSETS MALE: 1/10; FEMALE 1/10
LAVATORIES 1/200
SERVICE SINK 1
DRINKING FOUNTAIN 1/500
Tavern/night club/bar REQUIRES
WATER CLOSETS MALE: 1/40; FEMALE 1/40
LAVATORIES 1/10
SERVICE SINK 1
DRINKING FOUNTAIN 1/500

15 SEATS AT BAR SHOWN



SCALE 1/4" = 1'0"

PROCEED NEW LIGHT FIXTURE

PROCEED NEW LIGHT FIXTURE

GENERAL NOTE:
SHEETROCK REPLACED WITH NEW 5/8" FIRE RATED
SHEETROCK

RENOVATION TO EXISTING BUSINESS-
THE BARRELS AT PK
FOR:

911 ADDRESS: 121 ST GEORGE ST
7/19 D. COLE PAGE 1 OF

COMPONENT & CLADDING PRESSURES (IN psf):

WIND 130/B FIND 4/2 MIN ROOF HT 30'	ROOFS (ALL VALUES NEGATIVE -ie "uplift")				WALLS (includes WINDOWS AND DOORS)			
	ZONE 1 CON 1	ZONE 2 EDGE 2	ZONE 3 CORNER 3	OVERLAP INTERIOR 4	END ZONE		INTERIOR ZONE	
					NEGATIVE	POSITIVE	NEGATIVE	POSITIVE
10	-34.75	-34.75	-39.32	-48.69	-39.25	29.32	-31.80	29.32
20	-33.80	-32.80	-27.83	-48.20	-36.17	29.07	-30.56	28.07
50	-29.81	-30.81	-25.84	-46.21	-33.04	26.09	-28.57	26.09
100	-25.32	-26.32	-21.35	-44.12	-30.56	24.84	-27.33	24.84

THE MAIN WIND FORCE RESISTING SYSTEM HAS BEEN DESIGNED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE 2017 EDITION.

THE COMPONENTS AND CLADDING HAVE BEEN SELECTED AND THEIR USE INCORPORATED INTO THE DESIGN AND SPECIFICATIONS TO WITHSTAND THE WIND LOADS DETERMINED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE 2017.

2017FBC 1603.1.4 REQUIRED NOTES:

ENCLOSED - PER ASCE-7 RENOVATION
BASIC WIND SPEED 130 mph RISK CATEGORY 2
BUILDING CATEGORY: COMMERCIAL-RENOVATION
WIND EXPOSURE: B
INTERNAL PRESSURE:
ENCLOSED -/- 0.18

ALL WINDOWS AND DOORS INSTALLED SHALL BE A
MINIMUM DESIGN PRESSURE OF R-30psf

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 7, 2020

RE: **USE BY EXCEPTION #2020-0058**

AGENDA ITEM 6(b)

APPLICANT Don Chrichlow

OWNER Hewlett Enterprises, LLC

LOCATION 24 Avenida Menendez / PIN 196310-0020

REQUEST To approve a use by exception to allow for a lounge/tavern within Historic Preservation (HP-2) zoning district.

LAND USE Historic Preservation

ZONING Historic Preservation-Two (HP-2)

SURROUNDING USES Hotels, Restaurants, Single Family Homes

APPLICABLE CODES/ORDINANCES

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

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

(a) Zoning exceptions:

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

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

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

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

General Zoning Standards:

Sec. 28-184. - Historic preservation district: HP-2.

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

(3) *Permissible uses by exception.*

c. Cocktail lounges/taverns.

STAFF SUMMARY AND ANALYSIS

The applicant is requesting an amendment to their existing use by exception (2006-0919) that was approved by the Planning and Zoning Board in October of 2006. The attached minutes indicate that the use by exception shall run with the land and that the bar shall close at 10:00 pm every night.

The applicant is requesting that the closing hours be amended to 12:00 AM midnight for weekdays (Monday - Thursday) and 1:00 AM for the weekends (Friday – Sunday). The minutes from the previous hearing, a justification by the applicant, and a floor plan are included as attachment 2. City Records show no complaints for noise violations for this property within the past 10 years.

This is an approved use by exception and staff finds that the applicant has demonstrated that the removal of the conditions is consistent and compatible with the existing established use and other similar uses within the city.

STAFF RECOMMENDATION

Based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the amended use by exception for a lounge/tavern at **24 Avenida Menendez / PIN 196310-0020**.

Attachments

Attachment 1 – Application, Property Record Card, Location map

Attachment 2 – Narrative, Floor Plan, 2006 PZB Meeting Minutes and Written Responses

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

Attachment 1

Application, Property Record Card, Location Map



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED

JUN 04 2020 PD

Application Fee: \$250 (plus advertising costs)

Project Number: 2020-0058 Planning / Building Dept.

Receipt Number: 1876261

Meeting Date: 7/7/20

Advertising Costs: \$ _____

Paid On: _____

Receipt Number: _____

1. NAME OF APPLICANT: Don Crichlow Contact Number: 904 377-0913

Business (if applicable): Don Crichlow and Associates

Address: 302 St. George St. City: St. Augustine State: FL Zip: 32084

E-Mail Address: crichlow@comcast.net

2. NAME OF PROPERTY OWNER: Hewlett Enterprises, LP Contact Number: 904 3151904

Business (if applicable): The Tini Martini Bar/Casablanca on the Bay

Address: 24 Avenida Menendez City: St. Augustine State: FL Zip: 32084

E-Mail Address: innkeeper@casablancainn.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: Parts of Lots 2 and 3 Block: 3

Subdivision: COSA Parcel Number: 196310-0020

4. PROJECT STREET ADDRESS: 24 Avenida Menendez

5. SPECIFIC PROPOSED USE: Cocktail Lounge/Jazz Bar

6. ACTION REQUESTED:

☐ Conservation Zone Development

☐ Appeal of Staff Determination

☒ Exception

☐ Land Use Plan Amendment

☐ Variance

☐ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: _____

To modify a previously approved exception (2006-0919) and to extend the hours of operation from 10pm to 12 midnight on weekdays and 1am on weekends.

8. JUSTIFICATION FOR ACTION REQUESTED: _____

Please see attached narrative.

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

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

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

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

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

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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


Signature of Applicant

6/4/20
Date


Signature of Property Owner

6/2/2020
6/2/2020
Date

04/18/2019

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

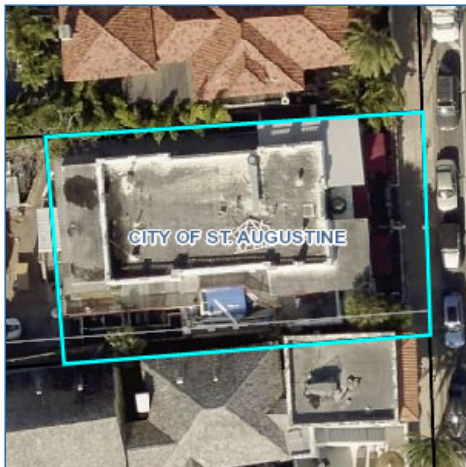
Summary

Parcel ID 1963100020
Location Address 24 AVENIDA MENENDEZ
SAINT AUGUSTINE 32084-0000
Neighborhood Bed & Breakfast (City Historic) (COM) (610.11)
Tax Description* CITY OF ST AUGUSTINE E118FT OF LOT 2 & E118 OF N4.5FT OF LOT 3 BLK 3 OR2409/911
**The Description above is not to be used on legal documents.*
Property Use Code Bed & Breakfasts (3910)
Subdivision City of St Augustine
Sec/Twp/Rng 18-7-30
District City of St Augustine (District 452)
Millage Rate 20.0503
Acreage 0.180
Homestead N

Owner Information

Owner Name [Hewlett Enterprises Lp](#) 100%
[Nancy Cloud](#) 100%
Mailing Address 60 MARINE ST
SAINT AUGUSTINE, FL 32084-0000

Map



Valuation Information

	2020
Building Value	\$982,344
Extra Features Value	\$5,260
Total Land Value	\$767,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$1,754,604
Total Deferred	\$107,160
Assessed Value	\$1,647,444
Total Exemptions	\$0
Taxable Value	\$1,647,444

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2019	\$879,987	\$4,089	\$613,600	\$0	\$0	\$1,497,676	\$1,497,676	\$0	\$1,497,676
2018	\$1,027,935	\$4,089	\$435,272	\$0	\$0	\$1,467,296	\$1,467,296	\$0	\$1,467,296
2017	\$423,092	\$4,089	\$435,272	\$0	\$0	\$862,453	\$862,453	\$0	\$862,453
2016	\$1,035,750	\$4,396	\$435,272	\$0	\$0	\$1,475,418	\$1,475,418	\$0	\$1,475,418
2015	\$1,064,127	\$4,396	\$435,272	\$0	\$0	\$1,503,795	\$1,365,980	\$137,815	\$1,365,980
2014	\$802,106	\$4,422	\$435,272	\$0	\$0	\$1,241,800	\$1,241,800	\$0	\$1,241,800
2013	\$824,082	\$4,449	\$435,272	\$0	\$0	\$1,263,803	\$1,263,803	\$0	\$1,263,803
2012	\$846,058	\$4,475	\$435,272	\$0	\$0	\$1,285,805	\$1,285,805	\$0	\$1,285,805
2011	\$868,033	\$4,501	\$483,210	\$0	\$0	\$1,355,744	\$1,299,514	\$56,230	\$1,299,514
2010	\$639,949	\$4,527	\$536,900	\$0	\$0	\$1,181,376	\$1,181,376	\$0	\$1,181,376

Building Information

Building 1
Actual Area 9041
Conditioned Area 6081
Actual Year Built 1900
Use Bed & Breakfasts
Style 04
Class N
Exterior Wall Concrete Stucco, Wood

Roof Structure Rigid Frame
Roof Cover Built Up
Interior Flooring Carpet, Hardwood
Interior Wall Drywall
Heating Type Air Duct
Heating Fuel
Air Conditioning Central
Baths

Category	Type	Pct
Exterior Wall	Concrete Stucco	90%
Exterior Wall	Wood	10%
Roofing Structure	Rigid Frame	100%
Roofing Cover	Built Up	100%
Interior Walls	Drywall	100%
Interior Flooring	Carpet	50%
Interior Flooring	Hardwood	50%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	50 FIXTURES	100%
Electrical	Very Good	100%
Foundation	Concrete Perimeter Footing	100%
Insulation	1" Fiberglass	100%
Floor System	Wood Frame	100%
Condition	Very Good	100%

Description	Conditioned Area	Actual Area
BASE AREA	3453	3453
CANOPY (COMMERCIAL)	0	634
PATIO	0	368
FINISHED DECK	0	372
FINISHED DECK	0	100
FINISHED UPPER STORY	2628	2628
FINISHED DECK	0	470
OUTSIDE STAIRS	0	128
BALCONY	0	96
FINISHED DECK	0	204
CANOPY (COMMERCIAL)	0	294
CANOPY (COMMERCIAL)	0	294
Total SqFt	6081	9041

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Wood Deck	0	0	0	0	400
Handicap Ramp	0	0	0	0	140
Sprinkler Wet	0	0	0	0	442

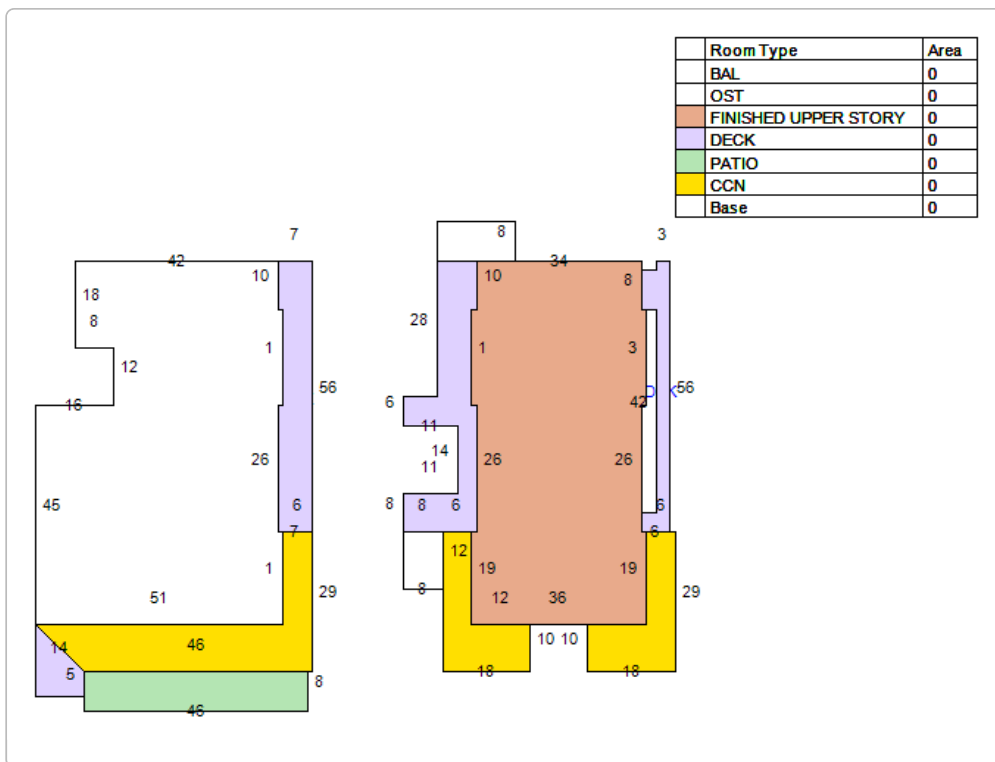
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Bed & Breakfasts	65	118	7670	SF	\$767,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
5/4/2017	4/29/2017	\$0.00	LP	4368	1851	U	I	BRANCH RECONSTRUCTION LLC	HEWLETT ENTERPRISES LP
	3/29/2005	\$4,867,891.00	WD	2409	911	Q	I	CASABLANCA BED & BREAKFAST INN INC & BUSHELL	HEWLETT ENTERPRISES LP
	1/1/1998	\$100.00	QC	1363	351	U	I	BUSHELL ANTHONY,BRENDA	CASABLANCA BED & BREAKFAST INN INC
	10/8/1992	\$350,000.00	WD	960	1419	Q	I	JEBCO INC	BUSHELL ANTHONY,BRENDA

Sketch Information



No data available for the following modules: Exemption Information.

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

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

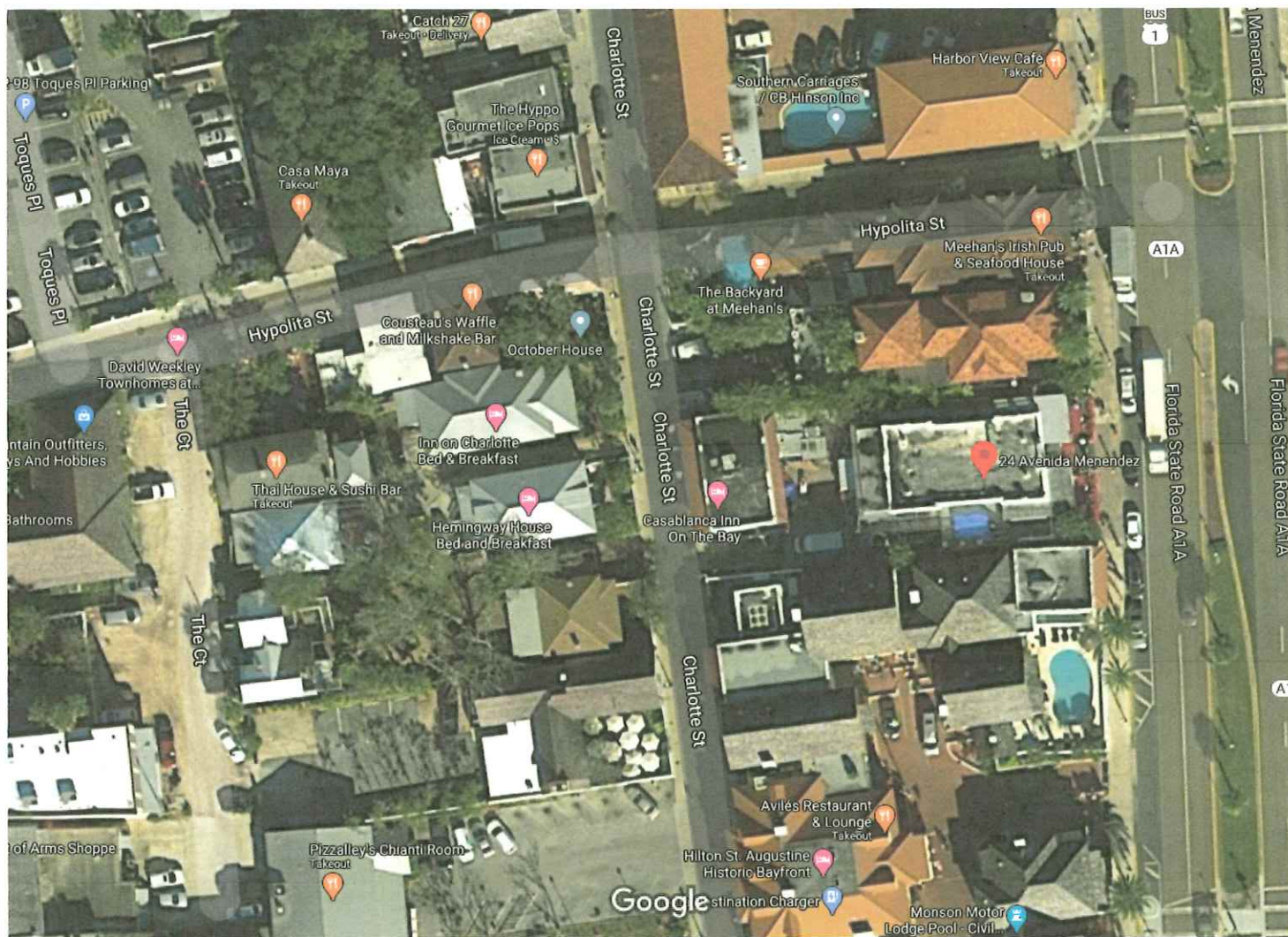
Last Data Upload: 6/4/2020, 1:52:07 AM

Developed by



Version 2.3.62

Google Maps 24 Avenida Menendez



Map data ©2020, Map data ©2020 20 ft



24 Avenida Menendez

St. Augustine, FL 32084



Directions



Save



Nearby



Send to your
phone



Share



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JUN 23 2020

Planning/Building Dept.

Owner's Authorization For Agent

DONALD CRECHLOW is/are hereby authorized TO ACT ON BEHALF OF HEWYET ENTERPRISES LLC, the owner(s) of those lands described within ☐ the attached application, or ☒ described within the previously filed Application number: 2020-0058, and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine's Planning & Zoning Board, located at:

BY: Nancy Cloud
Signature of Owner President
Nancy Cloud
Print Name of Owner President
904 315-1949
Telephone Number

State of Florida

County of ST Johns

Signed and sworn before me on this 23rd day of June, 2020

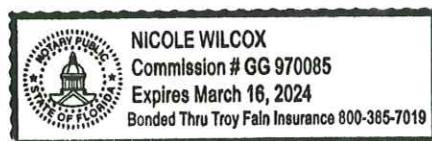
By Nicole Wilcox

Identification verified:

Oath sworn: X Yes No

Notary Signature: Nicole Wilcox

My Commission expires: 3-16-2024



Attachment 2

Narrative, Floor Plan, 2006 PZB Meeting Minutes and Written
Responses

Don Crichlow & Associates

St. Augustine, Florida

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JUN 08 2020

Planning/Building Dept.

8. Justification For Action Requested:

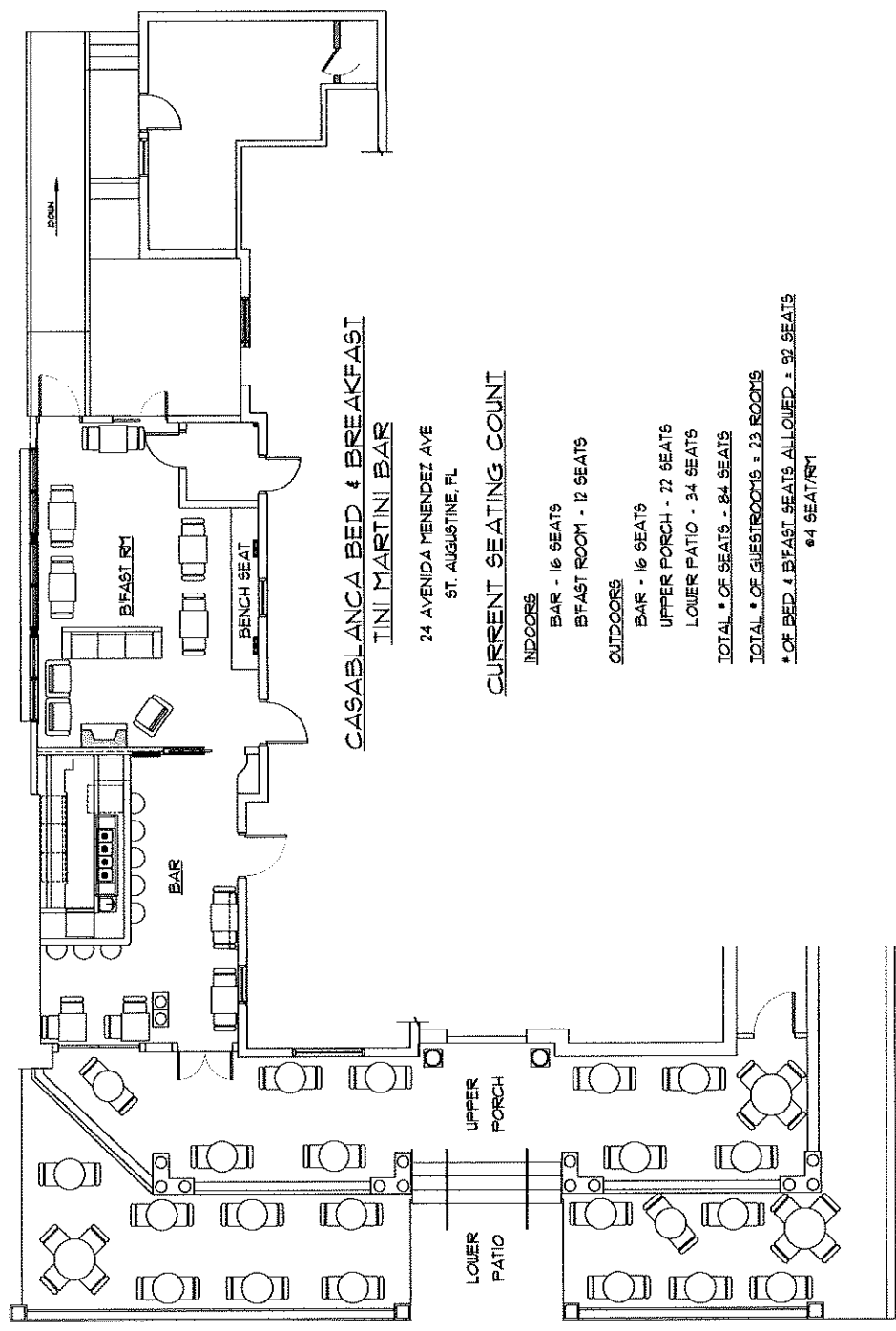
The Tini Martini Bar, located at 24 Avenida Menendez, was granted a use by exception as a "Cocktail Lounge (Jazz Bar)" in October of 2006 with the understanding that it would close at 10pm. At the time, there was a B&B (Casa de la Paz) located next door at 22 Avenida Menendez which was concerned about music after 10 pm. thus the reason for the 10 pm restriction imposed by the Planning and Zoning Board. The owners were perfectly fine with this requirement at the time. Over the next couple of years, however, what had been the Bed and Breakfast next door became an empty building and the demand to stay open later than 10 pm increased and for the last 10 years the Tini Martini Bar has extended its hours of operation to accommodate this demand. Recently, however, the St. Augustine Police Dept. informed the management that they would be enforcing the 10pm closing time.

The Tini Martini Bar is an upscale lounge catering mainly to the 35-65 age group. It is a dog friendly lounge and over the past 10 to 12 years has become one of the most popular cocktail lounges in the city. They have won 1st Place in the Nights of Lights competition several times and have become almost a legendary destination for both locals and visitors alike. Many visitors return every year to stay at the Casablanca Inn and visit the Tini Martini Lounge. The lounge, adjacent inn and restaurant (Nero's) employs a staff of 44 to 48. The servers and bartenders currently make most of their income from 10 pm until closing time which is 12 midnight on weekdays and 1am on weekends. Unlike other venues in downtown, noise has never been a problem at the Tini Martini Lounge and although originally approved as a "Jazz Bar" the lounge has not provided music in the past several years. Likewise police reports of disturbances are extremely rare. Visitors staying at adjacent hotels in the area (i.e. Hilton, Best Western and several Bed and Breakfast Inn's) enjoy having a nice quite lounge to walk to later at night and the Tini Martini Lounge provides that venue.

As mentioned, although closing time for bars in the City of St. Augustine is 2 am Monday through Friday, the Tini Martini Lounge has a last call at 11:30 pm and closing at midnight on weekdays and last call at 12:30 am with closing at 1 am on weekends. The owners are therefore requesting that the closing time be extended from the currently allowed 10 pm to 12 midnight on weekdays and to 1am on weekends.

I might note that all cocktail lounges/taverns and hotels located in HP-2 and HP-3 are all "use by exceptions" and most are not restricted to special closing hours. The Tini Martini Lounge was limited to a 10 pm closing specifically because of the B&B next door in 2006. That situation no longer exists and the Tini Martini Lounge is requesting that the 10 pm restriction be removed from the exception.

AVENIDA MENENDEZ



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JUN 08 2020

Planning/Building Dept.

Mr. Birchim reported the following information to the board:

- › The applicant requested a use by exception to allow a home occupation
- › Request involved a silk-screening business in the attached garage
- › Home occupation was a low-impact business with little public contact that would not change the residential character of the property or generate traffic in greater volume, and it would not negatively impact surrounding properties
- › Owner planned to produce silk-screen t-shirts and products for sale off premises
- › The chemicals and inks to be used had been reviewed by the Fire Marshall and Public Works Department and were found to be non-toxic

Mr. Birchim stated that, based on review of Section 28-2, staff found that the board could approve a use by exception to allow a home occupation without the support of evidence to the contrary.

Sharon Ketner, 11 Estey Street, was sworn in.

Ms. Horvath opened the public hearing but there was no response. She noted that seventeen written response forms had been sent to surrounding property owners with six returned in favor and three returned in opposition.

Mr. Leary pointed out that responses included a letter from "a group of concerned neighbors", who offered

several reasons to deny the application. He questioned increased customers, traffic, or issues with the use of chemicals.

Ms. Ketner affirmed that no customers would visit the site, no sales would occur on-site and the chemicals were non-toxic and soap and water dissolvable. She added that a UPS truck would make deliveries; however, the area already had UPS trucks in the neighborhood. She explained that it was a two person operation which she and her finance would handle; however, if the business increased over time it would be moved to another site. She advised that the process would not generate noise.

MOTION

Mr. Leary moved to approve the application as submitted. Mr. Valdes seconded.

MOTION CARRIED UNANIMOUSLY

Item 3(b) 2006-0919

Don Crichlow

Hewlett Enterprises, LP

24 Avenida Menendez

To allow a bar as a permissible use by exception.

Mr. Valdes recused himself from the application due to his business relationship with Hewlett Enterprises.

Mr. Birchim reported the following details to the board:

- › The applicant requested a use by exception to allow a cocktail lounge or bar at the Casa Blanca Bed and Breakfast Inn
- › The property was located in HP-2 zoning which allowed cocktail lounges and jazz bars by exception for approval on an individual basis by the board
- › The operation of a cocktail lounge that was open to the public would be ancillary to the bed and breakfast

Mr. Birchim stated that it did not appear to negatively impact surrounding neighborhood properties; therefore, staff found that the board could approve a use by exception for a cocktail lounge without the support of evidence to the contrary.

Don Crichlow, 24 Cathedral Place, Suite #300, was sworn in. He noted that the board had previously approved a greenhouse/breakfast room for the B & B Inn, and the application currently before the board involved the vacated space of the old breakfast bar measuring approximately two-hundred and fifty square feet that would be converted into a martini bar. He stated that the conversion would comply with all requirements mentioned in Section 28-347 of the Code. He advised that no additional traffic or noise would be generated by the use, because the proposal was intended for hotel guests. He noted that the room had already been permitted for sixteen seats.

Ms. Horvath opened the public hearing but there was no response. She noted

that fifteen written response forms had been sent to surrounding property owners with one returned in favor and one returned in opposition. She pointed out that a letter had been received from owners of the Casa de la Paz and the Inn on Charlotte.

In response to the letter, Mr. Crichlow stated that the property owner would be willing to close the martini bar at 10:00 p.m.

Ms. Freeman agreed that the lounge was a nice idea and would not be disruptive due to its small size.

Ms. Horvath questioned whether the lounge would be open to the public.

Mr. Crichlow affirmed that it would be; although, the main purpose was an amenity for hotel guests.

In response to an inquiry, Mr. Knight advised that the use by exception would run with the applicant if not specified by the board to run with the property.

MOTION

Mr. Leary moved to approve the application with the condition that the owners abide by the 10:00 p.m. closing time and the exception shall run with the land. Ms. Long seconded.

Nancy Cloud, 60 Marine Street, property owner of the Casa Blanca Inn, was sworn in. She advised that the bar would be closed to the public at 10:00

p.m., but guests would utilize the area until 11:00 p.m.

Mr. Leary pointed out that it would not be allowed under the current motion by the board.

Ms. Cloud advised that other B & B Inns in the vicinity allowed wine and sherry to be purchased and served to hotel guests after 10:00 p.m.

Ms. Long pointed out that a difference existed between serving a drink to a guest and selling a drink.

**MOTION CARRIED UNANIMOUSLY
WITH MR. VALDES RECUSING
HIMSELF**

*The board returned to Item 4(b).

4. VARIANCES

Item 4(a) 2006-0845

Stephanie Funk

121 Washington Street

To reduce the required side and rear yard building setbacks for a guesthouse.

Ms. Horvath noted that the property owners' representative had requested tabling, because he was not able to provide the requested information the board mentioned at the September meeting due to recent surgery.

Ms. Horvath opened the hearing to public comment.

Carla Wright, 410 Arredondo Avenue, was sworn in. She said she remained opposed to the request because it would negatively impact her property that was currently rented to a good tenant. She stated that the proposed structure was too tall for the area.

Ms. Horvath closed the public hearing.

Mr. Blow pointed out that the property owner was out of the country and would not be returning soon, and he would like to speak with the property owner prior to making a decision. He noted that if the board tabled the application again, Ms. Wright would need to make a third trip to the meeting.

Mr. Valdes stated that Ms. Funk was in Africa, with the Peace Corps, and would not be returning to the States for approximately one year.

Mr. Blow said, if that was the case, Ms. Funk would not be occupying the property. He stated that it appeared that the property was for rent; therefore, the board should wait until Ms. Funk returned to the States.

Ms. Freeman suggested that the board give Ms. Funk's representative an opportunity to address the board.

Mr. Blow reiterated his concern with the application.

Ms. Horvath acknowledged that, under the circumstances, hiring Mr. Santoriello as representative to handle matters for Ms. Funk was appropriate.

PZB WRITTEN RESPONSE FORM

Meeting Date: **October 3, 2006**

Item on Agenda: **3(b)**

Property Address: **24 Avenida Menendez**

Applicant's Name: **Don Crichlow**

BDAC File Number: **2006-0919**

Total Number Sent: 15

1 In Favor

1 Opposed

3 Had Comments

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

Notice is hereby given of a public hearing by the Planning and Zoning Board to be held at 2:00 P.M., Tuesday, October 3, 2006 in the Alcazar Room, City Hall, St. Augustine, Florida, at which time comments are invited on the following:

APPLICATION TO ALLOW A BAR AS A PERMISSIBLE USE BY EXCEPTION ON PROPERTY LOCATED AT 24 AVENIDA MENENDEZ City of St. Augustine Subdivision East 118 Feet of Lot 2 and East 118 of North 4.5 Feet of Lot 3 Block 3, Parcel Identification Number 196310-0020.

APPLICANT'S NAME: **Don Crichlow #2006-0919**

SURROUNDING PROPERTY OWNER

RESPONSE FORM

☒ IN FAVOR OF APPLICATION

☐ OPPOSED TO APPLICATION

COMMENTS:

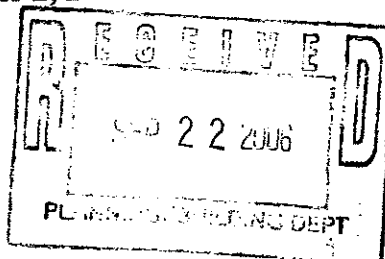
William T. Baker, Jr.
NAME (please print)

William T. Baker
SIGNATURE

36 TREASURY ST.
PROPERTY ADDRESS

To obtain additional information regarding this application, contact the Planning and Building Department at 825-1060 (Extension 504). Please mail or deliver this response form to the Planning and Building Department, City of St. Augustine, P.O. Box 210, St. Augustine, FL 32085-0210, no later than **Monday, October 2, 2006.**

(RE: 24 Avenida Menendez, #2006-0919)



LEGAL NOTICE

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APPLICANT'S NAME: **Don Crichlow #2006-0919**

SURROUNDING PROPERTY OWNER

RESPONSE FORM

 IN FAVOR OF APPLICATION

 X OPPOSED TO APPLICATION

COMMENTS:

No Thank you! We have enough in the neighborhood now. Come visit any Friday or Saturday night between 10 PM and 4 AM

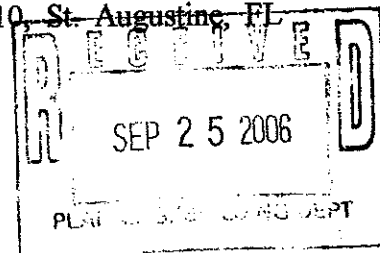
Denis M Cunningham
NAME (please print)

[Signature]
SIGNATURE

54 Charlotte ST
PROPERTY ADDRESS

To obtain additional information regarding this application, contact the Planning and Building Department at 825-1060 (Extension 504). Please mail or deliver this response form to the Planning and Building Department, City of St. Augustine, P.O. Box 210, St. Augustine, FL 32085-0210, no later than **Monday, October 2, 2006.**

(RE: 24 Avenida Menendez, #2006-0919)



RECEIVED
OCT 02 2006
Planning / Building Dept.

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APPLICANT'S NAME: Don Crichlow #2006-0919

SURROUNDING PROPERTY OWNER

RESPONSE FORM

 IN FAVOR OF APPLICATION OPPOSED TO APPLICATION

Support is conditional

COMMENTS:

see attached letter

George R. Dann

NAME (please print)

George R. Dann

SIGNATURE

22 Avenida Menendez

PROPERTY ADDRESS

To obtain additional information regarding this application, contact the Planning and Building Department at 825-1060 (Extension 504). Please mail or deliver this response form to the Planning and Building Department, City of St. Augustine, P.O. Box 210, St. Augustine, FL 32085-0210, no later than **Monday, October 2, 2006.**

(RE: 24 Avenida Menendez, #2006-0919)

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

RECEIVED

OCT 02 2006

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APPLICANT'S NAME: Don Crichlow #2006-0919

SURROUNDING PROPERTY OWNER

RESPONSE FORM

____ IN FAVOR OF APPLICATION

____ OPPOSED TO APPLICATION

COMMENTS:

Conditional Support
See attached letter

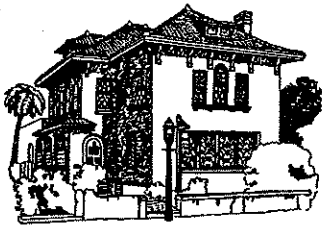
M. Lynne Fairfield
NAME (please print)

M. Lynne Fairfield
SIGNATURE

Inn on Charlotte
PROPERTY ADDRESS

To obtain additional information regarding this application, contact the Planning and Building Department at 825-1060 (Extension 504). Please mail or deliver this response form to the Planning and Building Department, City of St. Augustine, P.O. Box 210, St. Augustine, FL 32085-0210, no later than **Monday, October 2, 2006.**

(RE: 24 Avenida Menendez, #2006-0919)



Casa DE LA Paz
22 Avenida Menendez, St. Augustine, Florida 32084
(904) 829-2915 • (800) 929-2915

RECEIVED

OCT 02 2006

Planning / Building Dept.

October 2, 2006

Planning and Building Department
City of St. Augustine
P.O. Box 210
St. Augustine, FL 32085-0210

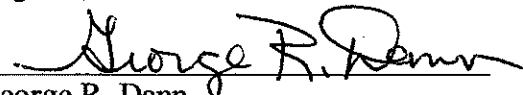
Re: Application to allow a bar as a permissible use by exception on property (Casablanca Inn) located at 24 Avenida Menendez.

This letter is intended to notify The Board that support of, or opposition to, this application is entirely conditional. Having spoken with the owners of the surrounding hospitality properties, I can say that the noise pollution resulting from a bar, frequented by the public, whose patrons loudly pour out on Charlotte Street and Avenida Menendez at a late hour, would be detrimental to the experience our guests expect when they come to St. Augustine.

Approximately five years ago a similar issue existed when the bar at the Tavern On The Bay was open until 1:00 am. The previous owners of the Casablanca Inn and the Casa de la Paz Bed & Breakfast complained constantly to Robert Nofal, the owner of the bar, about the loud noise of intoxicated patrons still on the streets at 1:00 am. Mr. Nofal's solution to the problem was to close the bar at 10:00 pm. This satisfied the inn owners, and to this day, The Tavern On The Bay does not serve alcohol after 10:00 pm. Mr. Nofal has indicated to me, that if the Casablanca Inn is permitted to have their bar serve alcohol past 10:00 pm, that he will follow suit. This will only cause problems for all of us.

With regard to the application; As long as the Planning and Zoning Board stipulates, in their documented approval, that the Casablanca Inn MUST close the bar and turn off the music no later than 10:00 pm, We have no objection to approval of the application.

Regards,


George R. Dann
Owner, Casa de la Paz Bed & Breakfast
22 Avenida Menendez
St. Augustine, FL 32084


Lynne Fairfield
Owner, The Inn on Charlotte
52 Charlotte Street
St. Augustine, FL 32084

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 7, 2020

RE: **USE BY EXCEPTION #2020-0059**

AGENDA ITEM 6(c)

APPLICANT John Tipton
c/o Altmed Florida

OWNER Phillip Forbes

LOCATION 400 S. Ponce De Leon Ave / PIN 118940-0000

REQUEST To approve a use by an exception for a legally available marijuana dispensary within Commercial, medium-two (CM-2) zoning district.

LAND USE Commercial Medium Intensity

ZONING Commercial Medium-two (CM-2)

SURROUNDING USES Retail, Single Family Homes

APPLICABLE CODES/ORDINANCES

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

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

(a) Zoning exceptions:

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

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

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

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

General Zoning Standards:

LDC Section 28-2. Definitions.

Legally available marijuana shall mean any form or variant or species of the cannabis plant including but not limited to cannabis sativa L., C. ruderalis, C. indica and its constituent cannabinoids, such as tetrahydrocannabinol (THC) and cannabidiol (CBD) commonly referred to as marijuana, that is currently legal to possess, or may become legal to possess in the State of Florida, whether such possession is direct or indirect. A person or entity who is in possession of legally available marijuana in this context includes any person or entity who legally possesses any form of marijuana, including but not limited to, patients prescribed marijuana for medical treatment and their caregivers, anyone legally cultivating the marijuana plant or its seeds, anyone legally manufacturing, producing, processing or creating any goods or foods utilizing any part of the marijuana plant including buds, leaves, roots or seeds, or making available for legal sale, trade, gift, display, storage, delivery or on-site commercial consumption any part of the marijuana plant including buds, leaves or seeds in any processed or unprocessed form. Cannabis sativa L. subsp. sativa var. sativa is the variety of cannabis sativa with THC levels below 0.5% grown for non-consumable industrial uses such as hemp cloth products and hempcrete concrete building blocks, and is not intended to be included in this definition.

Sec. 28-209. - Commercial medium-two: CM-2.

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

(3) *Permissible uses by exception.*

m. Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana.

(8) *Vehicular access:* Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana shall require a condition of direct

vehicular access to a roadway functional classification of principal arterial-urban U.S. Highway 1.

STAFF SUMMARY AND ANALYSIS

The applicant is requesting a use by exception to allow for the sale of legally available medical marijuana. The proposed location of this facility meets the requirement established in LDC sec. 28-209(8) and Ordinance 2014-27 (attachment 3) as the property does take access off US 1. The provided site plan and architectural rendering are included for the board to review. Staff has not reviewed the provided site plan for overall compliance (should the request be approved; the site could have to meet all City Requirements for site development); it is meant to be a conceptual site plan.

Staff finds the applicant has demonstrated that the proposed use will be scaled to the existing commercial uses in the area, provide a benefit in the improved appearance of a vacant building, and is located within an established commercial corridor with access to US-1.

STAFF RECOMMENDATION

Based on a review of Section 28-29 and 28-209, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the by exception for a legally available marijuana dispensary at **400 S. Ponce De Leon Ave / PIN 118940-0000**.

Attachments

Attachment 1 – Application & Property Record Card

Attachment 2 – Site plan & Renderings

Attachment 3 – Ordinance 2017-47

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

Attachment 1

Application & Property Record Card



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED

JUN 05 2020

Application Fee: \$250 (plus advertising costs)

Project Number: 2020-0059

Receipt Number: 1876891

Meeting Date: July 7, 2020

Advertising Costs: \$ _____

Paid On: _____

Receipt Number: _____

1. NAME OF APPLICANT: John Tipton Contact Number: 813 695-5171
 Business (if applicable): Altmed Florida
 Address: 901 4th Street NW City: Ruskin State: FL Zip: 33570
 E-Mail Address: John.Tipton@altmed.co
2. NAME OF PROPERTY OWNER: Phillip R Forbes Contact Number: 904 707 6344
 Business (if applicable): Dentist
 Address: 49 Valensia St. City: St. Augustine State: FL Zip: 32084
 E-Mail Address: Irene1954@gmail.com
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
 Lot: 36, 37, 38, 39, 40, 41 Block: C
 Subdivision: Wildwood Park Companys Subdiv Parcel Number: _____
4. PROJECT STREET ADDRESS: 400 S Ponce de Leon Blvd
5. SPECIFIC PROPOSED USE: Medical Marijuana Dispensary (mmic)
6. ACTION REQUESTED:
☐ Conservation Zone Development ☐ Appeal of Staff Determination
☒ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☐ Other: _____
7. DESCRIPTION OF ACTION REQUESTED: Allow requested use at this location
8. JUSTIFICATION FOR ACTION REQUESTED: _____

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

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

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

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

10. PREVIOUS APPPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

Signature of Applicant

Date

Signature of Property Owner

Date

04/18/2019

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

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

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Signature of Applicant

Date

Signature of Property Owner

Date

04/18/2019



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

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

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

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

John Tipton
Print name of applicant

John Tipton
Signature of applicant

6/5/20
Date



6 1
1991 10 10

Owner's Authorization For Agent

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

BY: _____

Signature of Owner

Print Name of Owner

Telephone Number

State of _____

County of _____

Signed and sworn before me on this _____ day of _____, 20__.

By _____

Identification verified:

Oath sworn: _____ Yes _____ No

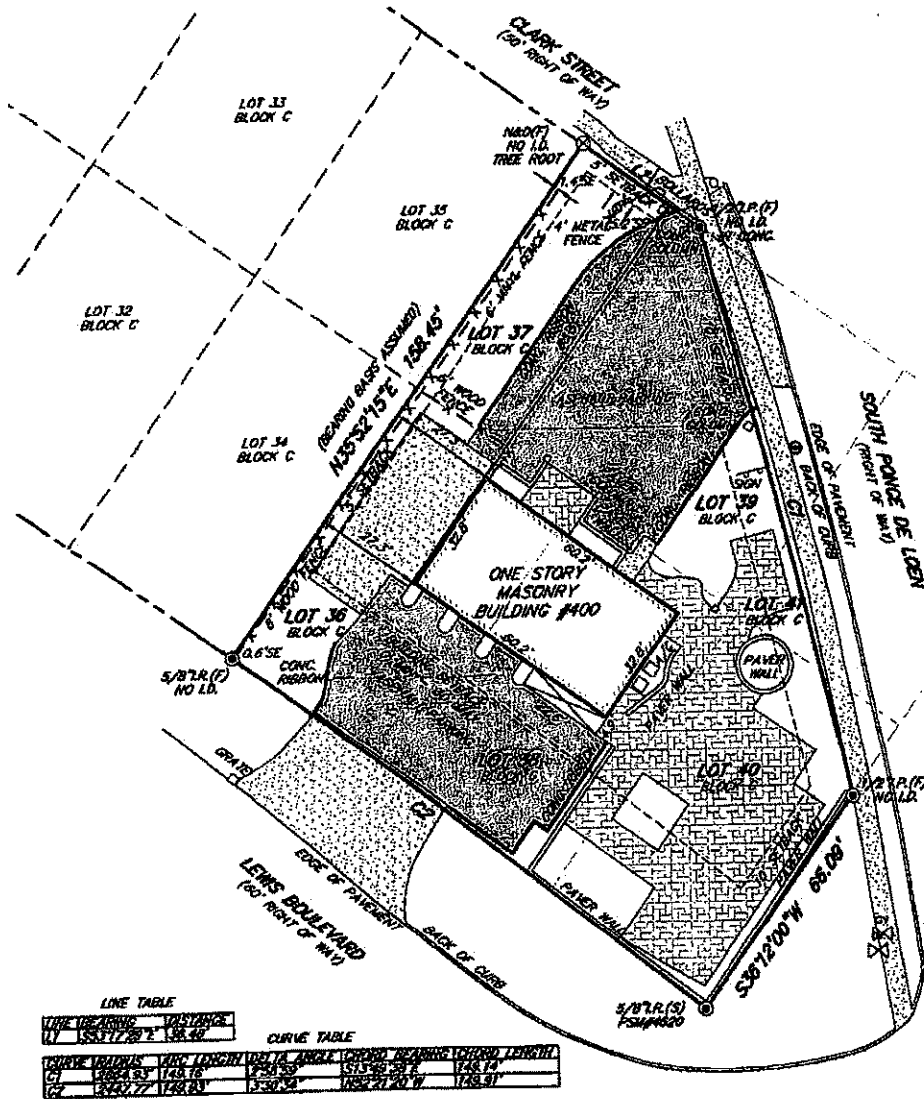
Notary Signature: _____

My Commission expires: _____

MAP SHOWING SURVEY OF

LOTS 35, 37, 38, 39, 40 AND 41, BLOCK C, WILLOW PARK COMPANY'S SUBDIVISION, ACCORDING TO THE MAP OF PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 133, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, EXCEPTING THEREFROM SO MUCH OF LOTS 37, 38, 40 AND 41 AS CONVEYED TO THE STATE OF FLORIDA FOR ROAD PURPOSES BY DEEDS RECORDED IN DEED BOOK 244, PAGE 425 AND DEED BOOK 249, PAGE 410, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

CERTIFIED TO:
EDMUNDO SCHIANO
AMERIS BANK
PARADISE TITLE OF ST. AUGUSTINE, LLC
CHICAGO TITLE INSURANCE COMPANY



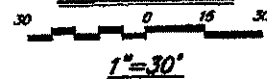
LEGEND

- A/C - AIR CONDITIONER PAD
- I.D. - IDENTIFICATION
- N.A.V.D. - NORTH AMERICAN VERTICAL DATUM
- IR(F) - IRON ROD FOUND
- IR(P) - IRON PIPE FOUND
- IR(S) - 5/8" IRON ROD SET (F.S.M. 4020)
- P.C. - POINT OF CURVATURE
- P.T. - POINT OF TANGENCY
- WELL - WELL
- WOOD POWER POLE - WOOD POWER POLE
- MANHOLE - MANHOLE
- LIFT STATION - LIFT STATION

- sq. ft. - SQUARE FEET
- R - RADIUS
- Δ - DELTA
- L - ARC LENGTH
- T - TANGENT
- CD - CHORD DISTANCE
- CB - CHORD BEARING
- EXP. CONC. - EXPOSED CONCRETE
- COVERED AREA - COVERED AREA
- WATER METER - WATER METER
- OVERHEAD ELECTRIC - OVERHEAD ELECTRIC
- GAS VALVE - GAS VALVE

AREA = 0.43 ± ACRES
OR 10,572 ± sq. ft.

GRAPHIC SCALE



GENERAL NOTES:

- This survey was made without benefit of an abstract of title. No right-of-way or easements of record were referenced in this report except as shown.
- The location of this survey is a preliminary opinion based on the existing field and documentary evidence available at the time this survey was prepared.
- This office has not observed this parcel of land for any recorded claims of title, easements or restrictions. This surveyor shall not be held liable for the existence of any such claims.
- Use of this survey for purposes other than that which it was intended, without written permission, will be at the user's sole risk and without liability to the surveyor.
- Surveying equipment shall be maintained to give any rights or benefits to anyone other than those lawfully shown hereon.
- All disputes hereunder shall be resolved by binding arbitration in accordance with rules set forth by the American Arbitration Association.
- No underground structures, utilities or foundations were located or determined by this survey.
- For building setbacks and the appropriate county zoning enforcement office.
- All distances, bearings or angles are as they measured. Said or plot measurements are noted as different.
- The measurements for this survey were made in accordance with the United States Standards.
- Measurements as shown hereon are only those above ground, visible objects observed by the surveyor.

- This survey is certified to the best field data.
- This survey does not reflect or determine ownership.
- The specific rights looked by this survey are not guaranteed.
- This surveyor's liability shall not exceed the fee as stated by the surveyor.

NOTE:

THIS SURVEY IS PROTECTED BY COPYRIGHT AND IS CERTIFIED ONLY TO THE PARTIES LISTED ABOVE AND ONLY FOR THIS PARTICULAR TRANSACTION. ANY USE OR REPRODUCTION OF THIS SURVEY WITHOUT THE EXPRESS PERMISSION OF THE SURVEYOR IS PROHIBITED. USE OF THIS SURVEY IN ANY SUBSEQUENT TRANSACTION IS NOT AUTHORIZED. THE SURVEYOR EXPRESSLY DISCLAIMS ANY CERTIFICATION TO ANY PARTIES IN FUTURE TRANSACTIONS. NO PERSON OTHER THAN THOSE LISTED SHOULD RELY UPON THIS SURVEY.

According to the Federal Emergency Management Agency (FEMA) Map No. 15500-0041 effective date 5/25/2000, the property parcelled herein appears to be in Zone AE F-15.

State of building structure: **BEHIND BASE ASSESSMENT**

State of development: **N.A. V.D.**

DATE: 08/28/2000
BY: [Signature]
FOR: [Signature]
SCALE: 1" = 30'
PROJECT: [Signature]
CITY: [Signature]
COUNTY: [Signature]
STATE: [Signature]

Copyright 2000, [Signature]

NICHOLAS H. FRANKLIN
6170 11th Avenue S.W.
St. Augustine, Florida 32080
(904) 471-8877 FAX (904) 471-8878



St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

Summary

Parcel ID 1189400000
Location Address 400 S PONCE DE LEON BLVD
 SAINT AUGUSTINE 32084-0000
Neighborhood Ponce Boulevard/US-1 South to SR-312 (COM) (681.02)
Tax Description* 1-133 WILDWOOD PARK LOT 36 & ALL LOTS 37 THRU 41 (EX R/W OF RD 5 IN DB244/425 & 249/410) BLK C OR3087/618 & 4517/1506
**The Description above is not to be used on legal documents.*
Property Use Code Stores (1100)
Subdivision Wildwood Park, Map Of
Sec/Twp/Rng 37-7-30
District City of St Augustine (District 452)
Millage Rate 20.0503
Acreage 0.440
Homestead N

Owner Information

Owner Name [Forbes Phillip R Irene S ***](#) 100%
[Forbes Irene S ***](#) 100%
[Forbes Alexander J](#) 0%
[Forbes Daniel L](#) 0%
Mailing Address 49 VALENCIA ST
 SAINT AUGUSTINE, FL 32084-0000

Map



Valuation Information

	2020
Building Value	\$109,270
Extra Features Value	\$34,395
Total Land Value	\$285,930
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$429,595
Total Deferred	\$25,601
Assessed Value	\$403,994
Total Exemptions	\$0
Taxable Value	\$403,994

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2019	\$82,244	\$22,226	\$285,930	\$0	\$0	\$390,400	\$367,267	\$23,133	\$367,267
2018	\$64,818	\$22,383	\$285,930	\$0	\$0	\$373,131	\$333,879	\$39,252	\$333,879
2017	\$59,600	\$16,352	\$285,930	\$0	\$0	\$361,882	\$303,526	\$58,356	\$303,526
2016	\$62,580	\$16,509	\$285,930	\$0	\$0	\$365,019	\$275,933	\$89,086	\$275,933
2015	\$65,560	\$16,665	\$285,930	\$0	\$0	\$368,155	\$250,848	\$117,307	\$250,848
2014	\$69,533	\$13,558	\$142,965	\$0	\$0	\$226,056	\$226,056	\$0	\$226,056
2013	\$71,931	\$13,558	\$142,965	\$0	\$0	\$228,454	\$228,454	\$0	\$228,454
2012	\$75,527	\$13,558	\$142,965	\$0	\$0	\$232,050	\$232,050	\$0	\$232,050
2011	\$77,925	\$13,558	\$162,027	\$0	\$0	\$253,510	\$253,510	\$0	\$253,510
2010	\$80,323	\$13,558	\$181,089	\$0	\$0	\$274,970	\$274,970	\$0	\$274,970

Building Information

Building 1
 Actual Area 2870
 Conditioned Area 1980
 Actual Year Built 1976
 Use Stores (Retail)
 Style 04
 Class N
 Exterior Wall Concrete Stucco

Roof Structure Rigid Frame
 Roof Cover Built Up, Modular Metal
 Interior Flooring Ceramic Tile
 Interior Wall Drywall
 Heating Type Air Duct
 Heating Fuel
 Air Conditioning Central
 Baths

Category	Type	Pct
Exterior Wall	Concrete Stucco	100%
Roofing Structure	Rigid Frame	100%
Roofing Cover	Built Up	90%
Roofing Cover	Modular Metal	10%
Interior Walls	Drywall	100%
Interior Flooring	Ceramic Tile	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	6 Fixtures	100%
Electrical	Average	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Concrete Slab	100%
Insulation	2" Fiberglass	100%
Condition	Average	100%

Description	Conditioned Area	Actual Area
CANOPY	0	445
CANOPY	0	445
BASE AREA	1980	1980
Total SqFt	1980	2870

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Concrete Paving	0	0	0	0	188
Asphalt Paving	0	0	0	0	8500
Curb	0	0	0	0	290
Concrete Paving	0	0	0	0	600
Sprinkler Wet	0	0	0	0	1980
Wood Fence (Commercial)	0	0	0	0	100
Brick Pavers (501-1000)	0	0	0	0	330
Brick Pavers (1001-3000)	0	0	0	0	1579
Masonry Wall	0	0	0	0	316

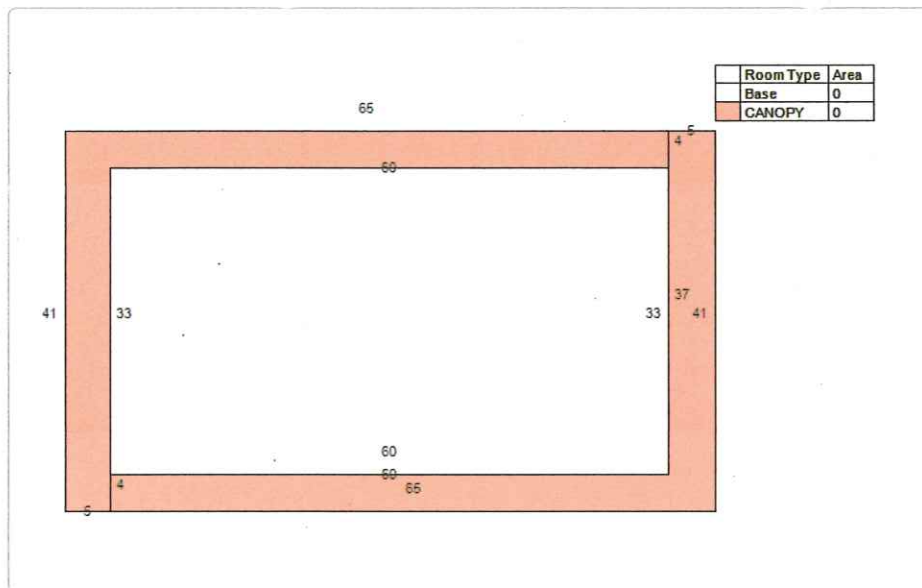
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Stores	0	0	19062	SF	\$285,930

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
3/19/2018	3/5/2018	\$100.00	WD	4517	1506	U	I	FORBES PHILLIP R,IRENE S	FORBES PHILLIP R,IRENE S ***
	5/29/2008	\$781,500.00	WD	3087	618	U	I	KANE GREGORY & PATRICIA	FORBES PHILLIP R,IRENE S
	5/14/1999	\$250,000.00	WD	1411	89	Q	I	PORTMAN WARREN C	KANE GREGORY & PATRICIA
	9/9/1992	\$175,000.00	WD	956	1241	Q	I	TRAYLOR ROBERT L,JANE M	PORTMAN WARREN C
	9/1/1983	\$0.00		605	861	U	I		TRAYLOR ROBERT L,JANE M
	9/1/1982	\$0.00		551	334	U	I		

Sketch Information



No data available for the following modules: Exemption Information.

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

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

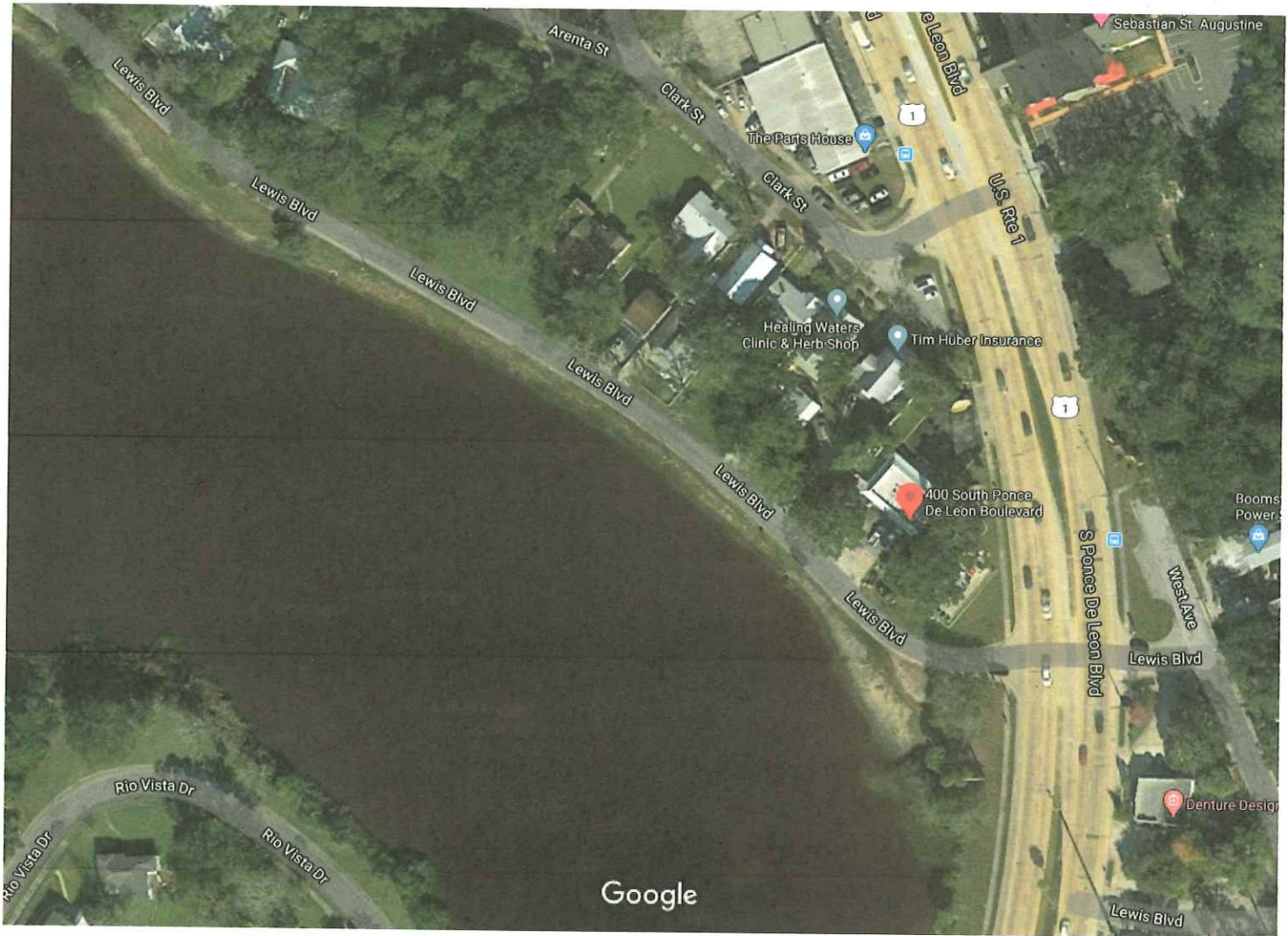
Last Data Upload: 6/5/2020, 12:44:57 AM

Developed by



Version 2.3.62

Google Maps 400 S Ponce De Leon Blvd



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020

50 ft



400 S Ponce De Leon Blvd

St. Augustine, FL 32084



Directions



Save



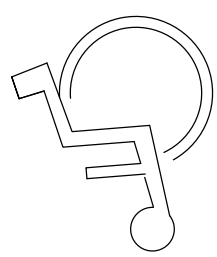
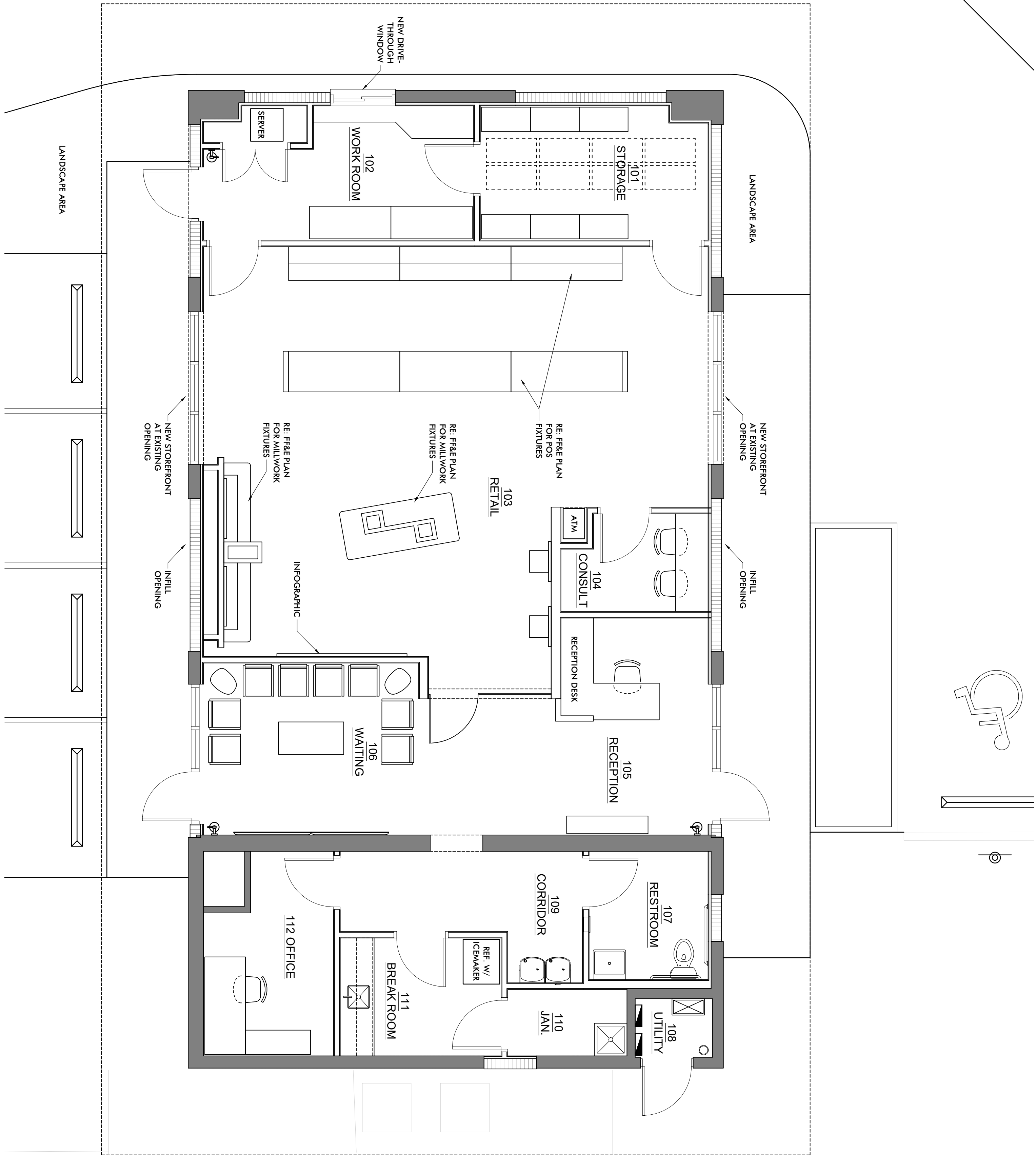
Nearby

Send to your
phone

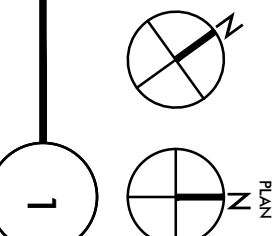
Share

Attachment 2

Site Plan & Renderings



RENOVATION PLAN
1/4" = 1'-0"



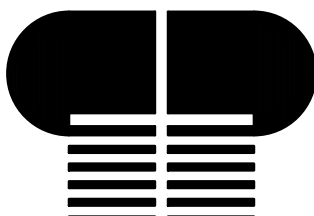
A101 -

JOB NO.:
MUV ST. AUGUSTINE
SHEET:
RENOVATION PLAN

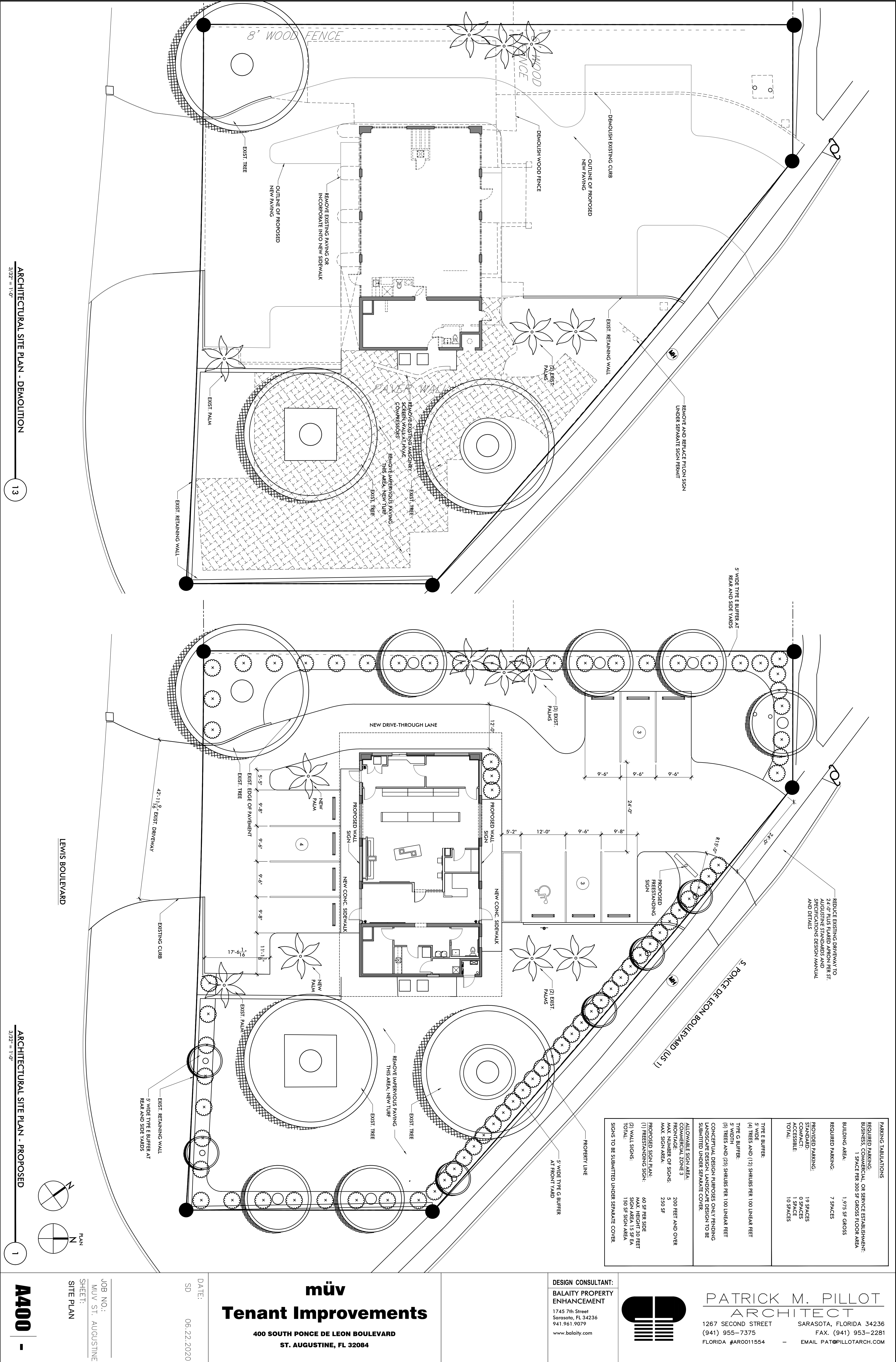
DATE:
SD 06.22.2020

müv
Tenant Improvements
400 SOUTH PONCE DE LEON BOULEVARD
ST. AUGUSTINE, FL 32084

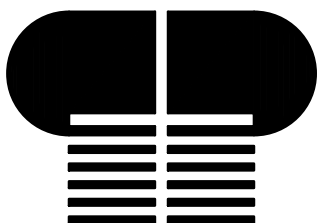
DESIGN CONSULTANT:
BALAITY PROPERTY
ENHANCEMENT
1745 7th Street
Sarasota, FL 34236
941.961.9079
www.balaity.com



PATRICK M. PILLOT
ARCHITECT
1267 SECOND STREET SARASOTA, FLORIDA 34236
(941) 955-7375 FAX. (941) 953-2281
FLORIDA #AR0011554 - EMAIL PAT@PILLOTARCH.COM



PARKING TABULATIONS	
REQUIRED PARKING:	REQUIRED PARKING: 19 SPACES
BUSINESS, COMMERCIAL OR SERVICE ESTABLISHMENT:	COMPACT: 0 SPACES
1 SPACE PER 300 SF GROSS FLOOR AREA	ACCESSIBLE: 1 SPACE
BUILDING AREA: 1,975 SF GROSS	TOTAL: 10 SPACES
REQUIRED PARKING: 7 SPACES	
PROVIDED PARKING:	
STANDARD: 19 SPACES	
COMPACT: 0 SPACES	
ACCESSIBLE: 1 SPACE	
TOTAL: 10 SPACES	
TYPE E BUFFER:	
(4) TREES AND (12) SHRUBS PER 100 LINEAR FEET	
TYPE G BUFFER:	
(5) TREES AND (25) SHRUBS PER 100 LINEAR FEET	
CONCEPTUAL DESIGN PURPOSES ONLY. FENDING	
UNDER SEPARATE SIGN PERMIT	
ALLOWABLE SIGN AREA:	200 FEET AND OVER
COMMERCIAL ZONE 3	
FRONTAGE:	250 SF
MAX. NUMBER OF SIGNS:	250 SF
MAX. SIGN AREA:	250 SF
PROPOSED SIGN PLAN:	
(1) FREESTANDING SIGN:	60 SF PER SIDE
(2) WALL SIGNS:	MAX. HEIGHT 30 FEET
TOTAL:	SIGN AREA 13.8 EA
SIGNS TO BE SUBMITTED UNDER SEPARATE COVER	150 SF SIGN AREA



PATRICK M. PILLOT
ARCHITECT
1267 SECOND STREET
(941) 955-7375
FLORIDA #ARO011554

SARASOTA, FLORIDA 34236
FAX. (941) 953-2281
EMAIL PAT@PILLOTARCH.COM

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müv
Tenant Improvements
400 SOUTH PONCE DE LEON BOULEVARD
ST. AUGUSTINE, FL 32084

DATE: 06.22.2020
SD

JOB NO.:
MUV ST. AUGUSTINE
SHEET:
SITE PLAN

A400

ARCHITECTURAL SITE PLAN - DEMOLITION

13

ARCHITECTURAL SITE PLAN - PROPOSED

1

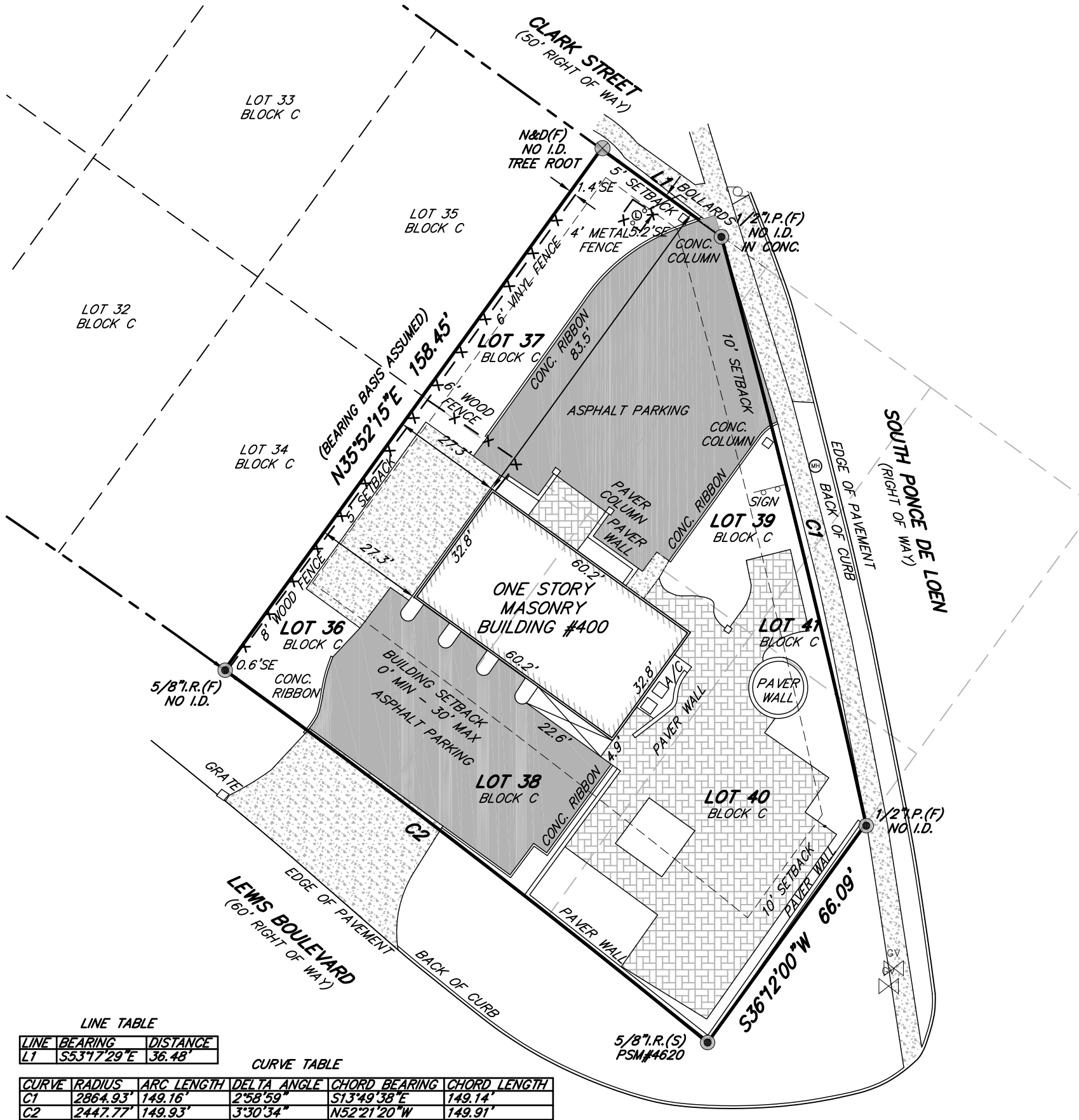
MAP SHOWING SURVEY OF

LOTS 36, 37, 38, 39, 40 AND 41, BLOCK C, WILDWOOD PARK COMPANYS SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 133, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, EXCEPTING THEREFROM SO MUCH OF LOTS 37, 39, 40 AND 41 AS CONVEYED TO THE STATE OF FLORIDA FOR ROAD PURPOSES BY DEEDS RECORDED IN DEED BOOK 244, PAGE 425 AND DEED BOOK 249, PAGE 410, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

RECEIVED

By Patrick Doty at 8:18 am, Jun 19, 2020

CERTIFIED TO:
EDMONDO SCHIANO
AMERIS BANK
PARADISE TITLE OF ST. AUGUSTINE, LLC
CHICAGO TITLE INSURANCE COMPANY



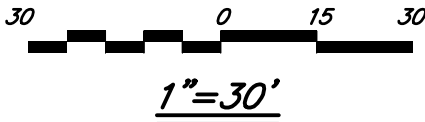
LEGEND

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I.P.(F) - IRON PIPE FOUND
I.R.(S) - 5/8" IRON ROD SET (PSM# 4620)
P.C. - POINT OF CURVATURE
P.T. - POINT OF TANGENCY
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GAS VALVE

AREA = 0.43 ± ACRES
OR 18,572 ± sq. ft.

GRAPHIC SCALE



GENERAL NOTES:

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According to the Federal Emergency Management Agency FIRM Map No: 125145-0314J effective date: 12/07/2018, the property described hereon appears to lie in Zone AE 7, XS

Basis of bearing structure: BEARING BASIS ASSUMED

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

JOB NO.	LAST FIELD DATE	SCALE:	F.B./PAGE	CHK. BY	DWG. BY
20-0204	02/18/20	1" = 30'	760/61	N.H.F.	R.J.B.
TYPE: BOUNDARY					

© COPYRIGHT 2020, ALL RIGHTS RESERVED.

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

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper. Additions or deletions to survey maps or reports by other than the signing party is prohibited without the written consent of the signing party.

NICHOLAS H. FRANKLIN, P.L.S. 4620
FOR LANDTECH AND ASSOCIATES

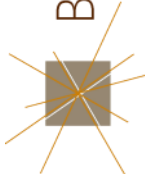
RECEIVED

By Patrick Doty at 9:13 am, Jun 22, 2020



CONCEPTUAL DESIGN

400 SOUTH PONCE DE LEON BOULEVARD
ST. AUGUSTINE, FL 32084
JUNE 22, 2020



BALAITY PROPERTY ENHANCEMENT

WWW.BALAITY.COM
941.961.9079



PROPOSED NORTH ELEVATION



PROPOSED SOUTH ELEVATION



EXISTING CONDITIONS



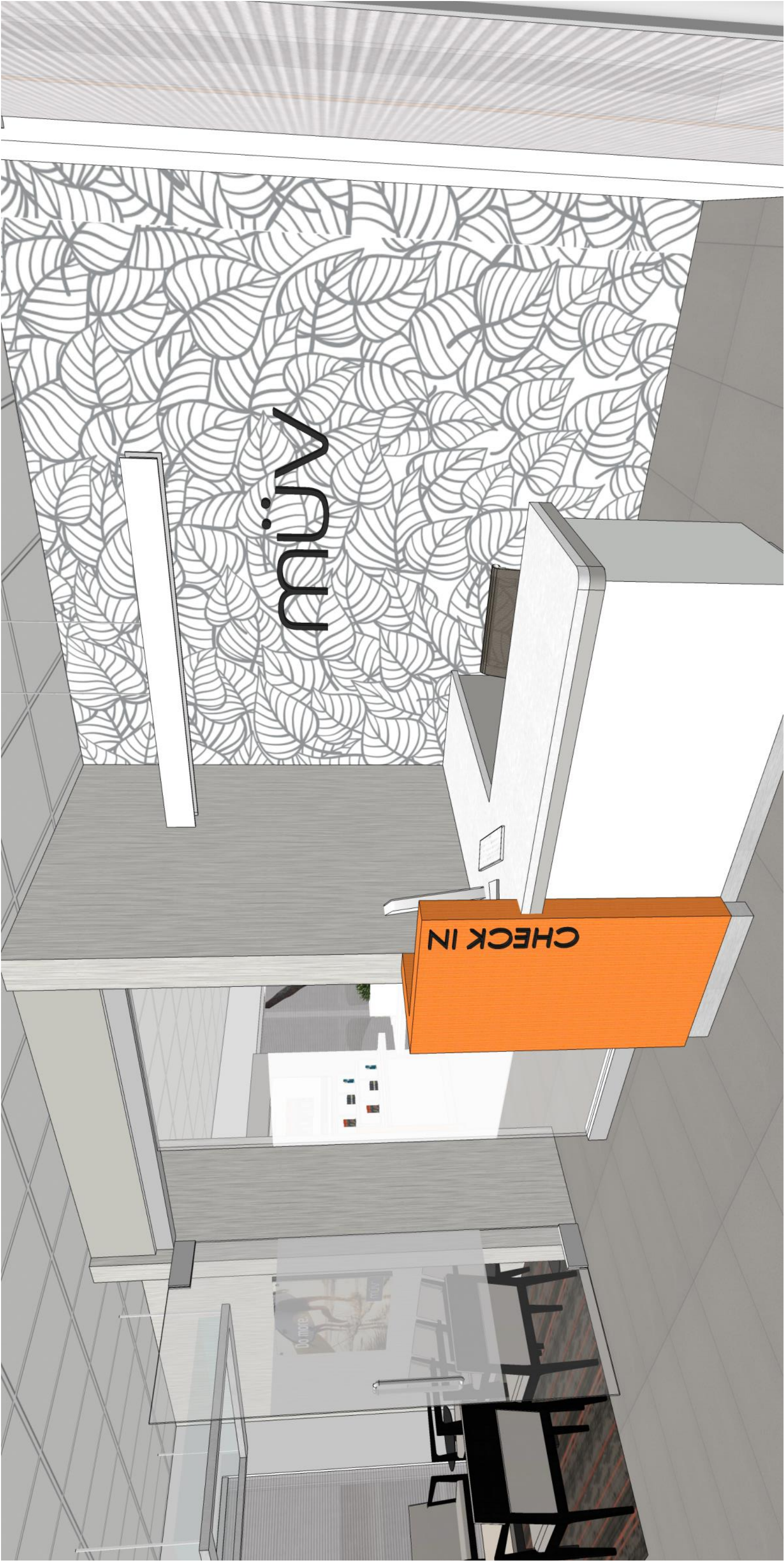
AERIAL VIEW FROM NORTH



AERIAL VIEW FROM SOUTH



PLAN VIEW



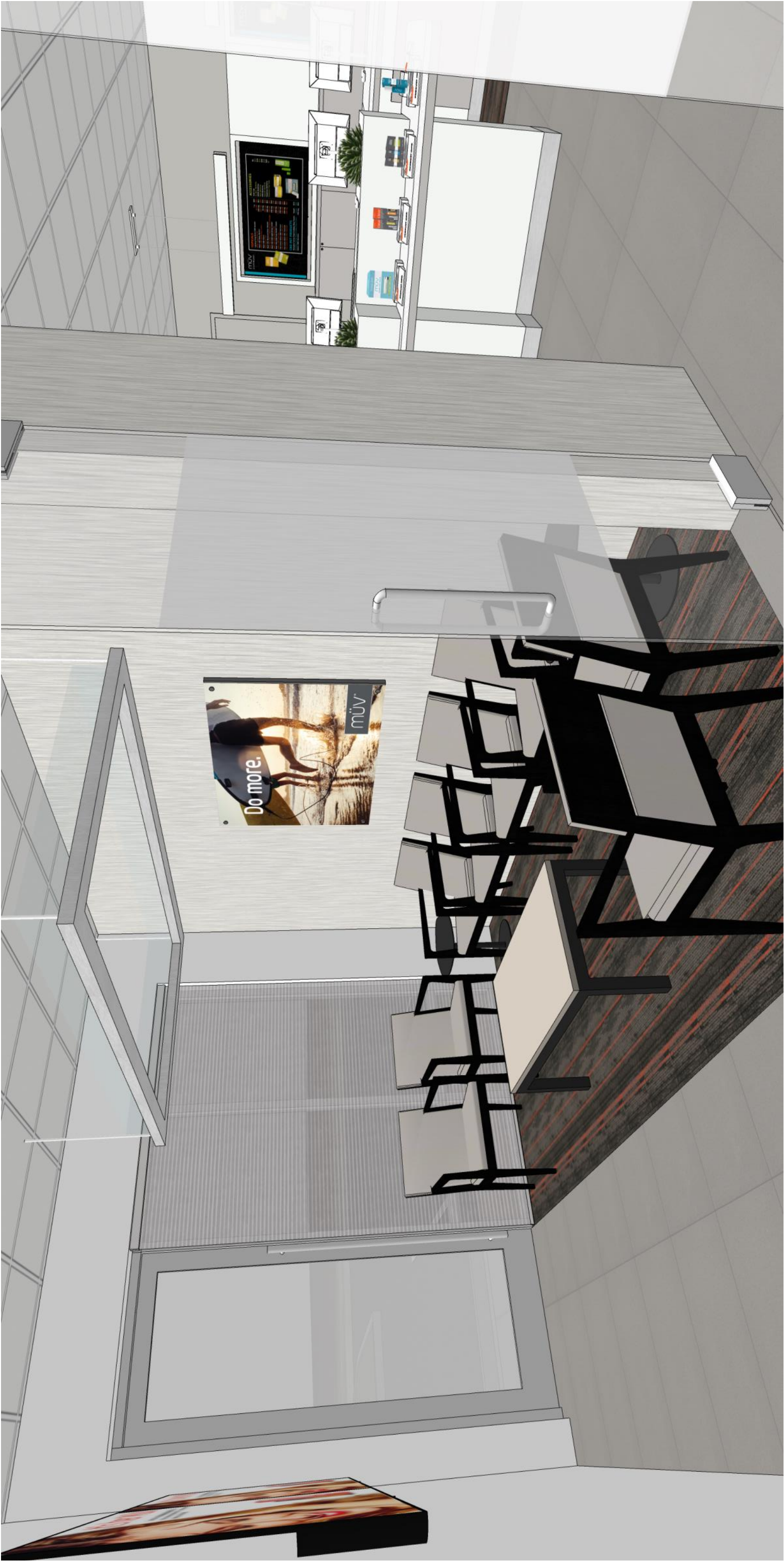
RECEPTION + CHECK-IN

MUV ST. AUGUSTINE CONCEPTUAL DESIGN
JUNE 22, 2020

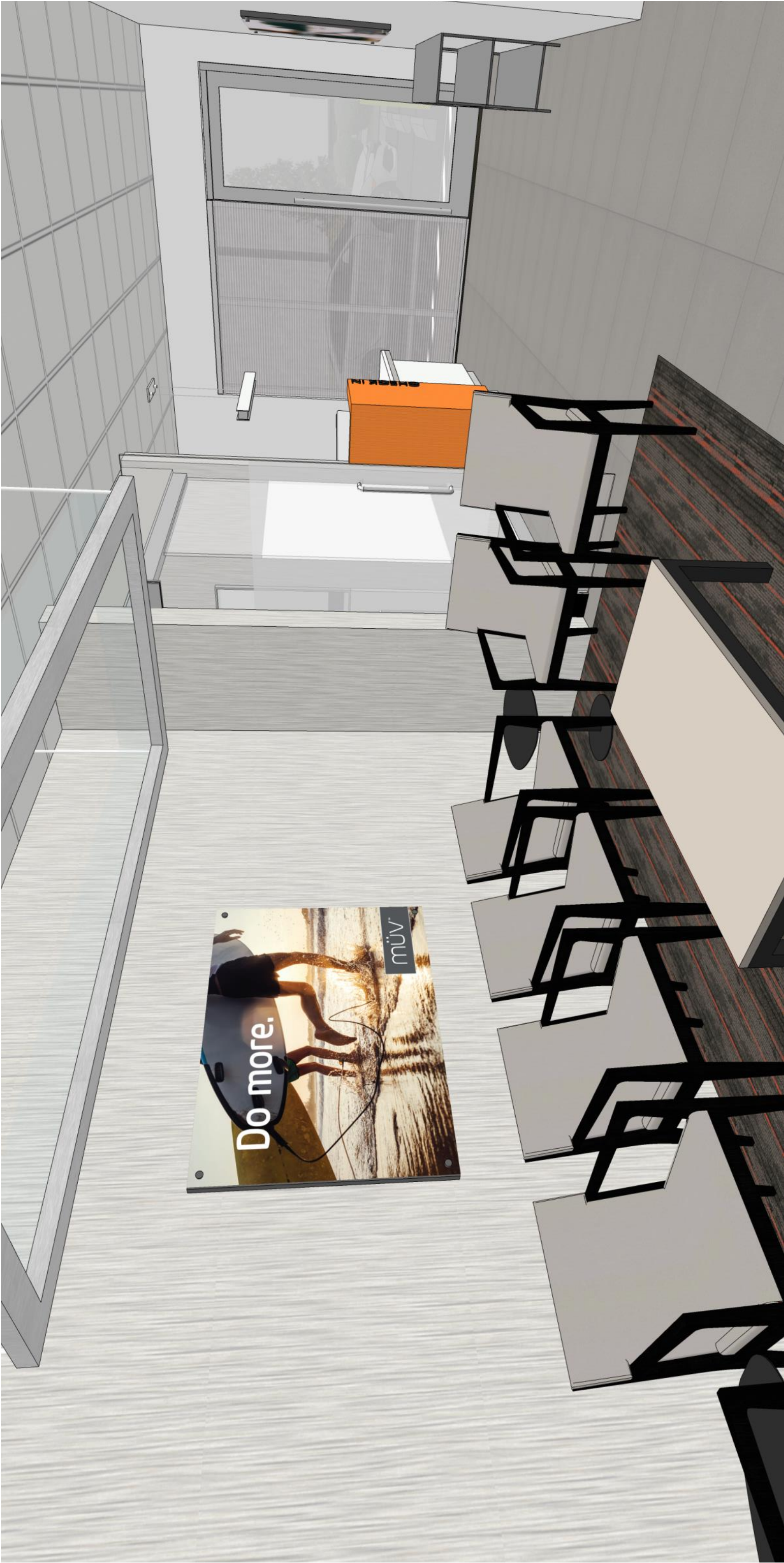


RECEPTION + CHECK-IN

MUV ST. AUGUSTINE CONCEPTUAL DESIGN
JUNE 22, 2020



RECEPTION



RECEPTION + CHECK-IN



RETAIL AREA



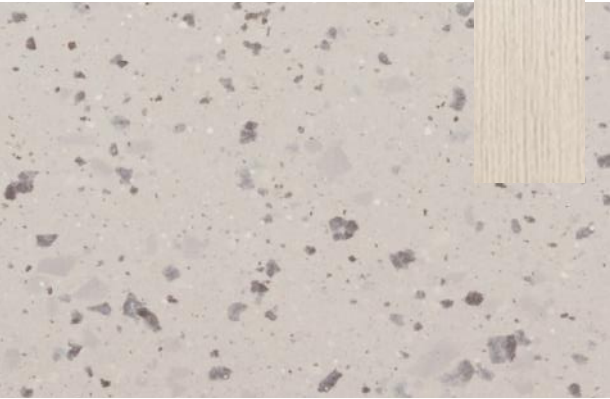
RETAIL AREA



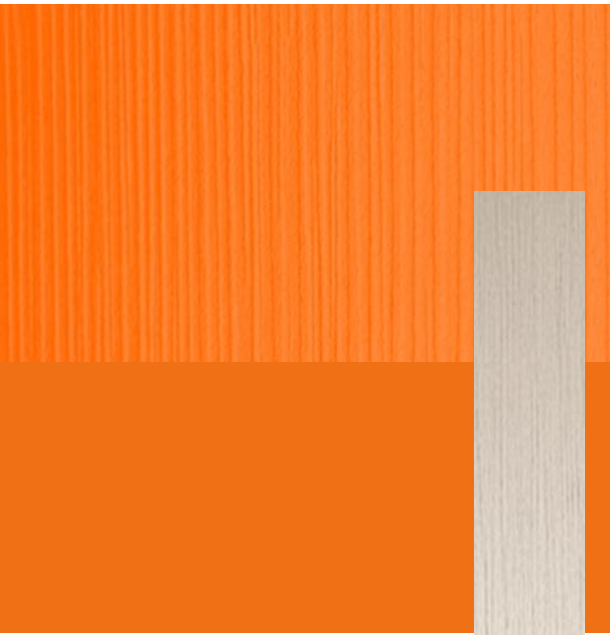
RETAIL AREA



RETAIL AREA



Plastic laminate:
Formica
Tinted Paper Terazzo



Color core laminate:
Nevemar Payapa Line-Z finish ThruColor



PVC laminate:
AE Core White Legno



PVC laminate:
AE Core Veil of Mist



Counters:
Corian Antarctica acrylic

CABINETRY + COUNTERS



ILLM fabric sign box

LIGHTING + SIGNS



POS pendant:
Tech Lighting / Vandor / White



Wallpaper



Vinyl wall graphic



LVT Flooring:
Shaw Contract / Surface + Strand / Surface 0515V
Cement 15518 / 18" x 36"



Carpet:
Kraus District 8—Lennox

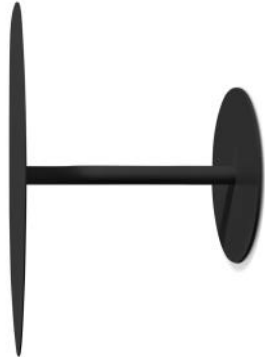
RECEPTION:



Task chair:
M365 Grey Vegan Leather



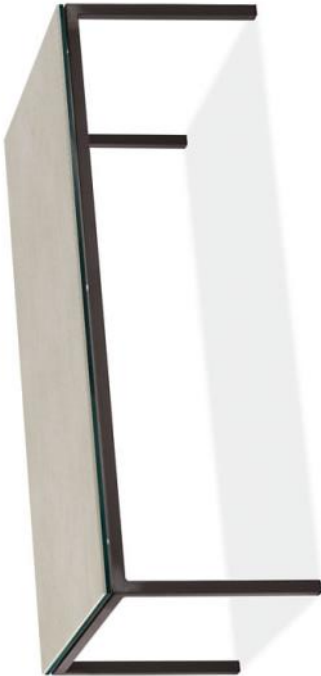
Console table:
Room & Board
Slim Console in natural steel



Side table:
BluDot Swole Medium Table—black



Side chair:
NBF Hampton
Black Frame / “Metal”
Polyurethane upholstery



Coffee table:
Room + Board
Parsons Thin Leg Coffee Table/
taupe ceramic composite

CONSULT ROOM:



Side chair:
Room + Board
Caprice Chair

Attachment 3

Ordinance 2017-47

ORDINANCE NO. 2014-27

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING SECTION 28-209 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO PROVIDE FOR FACILITIES FOR SALES, TRADE, GIFT, DISPLAY, STORAGE, DELIVERY OR ON-SITE COMMERCIAL CONSUMPTION OF LEGALLY AVAILABLE MARIJUANA AS A USE BY EXCEPTION IN THE COMMERCIAL MEDIUM-TWO (CM-2) ZONING CATEGORY; REQUIRING A CONDITION OF DIRECT VEHICULAR ACCESS TO A ROADWAY FUNCTIONAL CLASSIFICATION OF PRINCIPAL ARTERIAL-URBAN U.S. HIGHWAY 1; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 166.041, Florida Statutes, provides procedures for adoption of ordinances by municipalities; and

WHEREAS, the 2030 Comprehensive Plan states that the City's Future Land Use Goal is, "(t)o create an environment within the City and adjacent areas in which its residents have the opportunity to maximize the potential for economic benefit, and the enjoyment of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation;" and

WHEREAS, the 2030 Comprehensive Plan Future Land Use Objective 1 states that, "(t)he Future Land Use Map and subsequent amendments to it shall be adopted and implemented in a manner consistent with topography, soil conditions, and the availability of facilities and services to support such development;" and

WHEREAS, the City consists of approximately thirteen square miles, inclusive of water bodies, and is substantially urbanized and built-out; and

WHEREAS, the 2030 Comprehensive Plan Future Land Use classifications do not include a land use classification for agricultural lands; and

WHEREAS, the cultivation of marijuana can be accomplished indoors in warehouse-type structures on properties within a land use classification of Industrial and a zoning category of Industrial and Warehousing (IW); and

WHEREAS, the 2030 Comprehensive Plan Map T-5 identifies the St. Augustine Roadway Functional Classifications and specifically identifies U.S. Highway 1 as a Principal Arterial-Urban road; and

WHEREAS, the 2030 Comprehensive Plan Infrastructure Element at SS Objective 1.3 and PW Objective 1.4 states that it shall be the objective of the City to continue to discourage the proliferation of urban sprawl and maximize the use of the existing wastewater and potable water facilities; and

WHEREAS, the State of Florida recently adopted a limited form of legally available marijuana codified in Chapter 381.986, Florida Statutes, titled “Compassionate use of low-THC cannabis;” and

WHEREAS, a constitutional amendment regarding legally available marijuana in Florida was proposed and narrowly defeated with approximately 57% voter approval in the 2014 general election; and

WHEREAS, the City has the legal authority pursuant to its Charter and the laws of Florida to regulate the land use and zoning of property within its municipal boundaries; and

WHEREAS, various state and national entities have begun addressing the direct and secondary impacts relating to the legalization of marijuana, including the American Planning Association, Denver Fire Department, Rocky Mountain High Intensity Drug Trafficking Area, U.S. Department of Justice, Florida cities and counties, Florida for Care Blue Ribbon Commission, and the Florida League of Cities-Florida Association of Counties-Florida Police Chiefs Association-Florida Sheriffs Association Medical Marijuana Workgroup; and

WHEREAS, local zoning regulations that define emerging uses of land and allow for these new uses pursuant to a use by exception controlled as to number, area, location or relation to the neighborhood serves the public purpose to direct development to compatible areas already serviced by appropriate utility infrastructure and higher intensity roadways that provide for ease of access in emergency response situations; and

WHEREAS, on November 4, 2014, the Planning and Zoning Board (PZB) for the City of St. Augustine made recommendation to the City Commission for adoption of an ordinance that provides for facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana as a use by exception in the Commercial Medium-Two (CM-2) zoning category, and requiring a condition of

direct vehicular access to a roadway functional classification of principal arterial-urban U.S. Highway 1; and

WHEREAS, the City Commission for the City of St. Augustine finds that providing for the public health, safety and general welfare requires amendment to Section 28-209 of the City Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Amendment to Section 28-209. Section 28-209 of the Code of the City of St. Augustine is hereby amended to read as follows (deletions and additions are identified using a strike-through and underline format, respectively):

“Sec. 28-209. Commercial medium-two: CM-2.

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

(1) *Permitted uses and structures.* As for CM-1 (section [28-208](#)), and in addition:

- a. Retail outlets for the sale of general merchandise excluding new or used automobiles, trucks, boats and tractors (but not automobile wrecking or storage yards, junkyards, or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nursery, lumber and building supplies, supermarkets and convenience stores and similar products.

- b. Service establishments of all kinds including automobile service station or truck stop (see [section 28-338](#)) excluding businesses where automotive vehicles are offered for rent or sale, repair and service garage, motor vehicle body shop, auto laundry, drive-in restaurant, laundry or dry cleaning establishments, veterinarian or animal boarding kennels in soundproof building, pest control, carpenter or cabinet shop, home equipment rental, ice delivery station, job printing or newspaper, marina, radio or television broadcasting transmitter, antenna, office and studio facilities, banks and financial institutions, video rentals, funeral homes, travel agencies, electronic equipment/TV repair shop, employment offices, upholstering, furniture refinishing and similar establishments.
- c. Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.
- d. Any type of wholesale, jobber or distributorship business where the total operation does not require more than four thousand (4,000) square feet of floor space; no vehicle is used in excess of one-and-one-half-ton capacity; all merchandise is stored within an enclosed building; and no heavy machinery or manufacturing is located on the premises.
- e. Hotels and motels with or without kitchenettes.
- f. Building trades contractor not requiring outside storage; nor the use of any vehicle in excess of one-ton capacity; nor any machinery, ditching machines, tractors, bulldozers or other heavy construction equipment.
- g. Multifamily dwellings as for RG-1.

- h. Colleges.
 - i. Shopping plaza or shopping center.
 - j. Intermediate care facilities.
 - k. Home office, private.
 - l. Agricultural market, outdoor or indoor.
- (2) *Permitted accessory uses.* See [section 28-348](#).
- (3) *Permissible uses by exception:*
- a. As provided in [section 28-347](#).
 - b. Wholesale, warehouse, or storage use, to include miniwarehouses.
 - c. Building trades contractor with outside storage yard and heavy construction equipment.
 - d. Boatyard.
 - e. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating and candy manufacturing.
 - f. Bulk storage yards, including bulk storage of flammable liquids.
 - g. Open air theaters, but not drive-in theaters.
 - h. Commercial, recreational and entertainment facilities such as museums, carnival or circus, shooting gallery, skating rink, pony ride, go-cart track, athletic complexes, arena, auditorium, convention center, dance hall, indoor theater and similar uses; provided, however, such uses do not have temporary facilities which exceed more than thirty-five (35) feet in height for more than thirty (30) days in any calendar year. For the purpose of this section, exceeding the height at any time

during a twenty-four-hour period constitutes a day.

- i. Palmist, astrologist, psychics, clairvoyants, phrenologists and similar uses.
- j. Tattoo parlor or studio.
- k. Businesses that offer for sale new or used automobiles, trucks, boats and tractors.
- l. Uses and structures as for RG-1 (section [28-163](#)).
- m. Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana.

(4) *Minimum lot requirements (width and area):*

- a. Minimum lot width, one hundred (100) feet.
- b. Minimum lot area, fifteen thousand (15,000) square feet; except as specifically required for certain uses.

(5) *Maximum lot coverage of all buildings. Seventy-five (75) percent.*

(6) *Minimum yard requirements:*

- a. Front, zero feet minimum, thirty (30) feet maximum, except for property abutting U.S. Highway No. 1 for which the front yard requirements shall be ten (10) feet minimum and no maximum. Buildings must front an arterial road if the property is located along an arterial, and front two (2) arterial roads if the property is located adjacent to two (2) or more arterial roads. The front yard requirement shall be measured from the property line to the building, excluding awnings, portes cochere, balconies, porches, canopies, or other non-occupied appendages.

- b. Side, five (5) feet.
 - c. Rear, five (5) feet.
- (7) *Maximum height of structures:* Thirty-five (35) feet.
- (8) *Vehicular access: Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana shall require a condition of direct vehicular access to a roadway functional classification of principal arterial-urban U.S. Highway 1.*

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 renumbered or relettered 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. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. Effective Date. This ordinance shall become effective ten (10) days after passage, pursuant to Section 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this
_____ day of _____, 2014.

ATTEST:

Nancy E. Shaver, Mayor-Commissioner

Alison Ratkovic, City Clerk

(SEAL)

Coding: Words ~~stricken~~ are deletions; words underlined are additions.

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 7, 2020

RE: **USE BY EXCEPTION #2020-0061**

AGENDA ITEM 6(d)

APPLICANT James Whitehouse

OWNER Patti Southard c/o Casa De Vino 57 - Owner
Dept of State – University of Florida – Owner

LOCATION 57 Treasury St / PIN 197730-0000

REQUEST To approve a use by exception to allow for a lounge/tavern within Historic Preservation (HP-2) zoning district.

LAND USE Historic Preservation

ZONING Historic Preservation Two (HP-2)

SURROUNDING USES Restaurants, Single Family Homes

APPLICABLE CODES/ORDINANCES

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

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

(a) Zoning exceptions:

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

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

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

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

General Zoning Standards:

Sec. 28-184. - Historic preservation district: HP-2.

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

(3) *Permissible uses by exception.*

c. Cocktail lounges/taverns.

STAFF SUMMARY AND ANALYSIS

The applicant is requesting an amendment to their existing use by exception (2017-0184) that was approved by the Planning and Zoning Board in January of 2018. The attached final order and minutes (attachment 2) indicate that the use by exception was approved with multiple conditions: 1) no electronic or amplified music, 2) no music after 9:00 PM, 3) hours of operation as identified in the application Sunday-Thursday: 10:00am-9:00pm, Friday-Saturday: 10:00 am-11:00 pm) and 4) that if there are three noise complaints in 12 months, the use by exception must be reconsidered by the PZB.

The applicant is requesting that the condition of the original approval of no amplified music be removed from their use by exception, which would allow for amplified music during their existing, approved hours of operation. A search of city code enforcement complaints returned no complaints for noise violations for this property since the use by exception was approved in 2018. The Applicant has provided a narrative regarding the request (attachment 2).

This is an approved use by exception, and Staff believes the applicant has demonstrated that the removal of the conditions is consistent and compatible with the existing established use and surrounding uses.

STAFF RECOMMENDATION

Based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the amended use by exception for a lounge/tavern at **57 Treasury St / PIN 197730-0000**.

Attachments

Attachment 1 – Application & Property Record Card

Attachment 2 – 2018 Final Order, Minutes, Narrative

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

Attachment 1

Application & Property Record Card

RECEIVED

JUN 05 2020



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Planning / Building Dept.

Application Fee: \$250 (plus advertising costs) Project Number: 2020-0061
Receipt Number: 1876987 Meeting Date: July 7, 2020
Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: James G. Whitehouse, Esq. Contact Number: 9044950400
Business (if applicable): St. Johns Law Group
Address: 104 Sea Grove Main Street City: St. Augustine State: FL Zip: 32080
E-Mail Address: jameswhitehouse@sjlawgroup.com

2. NAME OF PROPERTY OWNER: Dept of State - UF Contact Number: _____
Business (if applicable): Casa de Vino 57 - Patti Southard
Address: _____ City: _____ State: _____ Zip: _____
E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: 7 Block: 15
Subdivision: City of St. Augustine Parcel Number: 197730 0000

4. PROJECT STREET ADDRESS: 57 Treasury Street

5. SPECIFIC PROPOSED USE: Same as current use - Wine Store & Garden (Approved 1/2018)

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

7. DESCRIPTION OF ACTION REQUESTED: _____

SEE ATTACHED

8. JUSTIFICATION FOR ACTION REQUESTED: _____

SEE ATTACHED

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

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

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

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

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

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

Signature of Applicant

Date

6/4/2020

Signature of Property Owner

Date

SEE ATTACHED



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

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

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

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

JAMES G WHITEHOUSE, ESQ.

Print name of applicant

[Signature]
Signature of applicant

6/4/2020
Date



Owner's Authorization For Agent

ST. JOHNS LAW GROUP / JAMES G. WHITEHOUSE, ESQ. is hereby authorized TO ACT ON BEHALF OF **Casa de Vino 57 / Patti Southard**, the owner of those lands described within the attached application and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine, for an application related to a land use issues, and any other matter related to properties located at **57 Treasury St., St. Augustine, FL**, and including the following Parcel No.: **197730 0000**

BY: Patti Southard
Signature of Owner
PATTI SOUTHARD
Print Name of Owner
(321) 626-0669
Telephone Number

State of FLORIDA

County of ST. JOHNS

Signed and sworn before me on this 22ND day of MAY, 2020

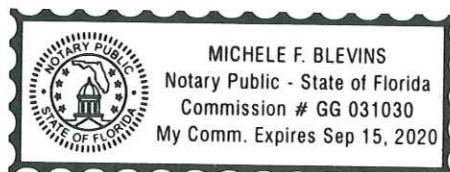
By PATTI SOUTHARD

Identification verified:

Oath sworn: ☒ Yes ☐ No

Notary Signature: Michele F. Blevins

My Commission expires: 9/15/2020



Project Description and Justification

Applicant seeks a minor modification to their previously approved use by exception at 57 Treasury Street which allows for the provision of beer and wine within the confines of this very quaint wine store and garden. This property was already approved for this use by exception and Casa de Vino 57 has been operating for over two years with great success and popularity and without any complaints. When initially approved by this Board in January of 2018, this type of wine garden use in this area was a new unproven use and therefore a few members of the board felt it prudent to place some minor conditions on the use by exception pending a more proven track record without any noise complaints, etc. Since that use has been utilized, they have been able to garner great popularity without any complaints or problems in the area. At the time of initial approval, the board was supportive of the use by exception and the concept, including the wine tastings, the wine garden and even some music to add to the ambiance of the wine garden, but it wanted to ensure that there was not going to be a problem with noise in the historic district, so the board limited the hours of music as well as the hours of operation, and further, the board included a condition that "if the city receives three noise complaints within the first twelve months of opening, the applicant would come back before the Board for reconsideration of the Exception."

As aforementioned, not only did this wine store and garden use flourish and become very popular at this location, but indeed there were NO noise complaints within that first twelve months, and in fact, there have not been any noise complaints since either. Moreover, the applicant now seeks some minor modifications to the approval order based upon their now proven track record of complying with the noise ordinance and their now proven ability to fit into this historic district with the wine store and garden use, including their compatible provision of wonderful music for the guests who frequent and enjoy the wine garden area.

In sum, the initial application was approved for a use by exception, including the following as cited from the minutes:

- Site plan with small stage

- Hours of operation –
Sunday – Thursday: 10am – 9:00pm
Friday and Saturday: 10:00am – 11:00pm
- Foods allowed, can be prepared but no cooking
- Limitation on hours of music
- Complaint-driven condition for repeated noise violations

The Board discussion centered around the unproven track record and the unknowns including concerns as to possible noise from the music. Although the applicant at the time presented supporting testimony that their music and use would not cause any problems, the Board discussion based upon the unknown effect on the area led the Board to limit the hours of music.

As time has passed and the applicant has proven their compatibility with the area, including their provision of music as a nice complimentary attribute to the wine garden area, they now come back to this Board to present their case to seek modification to that condition and the inclusion of the allowance of limited electronic music and partially amplified music as a means of continuing this complimentary attribute of their wine garden area. They are perfectly fine with all the other conditions and are even willing to agree to the same condition concerning noise complaints to show their resolve to follow the rules and be good neighbors.

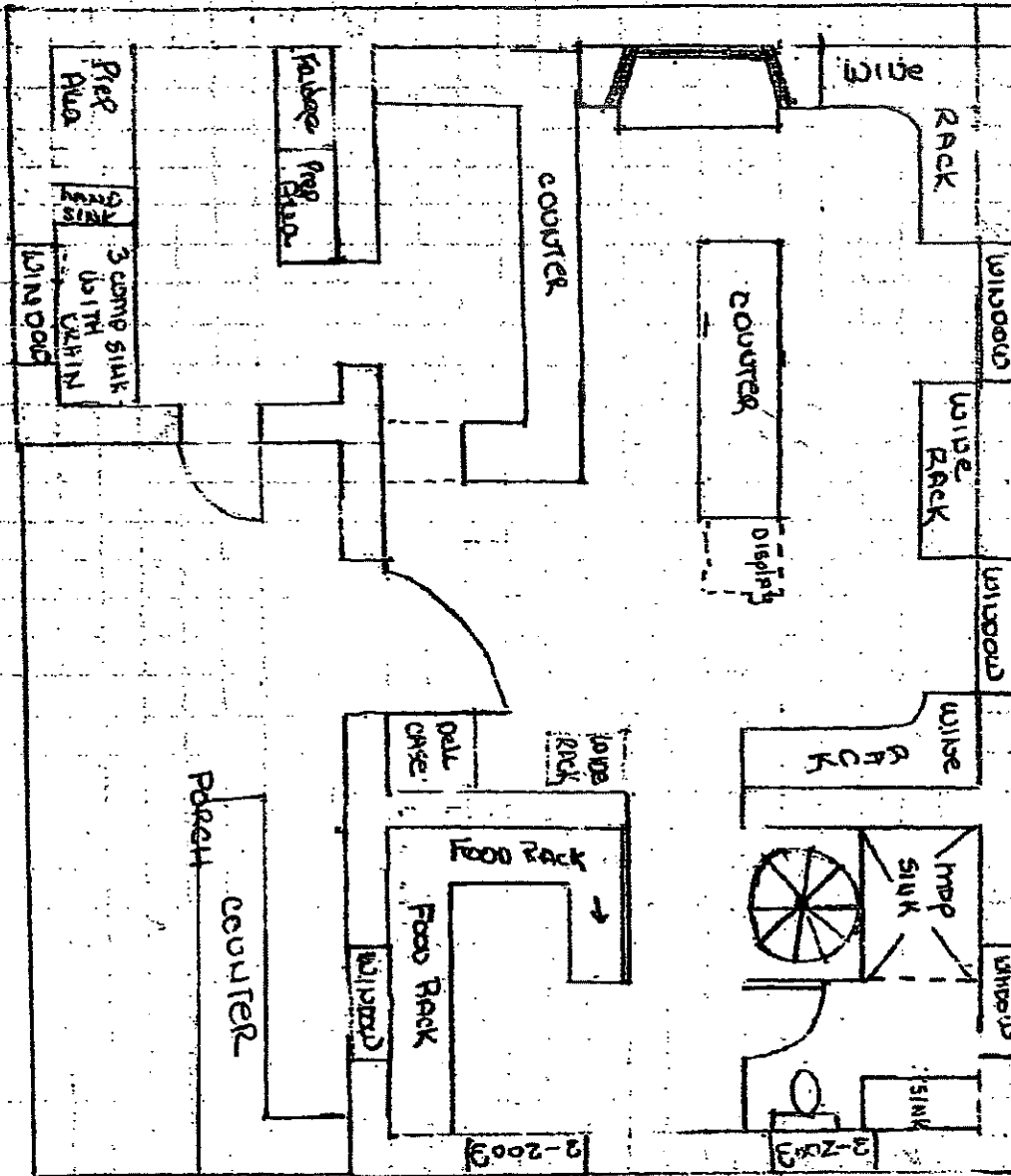
In sum, the proven track record of the Casa de Vino 57 wine store and garden, their clear intents, hours and controlled atmosphere, show that a minor modification to their approved use by exception for beer and wine to include their provision of some electronic and/or amplified music as complimentary to the wine garden ambiance can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the City of St. Augustine Comprehensive Plan or Municipal Code, and that such is compatible with the surrounding area and will actually compliment this area of the historic district, as has been proven over the last two years.

We appreciate your sincere consideration and ask for your support of these minor modifications and approval of this use by exception with the modified conditions as described above.

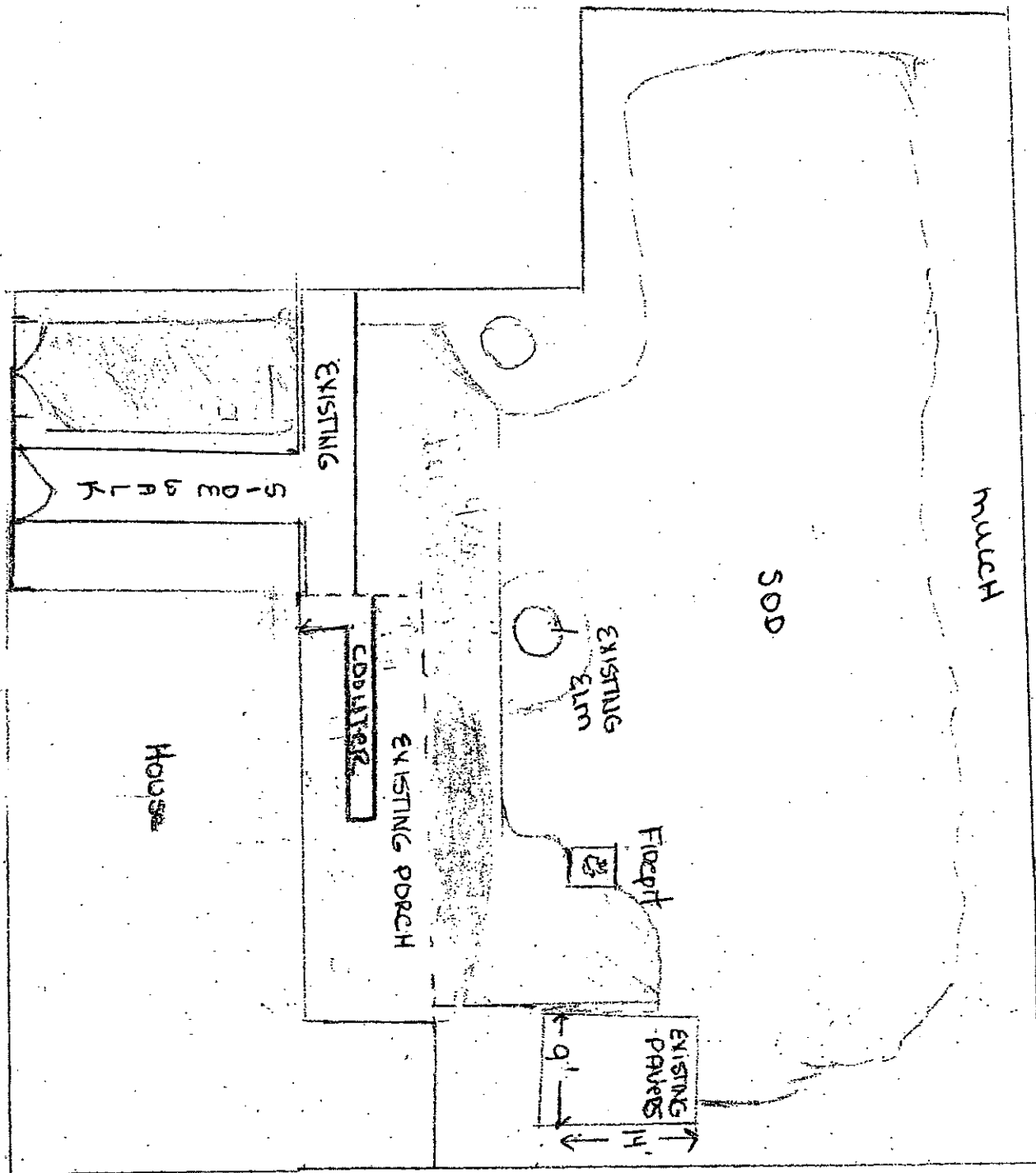
BEV6502331

57 Treasury St

CASA de VINO 57



CASA DE VINO 57 EEV6502331



CASA de VINO 57
57 Treasury St

St Augustine Planning and Zoning Board

57 Treasury St

Description:

Additional information highlighted in **bold** (12/22/17)

The contents of this document is in support of the attached application submitted by Patricia Southard on behalf of Casa de Vino 57 for a proposed new venture to be located at 57 Treasury St.

We are interested in creating a low key ambiance where people can shop for wines, cheeses, meats and assorted packaged items and to also be able to indulge in some tasting of different wines. We also would like to utilize the backyard and create a peaceful and relaxing place for people to have a glass of wine or beer, speciality meats and cheeses, and occasionally enjoy acoustic music.

The proposed business will consist of the following:

- Wine and beer retail
- Sale of packaged meats, cheeses and assorted gourmet foods
- Wine tasting
- **Serve wine by the glass**
- **Provide trays or baskets of assorted wines, meats and cheeses with bread or crackers**

We will address all the issues that were provided to us in writing by the various Public Works officials at the Friday review meeting that was held on 12/1/17.

Casa de Vino 57 intends to utilize the entire space which will include **indoor** and outdoor seating **customary to this type of establishment initially starting with 10 seats and possibly expanding up to 15+ seats as needed at a later date.**

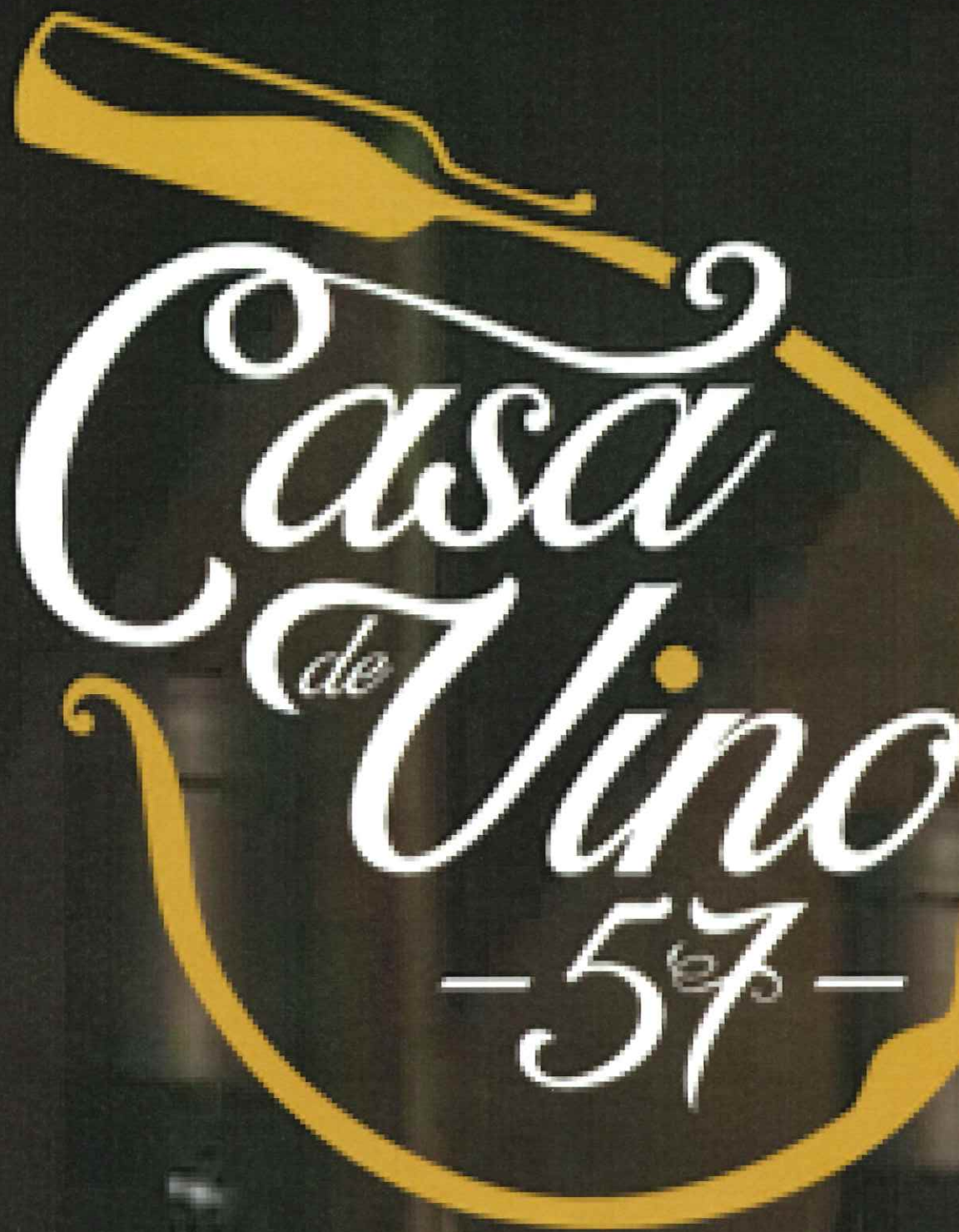
The kitchen will be used for prep work (no cooking) and cleaning glasses.

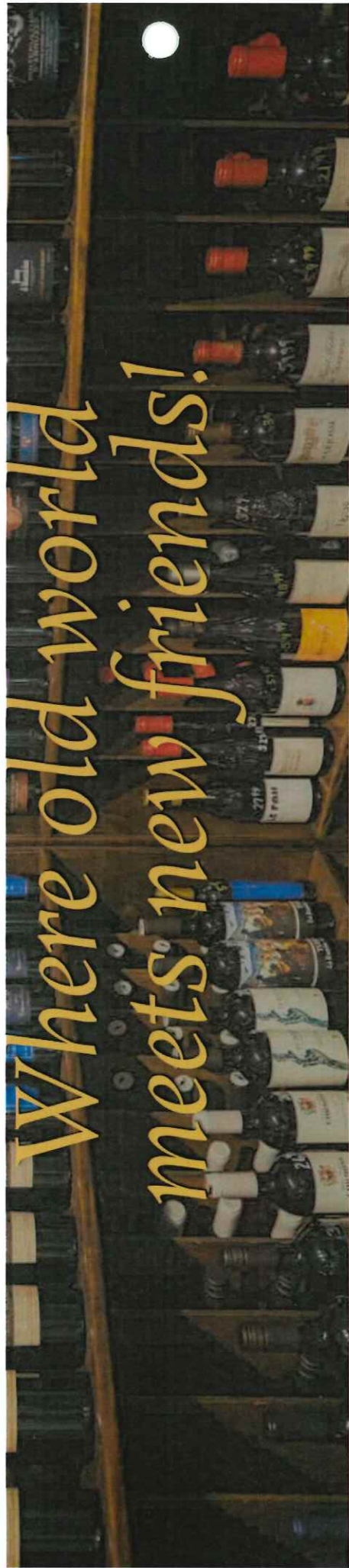
The **maximum** hours of operation will be:

- Sunday – Thursday, 10am – 9pm
- Friday and Saturday, 10am – 11pm

We will incorporate sound absorbing landscaping as need be to help reduce ambient sound.

We have submitted with the application, a conceptual drawing for the internal space as well as a proposed landscape design. The right of way will be limited to 500 sq ft.





Enjoy a bottle of wine, cheese and charcuterie, and some music nestled in a secluded courtyard in the heart of downtown St Augustine.



57 TREASURY

Over the past 15 years, there were many nights Patti would be driving from work and her car would suddenly detour on its own to Terry's house where they would share a bottle of wine and contemplate and dream of owning a wine business together. Little did they know their dreams would turn into reality.

While on a trip to St. Augustine in the Fall of 2017, Patti came across an historic 1807 building (the Joaneda house) with a For Lease sign. She immediately started visualizing all the things that her and Terry had talked about during their wine nights and it suddenly dawned on Patti that this historic home was the perfect place for their wine shop, Casa de Vino 57.

Terry and Patti's vision for Casa de Vino 57 is to introduce boutique wines to both wine lovers and newbies and to provide a nice relaxing atmosphere where people can enjoy an excellent glass of wine accompany with outstanding charcuterie (cured meats) and cheeses from around the world.



The Joaneda House is located at 57 Treasury St. This street is considered the narrowest street in all of America. The intention of the Spanish in making the street so narrow was to prevent the treasury carriage laden with Spanish bouillon from being robbed. The width of the street only allowed room for a single carriage team making it impossible for thievery from horseback.

The property the house rest upon dates as far as the Spanish census of 1762. The land was at one time in its early history a part of the holdings acquired and sold by the notorious scoundrel, Ethan Fish, of the Fish & Fish law firm from New York City. Before Fish and company acquired this land, initially the land was a part of the gardens of the Treasurer's House. Juan Joaneda, who was a wealthy fish farmer and land holder from Minorca, was one of the first successful immigrants to build homes and flip the property and structure for profit. He did this with the help of the governor of St Augustine, Enrique White, during the second Spanish period.

The Joaneda House was constructed in 1807 by Juan Joaneda. Over its more than 250 year history, this house has changed hands several times and has been home to a variety of different establishments including the Treasury Street Inn, the Montgomery sister's house and gift shop as well as a florist shop.

FUSIONS
GOURMET FRUIT POWERS

Flora

Monday	10:00pm	9:00pm
Tuesday	10:00pm	9:00pm
Wednesday	10:00pm	9:00pm
Thursday	10:00pm	9:00pm
Friday	10:00pm	9:00pm
Saturday	10:00pm	9:00pm
Sunday	10:00pm	9:00pm











St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

Summary

Parcel ID 1977300000
Location Address 57 TREASURY ST
 SAINT AUGUSTINE 32084-0000
Neighborhood City St Aug W of St George (COM) (610.06)
Tax Description* CITY OF ST AUGUSTINE LOT 7 BLK 15 OR871/61(Q/C)
**The Description above is not to be used on legal documents.*
Property Use Code State Owned - TIITF (8710)
Subdivision City of St Augustine
Sec/Twp/Rng 18-7-30
District City of St Augustine (District 452)
Millage Rate 20.0503
Acreage 0.130
Homestead N

Owner Information

Owner Name [Tiitf/Dent Of State](#) 100%
Mailing Address C/O UNIVERSITY OF FLORIDA
 PO BOX 115050
 ATTN PLANNING DEPT
 GAINESVILLE, FL 32611-5050

Map



Valuation Information

	2020
Building Value	\$77,175
Extra Features Value	\$2,097
Total Land Value	\$305,250
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$384,522
Total Deferred	\$147,916
Assessed Value	\$236,606
Total Exemptions	\$236,606
Taxable Value	\$0

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2019	\$43,497	\$2,098	\$305,250	\$0	\$0	\$350,845	\$215,096	\$350,845	\$0
2018	\$22,661	\$831	\$172,050	\$0	\$0	\$195,542	\$195,542	\$195,542	\$0
2017	\$22,661	\$831	\$172,050	\$0	\$0	\$195,542	\$195,542	\$195,542	\$0
2016	\$22,661	\$831	\$155,400	\$0	\$0	\$178,892	\$178,892	\$178,892	\$0
2015	\$22,661	\$831	\$142,912	\$0	\$0	\$166,404	\$166,404	\$166,404	\$0
2014	\$13,330	\$831	\$142,912	\$0	\$0	\$157,073	\$157,073	\$157,073	\$0
2013	\$13,330	\$831	\$144,844	\$0	\$0	\$159,005	\$159,005	\$159,005	\$0
2012	\$13,663	\$831	\$144,844	\$0	\$0	\$159,338	\$159,338	\$159,338	\$0
2011	\$14,330	\$831	\$161,719	\$0	\$0	\$176,880	\$176,880	\$176,880	\$0
2010	\$14,997	\$831	\$180,000	\$0	\$0	\$195,828	\$195,828	\$195,828	\$0

Exemption Information

Exemption Type	Amount
State	\$236,606

Building Information

Building	1	Roof Structure	Wood Truss
Actual Area	848	Roof Cover	Wood Shingle
Conditioned Area	1008	Interior Flooring	Concrete Finish, Pine Wood
Actual Year Built	1760	Interior Wall	Drywall
Use	Nightclubs, Bars (City/Historical)	Heating Type	Air Duct
Style	04	Heating Fuel	
Class	N	Air Conditioning	Central
Exterior Wall	Concrete Stucco	Baths	

Category	Type	Pct
Exterior Wall	Concrete Stucco	100%
Roofing Structure	Wood Truss	100%
Roofing Cover	Wood Shingle	100%
Interior Walls	Drywall	100%
Interior Flooring	Pine Wood	50%
Interior Flooring	Concrete Finish	50%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	5 Fixtures	100%
Electrical	Average	100%
Foundation	Concrete Slab	100%
Floor System	Concrete Slab	100%
Condition	Average	100%

Description	Conditioned Area	Actual Area
FINISHED OPEN PORCH	0	176
1.5 STORY	1008	672
Total SqFt	1008	848

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Deck (Unattached)	0	12	10	0	120
Wood Fence	0	0	0	0	146

Land Information

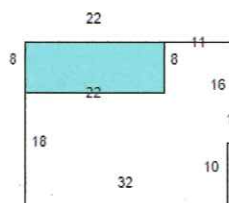
Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
State Owned	74	75	5550	SF	\$305,250

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	9/1/1990	\$0.00	QC	871	61	U	I		THITF/STATE OF FLORIDA
	7/1/1987	\$0.00		752	514	U	I		
	2/1/1987	\$0.00		736	789	U	I		
	8/1/1985	\$0.00		682	440	U	I		
	8/1/1985	\$0.00		682	435	U	I		

Sketch Information

	Room Type	Area
	OWH	0
	FINISHED OPEN PORCH	0



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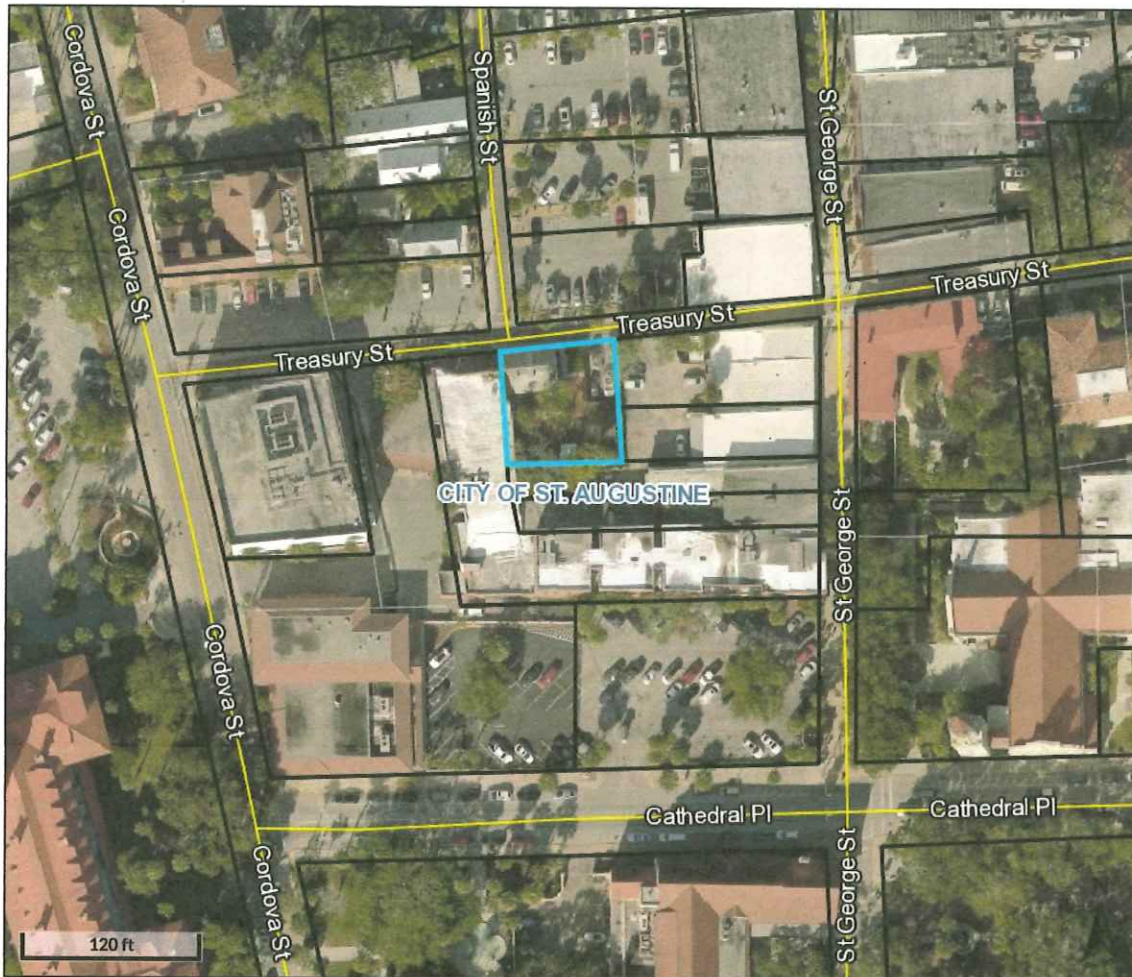
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Version 2.3.62



Overview



Legend

- Parcels
- Roads
- Cities

Parcel ID	1977300000	Physical Address	57 TREASURY ST	Building Value	\$77,175	Last 2 Sales			
Property Class	8710 - Water Management	Mailing Address	SAINT AUGUSTINE	Extra Feature Value	\$2,097	Date	Price	Reason	Qual
Taxing District	District Owned		TIITF/DEPT OF STATE	Total Land Value	\$305,250	n/a	0	n/a	n/a
Acres	City of St Augustine		C/O UNIVERSITY OF FLORIDA	Just Value	\$384,522	n/a	0	n/a	n/a
	0.13		PO BOX 115050	Total Deferred	\$147,916				
			GAINESVILLE FL 32611-5050	Assessed Value	\$236,606				
				Total	\$236,606				
				Exemptions					
				Taxable Value	N/A				

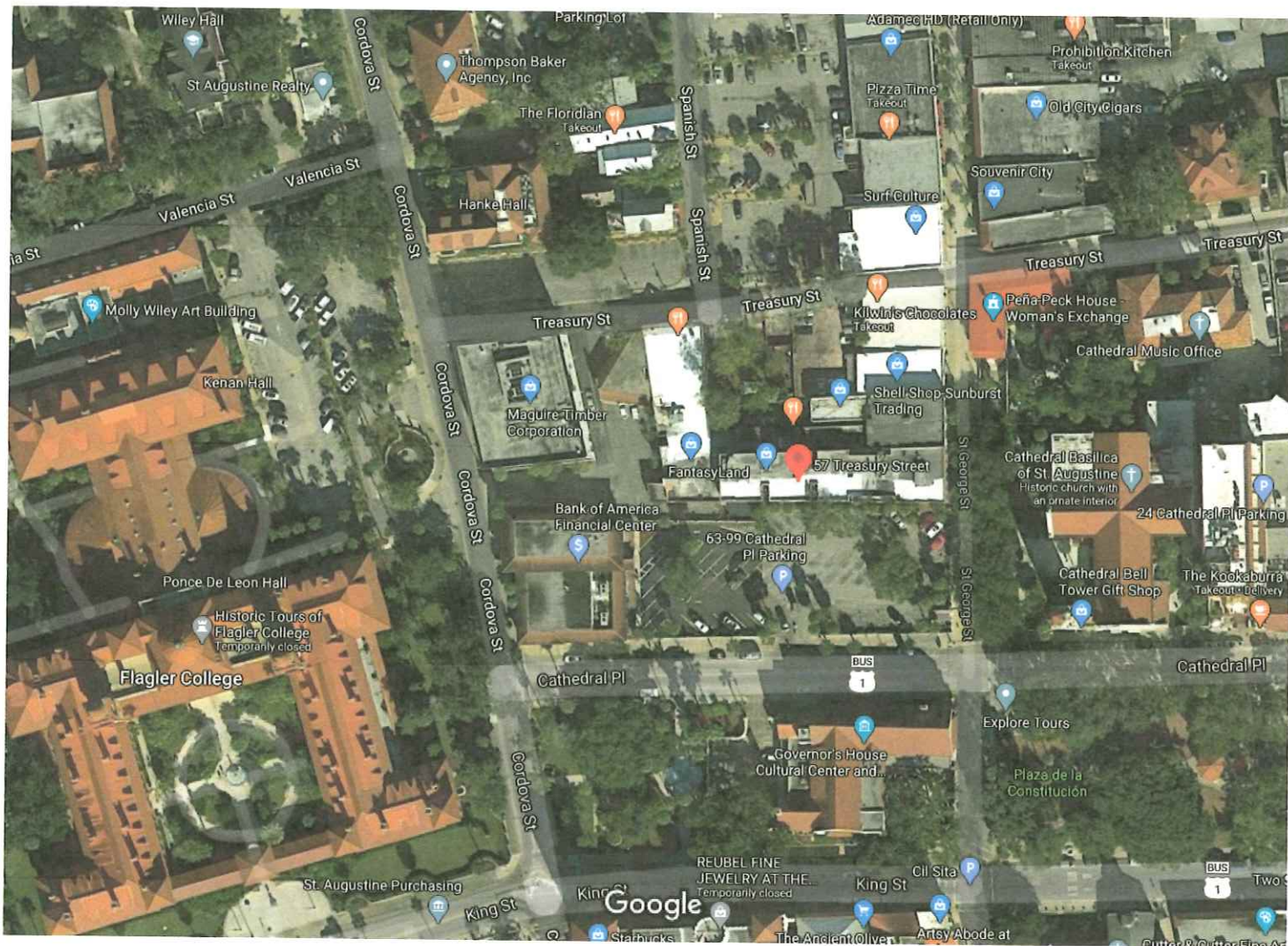
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Date created: 6/8/2020

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GEOSPATIAL

Google Maps 57 Treasury St



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020 50 ft



57 Treasury St

St. Augustine, FL 32084



Directions



Save



Nearby



Send to your
phone



Share

Attachment 2

2018 Final Order, Minutes, Narrative



City of St. Augustine



St. Augustine, Florida
Nation's Oldest City

Planning/Building

January 2, 2018

TIITF/Department of State
Patricia Southard/Casa De Vino 57
57 Treasury Street
St. Augustine, FL 32084

Re: Exception – 57 Treasury Street – 2017-0184

To Whom It May Concern:

On Tuesday, January 2, 2018, the Planning and Zoning Board (PZB) met and discussed your application to approve beer and wine sales as a permitted use by exception for property located at 57 Treasury Street.

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

The Exception must be exercised within a period of one (1) year from the date of approval. Failure to exercise the Exception, by commencement of the use or action approved, shall render the Exception invalid.

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

Sincerely,

David Birchim, AICP
Director, Planning & Building

DB: sp
Attachment

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

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

TYPE OF REQUEST:

- | | |
|--|--|
| ☐ 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.: 2017-0184
Applicant: Patricia Southard – Casa De Vino 57
Owner: Department of State, c/o University of Florida
Address: 57 Treasury Street
Parcel Number: 197730 0000

RE: Use by Exception, pursuant to Section 28-29, City of St. Augustine Code, to approve beer and wine sales as a permitted use by exception.

THE PLANNING AND ZONING BOARD HAS HEARD TESTIMONY AND EXAMINED EVIDENCE AT A PUBLIC HEARING HELD ON JANUARY 2, 2018, AND BASED ON THE TESTIMONY AND EVIDENCE, THE BOARD HAS DETERMINED AS FOLLOWS:

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. Applicant is the legal owner, occupant, and/or representative of the owner/occupant of the subject property and duly submitted an application with the owner's knowledge, and was duly notified of the hearing, in accordance with Chapter 28 of the Code of the City of St. Augustine. The applicant and/or representative ☒ was present at the January 2, 2018 Planning and Zoning Board meeting and testified under oath, or ☐ was not present.
2. A public hearing was held, with notice given as required by law, and ☐ members of the public testified under oath, or ☒ no members of the public spoke on this issue.
3. The subject property has a land use designation of Historic Preservation and a zoning classification of Historic Preservation Two (HP-2).
4. The above-described Use by Exception is subject to Section 28-29 of the Code of the City of St. Augustine.

ORDER:

Based upon the evidence presented, the Planning and Zoning Board determined that the requested action MEETS / DOES NOT MEET the requirements of Section 28-29, City of St. Augustine Code, and APPROVES / DENIES / CONTINUES the Applicant's request to approve beer and wine sales as a permitted use by exception.

Subject to the following conditions:

- Approved • No electronic or amplified music
- NO MUSIC After 9:00 pm
- Hours of operation as identified in
- application
- if 3 noise complaints in 12 months
- it must come back to PZB for
- reconsideration

DONE AND ORDERED, at a public hearing on the 2 day of JANUARY, A.D., 2018, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

2017-0184

REQUEST APPROVED / DENIED / CONTINUED

Deltra Long
Sign Name DELTRA LONG

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, Deltra Long 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 2nd day of January, A.D., 2018.

Sandra J. Partin
Notary Public, State of Florida



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

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting January 2, 2018

The Planning and Zoning Board met in formal session Tuesday, January 2, 2018, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Deltra Long, Vice-Chairperson and the following were present:

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

Absent: Sarah Ryan, Chairperson - excused

City Staff: David Birchim, Director, Planning & Building Department
Amy Skinner, Deputy Director, Planning & Building Department
Isabelle Lopez, City Attorney
Candice Seymour, Recording Secretary

2. General Public hearings for Items Not on the Agenda

The following member of the public came forward with comments.

- Jackie Snipes¹

3. Approval of Minutes

Ms. Zander asked that the minutes clearly reflect Mr. Birchim's absence during item 4(a).

MOTION

Mr. Misterly **MOVED** to **APPROVE** the December 5, 2017 minutes as amended. The motion was **SECONDED** by Mr. Blow.

VOTE ON MOTION:

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

NAYES: NONE
MOTION CARRIED UNANIMOUSLY

4. Variance

4. (a) 2017-0161 – Catherine Duncan, LOCI Architects, LLC – Applicant
Joe and Lea Fox – Owner
311 St. George Street

To reduce the required side yard building setback to build an addition on to an existing single family home, and to reduce the required rear yard building setback to raise the existing secondary structure, and to increase the maximum height allowed for a secondary structure.

Ms. Skinner read the staff report and said based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board may be able to **APPROVE** a Variance to reduce the required side yard building setback to build an addition on to an existing single family home, and to reduce the required rear yard building setback to raise the secondary

¹ Documents regarding her comment are attached to original minutes

structure, and to increase the maximum height allowed for a secondary structure at **311 St. George Street**.

Catharine Duncan reviewed the application.

The Board provided their ex parte communications.

22 certified notices were sent, 2 were returned in favor, 1 returned opposed and 0 had comments.

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

The Board discussed:

- One story addition to existing house met criteria for approval
- Gutter and down spout may be added to control storm water
- Neighbor responses to the application
- Concern for two-story accessory structure on lot-line

MOTION

Mr. Blow MOVED to APPROVE Variance application 2017-0161 to reduce the side yard setback to build an addition onto a single family home based on the fact that it meets the four criteria and attempts to save the older structure. The motion was SECONDED by Ms. Long.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

MOTION

Ms. Agresta MOVED to APPROVE Variance application 2017-0161 to reduce the required rear yard building setback and increase the maximum height allowed for a secondary structure with

all the findings in the report and as presented. The motion was SECONDED by Ms. Long.

VOTE ON MOTION:

AYES: Agresta, Long, Zander, Misterly, Blow

NAYES: Shaffer

MOTION CARRIED 5/1

4. (b) 2017-0181 – Thomas Sanetra/Alec Millard, Millard Builders, Inc. – Applicant **Thomas Sinetra – Owner** **91 Washington Street**

To reduce the required side yard building setback to follow the existing setback to raise and move the existing structure.

Ms. Skinner read the staff report and said based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board may be able to **APPROVE** a Variance to reduce the required side yard building setback to follow the existing setback to raise and move the existing structure at **91 Washington Street**.

Alec Millard reviewed the application with additional photographs.²

The Board provided their ex parte

28 certified notices were sent, 1 was returned in favor.

Public hearing was opened; however there was no response.

The Board discussed:

- Movement of the structure would allow safer distance from power lines
- If existing structure required demolition, applicant may need to return to Board for variance

² Attached to original minutes

- Portion of existing structure hung over the city right-of-way and would be moved out of the right-of-way pending approval of variance application
- Concern for staircases which would be reconfigured per applicant to be slightly wider and include a landing

MOTION

Mr. Shaffer MOVED to APPROVE application 2017-0181 to reduce the required side yard building setback to follow the existing setback to raise and move the existing structure at 91 Washington Street. The motion was SECONDED by Mr. Misterly.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

4. (c) 2017-0182 – John Valdes, John Valdes & Associates – Applicant Gerald Haskins and Lily Green Etal – Owner 15 Bridge Street (15 ½ Bridge Street)

To reduce the required side and rear yard building setback to rebuild a secondary structure, and to increase the maximum allowed height for a secondary structure.

Ms. Skinner read the staff report and said based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board may be able to **APPROVE** a Variance to reduce the required side and rear yard building setbacks to rebuild a secondary structure and to increase the maximum height allowed for a secondary structure at **15 Bridge Street**.

John Valdes reviewed the application.

The Board provided their ex parte communications.

20 certified notices were sent, 1 was returned in favor.

Public hearing was opened.

Erin Sullivan, with her mother who owned property directly adjacent to the proposed structure, asked whether the proposed height was the same as the previous structure, whether there would be windows on the side of the proposed structure facing her mother's property, when the construction would begin, and how long the structure would take to complete.

Public hearing was closed.

Mr. Valdes noted there were no windows on the zero setback sides of the proposed structure and that construction would begin within the year and take about four-five months to complete.

The Board discussed:

- Minimal maintenance stucco finish would require neighbor's permission to access
- Distance between rear of existing house and proposed structure
- Potential for setting precedent by approving the application
- Loss of grandfather status for replacement of the previous structure on the pre-existing footprint
- Possibility of asking for some distance in the setback from the property line to allow for maintenance space
- Requirement for fire-rated exterior walls and windows

MOTION

Mr. Misterly MOVED to DENY Variance application 2017-0182 for 15 Bridge Street on the grounds that construction

of the new building on the zero lot line is contrary to the public interest given the maintenance requirements of the structure. The motion was **SECONDED** by Mr. Blow.

There was further discussion regarding the motion.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. Exception

5. (a) 2017-0184 – Patricia Southard, Casa De Vino 57 – Applicant
Department of State, c/o University of Florida – Owner
57 Treasury Street

To approve beer and wine sales as a permitted use by exception.

Ms. Skinner read the staff report and said based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a lounge/tavern with beer and wine sales as a permitted use by exception at **57 Treasury Street**.

Patricia Southard was available for questions.

The Board provided their ex parte communications.

17 certified notices were sent, 1 was returned opposed and 1 had comments.

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

The applicant described the business and vision for the property.

The Board discussed:

- Lack of an applicant-provided justification for the exception
- The site plan with small stage
- Restroom available to public
- Density of similar uses in the area
- Possibility of conditions for hours of operation and live music
- Residential uses in the area
- Foods would be prepackaged with no cooking required
- Possible condition for maximum number of seats
- Intent of HP-2
- Complaint-driven condition for repeated noise violations

MOTION

Mr. Misterly **MOVED** to **APPROVE** Use by Exception application 2017-0184 with the following conditions:

- No electronic or amplified music and no music after 9:00pm
- The hours of operation be as identified in the application which is Sunday-Thursday: 10:00am-9:00pm, Friday-Saturday: 10:00am-11:00pm
- If the city receives three noise complaints within the first twelve months of opening the applicant would come back before the Board for reconsideration of the Exception.

The motion was **SECONDED** by Ms. Agresta.

VOTE ON MOTION:

AYES: Misterly, Agresta, Blow, Long

NAYES: Zander, Shaffer

MOTION CARRIED 4/2³

6. Conservation Zone Development

6. (a) 2017-0183 – Jon Benoit, BEHST Builders, Inc. – Applicant

³ Brief recess from 4:08p.m. to 4:19p.m.

Larry and Mattie Harms – Owner
307 St. George Street

To remove preserved tree(s) (Pecan trees) within Conservation Overlay Zone 3 (Tree removal) to construct a new single family home.

Ms. Skinner read the staff report and said based on a review of Section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the removal of preserved trees to construct a new single family home within Conservation Overlay Zone 3 (tree removal) at **307 St. George Street** with mitigation that meets or exceeds the tree removal debits.

Jon Benoit was present to answer questions.

Ex Parte Communication:

(None provided)

21 certified notices were sent, 4 were returned in favor, 1 returned opposed and 1 had comments.

Public hearing was opened.

Regine De Toledo was concerned with removal of the trees on the lot.

Public hearing was closed.

Mr. Benoit reviewed details of the application.

The Board discussed:

- Correlating the newly submitted arborist report to the site plan
- Cabbage palms were counted as a legitimate tree and included in credit and debit tabulations
- Possibility of flipping the site plan in attempt to save trees

- Desire to see measured drawing of mirrored site plan to ensure that the structure would not be too close to preserve the trees
- Applicant's willingness to plant additional shade tree in the front yard for canopy replacement
- Trees that could be saved by mirroring the site plan may not be in good condition to be saved
- Possibility for mitigation at the rear of the lot

MOTION

Mr. Shaffer MOVED to APPROVE Conservation Overlay Zone 3 Development application 2017-0183 as presented with mitigation that meets or exceeds the tree removal debits, including an additional shade tree to be planted in the front yard. The motion was SECONDED by Mr. Misterly.

VOTE ON MOTION:

AYES: Shaffer, Misterly, Blow, Agresta, Long

NAYES: Zander

MOTION CARRIED 5/1

6. (b) 2017-0185 – Hagos Fissehay – Applicant and Owner
3150 North Ponce de Leon Boulevard

To remove preserved tree(s) (Oak trees) within Conservation Overlay Zone 3 (Tree removal) to construct a new hotel.

Ms. Skinner read the staff report and said based on a review of Section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **CONTINUE** the Conservation Overlay Zone 3 Development for the removal of a tree(s) at **3150 North Ponce de Leon Boulevard** in an effort to preserve additional trees, and to clarify the tree survey compare to the arborist report, and the credit and debit chart; and, based on a review of Section 25-28, the Board may determine that adjusting

the site plan to preserve trees without denying the fair and reasonable use of the property may be possible to **APPROVE** the Conservation Overlay Zone 3 Development for the removal of a tree(s) at **3150 North Ponce de Leon Boulevard** with mitigation that meets or exceeds the tree removal debits.

Rob Matthews was present for questions.

The Board provided their ex parte communications.

13 certified notices were sent, 1 was returned opposed and 1 had comments.

Public hearing was opened.

Charles Mathis was concerned with the removal of the large trees on the property as they were an aesthetic asset to the northern entry corridor and provided a nice buffer between Ponce de Leon Boulevard and San Marco at the intersection.

Scott Goedert felt that a full plan for mitigation should have been submitted to the Board and that the Oak and Cedar trees should be protected and not replaced with palm trees.

Public hearing was closed.

Mr. Matthews reviewed details regarding the application.

Chuck Lippi reviewed the tree survey for the Board.

The Board discussed:

- Current condition of property was doing damage to the trees and may require an updated tree survey
- Staff recommendation to continue for further information including sizes of marked trees and to reconcile numbers between the site plan and arborist report

- Request that the applicant reevaluate the state of trees intending to be preserved
- Request for further details and location for storm water retention
- Possibility of more design creativity in attempts to save more trees

MOTION

Ms. Long MOVED to CONTINUE application 2017-0185 to the March 6, 2018 meeting. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. Rezoning

7. (a) 2017-0180 – A. Scott Goedert, Seabrook Group – Applicant
134 Riberia, LLC – Owner
134 Riberia Street

To rezone the property from Marine Use District (MUD) to Marine Use District-A (MUD-A).

Ms. Skinner read the staff report and noted staff does not make recommendations concerning the rezoning of land.

The Board provided their ex parte communications.

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

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

Scott Goedert reviewed the application and described his intended uses for the property.

The Board discussed:

- Changes to the MUD-A zoning category made by the City Commission
- Concern with creating a nonconforming structure with approval of the rezoning based on the setback language in the code for a 10 foot front yard setback

MOTION

Mr. Shaffer MOVED to RECOMMEND APPROVAL of Rezoning application 2017-0180 to the City Commission with the condition that staff address the potential non-conformity without changing the MUD-A Zone language. The motion was SECONDED by Mr. Misterly.

VOTE ON MOTION:

AYES: Shaffer, Misterly, Blow, Agresta, Long

NAYES: Zander

MOTION CARRIED 5/1

8. Other Business

8. (a) Memorandum regarding Comprehensive Plan Evaluation and Appraisal Report (EAR)

Ms. Skinner announced that the City was starting the evaluation process for the Comprehensive Plan that may require workshops and/or special meetings.

Board Member Comments

Ms. Zander recommended adjusting the format of the meeting to include a more clear-cut presentation from the applicant prior to Board comments and questions.

9. Adjournment

Having no further business, Ms. Long adjourned the meeting at 6:04 P.M.⁴

⁴ Transcribed by Candice Seymour



Sarah Ryan, Chairperson

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 7, 2020

RE: **USE BY EXCEPTION #2020-0062**

AGENDA ITEM 6(e)

APPLICANT Christopher Gugel

OWNER Gregory Dettra

LOCATION 213 W. King St / PIN 119860-0010

REQUEST To approve a use by an exception for light manufacturing for a winery within Commercial, medium-two (CM-2) zoning district.

LAND USE Commercial Medium Intensity

ZONING Commercial Medium-two (CM-2)

SURROUNDING USES Retail, Brewery, Multi-Family, Single Family.

APPLICABLE CODES/ORDINANCES

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

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

(a) Zoning exceptions:

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

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

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

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

General Zoning Standards:

Sec. 28-209. - Commercial medium-two: CM-2.

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

(3) *Permissible uses by exception.*

e. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating and candy manufacturing.

STAFF SUMMARY AND ANALYSIS

The applicant is requesting a use by exception to allow for light manufacturing for a winery within an existing building. In the case of an existing, nonconforming building, some existing site conditions are “grandfathered”. Regarding the on-site parking, per LDC Sec. 28-368(h), when there is a change of use the parking requirement is the net difference between the previous use theoretical requirement and the new proposed use requirement. The building is currently retail/business type use (1 space per 300 sf). A winery use (1 space per 450 square feet) is an overall reduction in the parking needs and would be grandfathered in given the existing building and the resulting site constraints. The proposed use is to be located within the King Street Entry Corridor and will require review of any exterior changes to the building.

Staff finds that the proposed use is consistent with the existing commercial uses in the area, provide a benefit of bringing a new business to the City, and is located within an established commercial corridor along West King Street that will promote the prosperity of this area.

STAFF RECOMMENDATION

Based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the use by exception for light manufacturing at **213 W. King St / PIN 119860-0010**.

Attachments

Attachment 1 – Application & Property Record Card

Attachment 2 – Site plan & Narrative

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

Attachment 1

Application & Property Record Card



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED

By Patrick Doty at 7:59 am, Jun 08, 2020

Application Fee: _____ (plus advertising costs) Project Number: _____

Receipt Number: _____ Meeting Date: _____

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

1. NAME OF APPLICANT: Christopher Gugel Contact Number: 904-868-1412
 Business (if applicable): Maestro Winery, LLC
 Address: 213 W King St City: St Augustine State: FL Zip: 32084
 E-Mail Address: gugelcm@gmail.com

2. NAME OF PROPERTY OWNER: Gregory Dettra Contact Number: 904-540-0009
 Business (if applicable): _____
 Address: _____ City: _____ State: _____ Zip: _____
 E-Mail Address: gdettra@gmail.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
 Lot: 1-43 BRAVO PARK Block: _____
 Subdivision: N41.24FT OF 110 F ST Parcel Number: _____

4. PROJECT STREET ADDRESS: 213 W King St

5. SPECIFIC PROPOSED USE: Winery

6. ACTION REQUESTED:

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

7. DESCRIPTION OF ACTION REQUESTED: I am requesting an exception
to conduct light manufacturing as part of the
winery.

8. JUSTIFICATION FOR ACTION REQUESTED: A winery requires retail
and light manufacturing on premises. The zoning at
this location already allows for the retail needed. However,
the light manufacturing requires an exception. The
light manufacturing component allows me to produce the
wine for the winery.

04/18/2019

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

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

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

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

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

10. PREVIOUS APPLICATIONS:

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

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

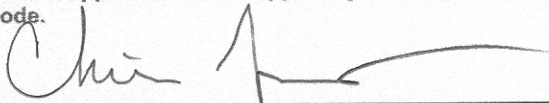
11. AGREEMENT:

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

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

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

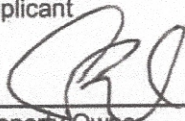
IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided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



Signature of Applicant

6/3/2020

Date



Signature of Property Owner

6/3/2020

Date



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

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

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

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

Christopher Gugel

Print name of applicant

Chris Gugel

Signature of applicant

6/3/2020

Date



Owner's Authorization For Agent

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

BY: [Signature]
Signature of Owner
Gregory Dettora
Print Name of Owner
904-540-0069
Telephone Number

State of Florida
County of St. Johns

Signed and sworn before me on this 4 day of June, 2020
By Gregory Dettora

Identification verified:

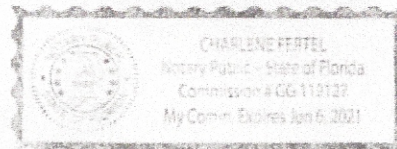
Oath sworn: X Yes No

Notary Signature:

[Signature]

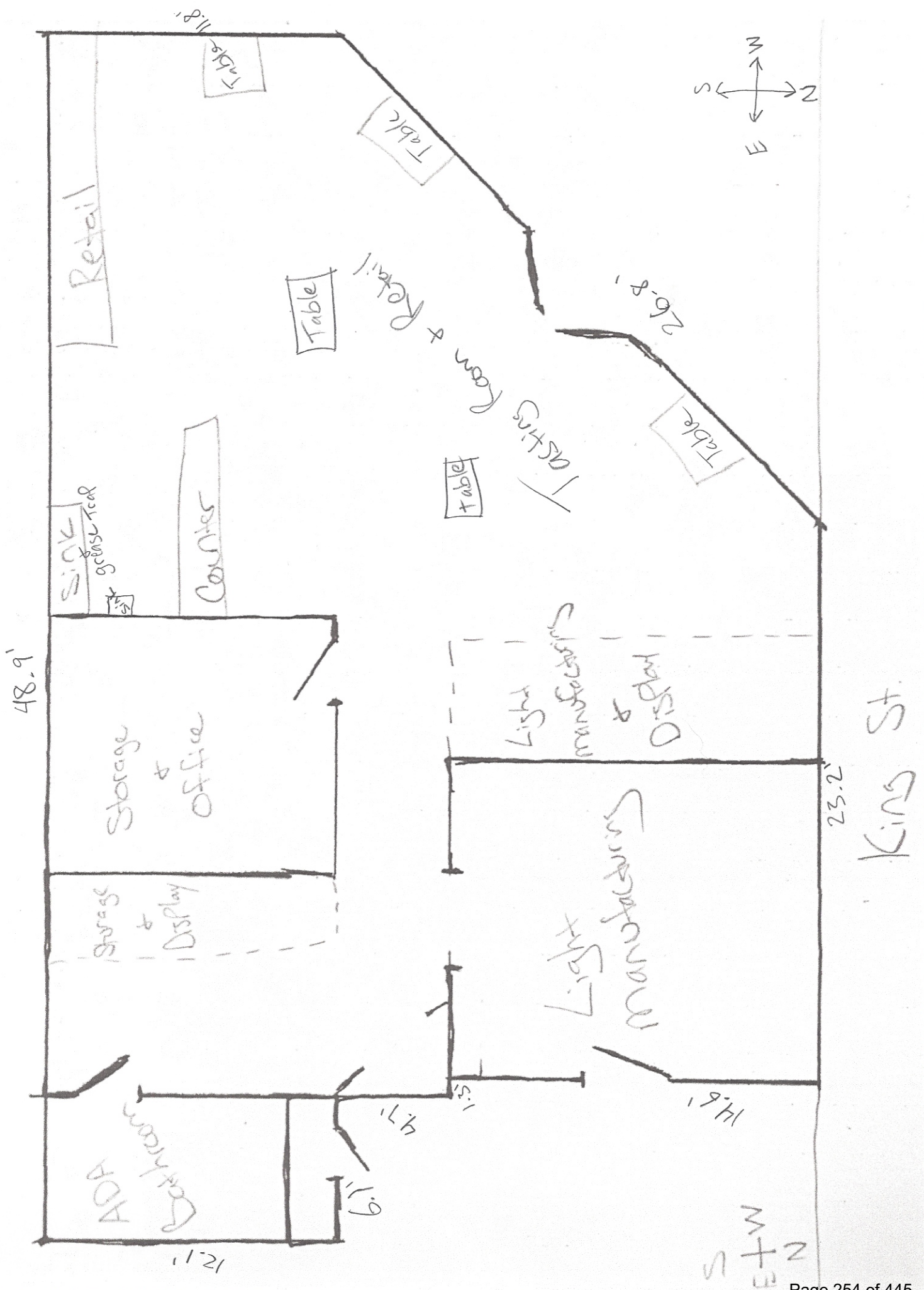
My Commission expires:

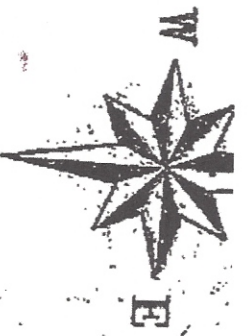
06/06/2021



Attachment 2

Site Plan & Narrative





WEST KING STREET

40' R/W - PAVED

EDGE OF PAVEMENT

CONCRETE

BACK OF CURB

① N 86°00'00" E (M) 93.51'(M)

CONCRETE

SIGN

CONCRETE

EAVES

CONC.

2.42'

CONCRETE

5.40'

14.6'

1.3'

4.7'

6.1'

12.1'

EAVES

A/C

EDGE OF PAVEMENT

2.7'

WOOD FENCE

S 86°00'00" W (M)

6' WOOD FENCE

3.87'

47.07'

94.14'(M)

ON LINE

6' CHAIN LINK FENCE

1 STORY BLOCK
#213

N 05°18'49" W (M)
41.24'(R)(M)

CURB

EDGE OF PAVEMENT

Maestro Winery Operations Document

Document Purpose

The purpose of this document is to accompany the Maestro Winery, LLC Planning and Zoning Board Application to the City of St. Augustine. This document is designed to address questions and concerns from the Friday Review Public Works Comments. This document covers topics such as: the wine making process, the tasting room operations, cleaning of equipment, waste disposal, and a list of all winery equipment and cleaning agents.

Winery Overview

Maestro Winery is a boutique winery offering wines made from Florida fruit and grapes as well as some more traditional wines (*vitis vinifera*). Wine ingredients are all ordered in (not grown on site) and are locally sourced when possible. The wine is fermented and bottled on site and then sold on site through the tasting room.

The Wine Making Process

The wine making process includes fermentation, aging, finishing, and bottling. All steps of this process will take place at the winery.

The fermentation process is the first step. Ingredients are ordered for each wine and then placed into fermenting barrels to start the process. Some wines require nothing more than grapes; however, some wines, such as FL fruit wines and some muscadine wines, require the addition of water, sugar, and sometimes other ingredients such as food grade citric acid. If the fruit being used is whole fruit, it may be crushed and/or pressed to help extract more juice from the fruit. Once all ingredients are combined in the fermenting barrels, yeast is added to officially start fermentation. The wine will ferment for around 1 to 2 weeks or until the yeast has finished converting sugar to alcohol.

Once the wine is done fermenting, it is transferred to a clean barrel or vat and left to age. The wine is transferred from the fermenter to the secondary container by a small transfer pump. Depending on the volume of wine, it may be placed in glass carboys or a larger vat. The wine is left to age for 2 or more months (depending on the wine and its taste profile). While aging, the wine is occasionally racked into a clean secondary container as small fruit particles fall out of the aging wine and sink to the bottom of the secondary container.

When the wine has aged for its appropriate amount of time, it is then finished prior to bottling. The finishing process depends entirely on the wine's desired style and sweetness. Some wines require no adjustments in the finishing process. Others require any or all of the following: filtering to remove any small fruit particles from the wine, aging on oak for flavor profile, the addition of sugar post-fermentation (this makes the wine sweeter), blending two or more wines to create a new, unique wine.

Once the wine has been finished, it is bottled for sale. Bottles are ordered along with the wine ingredients. All bottles are rinsed with water and then sanitized (see table of chemicals used). The wine is transferred into the bottles using a small wine pump. Corks are then inserted using a small corking machine (powered by a small, 5 gallon air compressor), and foil shrink wraps are placed on the top of the bottles as part of the finished product look. Labels are hand applied using a manual label roller.

Tasting Room Operations

Maestro Winery is currently licensed with the Federal TTB and the State of FL for wine manufacturing. As part of the FL wine manufacturing license, a tasting room is permitted to sell our products. The tasting room must be a part of the manufacturing facility/building.

The tasting room will offer guests the chance to sample select wines, purchase wine by the glass or bottle for on site consumption, and purchase sealed wine bottles for off site consumption. All of these are standard practices at wineries across the state and country.

Tastings will be conducted in the manner that most boutique wineries follow: guests come in and will be able to follow a self-tasting plan. Guests will be able to select certain wines to taste small, 0.5-1oz samples. Most tastings last around 2-10 mins when conducted in this manner. Group tastings will be utilized if multiple guests would like a tasting at the same time. Group tastings will serve 0.5-1oz samples and will walk through select wines only (guests will not be able to select wines in a group setting). Most tastings will occur in groups of 1-4 people. Occasionally, groups will be as large as 10 people. Any more than 10, and the group will be split up to ensure all guests get the full tasting experience. For all of these tastings, wine glasses will be used whenever possible. If health concerns or the size of the group prohibit glassware, then disposable stemware will be used. Water usage in the tasting room will be from cleaning wine glasses and utensils and serving water to guests.

Winery Parking

*Information taken from discussion with Mr. Doty, Senior Planner for St. Augustine

Taking the setup of the winery and previous use of the location into consideration, 213 W King St should qualify to be grandfathered in for parking purposes.

Maestro Winery Production Profile

Maestro Winery has had a little over one year of production of wine under its wine manufacturing license. All of the figures below reflect actual numbers during production of that wine.

*Volume of wine produced: 826.6 gallons of wine (or 4,133 bottles or 344.4 cases)

*Water used in the production of wine: 369.61 gallons (or around 1 gallon per day averaged over a year)

*Waste water produced (from cleaning): 175 gallons (or 0.48 gallons per day averaged over a year)

*Waste material produced (fruit material left over from fermentation and aging): 150 lbs (or 0.41 lbs per day averaged over a year).

Production at 213 W King St will be very similar to the numbers above. Wine production will be between 750-1,000 gallons per year (numbers determined by wine equipment capacity and amount of time required to produce a finished product).

Waste Removal

Waste material produced from the wine making process includes waste water and fruit debris. Fruit that does not break down during the fermenting process (fruit debris) is pressed to remove all liquid and then disposed of as dry waste material in the trash. Fruit debris that falls out of the wine during the aging process

is first strained/filtered to remove all liquid, and then disposed of as dry waste material (since alcohol is highly regulated, all debris-filled wine is filtered to collect all liquid for recording purposes and to make disposal of material easier since the debris left is then dry). All waste water produced through the wine making process comes from the cleaning of equipment (see list of chemicals for details on detergents that are used for cleaning). Waste water will be disposed of through a sink in the winery.

*No floor drain will be installed at this time. The size of the winery does not warrant a floor drain.

All cardboard boxes will be broken down prior to disposal. Recycling will be utilized when possible, including for glass (all glass bottles are rinsed and allowed to air dry prior to disposal).

Winery Equipment Cleaning

Cleaning equipment at the winery typically involves removal of fruit debris/solids and then using a cleaning agent (chemicals listed below) and water to wash out equipment. Debris is removed from vats by dumping the debris into a straining container to separate liquid from solids. Solids are disposed of through the trash and liquids are disposed of through a sink.

Wine Making Equipment

Item	Description	Power Usage
Wine Vats	Stainless steel wine vats used to hold wine during fermentation and/or aging. Four 500 L and one 750 L tank, all with variable lids to accommodate any wine amount up to capacity.	None
Glass Carboys	Multiple carboys at sizes 1, 3, 5, and 6 gallons. Used for very small batches of wine.	None
Fruit Press	Stand alone unit with water hose hookup. A water filled bladder running through the middle presses the juice from the fruit.	None
Fruit Crusher	24" H x 22.4" W X 52.4" L (sits on a stand)	110 volt
Pump	½ hp pump.	115 volt
Filter	23" H x 12" W x 23" L, 10 plate filter with attached pump	110 volt
Bottle Filler	Single bottle semi-automatic filler, tabletop unit	112 volt
Corker	9" W X 16" D X 34" H tabletop unit, powered by an air compressor. Inserts corks into bottle, single bottle per cycle	N/A
Air Compressor	5 gallon tank capacity, powers the corks	120 volt
Labeler	Tabletop unit, manual label applicator	None
Shrink cap tunnel	Tabletop unit, small heating coil shrinks caps around bottle necks	115 volt

List of Chemicals

Name	Description	Ingredients Disclosure	Material Safety Data Sheet
OxiClean	Oxygen based cleaner that is safe and effective to use on food grade items. This is used to clean all wine production equipment.	https://churchdwight.com/ingredient-disclosure/launder-fabric-care/40002383-oxi-versatile-stain-remover-fragrance-free.aspx	https://www.bism.org/Documents/State/Old%20SDS/OXYCLEAN.pdf
Star San	Standard wine and beer equipment sanitizer. A diluted solution is sprayed on equipment/tools and allowed to dry before use on the wine. This is used on all wine production equipment after it has been thoroughly cleaned with OxiClean first.	https://fivestarchemicals.com/media/ingredient/Five_Star_-_Star_San_-_Ingredients.pdf	https://www.jstrack.org/brewing/msds/starsan.pdf

Additional Information

* No changes will be made to the property's water supply connection and/or sewer service lateral.

The following items will be installed in the space (see site plan for specific location):

Item	Description	Link
3 Compartment Sink	Needed as a source of water, to clean winery tools and equipment, and to properly clean tasting room glasses.	https://www.webstaurantstore.com/steelton-54-18-gauge-stainless-steel-three-compartment-commercial-sink-with-2-drainboards-10-x-14-x-12-bowls/522CS31014LR.html
Grease Trap	Used to ensure any debris from waste water is captured and kept from going into the city system.	https://www.webstaurantstore.com/watts-wd-4-8-lb-grease-trap/320WD4.html
Hand Sink	Used to wash hands behind the tasting room bar.	https://www.webstaurantstore.com/regency-17-x-15-wall-mounted-hand-sink-for-gooseneck-faucet/600HS172H.html

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 7, 2020

RE: **USE BY EXCEPTION #2020-0063**

AGENDA ITEM 6(f)

APPLICANT Greg Lord Jr.

OWNER Jimmy Wells Long

LOCATION 303 S. Ponce De Leon Boulevard

REQUEST To approve a use by an exception for auto & boat sales within Commercial, medium-two (CM-2) zoning district.

LAND USE Commercial Medium Intensity

ZONING Commercial Medium Two (CM-2)

SURROUNDING USES Hotel and business offices

APPLICABLE CODES/ORDINANCES

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

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

(a) Zoning exceptions:

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

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

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

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

General Zoning Standards:

Sec. 28-209. - Commercial medium-two: CM-2.

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

(3) *Permissible uses by exception.*

k. Businesses that offer for sale new or used automobiles, trucks, boats and tractors.

STAFF SUMMARY AND ANALYSIS

This property has a business tax receipt from 2006 for Jimmie Wells Auto Sales. There is currently a vacant trailer on the property that the applicant would like to use as a sales trailer. The hours of operation will be seven days a week 9:00am to 5:00pm. The applicant intends to sell new and used boats, golf carts, and automobiles.

STAFF RECOMMENDATION

Based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for auto & boat sales at **303 S. Ponce De Leon Boulevard**.

Attachments

Attachment 1 – Application & Property Record Card

Attachment 2 – Location Map & Site Plan

Tracey Mullins
Planner I
Planning and Building Department

2
303 S. Ponce De Leon Boulevard
Staff Report and Recommendation

Attachment 1

Application & Property Record Card



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

Received via email 06/08/20 AC

Application Fee: \$250 (plus advertising costs) Project Number: 2020-0063
 Receipt Number: 1877604 Meeting Date: July 7, 2020
 Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Greg B. Lord Jr Contact Number: 904-687-4747
 Business (if applicable): _____
 Address: 2501 N. Ponce De Leon Blvd City: St Augustine State: FL Zip: 32084
 E-Mail Address: Glord75@gmail.com

2. NAME OF PROPERTY OWNER: Timmy Wells Long Contact Number: 824-6174
 Business (if applicable): _____
 Address: _____ City: _____ State: _____ Zip: _____
 E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
 Lot: 21-29 Block: _____
 Subdivision: Wildwood park Parcel Number: 119300-0000

4. PROJECT STREET ADDRESS: 303 S. Ponce De Leon Blvd 32084

5. SPECIFIC PROPOSED USE: Auto Sales / Marine & Specialty auto sales

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

7. DESCRIPTION OF ACTION REQUESTED: _____

Allow the use for Auto & marine sales. No sell golf carts, boats & cars.

8. JUSTIFICATION FOR ACTION REQUESTED: The property was approved for this use from 1980 until 2012. When the owner died & it closed it converted back to the old use. We feel the use will be an improvement to the desolate property & a demand in our area. We don't plan on modifying the layout or improving ground at all, we can construct just clean up & make the property presentable.

8

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

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____
- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____
- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____
- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

Signature of Applicant

Date

Signature of Property Owner

Date



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.

George Wells

Print name of applicant

[Handwritten signature]

Signature of applicant

6-8-2020



St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

Summary

Parcel ID 1193200000
Location Address 303 S PONCE DE LEON BLVD
 SAINT AUGUSTINE 32084-0000
Neighborhood Auto Sales Countywide (COM) (647.7)
Tax Description* 3-15 WILDWOOD PARK LOTS 21 THRU 25 & 27(EX 52FT)& 28 & 29 BLK F OR1076/573 &1189/1231Q/C &1358/1161(Q/C)
**The Description above is not to be used on legal documents.*
Property Use Code Sales & Service (Automotive) (Owner Occupied) (2705)
Subdivision Wildwood Park, Plat Amending Blocks F &
Sec/Twp/Rng 37-7-30
District City of St Augustine (District 452)
Millage Rate 20.0503
Acreage 1.040
Homestead N

Owner Information

Owner Name Wells Jimmie D Sr Living Trust 100%
Mailing Address 303 S PONCE DE LEON BLVD
 SAINT AUGUSTINE, FL 32084-4217

Map



Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$13,025
Total Land Value	\$679,185
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$692,210
Total Deferred	\$110,585
Assessed Value	\$581,625
Total Exemptions	\$0
Taxable Value	\$581,625

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2019	\$0	\$13,971	\$679,185	\$0	\$0	\$693,156	\$528,750	\$164,406	\$528,750
2018	\$0	\$9,086	\$679,185	\$0	\$0	\$688,271	\$480,682	\$207,589	\$480,682
2017	\$0	\$8,046	\$679,185	\$0	\$0	\$687,231	\$436,984	\$250,247	\$436,984
2016	\$0	\$8,931	\$679,185	\$0	\$0	\$688,116	\$397,258	\$290,858	\$397,258
2015	\$0	\$9,818	\$713,085	\$0	\$0	\$722,903	\$361,144	\$361,759	\$361,144
2014	\$0	\$8,114	\$439,736	\$0	\$0	\$447,850	\$328,313	\$119,537	\$328,313
2013	\$0	\$8,478	\$289,988	\$0	\$0	\$298,466	\$298,466	\$0	\$298,466
2012	\$0	\$8,843	\$289,988	\$0	\$0	\$298,831	\$298,831	\$0	\$298,831
2011	\$0	\$7,602	\$320,888	\$0	\$0	\$328,490	\$328,490	\$0	\$328,490
2010	\$0	\$7,703	\$356,542	\$0	\$0	\$364,245	\$364,245	\$0	\$364,245

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Metal Fence 6'	0	0	0	0	220
Concrete Paving (Commercial)	0	0	0	0	2034
Asphalt Paving	0	0	0	0	4420
Deck (Unattached)	0	0	0	0	220
Handicap Ramp	0	0	0	0	100

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Owner Occupied Sales & Service (Automotive)	0	0	45279	SF	\$679,185

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	5/29/1998	\$100.00	QC	1358	1161	U	I	WELLS JIMMIE D	WELLS JIMMIE D TRUSTEE
	7/8/1996	\$0.00	QC	1189	1231	U	V	CHEVRON USA INC (TERMINATING EASE)	WELLS JIMMIE D
	9/30/1994	\$130,000.00	WD	1076	573	U	V	CHEVRON USA INC	WELLS JIMMIE D

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

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

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

Last Data Upload: 6/6/2020, 12:00:20 AM

Version 2.3.62





Overview



Legend

- Parcels
- Roads
- Cities

Parcel ID	1193200000	Physical Address	303 S PONCE DE LEON BLVD	Building Value	N/A	Last 2 Sales			
Property Class	2705 - Owner Occupied Sales & Service (Automotive)		SAINT AUGUSTINE	Extra	\$13,025	Date	9/30/1994	Price	\$130000
Taxing District	City of St Augustine	Mailing Address	WELLS JIMMIE D SR LIVING TRUST	Feature Value			n/a		0
Acres	1.04		303 S PONCE DE LEON BLVD	Total Land Value	\$679,185				
			SAINT AUGUSTINE FL	Just Value	\$692,210				
			32084-4217	Total	\$110,585				
				Deferred Assessed Value	\$581,625				
				Total	N/A				
				Exemptions					
				Taxable Value	\$581,625				

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

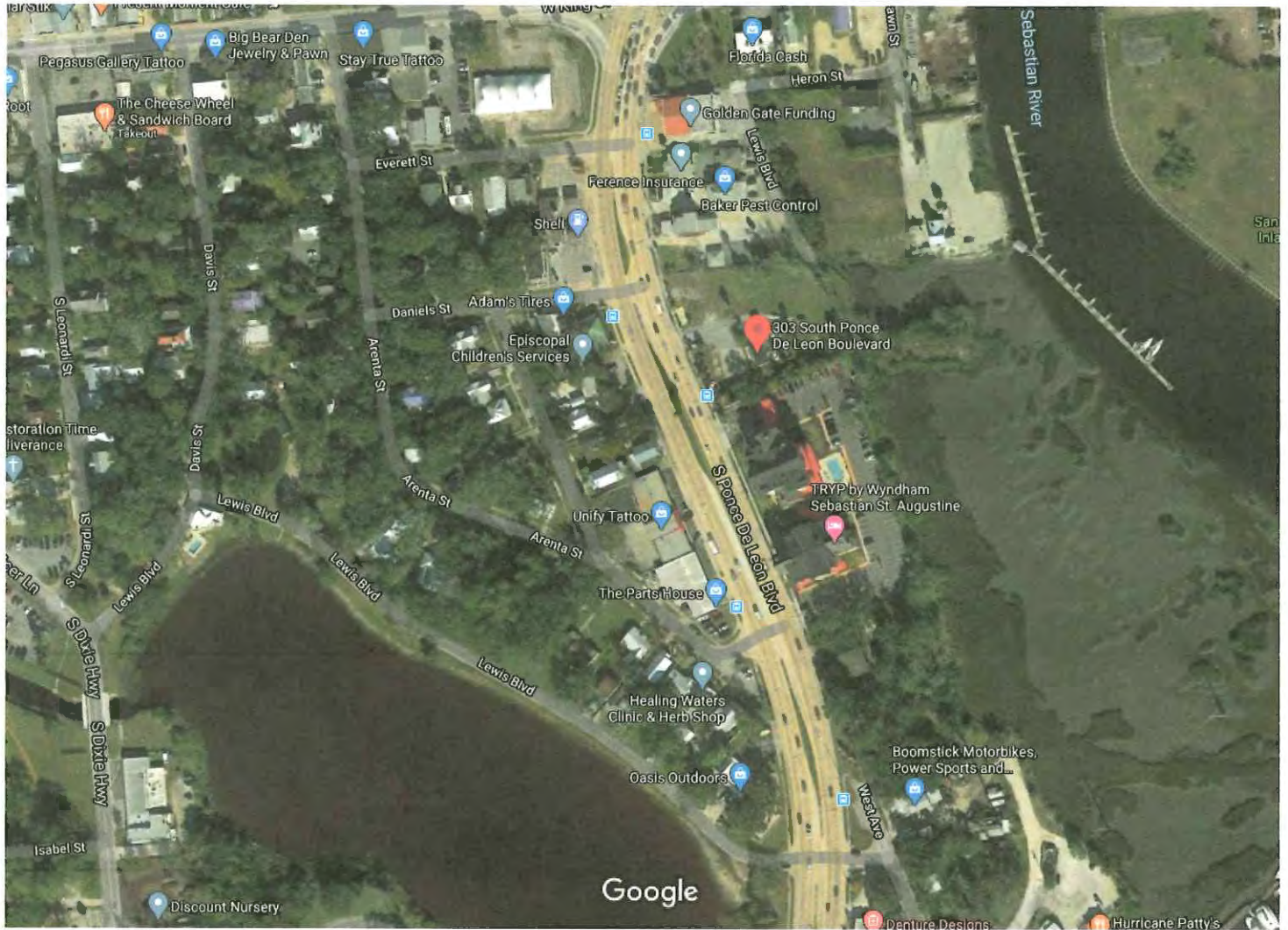
Date created: 6/8/2020

Last Data Uploaded: 6/6/2020 12:00:20 AM

Developed by  Schneider
GEOSPATIAL

Attachment 2
Location Map & Site Plan

Google Maps 303 S Ponce De Leon Blvd



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020 100 ft



303 S Ponce De Leon Blvd

St. Augustine, FL 32084



Directions



Save



Nearby

Send to your
phone

Share

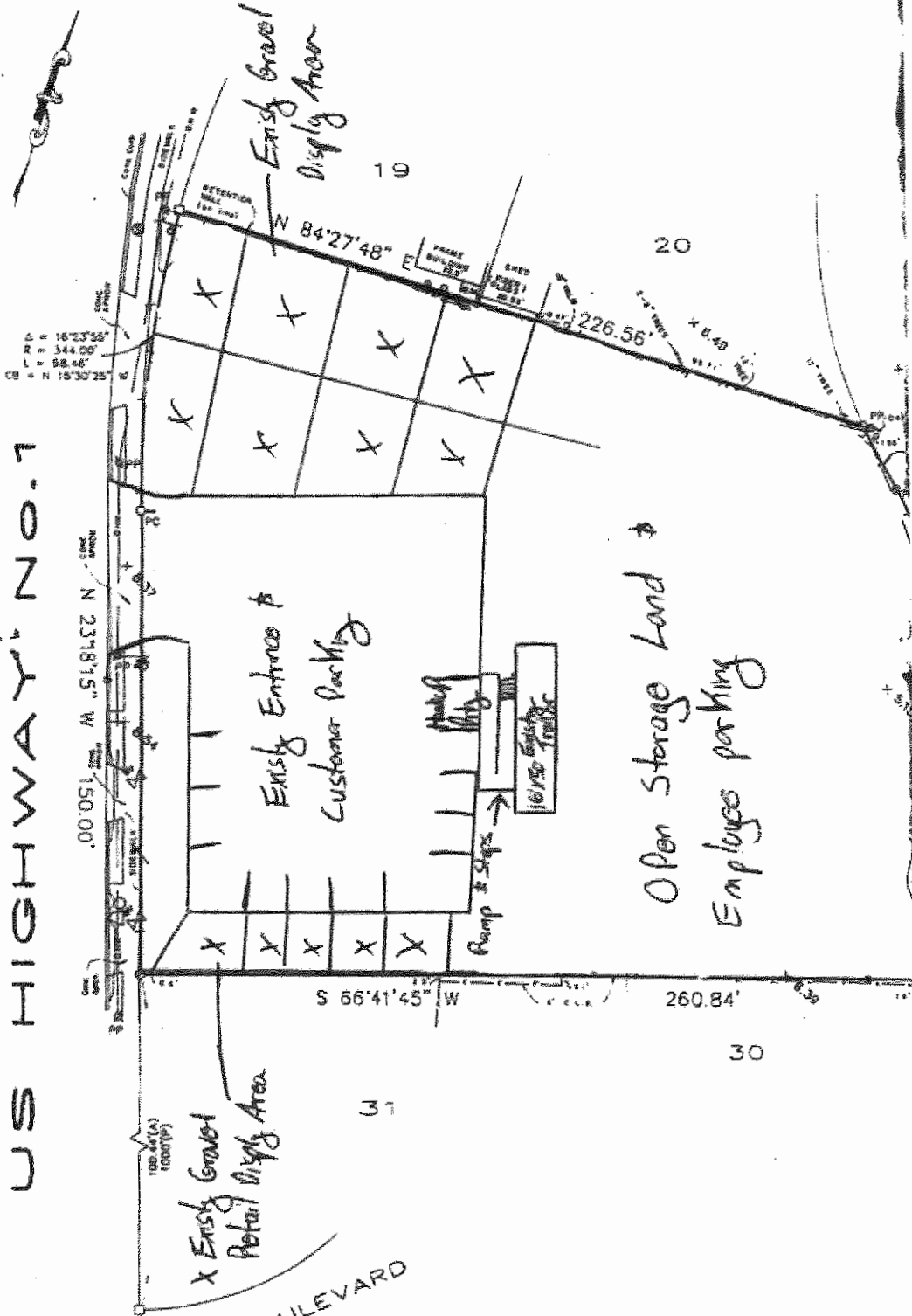
MAP OF

US HIGHWAY NO. 1

100' R/W

N 23°18'15" W 150.00'

LEWIS BOULEVARD



CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 7, 2020

RE: **PRELIMINARY SUBDIVISION PLAT APPROVAL 2020-0060**

AGENDA ITEM	7(a)
APPLICANT	James Whitehosue
OWNER	David Watkinson
LOCATION	8 DeSoto Place / PIN 203230-0000
REQUEST	To approve a preliminary subdivision plat for 5 townhomes within Residential, General-one (RG-1) zoning district.
PLANS RECIEVED	June 5, 2020
LAND USE	Residential Medium Density
ZONING	Residential General One (RG-1)
SURROUNDING USES	Single Family, Theater, Bed & Breakfast

APPLICABLE CODES/ORDINANCES

Section 23-36 Generally.

The following procedures for securing subdivision plat approval shall be followed in submitting, reviewing and acting upon all subdivision plats within the city. The subdivider and/or his surveyor, engineer or land planner is encouraged, but not required, to discuss informally his preliminary studies and sketches for any subdivision of land with the city offices listed in section 23-38, as well as those other offices such as the county health department or county community development department. Many times these discussions may lead to a more complete preliminary plan or plat as hereinafter set forth. During this review process, the subdivider or his agent may be called upon for consultation. Each preliminary plan or plat for a subdivision shall be presented for review prior to detailed development of the plat. This preliminary plan will benefit the

subdivider in accordance with the degree of completeness of the plan. Such preliminary plan shall be accompanied by a written statement describing the proposed subdivision. Such preliminary plan and statement shall be reviewed by the city planning and building department, public works department, fire department and police department and shall be submitted to the city planning and zoning board for preliminary approval subject to such revision as may be deemed necessary.

Section 23-38 Preliminary plat.

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

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

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

- (1) Permitted uses and structures:
 - a. Single-family dwellings.
 - b. Multiple-family dwellings.
 - c. Housing for the elderly.
 - d. Roominghouses and boardinghouses.
 - e. Home office, private.
 - f. Tourist homes and bed and breakfast inns.
 - g. Neighborhood recreational facility.
 - h. Accessory apartments.
- (2) Permitted accessory uses and structures. See section 28-348.

(3) *Permissible uses by exception:*

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

(4) *Minimum lot requirements:*

a. *Single-family dwellings:*

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

b. *Multiple-family dwellings:*

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

c. *Nonresidential uses:*

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

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

(6) *Minimum yard requirements:*

a. *Residential uses:*

1. Front, fifteen (15) feet.
2. Side, ten (10) feet.
3. Rear, ten (10) feet.

b. *Nonresidential uses:*

1. Front, fifteen (15) feet.
 2. Side, ten (10) feet.
 3. Rear, ten (10) feet.
- (7) *Maximum height of structures:*
- a. *Single-family dwellings.* Thirty-five (35) feet.
 - b. *Multiple-family dwellings.* Thirty-five (35) feet.

Sec. 28-342. - Townhouses.

Each structure containing townhouses, or each development of contiguous townhouse units shall comply with all regulations for multiple family dwellings of the districts where permitted (RG-1). In addition to regulations applicable to the entire building or development, the following regulations shall apply to individual single-family townhouse units in such buildings or developments:

- (1) No side yards shall be required for individual interior townhouse units. Exterior units shall have a side yard requirement of ten (10) feet.
- (2) Each townhouse unit shall have access to a public or private street.

STAFF SUMMARY AND ANALYSIS

Preliminary Subdivision Plat

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

In this case, the lot being subdivided exceeds the minimum lot width of 50' for RG-1 zoning, the resulting townhome lots will range in size from 24.6 and 34.6 feet wide, with lot areas ranging from 3,100 to 4,340 square feet of area, this information will be reflected on the final plat. The development meets the maximum allowed density, which is 16 units per acre in residential medium density (which is 1 unit per 2,722 square feet). As these lots are platted for town homes, the provisions of LDC Sec. 28-342 shall apply and no interior side yards are required, and each townhouse has access to a public street. City comments have been provided top the applicant for required changes to the plat prior to final plat adoption by the City Commission. It is staff's intent to update LDC Sec. 28-342 as part of upcoming Land Development Code update to clarify this code section.

The applicants proposed Conservation Overlay Zone 3/tree removal was not reviewed or included with this staff report and will be brought before the board under a separate item, however, it is referenced within the application.

STAFF RECOMMENDATION

Based on a review of the applicable city codes, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the preliminary subdivision plat for this property as submitted.

Attachments

Attachment 1 – Application, Supporting Materials

Attachment 2 – Preliminary Plat

Patrick Doty
Senior Planner
City of St. Augustine

Attachment 1

Application & Supporting Materials



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED

JUN 05 2020

Planning / Building Dept.

Application Fee: 275.00 (plus advertising costs) Project Number: 2020-0060
Receipt Number: 1876986 Meeting Date: July 7, 2020
Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: James G. Whitehouse, Esq. Contact Number: 9044950400
Business (if applicable): St. Johns Law Group
Address: 104 Sea Grove Main Street City: St. Augustine State: FL Zip: 32080
E-Mail Address: jameswhitehouse@sjlawgroup.com

2. NAME OF PROPERTY OWNER: David Watkinson Contact Number: _____
Business (if applicable): _____
Address: _____ City: _____ State: _____ Zip: _____
E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: 7 and 8 Block: 46-J
Subdivision: City of St. Augustine Parcel Number: 203230 0000

4. PROJECT STREET ADDRESS: 8 DeSoto Place

5. SPECIFIC PROPOSED USE: Townhomes (as a use allowed by right)

6. ACTION REQUESTED:
☐ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☒ Other: Prelim Plat Approval & Tree Retention/Removal Plan (per certified arborist report)

7. DESCRIPTION OF ACTION REQUESTED: _____

SEE ATTACHED

8. JUSTIFICATION FOR ACTION REQUESTED: _____

SEE ATTACHED

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

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

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

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

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

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

Signature of Applicant

Date

Signature of Property Owner

Date



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

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

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

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

JAMES G WHITEHOUSE, ESQ.

Print name of applicant

[Signature]

Signature of applicant

6/4/2020

Date



Owner's Authorization For Agent

James G. Whitehouse, Esq. is/are hereby authorized TO ACT ON BEHALF
OF David Watkinson, the owner(s) of those lands described within

☒ the attached application, or ☐ described within the previously filed
Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:
8 De Soto Place

BY: _____

Signature of Owner

DAVID WATKINSON

Print Name of Owner

210-669-4312

Telephone Number

State of FLORIDA

County of ST. JOHNS

Signed and sworn before me on this 15TH day of MAY, 2020

By DAVID WATKINSON, By MEANS OF
PHYSICAL PRESENCE.

Identification verified: YES - FL driver's license

Oath sworn: ☒ Yes ☐ No

Notary Signature: _____

Michele F. Blevins

My Commission expires: _____

9/15/2020



1
4
This Instrument Prepared By:
John D. Bailey, Jr.
Upchurch, Bailey and Upchurch, P.A.
Post Office Drawer 3007
St. Augustine, Florida 32085-3007
FN. 6-07-095

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 16 day of August, 2007 by ARNETT ARMS, INC., a Florida corporation ("Grantor"), to DAVID WATKINSON, a married man, whose post office address is 83 Cedar Street, St. Augustine, Florida 32084 ("Grantee").

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and No/100's Dollars (\$10.00), and other good and valuable considerations to it in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, its successors and assigns forever, the following described land in St. Johns County, Florida, to wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND BY
REFERENCE MADE A PART HEREOF
(THE "PROPERTY")**

PARCEL IDENTIFICATION NO: 203230-0000

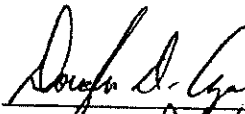
**SUBJECT TO: Those matters listed on Exhibit "B",
attached hereto and by reference made a part hereof.**

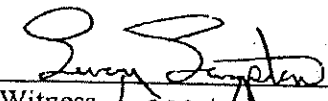
And Grantor does hereby warrant the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under said Grantor, its successors and assigns, and not otherwise.

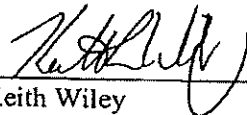
IN WITNESS WHEREOF, said Grantor has caused these presents to be duly executed on the day and year first hereinabove written.

Signed, sealed and delivered
in the presence of:

Arnett Arms, Inc., a Florida
corporation,


Witness Douglas D. Ayers
(type or print name)


Witness Leroy Langston
(type or print name)

By: 
Keith Wiley
Its President
c/o Bank of America
390 North Orange Avenue
Orlando, Florida 32801-1640

STATE OF Florida
COUNTY OF St. Johns

THE FOREGOING instrument was acknowledged before me this 16 day of August, 2007, by Keith Wiley as President of Arnett Arms, Inc., a Florida corporation, on behalf of the corporation, who (☒) is personally known to me or (☐) has produced a valid driver's license as identification.

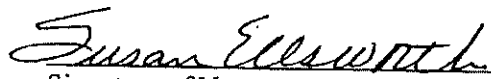

Signature of Notary
Susan Ellsworth
(Name of notary, typed/printed/stamped)
Commission number: _____
Commission expires: 10-27-09

EXHIBIT "A"
LEGAL DESCRIPTION

BEGIN AT A POINT ON THE NORTH LINE OF DESOTA PLACE, 135 FEET WEST OF THE WEST LINE OF GRANADA STREET, SAID POINT OF BEGINNING BEING THE SOUTHWEST CORNER OF PROPERTY NOW OF PARRISH; THENCE WEST ALONG THE NORTH LINE OF DESOTA PLACE, 150 FEET TO THE SOUTHEAST CORNER OF PROPERTY OF A.H. RAMOS; RUN THENCE NORTHERLY ALONG RAMOS' EAST LINE 125.66 FEET TO A FENCE LINE; RUN THENCE EASTERLY ALONG SAID FENCE LINE 149.50 FEET TO LAND OF DOYLE; RUN THENCE SOUTHERLY ALONG THE WEST LINE OF DOYLE AND PARRISH, 124.7 FEET TO THE POINT OF BEGINNING, ACCORDING TO SURVEY OF VASA E. STOLBRAND, DATED FEBRUARY 3, 1956, BEING A PORTION OF BLOCK 46J, CITY OF ST. AUGUSTINE.

LESS AND EXCEPT PROPERTY DESCRIBED IN DEED BOOK 245, PAGE 76.

SAID PROPERTY ALSO DESCRIBED IN A SURVEY BY ELWOOD L. RENN, R.L.S. 3647 DATED JULY 18, 2007 AS FOLLOWS:

BEING ALL OF LOT 7 AND A PORTION OF LOT 8 BLOCK 46-J, CITY OF ST. AUGUSTINE, FLORIDA RECORDED IN THE OFFICIAL RECORDS IN THE CLERK OF THE CIRCUIT COURT OFFICE OF ST. JOHNS COUNTY, FLORIDA. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT A POINT ON THE NORTH LINE OF DESOTO PLACE, 142.00 FEET WEST OF THE WEST LINE OF GRANADA STREET, SAID POINT BEING THE SOUTHEAST CORNER OF THE FOLLOWING DESCRIBED PARCEL OF LAND AND THE POINT OF BEGINNING; THENCE RUN NORTH 88 DEGREES 50 MINUTES 45 SECONDS WEST 143.00 FEET TO THE SOUTHWEST CORNER OF DESCRIBED PARCEL; THENCE RUN NORTH 00 DEGREES 23 MINUTES 20 SECONDS EAST 127.27 FEET, TO THE NORTHWEST CORNER OF DESCRIBED PARCEL; THENCE SOUTH 87 DEGREES 50 MINUTES 54 SECONDS EAST 142.50 FEET TO THE NORTHEAST CORNER OF DESCRIBED PARCEL; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST 124.80 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

1. Taxes for the year 2007 and subsequent years.
2. Applicable zoning and other governmental regulations.
3. Covenants, restrictions and easements of record, if any. This reference to which shall not operate to reimpose the same.





St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

Summary

Parcel ID 2032300000
 Location Address 8 DE SOTO PL
 SAINT AUGUSTINE 32084-0000
 Neighborhood City of St Aug Granada/Riberia Corridor (COM) (610.18)
 Tax Description* CITY OF ST AUG LOT 7 & LOT 8 (EX E7FT) BLK 46-J 143FT ON DESOTO PL OR2969/1371
**The Description above is not to be used on legal documents.*
 Property Use Code Parking Lots (2810)
 Subdivision City of St Augustine
 Sec/Twp/Rng 18-7-30
 District City of St Augustine (District 452)
 Millage Rate 20.0503
 Acreage 0.410
 Homestead N

Owner Information

Owner Name [Watkinson David](#) 100%
 Mailing Address 83 CEDAR ST
 SAINT AUGUSTINE, FL 32084-0000

Map



Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$397
Total Land Value	\$268,125
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$268,522
Total Deferred	\$0
Assessed Value	\$268,522
Total Exemptions	\$0
Taxable Value	\$268,522

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2019	\$0	\$397	\$268,125	\$0	\$0	\$268,522	\$258,015	\$10,507	\$258,015
2018	\$0	\$397	\$234,162	\$0	\$0	\$234,559	\$234,559	\$0	\$234,559
2017	\$0	\$397	\$234,162	\$0	\$0	\$234,559	\$234,559	\$0	\$234,559
2016	\$0	\$397	\$234,162	\$0	\$0	\$234,559	\$234,559	\$0	\$234,559
2015	\$0	\$397	\$234,162	\$0	\$0	\$234,559	\$234,559	\$0	\$234,559
2014	\$0	\$397	\$234,162	\$0	\$0	\$234,559	\$234,559	\$0	\$234,559
2013	\$0	\$397	\$234,162	\$0	\$0	\$234,559	\$234,559	\$0	\$234,559
2012	\$0	\$397	\$234,162	\$0	\$0	\$234,559	\$234,559	\$0	\$234,559
2011	\$0	\$173	\$259,188	\$0	\$0	\$259,361	\$259,361	\$0	\$259,361
2010	\$0	\$173	\$286,000	\$0	\$0	\$286,173	\$286,173	\$0	\$286,173

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Stops	0	0	0	0	22
Metal Fence 6'	0	0	0	0	240

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Parking Lots	143	125	17875	SF	\$268,125

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	8/16/2007	\$535,000.00	WD	2969	1371	Q	I	ARNETT ARMS INC	WATKINSON DAVID
	9/29/2004	\$100.00	WD	2293	1466	U	I	ARNETT DONALD E	ARNETT ARMS INC
	9/29/2004	\$0.00	TR	2293	1464	U	I	ARNETT DONALD E TRUSTEE	ARNETT DONALD E
	7/16/2001	\$0.00	OI	1636	538	U	I	ARNETT MARY JANE TRUSTEE (DECD 5/16/01)	ARNETT MARY JANE TRUST (LETT OF ADMIN)
	8/7/2000	\$100.00	WD	1523	435	U	I	ARNETT MARY JANE	ARNETT MARY JANE TRUSTEE
	8/7/2000	\$0.00	PR	1519	258	U	I	ARNETT J D ESTATE BY PERS REP	ARNETT MARY JANE
	10/19/1999	\$0.00	WL	1636	535	U	I	ARNETT MARY JANE TRUSTEE	ARNETT MARY JANE TRUSTEE (WILL)
	3/22/1999	\$0.00	OI	1397	923	U	I	ARNETT J D (DECD 1/24/99)	ARNETT J D ESTATE (LETT OF ADMIN)
	4/4/1989	\$0.00	WL	1397	919	U	I	ARNETT J D	ARNETT J D (WILL)

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

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

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

Last Data Upload: 6/6/2020, 12:00:20 AM

Developed by



Version 2.3.62

REQUIRED REVIEW

☐ Archaeology _____

BDAC Number: _____

☐ Building _____☐ Citizen Boards: ☐ BAA _____

Plan File Location: _____

☐ PZB _____

911 Verified _____

☐ HARB _____☐ Fire _____

911 Assigned _____

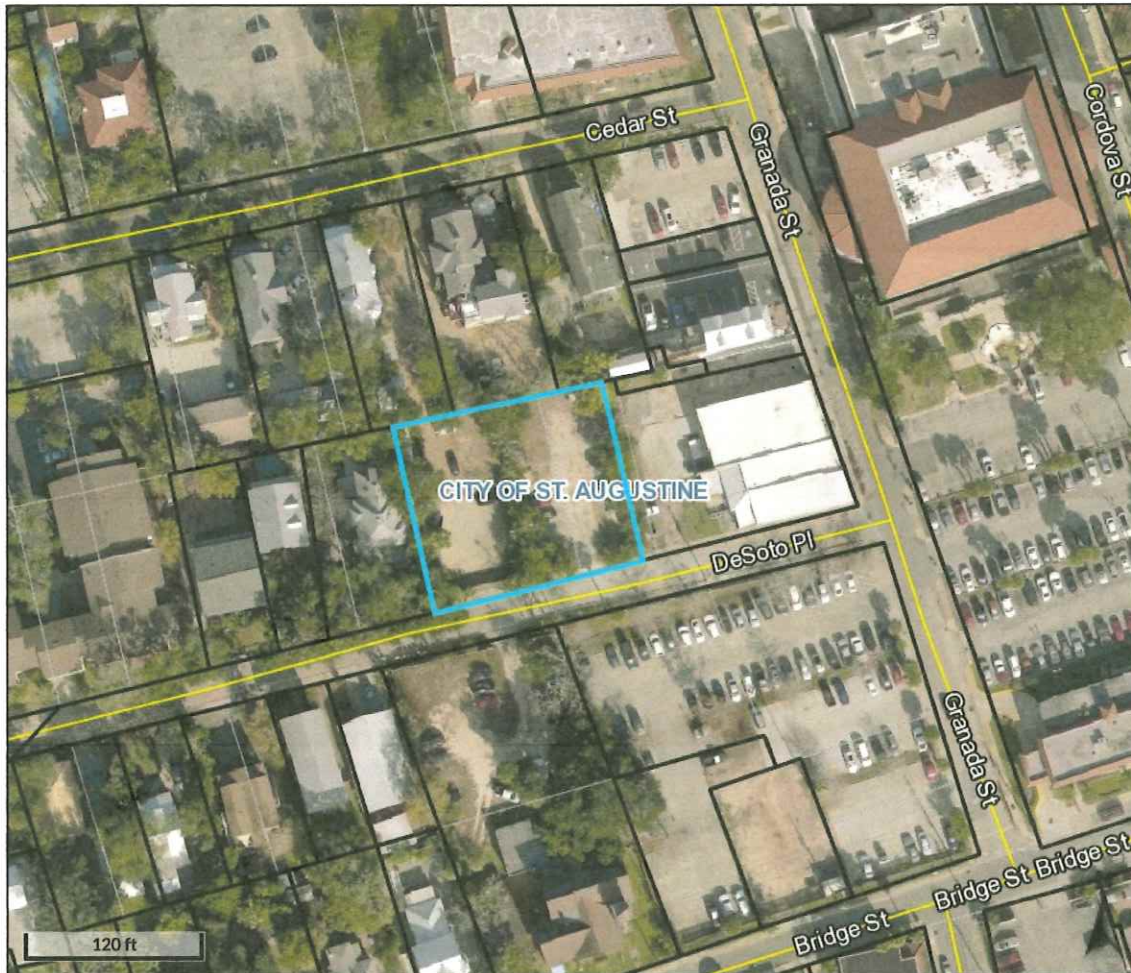
☐ Planning _____

☐ Public Works: ☐ Water/Sewer _____ ☐ Storm Drainage _____

☐ Solid Waste _____ ☐ Traffic _____

Check indicates that review is required prior to permit issuance.
Reviewer initials indicate review was performed, not approval of project.
Refer to Status Summary Sheet for status of project.

[illegible]



Overview



Legend

- Parcels
- Roads
- Cities

Parcel ID	2032300000	Physical	8 DE SOTO PL	Building Value	N/A	Last 2 Sales			
Property Class	2810 - Parking Lots	Address	SAINT AUGUSTINE	Extra Feature Value	\$397	Date	Price	Reason	Qual
Taxing District	City of St Augustine	Mailing Address	WATKINSON DAVID	Total Land Value	\$268,125	8/16/2007	\$535000	01	Q
Acres	0.41	Address	83 CEDAR ST	Just Value	\$268,522	n/a	0	n/a	n/a
			SAINT AUGUSTINE FL 32084-0000	Total Deferred	N/A				
				Assessed Value	\$268,522				
				Total Exemptions	N/A				
				Taxable Value	\$268,522				

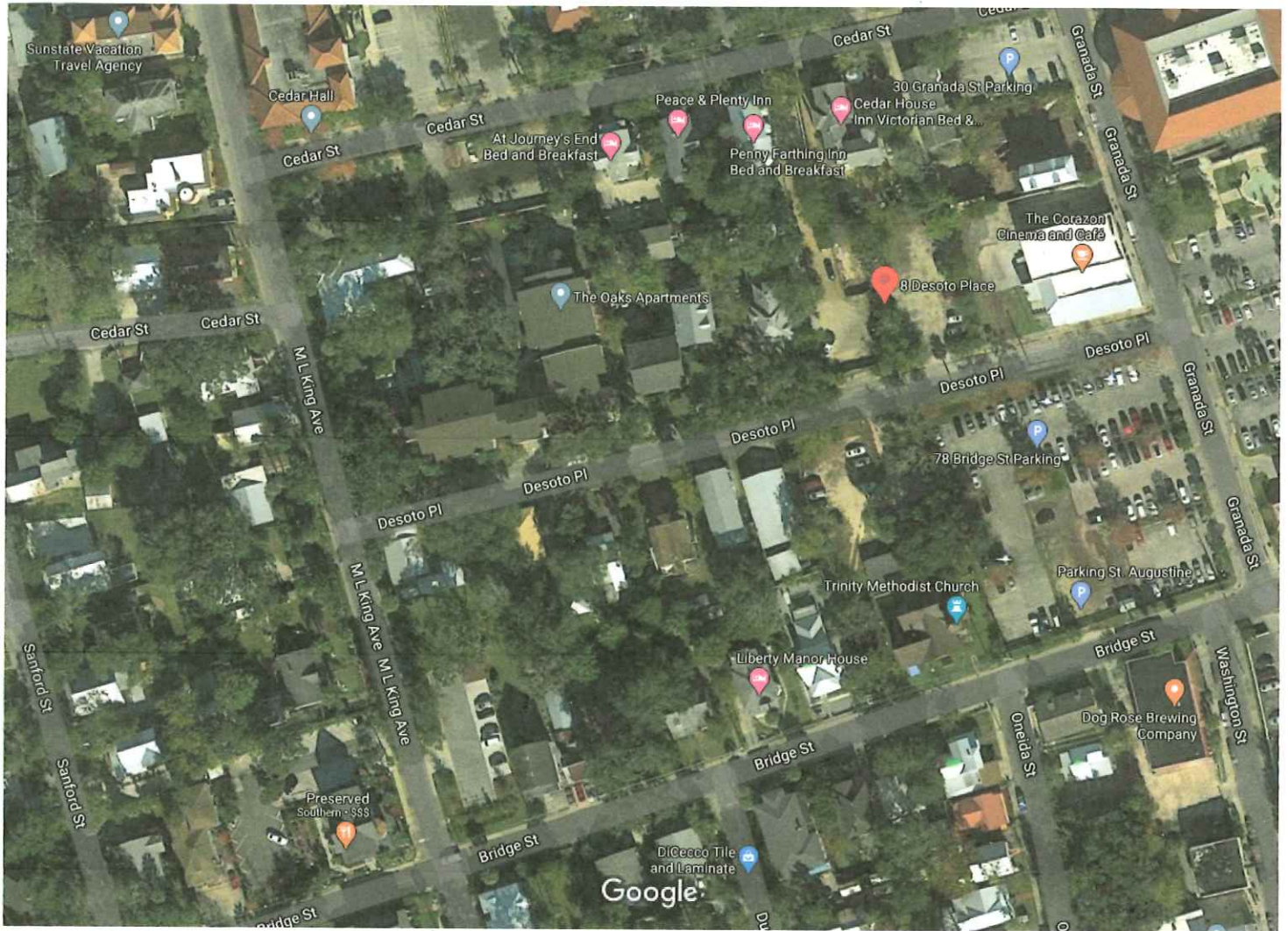
The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Date created: 6/8/2020

Last Data Uploaded: 6/6/2020 12:00:20 AM

Developed by  **Schneider**
GEOSPATIAL

Google Maps 8 Desoto Pl



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020 50 ft



8 Desoto Pl

St. Augustine, FL 32084



Directions



Save



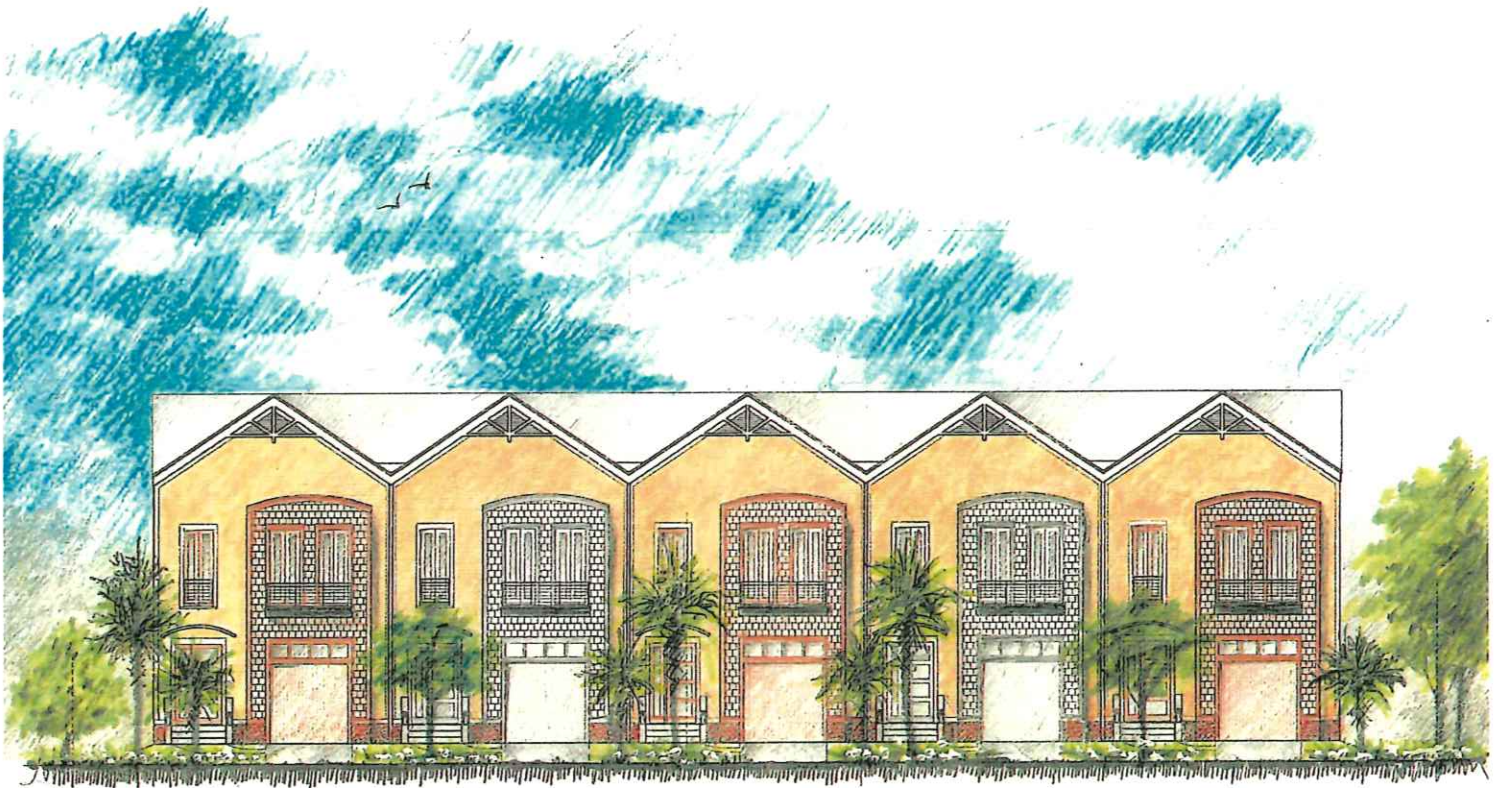
Nearby



Send to your
phone



Share



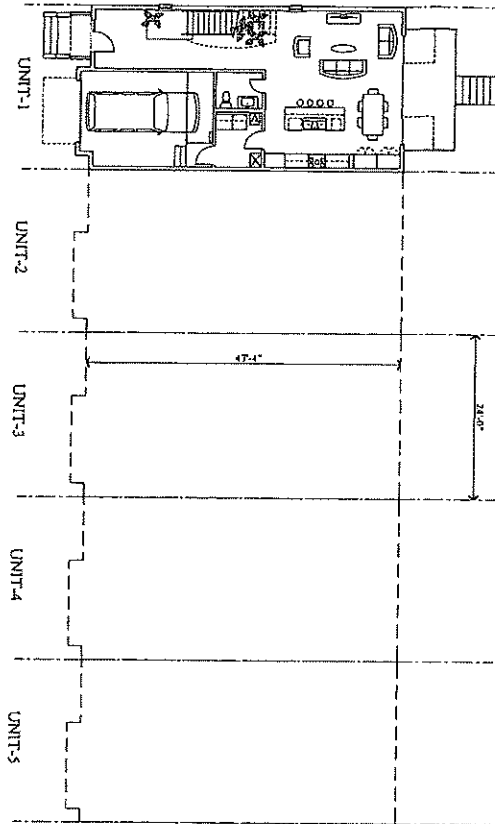
STREET
Building Elevation

Townhomes
at
8 DeSoto Place
St. Augustine, FL



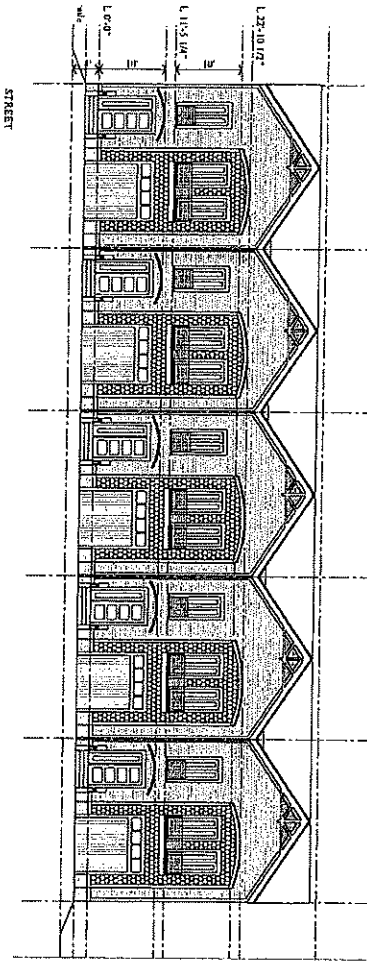
Building Plan

SCALE: 1/8" = 1'-0"



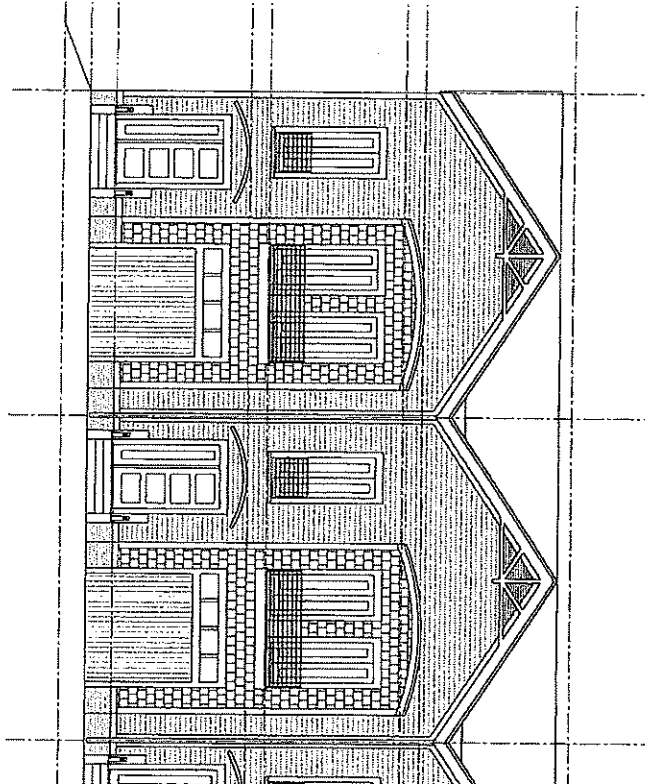
Building Elevation

SCALE: 1/8" = 1'-0"



Partial Elevation

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



2.0	ISSUE:
	DATE:
	PROJECT NUMBER:
	1923

St. Augustine Townhomes
De Soto Place (lot 8 block 47j)

ST. AUGUSTINE, FLORIDA 32084

RAM
ARCHITECTURE

Robert A. Maurer, Architect
1636 N. Leona Street
Jacksonville, FL 32206
904.887.5181
P.O. BOX 880007

PLANNED	DESIGNED
DRAWN	
CHECKED	

[illegible]

THE TYPE	THE AGENTS (THESE INCURRED AN AFD)	WHAT TYPES COULD BE AFD	DOES THE AGENTS OF THE AGENTS	REVALUATION THE DOES IT BE LIMITED	TOTAL THE AGENTS REVALUED IN THE AFD
PARTICIPATED TYPES	+0	-11.5	-4.6	+7.5	+48.5

[illegible]

1. Draw a circle with a dot in the center.

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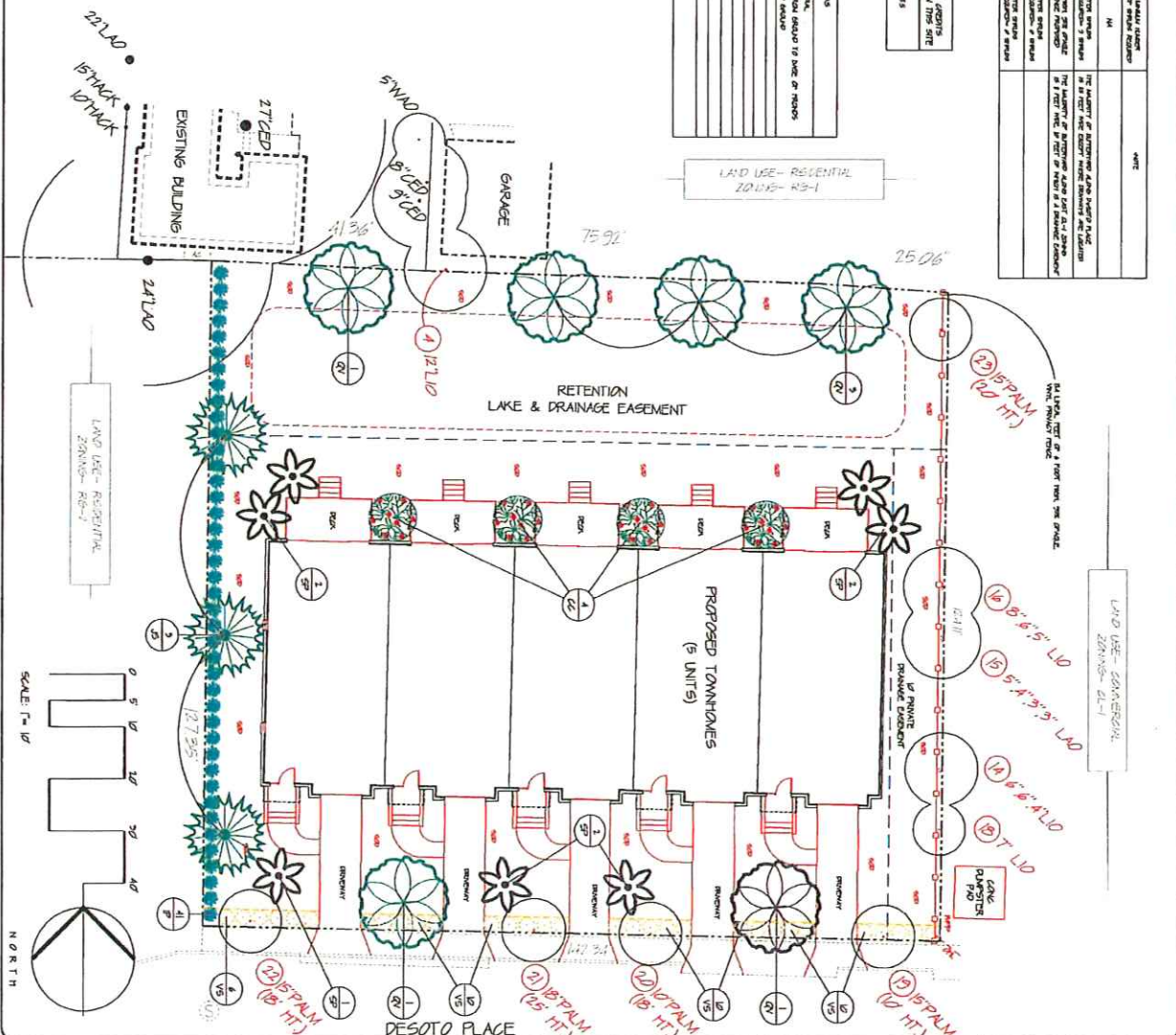
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MA2	DIPOLOUS NERPA	HQ2	SEA FAN TAIL	CM4	SHAWLFIN CAMPBELL
U0	RED DIPS NERPA	ELU4	RED SPINNOCK "BAND"	DB1	WALLA AIZAWAGI
LA0	DIPOLOUS LAMPROLA	GD	ANGUS SLOUCH		GREENWY
MA0	DIPOLOUS MAJORONA	H00	SEA COCKATILUS	MA1	JUNI NERPA
SM	DIPOLOUS STYLOCLIA	TH	SEA SPINNOCK		NO SELECTED
			SPINNOCK TAIL	MT	NO SELECTED TREE



PROPOSED TOWNHOMES
8 DESOTO PLACE
ST. AUGUSTINE, FLORIDA

PRELIMINARY LANDSCAPE PLAN

PROJECT NO. 20007

SHEET L-2

DATE: MAR. 23, 2020

SCALE: 1" = 10'

CHK. BY: CJK

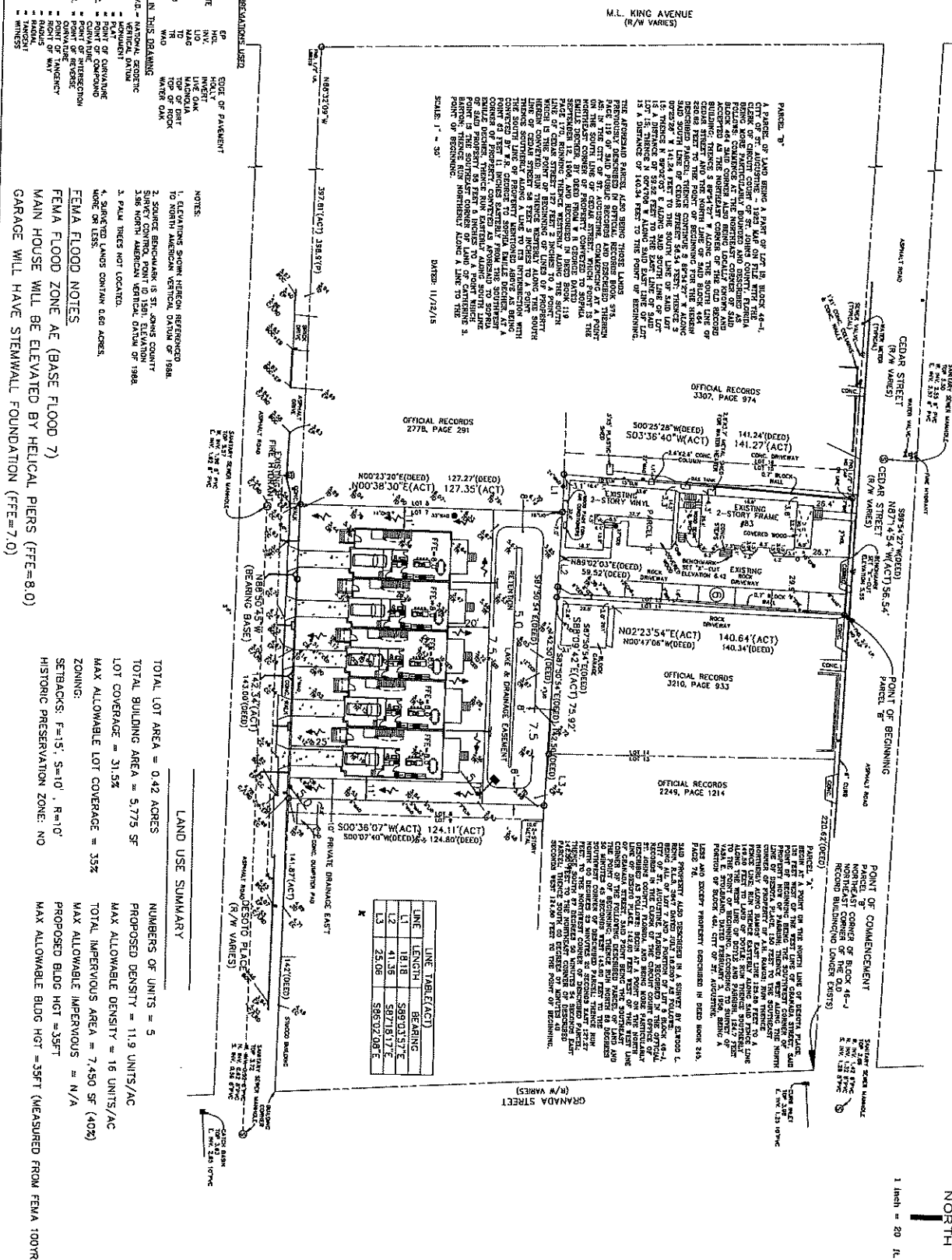
CRNN. BY: CJK

DSGN. BY: CJK

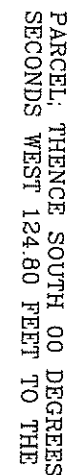
REVISIONS				
NO.	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY
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SITE IMPROVEMENTS FOR WATKINSON PLACE CONCEPTUAL DESIGN PLAN

SHEET
1 OF 1



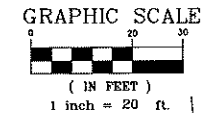
LINE	
LINE	LENGTH
L1	18.18
L2	41.36
L3	25.00



Attachment 2

Preliminary Plat

BEING ALL OF LOT 7 AND A PORTION OF LOT 8 BLOCK 46-J, CITY OF ST. AUGUSTINE, FLORIDA RECORDED IN THE OFFICIAL RECORDS IN THE CLERK OF THE CIRCUIT COURT OFFICE OF ST. JOHNS COUNTY, FLORIDA.



SHEET 1 OF 2

1. Legal Description has been furnished by client and/or his/her agents.
2. No Title Opinion or Abstract of Matters Affecting the Title or Boundary to the Subject Property have been provided. It IS possible that there could exist Deeds of Record, Unrecorded Deeds, Easements (especially any easements/documents recorded AFTER Plot Recordation) or other instruments that could affect the Subject Property.
3. Measurements hereon are in accordance with U.S. Standard Feet, data acquired with theodolite and Steel Tape, or with Technologically Superior Equipment utilizing Redundant Techniques.
4. Contiguous lots lie in same block, unit, phase, section etc. unless noted.
5. Type of Survey: BOUNDARY - INFO. TREE
6. Stated Legal Purpose of Survey: Acquisition/Sale/Mortgage/Permits/Planning.
7. No Flood Zone Determination has been made or requested for this property during the course of this Survey.
8. This Survey is NOT intended to Locate any subsurface/underground obstructions, improvements, foundations or encroachments. Survey reflects above-ground features and improvements only.
9. This Survey Does NOT Reflect or Determine Ownership of land or fences.
10. This Survey is NOT insured for Multiple uses. Fiduciary and all other obligations are limited to Certificates listed hereon utilizing Survey for purposes listed in Item 7. Above Signature Block.
11. Construct Improvements to Iron Markers as Described Only. Wooden Stakes/Wire Flags are NOT Property Corners.
12. All Above-ground Evidences of Utilities lie Within their respective easements unless noted. See Note #9 above. no efforts have been made or requested to locate underground utilities.
13. All boundary dimensions shown hereon are field measured and are in agreement with the Plot and/or Deed Legal Description unless noted otherwise on the face of this drawing.
14. Street (s) hereon are centered in R/W unless noted.
15. Building Dimensions and their ties to adjacent property or other lines are shown on existing drawings and are not including overhangs and ancillary attachments unless noted. Ties to structures are made by perpendicular measurement from nearest property or other line.
16. The Linear Closure of this survey exceeds 1:10,000.
17. Elevations if shown are based on the North American Vertical Datum of 1988.
18. Fences and other features' relationship to adjacent property line (thickest line on drawing) may be exaggerated slightly so as to not be obscured by thick line. Dimensions listed shall override graphic depiction in all cases.
19. Water and Sewer main locations, if shown, are from location flags present on drawing. No effort has been made or requested to locate underground utilities.

MEASURED BEARINGS HEREON ARE BASED ON A FLORIDA DEPARTMENT OF TRANSPORTATION BENCHMARK "BARI" AND "PDR", WHICH WERE DERIVED FROM A GLOBAL POSITIONING SYSTEM (GPS) REAL-TIME KINEMATIC (RTK) SURVEY. A SOKKIA GRX3 GPS RECEIVER WAS USED AS A ROVER, RTK CORRECTIONS WERE OBTAINED FROM THE FLORIDA PERMANENT REFERENCE NETWORK (FPRN). COORDINATES OBTAINED FROM THE GPS SURVEY ARE REFERENCE TO NORTH AMERICAN DATUM OF 1983 (NAD83)-(2011)-(EPOCH 2010.0000).

LEGEND & ABBREVIATIONS

AC. = Acres
A/C = Air Conditioner on Post
BLDG = Building
BRL = Building Restriction (Setback) (line)
CEC = Clay Electric Cooperative
CCMC = Concrete
CQA = Clay County Utility Authority
DB = Deed Book
EC = Edge of Concrete
EP = Edge of Asphalt/Pavement
ESM = Easement
FT = Feet
FIP = Found Iron Pipe
FIR = Found Iron Rod or Rebar
JEA = Jacksonville Electric Authority
JE-I = Jacksonville Electric Authority Electric
JE-E = JEA Electrical Equipment
JE-U = Jacksonville Electric Authority Utility
LS = Licensed Survey Business
LS = Licensed Surveyor

nat = now or formerly (owned by)
 OHW = Overhead Wire/Line
 OHT = Overhead Telephone Wire
 OHP = Overhead Power Line
 ORB = Official Records Book
 ORV = Official Records Volume
 PCV = Point Of Curvature
 PCP = Permanent Control Point
 PG = Page
 PI = Point Of Intersection
 PK = Parker-Kalon or Mag Nal
 PLS = Professional Land Surveyor
 PDB = Point Of Beginning
 POC = Point Of Commencement
 PRD = Point of Reverse Curvature
 PRM = Permanent Reference Monument
 PSM = Professional Surveyor & Mapper
 PT = Point of Tangency
 R = Reference Bearing Line
 RL = Registered Land Surveyor
 R/L = Right-of-Way Line

SQ. = Square
 STY = Story
 S = Section
 T = Township
 R = Range
 PF = Pool Filter/Machine/
 AC = Air Conditioner/Heel Pump
 HYD = Fire Hydrant
 PP = Power Pole
 MB = Mailbox
 SPS = Shutoff Preventer
 WM = Water Meter

WIRE FENCE ——— X ———
WOOD FENCE ——— □ ———
CHAIN LINK FENCE ——— ○ ———
PVC/VINYL FENCE ——— ■ ———
Δ = Delta or Central Angle
RAD = Radius
CH = Chord Bearing & Distance
L = Arc Length
(P) = Plot Call
(F) = Field Measured Value
(M) = Field Measured Value
(D) = Deed Call
(C) = Calculated Value
(R) = Record Value

- MLP** = LAMP POST Or Light on Pole
- MEET** = Catch Basin/ Drop Inlet
- = Sanitary Sewer Manhole
- (D)** = Drainage Manhole
- (J)** = JEA Manhole
- (T)** = Telephone Manhole
- (I)** = Transformer on Pad
- T** = Telephone Riser
- G** = Gas Riser
- F** = Fiber Optic Riser
- CY** = Cable Riser

NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN IN TITLE AND CERTIFICATION BLOCKS BELOW. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY IN ANY MANNER WHATSOEVER, WITHOUT THE WRITTEN CONSENT OF THE SIGNING SURVEYOR. SEE SURVEYOR'S NOTE #10 HEREON.

Residential - Commercial - Environmental - Industrial
Civil Engineering, Surveying & Mapping, Inspections
WWW.IMECIVIL.COM

Civil Engineering/Inspection Division: 904-480-5475
Surveying & Mapping Division: 904-429-7764
Licensed Survey Business #8139

PLAT OF 8 DESOTO PLACE

BEING ALL OF LOT 7 AND A PORTION OF LOT 8 BLOCK 46-J, CITY OF ST. AUGUSTINE, FLORIDA RECORDED IN THE OFFICIAL RECORDS IN THE CLERK OF THE CIRCUIT COURT OFFICE OF ST. JOHNS COUNTY, FLORIDA.

CAPTION

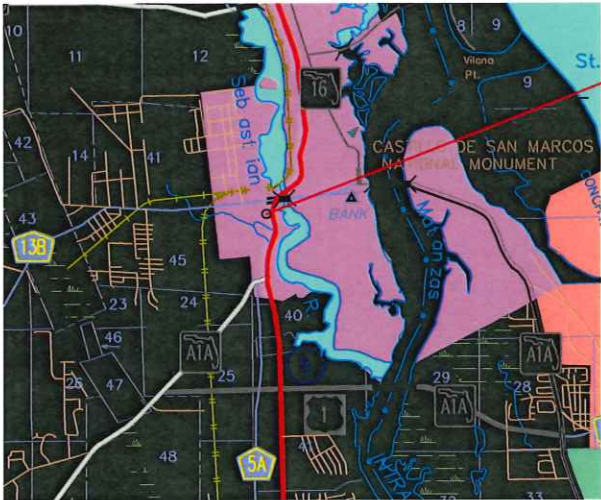
BEGIN AT A POINT ON THE NORTH LINE OF DE SOTO PLACE, 135 FEET WEST OF THE WEST LINE OF GRANADA STREET, SAID POINT OF BEGINNING BEING THE SOUTHWEST CORNER OF PROPERTY NOW OF PARRISH; THENCE WEST ALONG THE NORTH LINE OF DE SOTO PLACE, 150 FEET TO THE SOUTHEAST CORNER OF PROPERTY OF A.H. RAMOS; RUN THENCE NORTHERLY ALONG RAMOS' EAST LINE 125.68 FEET TO A FENCE LINE; RUN THENCE EASTERLY ALONG SAID FENCE LINE 149.50 FEET TO LAND OF DOYLE; RUN THENCE SOUTHERLY ALONG THE WEST LINE OF DOYLE AND PARRISH, 124.7 FEET TO THE POINT OF BEGINNING, ACCORDING TO SURVEY OF VASA E. STOLBRAND, DATED FEBRUARY 3, 1956, BEING A PORTION OF BLOCK 461, CITY OF ST. AUGUSTINE.

LESS AND EXCEPT PROPERTY DESCRIBED IN DEED BOOK 245, PAGE 76.

SAID PROPERTY ALSO DESCRIBED IN A SURVEY BY ELWOOD L. RENN, R.L.S. 3647 DATED JULY 18, 2007 AS FOLLOWS:

BEING ALL OF LOT 7 AND A PORTION OF LOT 8 BLOCK 46-J, CITY OF ST. AUGUSTINE, FLORIDA RECORDED IN THE OFFICIAL RECORDS IN THE CLERK OF THE CIRCUIT COURT OFFICE OF ST. JOHNS COUNTY, FLORIDA. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT A POINT ON THE NORTH LINE OF DE SOTO PLACE, 142.00 FEET WEST OF THE WEST LINE OF GRANADA STREET, SAID POINT BEING THE SOUTHEAST CORNER OF THE FOLLOWING DESCRIBED PARCEL OF LAND AND THE POINT OF BEGINNING; THENCE RUN NORTH 88 DEGREES 50 MINUTES 45 SECONDS WEST 143.00 FEET TO THE SOUTHWEST CORNER OF DESCRIBED PARCEL; THENCE RUN NORTH 00 DEGREES 23 MINUTES 20 SECONDS EAST 127.27 FEET, TO THE NORTHWEST CORNER OF DESCRIBED PARCEL; THENCE SOUTH 87 DEGREES 50 MINUTES 54 SECONDS EAST 142.50 FEET TO THE NORTHEAST CORNER OF DESCRIBED PARCEL; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST 124.80 FEET TO THE POINT OF BEGINNING.

ADOPTION AND DEDICATION



VICINITY MAP
N.T.S.

SITE LOCATION

PLAT BOOK PAGE

SHEET 1 OF 2

CERTIFICATE OF APPROVAL AND ACCEPTANCE

THIS IS TO CERTIFY THAT ON THIS DAY OF 2020, THE FOREGOING PLAT WAS APPROVED AND ACCEPTED BY THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA. THIS ACCEPTANCE SHALL NOT BE DEEMED AS REQUIRING CONSTRUCTION OR MAINTENANCE BY THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY OF ANY PART OF SAID SUBDIVISION.

THE CITY OF ST. AUGUSTINE

BY: MAYOR-COMMISSIONER

BY: CITY CLERK

CERTIFICATE OF THE CLERK

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED AND THAT IT COMPLIES IN FORM WITH THE REQUIREMENTS OF PART 1, CHAPTER 177, FLORIDA STATUTES, AND IS RECORDED IN MAP BOOK PAGES THROUGH OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA ON THIS DAY OF 2020.

BRANDON PATTY
ST. JOHNS COUNTY CLERK OF THE CIRCUIT COURT

CERTIFICATE OF THE CITY ATTORNEY

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY ATTORNEY FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS DAY OF 2020.

CITY OF ST. AUGUSTINE, CITY ATTORNEY

CERTIFICATE OF THE CITY FINANCE DIRECTOR

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY FINANCE DIRECTOR FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS DAY OF 2020.

CITY OF ST. AUGUSTINE, CITY FINANCE DIRECTOR

CERTIFICATE OF THE CITY MANAGER

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY MANAGER FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS DAY OF 2020.

CITY OF ST. AUGUSTINE, CITY MANAGER

CERTIFICATE OF PLANNING AND BUILDING DEPARTMENT

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE DIRECTOR OF PLANNING AND BUILDING DEPARTMENT FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS DAY OF 2020.

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

CERTIFICATE OF CITY PUBLIC WORKS DEPARTMENT

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY PUBLIC WORKS DEPARTMENT FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS DAY OF 2020.

CITY OF ST. AUGUSTINE, CITY DIRECTOR OF PUBLIC WORKS

CERTIFICATE OF PLAT REVIEW

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO FLORIDA STATUTES CHAPTER 177, PART 1, BY THE DEVELOPMENT REVIEW PROGRAM FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS DAY OF 2020.

C. WILLIAM FAUST, III, PSM
LS# 6600

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, PLATTED AND DESCRIBED ABOVE, THAT THE SURVEY WAS MADE UNDER THE UNDERSIGNER'S RESPONSIBLE DIRECTION AND SUPERVISION, THAT THE SURVEY DATA COMPLIES WITH ALL REQUIREMENTS OF FLORIDA STATUTE, CHAPTER 177, PART 1, PLATTING, THAT THE PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED, AND PERMANENT CONTROL POINTS WILL BE PLACED ACCORDING TO THE LAWS OF THE STATE OF FLORIDA.

SIGNED THE DAY OF 2020, A.D.

BRANDON SHUGART
REGISTERED LAND SURVEYOR NO. 8139

IME CIVIL & SURVEYING, LLC
3000 N. PONCE DE LEON BLVD, SUITE C
ST AUGUSTINE, FLORIDA 32084
Residential - Commercial - Environmental - Industrial
Civil Engineering, Surveying & Mapping, Inspections
WWW.IMECIVIL.COM
Civil Engineering/Inspection Division: 904-480-5475
Surveying & Mapping Division: 904-429-7784
Licensed Survey Business #8139

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 7, 2020 (continued March 3, 2020)

RE: **PUD AMENDMENT/REZONING – 2020-0023**

AGENDA ITEM 8(a)

APPLICANT James Whitehouse
c/o St. Johns Law Group

OWNER Sea-wall Motor Lodge, Inc

LOCATION 32 Avenida Menendez / PIN 196320-0000

REQUEST A request to amend the Hilton Bayfront Inn PUD (Ord 2009-02) to increase the maximum lot coverage.

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. 28-286. - 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 an amendment to Planned Unit Development (PUD) 2009-02, referenced as the Hilton Bayfront PUD herein, on 1.20 acres of land.

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

1. Proposes to increase the maximum lot coverage allowed on site from the previously approved maximum of 52% (24,736 square feet) to 53% to accommodate a 543 square foot covered walkway for the courtyard/drive area as depicted on the revised master development plan (attachment 2).

STAFF ANALYSIS OF REZONING

Staff has reviewed the requested amendment to the Hilton Bayfront Inn PUD for completeness and the request to increase the maximum lot coverage. The previous approval in Ord. 2009-02 showed the existing lot coverage to be 52%. This PUD amendment rezoning request is to allow for an additional 543 square feet of lot coverage to accommodate a covered walkway within the existing courtyard/ drive area of the hotel. The additional 543 square feet will result in a lot coverage of approximately 52.4%. The applicant has proposed a maximum lot coverage to be capped at 53% or 25,567 square feet.

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 Applicant is requesting this change to accommodate the existing hotel use to provide a covered walkway

- (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-2 zoning category, with the exception of maximum lot coverage which is limited to 2,500 square feet or 50% of the lot for the main structure, whichever is lesser, under LDC Sec. 28-188(b)(2)(b), which is below the maximum of 70% prescribed in the Historic Preservation Land Use. This would be consistent with our Comprehensive Plan. The proposed PUD does appear to intensify the use of this property, but with the amended PUD text (attachment 2) the additional lot coverage would be under 53%, as proposed.

- (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 increased maximum lot coverage for a covered walkway likely will not affect the orderly development of the City.

- (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 finds a justifiable need to rezone/amend the PUD based on need to make small expansions to the hotel use to accommodate a covered walkway or drive area for hotel guests.

- (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. Additionally, the PUD would be improving/altering the appearance of the area through preservation and enhancement of historic features since the PUD amendment proposes a covered walkway within the interior courtyard and drive area that will be visible by the public; however, should this PUD amendment be recommended for approval, the project would be required to receive a Certificate of Appropriateness from the Historical Architectural Review Board prior to City Commission Review.

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 August 4, 2020, 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 and justification for the rezoning and it finds that the rezoning **DOES** support the general planning program and Comprehensive 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 and justification for the rezoning & it finds that the rezoning **DOES NOT** support the general planning program and Comprehensive Plan then the Board **CANNOT** approve the rezoning.

ATTACHMENTS

Attachment 1 – Application & Property Record Card
Attachment 2 – Proposed PUD
Attachment 3 – Proposed Layout and renderings
Attachment 4 – Existing PUD ord. 2009-02

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

Attachment 1

Application & Property Record Card

THE HILTON BAYFRONT INN

Amendment to Planned Unit Development Text (Approved at Ord. 2009-02)

Submittal Date:

February 7, 2020

February 20, 2020 (Amended per Staff Request for Clarification)

Request:

Amendment to the previously approved Planned Unit Development (PUD), to add a small covered walkway area to the existing hotel, over a small part of the interior courtyard/drive area, to allow for covered pedestrian travel from the main building to the building facing the bayfront. Additionally, to enclose a very small maid storage area off the back of the hotel in an area currently utilized for enclosed outdoor storage; this area is barely visible on the Charlotte street elevation and is set back in an open indentation that currently exists. These very minor additions have been designed to mesh seamlessly into the current buildings and will meet all HARB-approved architecture/features. Accordingly, these minor additions are proposed to meet all city codes. These minor modifications will allow the applicant to provide for covered pedestrian travel that is currently lacking, and for a very small additional maid storage area, both as depicted in the diagrams provided. The site is approximately 48,239 gsf and the approved building coverage is 24,736 sf (approx. 52 %). The proposed covered walkway and enclosure will add approximately 543 sf; thus, the applicant requests the lot coverage be amended to reflect approval for 53% lot coverage to accommodate for these minor improvements.

Applicant/Owner:

Sea Wall Motor Lodge, Inc. / Kanti M. Patel
32 Avenida Menendez
St. Augustine, FL 32084

Authorized Agent for the Applicant:

James G. Whitehouse, Esq. / Anish Patel, Esq.
St. Johns Law Group
104 Sea Grove Main Street
St. Augustine, FL 32080

Exhibits:

Exhibit A	Application
Exhibit B	Legal Description
Exhibit C	Development Plan Narrative
Exhibit D	Location Map/Aerial
Exhibit E	Proof of Ownership/Deed
Exhibit F	Authorizations
Exhibit G	Master Site Plan
Exhibit H	Diagrams/Renderings of Minor Additions

Parcel Identification Numbers:

196320 0000

Exhibit "C"
DEVELOPMENT PLAN NARRATIVE
THE HILTON BAYFRONT INN
PLANNED UNIT DEVELOPMENT

SECTION I- INTRODUCTION AND REQUEST

This is an application for amendment to the previously approved Planned Unit Development (PUD). Included is the request to add a small covered walkway area to the existing hotel, over a small part of the interior courtyard/drive area, to allow for covered pedestrian travel from the main building to the building facing the bayfront, and to enclose a very small maid storage area off the back of the hotel in an area currently utilized for enclosed outdoor storage, as well as all accompanying documents as required by the City of St. Augustine Zoning Code ("Zoning Code"). This Application is filed on behalf of the Applicant, Sea Wall Motor Lodge, Inc. The Applicant is requesting an amendment to the previously-approved PUD in accordance with the City of St. Augustine Zoning Code, which includes a small addition to the interior of the courtyard/driveway area, for the addition of a covered walkway to allow for covered pedestrian travel from the main building to the buildings facing the Bayfront, and to allow for the enclosure of a very small maid storage area off the back of the hotel in an area currently utilized for enclosed outdoor storage, to protect this storage from the weather and elements. The current PUD has been in place since the parcel containing the Hilton Bayfront Inn was rezoned from HP-3 to PUD for the continued operation of this exquisite hotel. The PUD was approved in 2009 (Ord. 2009-02).

The current configuration of the interior courtyard and drive area leaves the area uncovered at all times, which has become cumbersome during inclement weather. As the hotel continues to strive to provide appropriate facilities to its guests, and to meet all ADA requirements, the need for this covered walkway area has become essential to the continued feasibility of the hotel's current configuration. This very small addition to the interior of the courtyard area will allow for the covered walkway for covered pedestrian travel to the other buildings facing the bayfront as well as for vehicle loading and unloading, which in turn will promote quicker mobility services in the hotel's interior driveway areas. Further, the enclosure of the very small storage area will allow for access from the interior of the hotel and for additional needed maid storage space. The applicant had already engaged the services of the late city architect, Mr. Dixon, and his office and is prepared to move forward with these minor additions in a manner that will, first and foremost, meet all of the all HARB requirements, including all approved architecture/features, as well as meeting all of the other city codes. Moreover, these modifications will allow the applicant to continue to provide off street disembarking of visitors to the hotel during check-in and check-out and for the enclosure of the very small storage area. Through the guidance and advice of Mr. Dixon, before his passing, and now through his office, these minor additions for the arched covered walkway and small enclosed storage area will simply be seamlessly added to the hotel in the interior of the courtyard area between the main building and the buildings facing the Bayfront and on the rear in an already indented area, and these minor additions will not be apparent to the general view of the building as a whole. Further, as aforementioned, these very minor additions will meet all of the HARB requirements and will blend seamlessly into the overall design of the hotel, as depicted in the elevations, pictures and site plan provided. Applicant herein seeks these modifications, including the rezoning, as presented.

The objective of the PUD as modified is to continue the operation of the Hilton Bayfront Inn on this site. The current establishment was constructed in 2005 on this site as a 24,344 square foot, 72-unit hotel, contained within 22 buildings, and then slightly modified in 2009 during the establishment of this PUD, to allow for the enclosure of an additional 392 square foot dining area, which had been used as an outdoor seating area.

A. Location/Surrounding Areas: The property within the PUD currently consists of approximately 1.08 acres, described by the Legal Description as included in the Proof of Ownership documents, attached. The property is located on the city's bayfront, along Avenida Menendez.

B. Ownership/Agreement: The Property is owned by Sea Wall Motor Lodge, Inc., as shown by the Proof of Ownership documents in the Application materials, who has authorized St. Johns Law Group to represent it. Evidence of authorization is contained within the Application materials, as well.

Applicant hereby agrees and stipulates to proceed with the proposed development in accordance with PUD Ordinance as adopted by the City of St. Augustine City Commission with the amendments as outlined. The Applicant also agrees to comply with all conditions and safeguards established by the Planning & Building Department and the Planning & Zoning Board (PZB), Historic Architectural Review Board (HARB) and the City of St. Augustine City Commission. The Applicant understands that any architectural site changes to any property in the PUD must be in compliance with the AGHP and is subject to HARB approval.

SECTION II- APPLICATION

A. Permitted Uses: The development will be constructed in an orderly manner. The property currently contains the afore-mentioned hotel, a restaurant, with associated bar and lounge serving alcohol beverages, some conference room areas and a parking garage area. This current mix of uses will continue to be allowed along with any other uses as allowed in the HP-3 zoning district. This PUD shall not relieve the Applicant, its successors and assigns, of their obligations from complying with all Federal, State and local applicable laws and does not otherwise limit, nor expand, the authority of the City of St. Augustine to enforce such laws nor limit, nor expand, defenses available to the property owner.

Uses by exception shall be provided for and any changes to the uses described herein by an amendment to the PUD.

B. Development Standards for NEW Structures within the PUD: The attached Site Plan depicts the current site plan and layout of the current structures and parking area, as well as the very minor additions to the main structure for the proposed arched covered walkway located in the interior of the courtyard/drive area and the small enclosed area on the rear. The only difference from that which was approved previously is the inclusion of this arched covered walkway to the area between the main building and the buildings facing the Bayfront and the enclosure of the small storage area. No material departures from the Site Plan are permitted without authorization of the PZB. In addition, the following specific criteria shall apply.

- 1. Maximum lot coverage:** Fifty-three percent (53%)

2. Maximum building height: Maximum thirty-five (35) feet, measured from a ten foot finished floor elevation.

3. Parking: Parking spaces are provided in conformance with the City of St. Augustine Zoning Code and constructed in accordance with all City requirements and receipt of appropriate permits.

4. Signage: Size and construction of all signs within the property will be in conformance with the City of St. Augustine Sign Ordinance requirements. Any and all signs currently in use shall continue to be allowed and may be maintained and repaired in their current form. These signs conform to the City of St. Augustine Sign Ordinance requirements, may be incorporated into a wall and may be lighted (lights are not directed towards traffic) and do not obstruct visibility

5. Stormwater: Stormwater is retained on site within the retention areas. The drainage structures and facilities have been designed and constructed in compliance with the regulations of the City of St. Augustine and conform with the permit requirements established by the St. Johns River Water Management District.

6. Access: Vehicular and pedestrian access to the property will be provided.

7. Fencing: All existing fencing on the Property is either masonry (fronting Avenida Menendez) or wooden (along Charlotte Street). No additional fencing is proposed or required as a result of the proposed enclosure.

8. Utilities: All electrical and telephone lines are installed underground on the site: Electrical power is provided by Florida Power and Light Company or other franchised utility provider. Security lighting may be provided as needed.

9. Potable Water: Potable water will be provided by the City of St. Augustine via existing connections.

10. Fire Protection/Assessment: Fire protection will be afforded by fire hydrants in accordance with City standards. Applicant will comply with the non-ad valorem assessment for fire services adopted by the City through Ordinance Number 97-25 and Resolution Number 97-04. This will include the re-adoption or continuance on an annual basis of such assessment, by Resolution of the City Commission.

11. Sanitary Sewer: The development is served by central sewer collection from the City of St. Augustine. Any extensions or new connections shall be in accordance with City requirements and construction shall conform to current permit standards.

12. Sidewalks: Sidewalks are in place along Avenida Menendez and Charlotte Street. There is no opportunity for sidewalks along Treasury Street or on the north side of the existing Hotel.

13. Design: The design of the existing hotel and 392-square foot enclosure addition were reviewed by the Historic Architectural Review Board ("HARB") to assure

that the Hotel reflects a high standard of construction and consistent with modern construction methods and materials and the site constraints. HARB granted its approval for the existing Hotel in 2005 and approved the proposed 392-square foot enclosure on September 11, 2008. The design of the minor additions shall be submitted to and reviewed by the Historic Architectural Review Board to assure that it reflects a high standard of construction and consistent with modern construction methods and materials and the site constraints. These amendments do not change the design or architectural elements.

SECTION III- MAINTENANCE

This Planned Unit Development will be owned and operated by the Applicant and/or its assigns. The Applicant, its successors and/or assigns shall be responsible for all improvements made to the site and shall maintain the site in a clean and orderly manner in accordance with all provisions of this PUD and conditions included with the adopting ordinance. All facilities are to remain private and will not be dedicated to the City of St. Augustine. The Applicant reserves the right to transfer the ownership of the PUD or portion thereof to multiple entities, providing maintenance agreement(s) between any property owner or owners has been established, which would provide for all maintenance and other requirements as stipulated herein.

SECTION IV- PUD ORDINANCE CRITERIA

Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future land Use Map category for the property.

Response: The Hilton Bayfront Inn PUD as proposed is consistent with the goals, policies and objectives of the Comprehensive Plan, including:

FUTURE LAND USE ELEMENT

FLU Objective 1

The future land use map and subsequent amendments to it shall be adopted and implemented in a manner consistent with topography, soil conditions, and the availability of facilities and services to support such development. This is implemented by FLU Policies 1.1, 1.7, 1.8, 3.2, 6.1, 11.1, and A. The measurable targets for this objective are: (1) the number of development proposals reviewed by compliance with the Future Land Use Plan as implemented by the City's development regulations contained in the City Code; and (2) approval of large scale comprehensive plan amendments by DCA, and adoption of small scale comprehensive plan amendments by the City according to the requirements contained in the Rules and Florida Statutes, and consistent with the adopted Comprehensive Plan.

The subject property does not have any constraints related to topography or soil conditions. Water and wastewater lines are already connected to the site.

FLU Objective 11

The City will act to discourage the proliferation or urban sprawl. This objective is implemented by FLU Policies 1.1, 1.2, 1.8, 3.2, 7.2, 7.3, 8.1, 11.1, 11.2, 11.3, and CI Policies 4.1 and 4.2

FLU Policy 1.1: The City shall continue to implement the adopted comprehensive

plan by including all land development regulations governing the use of land in the City Code. All applications for development shall be subject to site plan review by the City. Site plan review shall consist of review of the development proposal for compliance with all applicable chapters of the City Code including but not limited to land development regulations relating to: zoning and on-site parking; environmental protection and conservation overlay zones; concurrency management and on-site storm drainage; signs; landscaping; subdivisions; building code and coastal construction code; utilities – potable water, sanitary sewer, solid waste and city storm sewer; archaeology; and flood control. Building permits shall not be issued which result in a reduction of the level of service for the affected public facilities below the adopted levels of service standards. Ordinances amending the City Code shall be codified at least annually. The City Code shall be on display for the public in the City Clerk's office. This policy implements FLU Objectives 1, 9 and 11.

The location of the subject property is within the city limits. The provisions of the PUD regarding parking and utilities are fully consistent with these policies.

FLU Objective 4

Encourage the use of innovative and sustainable land development practices that maximize the use of existing services and facilities, such as planned unit developments, and other mixed land use development techniques, infill development, redevelopment, wastewater reuse and solid waste recycling. The measurable target for this objective is the continued presence of innovative land development regulations in the City Code.

The original approval of PUD Ordinance 2009-02 for this site and this Application's goal of seeking the same conditions contained within the originally-approved PUD Ordinance, will result in the continued operation of an existing property, using existing services and facilities, as intended by this Objective.

INFRASTRUCTURE ELEMENT

SANITARY SEWER SUB-ELEMENT

SS Objective 1.3

The City shall act to discourage the proliferation of urban sprawl and maximize the use of the existing wastewater facilities. The measurable target for this objective is the area served by the City wastewater system.

The subject property is in the area served by the City wastewater system and will employ the existing connections to the City's sanitary sewer system and comply with the adopted level of service.

POTABLE WATER SUB-ELEMENT

PW Goal

Water facilities shall continue to be provided in an efficient manner supporting the intended development of the City depicted by the Future Land Use Map.

PW Objective 1.4

The City shall act to discourage the proliferation of urban sprawl and maximize the use of the existing potable water facilities. This objective is implemented by PW Policies 1 and 4. The measurable target for this objective is the area served by the City potable water system.

The subject property will employ the existing connections to the City's potable water system. The Property is within the City's service area and will comply with the adopted level of service.

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.

The infrastructure impact analysis shall include site specific design improvements related to traffic circulation and the movement of pedestrians, bicycles and vehicles on and off-site.

As depicted in the site plans attached, submitted and presented, by way of this modification, this minor addition to the interior of the courtyard area will allow for the covered walkway for covered pedestrian travel to the other building facing the bay front as well as for vehicle loading and unloading, which in turn will promote quicker mobility services in the hotel's interior driveway areas. The applicant had already engaged the services of the late city architect, Mr. Dixon, and his office and is prepared to move forward with this minor addition in a manner that will, first and foremost, meet all of the all HARB requirements, including all approved architecture/features, as well as meeting all of the other city codes. Moreover, this modification will allow the applicant to continue to provide off street disembarking of visitors to the hotel during check-in and check-out. Through the guidance and advice of Mr. Dixon, before his passing, and now through his office, this minor addition for the arched covered walkway will simply be seamlessly added to the main structure in the interior of the courtyard area between the main building and the building facing the Bayfront and the minor addition will not be apparent to the general view of the building as a whole. Further, as aforementioned, the very minor addition will meet all of the HARB requirements and should blend seamlessly into the overall design of the building, as depicted in the elevations, pictures and site plan provided. As stated, though applicant is required to re-write the PUD text to include this minor addition for the arched covered walkway, the applicant fully intends to continue to utilize the property as currently configured and operating. In fact, the minor addition will not have any impact on the current motor vehicle and pedestrian traffic to the property. Notably, the applicant will continue to provide parking for their guests and patrons. This addition will not affect that provision at all. Further, this site's location in the downtown core will continue to encourage pedestrian, bicycle and other modal use and applicant will continue to make the site accessible to visitors so as to encourage movement by foot or bicycle or by way of one of the many other less intense transportation means. The applicant has worked with the city on many occasions regarding this objective in regards to their provision of parking as well as pedestrian access to their site.

To further the objectives of the city, as well as the hotel/restaurant, during their patronage at our site, the guests will be informed of the many other attractions as well as the many, less-intense transportation options, and the many other sites that are easily accessible by foot.

In sum, the only change from the former PUD is the minor addition for the arched covered walkway and the enclosed maid area and these minor additions have no impact upon the traffic circulation patterns of the city. Further, since this PUD property continues to provide the same parking as well as off street stacking and loading and unloading, the PUD as a whole does not in fact unreasonably affect the current traffic patterns and flow in this area of the city.

HISTORIC PRESERVATION ELEMENT

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.

The proposed minor additions will maintain and enhance the historic integrity and ambiance of the City of St. Augustine and will be designed in a manner to match the current architectural design of the building and it will not affect any architecture of the structure in place.

1. For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts.

Response: This property is currently a PUD, this is merely a modification to the same.

2. The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception.

Response: The Development Plan Narrative, attached above, contains the required development conditions sought by Applicant.

3. Compliance with the intent and criteria in section 28-286.

Section 28-286 provides: The application of flexible land use controls to the development of land is often difficult or impossible within traditional zoning district regulations. In order to permit the use of more flexible land use regulations and to facilitate use of the most advantageous techniques of land development, it is often necessary to establish planned unit developments (PUD) in which development is in harmony with the general purpose and intent of the city's general planning program and comprehensive plan. 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 or industrial developments, or combinations thereof, which are in keeping with overall land use density and intensity standards,

and open space objectives. The intent of a PUD is to permit flexibility from the strict application of setback, lot size, and other zoning district requirements, and provide performance criteria which:

- (1) Permit a creative approach to the development of land; and
- (2) Accomplish a more desirable environment than would be possible through the strict application of minimum zoning district requirements; and
- (3) Provide for an efficient use of land; and
- (4) Improve the appearance of the area through the preservation and enhancement of natural features, recreation areas, and open space; and
- (5) Provide an environment of stable character compatible with surrounding areas; and
- (6) Retain property values over the years.

Response: The Development Plan Narrative, attached above, demonstrates this proposed PUD's compliance with Section 28-286.

4. Compliance with section 28-288 and justification for any zoning uses.

Response: Section 28-288 provides "Any use which is permitted by the comprehensive plan may be included and approved in a PUD." The property is currently zoned PUD under the City of St. Augustine's 2030 Comprehensive Plan ("Comp. Plan"), but it was previously located within the HP-3 Historic Preservation category and that was the reason for rezoning to PUD in 2009. Further, it is surrounded by HP-3 zoning. Thus, since Policy 1.3 of the Comp. Plan provides that historic preservation districts permit compatible nonresidential uses that will encourage the restoration and reproduction of historic structures, this PUD and the minor additions are appropriate to allow the continued existing use of the property that has been such for many years.

5. The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB,

building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance, or other related permit.

Response: The project is a currently existing PUD and the very minor additions for the covered walkway and small storage area are planned to be commenced as a single phase, within a reasonable time of the approval of the Ordinance approving the PUD, and completed within a reasonable time thereafter.

6. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement.

Response: No such areas exist on the Property.

7. A termination date after which all or part of a PUD that has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule.

Response: It is the landowner's understanding and intent that should this Application be denied, the existing zoning approvals remain unchanged.

8. If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted.

Response: Any reversion to a pre-PUD zoning district would not render the existing uses inconsistent with the Comprehensive Plan.

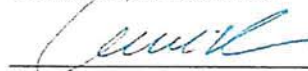
9. A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made in their

application and at hearings relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing termination and reversion clauses.

Response:

The undersigned, for themselves and for their successors and assigns, acknowledges and agrees to be bound by every commitment made in this application and at hearings relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing termination and reversion clauses.

OWNER/APPLICANT:



Kanti M. Patel
As Authorized Signer for
Sea Wall Motor Lodge, Inc.

SECTION V - SUMMARY AND CONCLUSIONS

Approval of this Planned Unit Development as amended, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, is justified in that:

1. The project will not adversely affect the orderly development of the City of St. Augustine as embodied by the City Zoning Ordinance and the respective Comprehensive Plan of the City, as the proposal is in conformance with the Plan and its goals and objectives, and the use, as included in the Narrative, is compatible with the surrounding zoning. The project allows control over the size and intensity over development and assurance of compatibility with surrounding residential uses.

2. The project will not adversely affect the orderly development of the City of St. Augustine and will not adversely affect the health, safety and welfare of the residents or visitors to the area, will not be detrimental to the natural environment or the development of adjacent properties or the neighborhood as a result of the conditions and safeguards included in the application.

3. The project will accomplish the objective, standards and criteria set forth within the Zoning Ordinance and provides for strict regulation and maintenance of the project to provide the City with the assurance of an attractive and beneficial asset.

4. When developed in accordance with the conditions stipulated in the PUD application and imposed by this Ordinance, the proposed PUD will be consistent with the development of the property in the area and will be compatible with the desired future development of the area.

THEREFORE, This Planned Unit Development request meets all of the above listed City requirements, including the Comprehensive Plan requirements, does not conflict with any of the elements of the Comp. Plan and is consistent with the Comp. Plan. and City Code.

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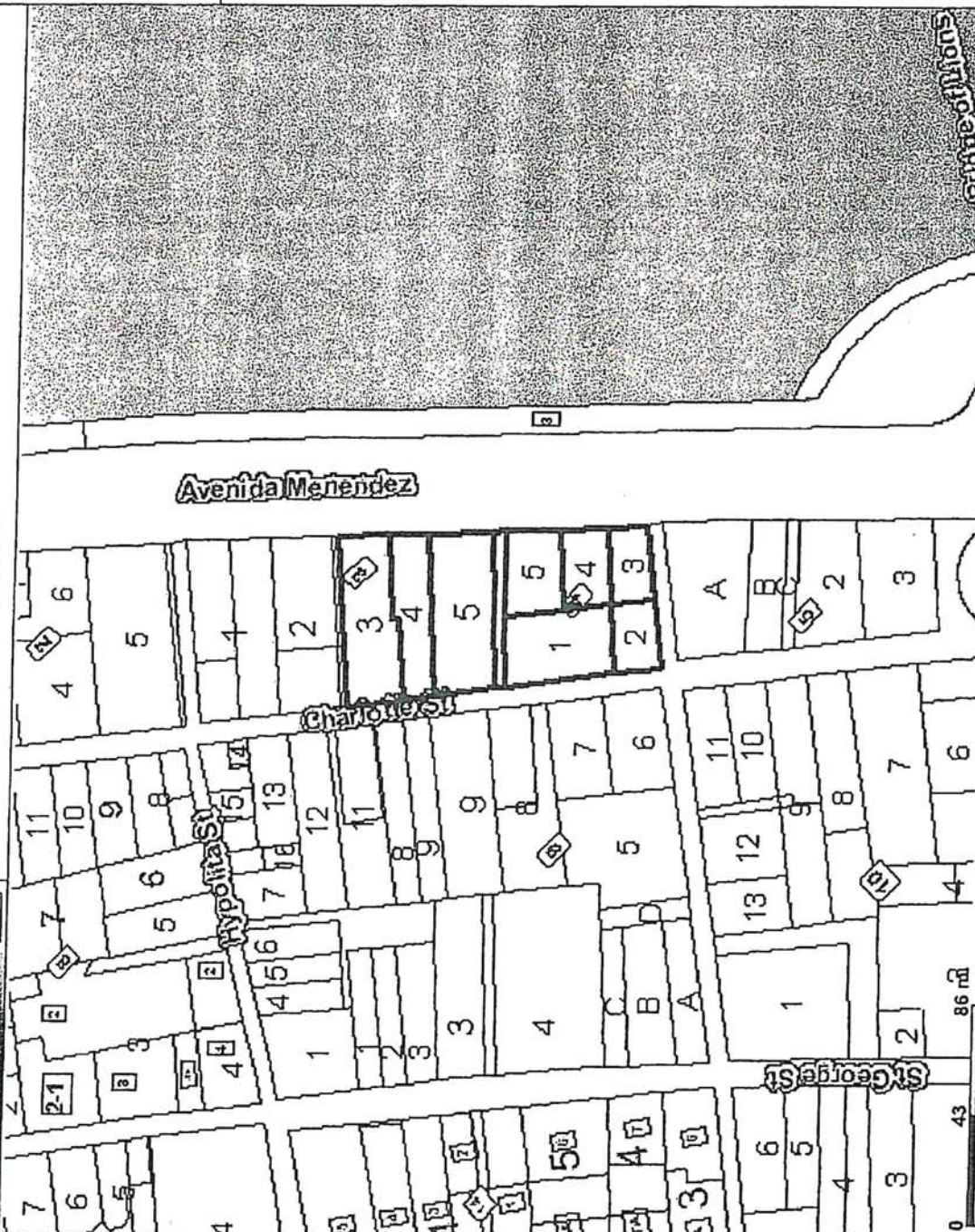
By Patrick Doty at 4:31 pm, Feb 20, 2020

Exhibit "D"

Aerial Location Map



32 Avenida Menendez



Legend

- Parcels
- Rights of Way
- Water Bodies
- Condominiums
- Subdivision Boundaries
- Section-Township-Range
- Railroad
- Major Road Centerlines
- Minor Road Centerlines

Scale: 1:2,447



Map center: 29° 53' 39.3" N, 81° 18' 41.1" W

Notes: PIN 196320 0000

The information provided on this map was derived from data that was compiled by the St. Johns County Property Appraiser's Office solely for the governmental purpose of property assessment. This information is not a survey and should not be relied upon by anyone for a determination of property ownership. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. www.sjcpa.us

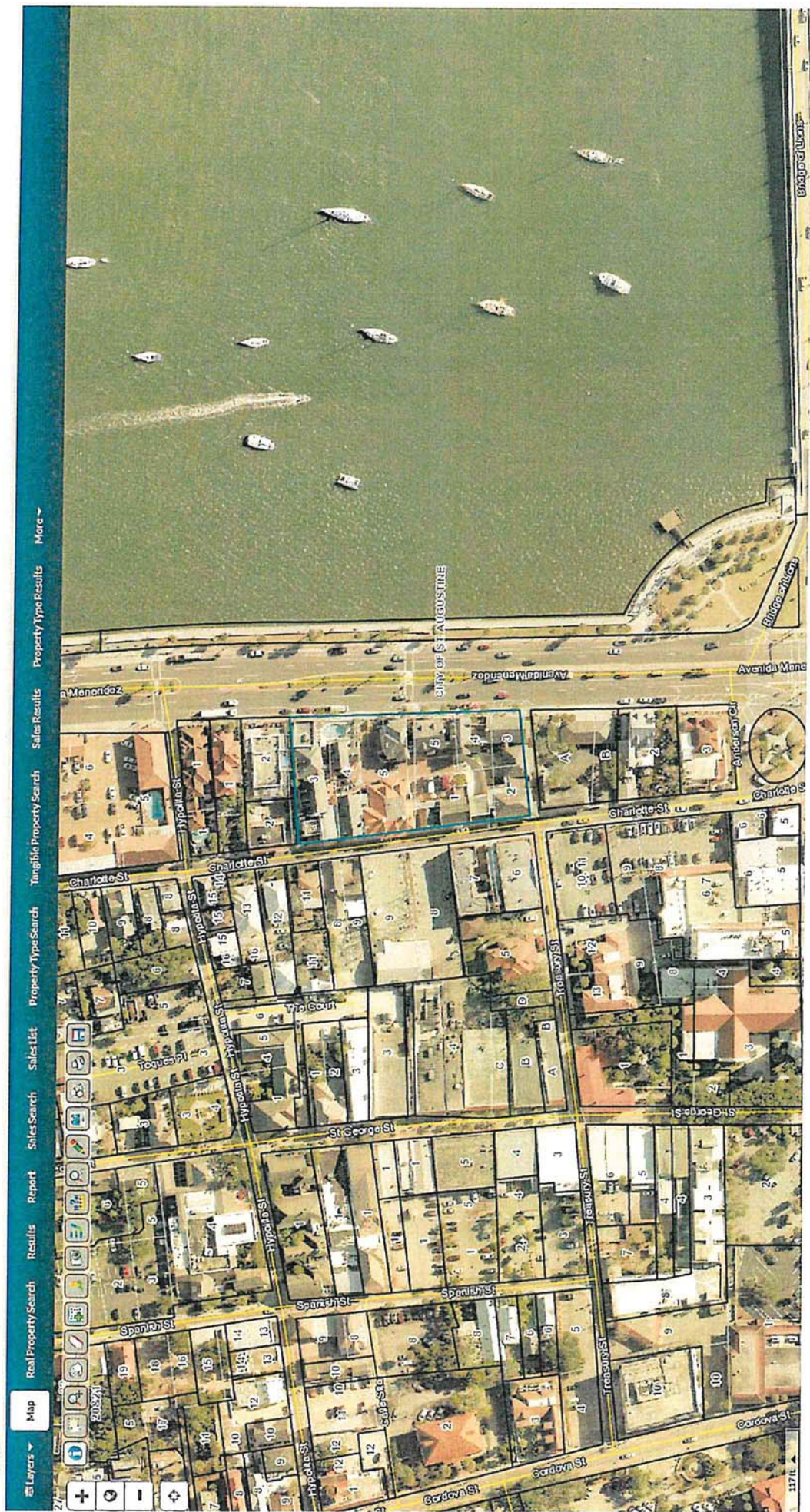


Exhibit "E"

Proof of Ownership

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REC

4 PAGE 281

WARRANTY DEED

THIS INDENTURE, Made this 8th day of August, 1960

between WILLIAM W. FAW joined by his wife, LUBA FAW, of the County of St. Johns and State of Florida, parties of the first part, and SEA-WALL MOTOR LODGE, INC., a corporation organized and existing under the Laws of the State of Florida, having its principal place of business in St. Johns County, Florida and its mailing address at 32 Bay Street, St. Augustine, Florida, party of the second part,

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of \$10.00, and other good and valuable considerations, to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and transferred, and by these presents do grant, bargain, sell and transfer unto the said party of the second part all those certain parcels of land lying and being in the County of St. Johns and State of Florida, more particularly described as follows:

All of Lot 3 of Block 3, according to the official map of the City of St. Augustine, saving and excepting therefrom a strip or parcel of land along the north line of said Lot 3, Block 3, City of St. Augustine, Florida, 9 feet in width extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south line of Lot 2, Block 3, City of St. Augustine, Florida. The above mentioned Lot 2, Block 3, being the property now or formerly of Hattie R. Butler: together with enough property at the Charlotte Street and Bay Street ends lying south of the south line of the above described strip or parcel of land to provide an eight (8) foot turning radius measured from the west curb line on Bay Street and the east curb line on Charlotte to the south line of the above described property to permit vehicles to turn from said Bay Street and Charlotte Street into the above described strip or parcel of land.



JFF REC 4 PAGE 284

ALSO: All of Lots 4 and 5 of said Block 3; and all of Block 4, according to the official map of the City of St. Augustine, Florida.

ALSO: That certain strip or parcel of land formerly known as Baya Lane, extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south property line of Block or Square No. 3, and on the south by the north property line of Block or Square No. 4, City of St. Augustine, Florida, as shown on the official plat of the City of St. Augustine, Florida, dated June 12, 1923, subject to that certain right of way or easement in favor of the City of St. Augustine, Florida, for maintaining, repairing, inspecting and/or removing storm sewer and water pipes under said Baya Lane.

TOGETHER with all fixtures, furnishings, furniture, utensils, tools, equipment and all other personal property used or useful in connection with operation of hotel and motel situate on the above described land.

SUBJECT to mortgage of record.

TOGETHER with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement there-to belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the said parties of the first part do covenant with the said party of the second part that they are lawfully seized of the said premises, that they are free from all incumbrances except

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REC

4 PAGE 285

as above stated; and that they have good right and lawful authority to sell the same; and the said parties of the first part do hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

William W. Faw (SEAL)

Lubia Faw (SEAL)

Signed, sealed and delivered
in the presence of:

Sue W. Lacy

Mary B. Lane
As to William W. Faw

Lubia Faw
As to Luba Faw

STATE OF FLORIDA
ST. JOHNS COUNTY:

I HEREBY CERTIFY that on this day before me, the undersigned officer, personally appeared WILLIAM W. FAW to me well known and known to me to be one of the persons described in and who executed the foregoing instrument; and he acknowledged that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal this 8th day of
August, 1960.



Mary B. Lane
Notary Public of the State of Florida
at Large

My commission expires September 12, 1961

STATE OF TENNESSEE
COUNTY OF WASHINGTON

I HEREBY CERTIFY that on this day before me, the undersigned

officer, personally appeared LUBA FAW, to me well known and known to me to be the wife of the said WILLIAM W. FAW and one of the persons described in and who executed the foregoing instrument; and she acknowledged to and before me separate and apart from her said husband that she executed the foregoing instrument freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.



WITNESS my hand and official seal this 5TH day of ~~August, 1960~~ MARCH, 1961.

[Signature]
Notary Public, State of TENNESSEE
My commission expires APRIL 20TH, 1964

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLA.

MAR 11 11 34 AM '61

[Signature]
CLERK CIRCUIT COURT
ST. JOHNS COUNTY, FLA.

OFF REC 4 PAGE 285

91295

Lamar Waterbury—Form 100—Rev.

THIS MORTGAGE DEED, Executed the 7th day of March A. D., 1961,
by RAY S. ETTTEL, joined by his wife, DOROTHY V. ETTTEL,hereinafter called the MortgagorS, which term shall include the heirs, legal representatives, successors and assigns
of the said Mortgagor wherever the context so requires or admits,
to MOI M. MONROE, SR. of Waycross, Georgiahereinafter called the Mortgagee, which term shall include the heirs, legal representatives, successors and assigns
of the said Mortgagee wherever the context so requires or admits.

WITNESSES: That for divers good and valuable considerations, and also in consideration of the aggregate
sum named in the promissory note of even date herewith hereinafter described, the said MortgagorS do
hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee his
heirs, successors and assigns, all the certain piece, parcel or tract of land, of which the said MortgagorS
are now seized and possessed and in actual possession, situate in the County of St. Johns
and State of Florida, described as follows:

Lots 3 to 8 inclusive, and Lots 13 to 18 inclusive, of Block 21,
Jackson Park Subdivision, according to plat thereof recorded in
Plat Book 3, page 51 of the public records of St. Johns County,
Florida, (said property adjoins the Casper Alligator Farm
on the South and was formerly known as Snug Harbor Motel).

Received \$ 30.00 in payment of taxes due on class
"C" Intangible Personal Property pursuant to Chapter 20724,
Laws of Florida, Acts of 1941.

R. D. H. H.

Tax Collector, St. Johns County, Florida

TO HAVE AND TO HOLD the same, together with all and singular the tenements, hereditaments and ap-
purtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remainder and re-
mainders, rents, issues and profits thereof and also all the estate, right, title, interest, property, possession, claim
and demand whatsoever as well in law as in equity of the said MortgagorS in and to the same and every part
and parcel thereof unto the said Mortgagee, and his heirs, successors and assigns, in fee simple.

And said MortgagorS, for themselves and their heirs, legal representatives, successors and
assigns, hereby covenant with said Mortgagee, his heirs, legal representatives, successors and assigns,
that said MortgagorS are indefeasibly seized of said land in fee simple; that the said MortgagorS
have full power and lawful right to convey the same in fee simple as aforesaid; that it shall be lawful for
said Mortgagee, his heirs, legal representatives, successors and assigns, at all times peaceably and
quietly to enter upon, hold, occupy and enjoy said land and every part thereof; that said land is free from all
incumbrances; that said MortgagorS, their heirs, legal representatives, successors and assigns, will make
such further assurances to perfect the fee simple title to said land in said Mortgagee, his heirs, legal
representatives, successors and assigns, as may reasonably be required; and that said MortgagorS do hereby
fully warrant the title to said land and every part thereof and will defend the same against the lawful claims
of all persons whomsoever.

PROVIDED ALWAYS, That if said MortgagorS shall pay unto the said Mortgagee the certain prom-
issory note, of which the following in words and figures is a true copy, to-wit:

ONCOR

This Indenture.

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders; and, if used, the term "male" shall include all the males herein described if more than one.

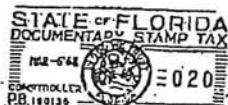
Made this 5th day of March A. D. 19 62

Between WILLIAM W. PAW joined by his wife, LUBA A. PAW

of the County of Washington and State of Tennessee
party of the first part, and SEA-WALL MOTOR LODGE, INC., a corporation exist-
ing under the Laws of the State of Florida, with its principal place
of business in St. Johns County, Florida and its mailing address at:
32 Bay Street, St. Augustine, Florida
of the County of ~~Washington~~ and State of ~~Tennessee~~
party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of \$10.00 and other good and valuable considerations Dollars, to him in hand paid, the receipt whereof is hereby acknowledged, has granted, bargain-
ed, sold and transferred, and by these presents does grant, bargain, sell and transfer unto the said party of the second part all that certain parcel of land lying and being in the County of St. Johns, and State of Florida, more particularly described as follows:

The South 4½ feet of the North 9 feet of Lot 3, Block 3,
according to the official map of the City of St. Augustine, Flo-
rida.

ST. JOHNS
COUNTY

Together with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining:

To Have and to Hold the same in fee simple forever.

And the said party of the first part does covenant with the said party of the second part that he is lawfully seized of the said premises, that they are free from all incumbrances and that he has good right and lawful authority to sell the same; and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year above written.

Signed, Sealed and Delivered in Our Presence:

Kathryn A. Koch
Loggins Phillips

William W. Paw
Luba A. Paw

Exhibit "F"
Authorizations



Owner's Authorization For Agent

ST. JOHNS LAW GROUP / JAMES G. WHITEHOUSE, ESQ./ ANISH PATEL, ESQ. is hereby authorized TO ACT ON BEHALF OF Kanti Patel and/or Sea Wall Motor Lodge, Inc., the owner of those lands described within the attached application and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine, for an application related to a MODIFICATION TO THE HILTON BAYFRONT HOTEL PUD, and any other matter related to properties located at 32 Avenida Menendez, St. Augustine, FL, and including the following Parcel No.: 196320 0000.

BY: 

Signature of Owner

Kanti Patel, Sea Wall Motor Lodge, Inc.

Print Name of Owner

904-829-2627

Telephone Number

State of Florida

County of St. Johns

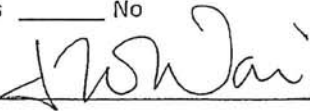
Signed and sworn before me on this 28th day of August, 2019

By Kanti Patel

Identification verified:

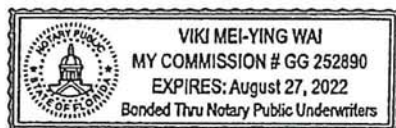
Oath sworn: ☒ Yes ☐ No

Notary Signature:



My Commission expires:

Aug 27, 2022





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Entity Name

Florida Profit Corporation
SEA-WALL MOTOR LODGE INC

Filing Information

Document Number 228446
FEI/EIN Number 59-0881447
Date Filed 09/28/1959
State FL
Status ACTIVE

Principal Address

32 AVENIDA MENENDEZ
SAINT AUGUSTINE, FL 32084

Changed: 04/03/2000

Mailing Address

32 AVENIDA MENENDEZ
SAINT AUGUSTINE, FL 32084

Changed: 04/27/2005

Registered Agent Name & Address

Patel, Anish
1 Riberia Street
ST. AUGUSTINE, FL 32084

Name Changed: 01/04/2019

Address Changed: 01/04/2019

Officer/Director Detail

Name & Address

Title PD

PATEL, KANTI
32 AVENIDA MENENDEZ
ST AUGUSTINE, FL 32084

Title VPSD

PATEL, KALA

32 AVENIDA MENENDEZ
ST. AUGUSTINE, FL 32084

Annual Reports

Report Year	Filed Date
2017	01/17/2017
2018	03/16/2018
2019	01/04/2019

Document Images

01/04/2019 -- ANNUAL REPORT	View image in PDF format
03/16/2018 -- ANNUAL REPORT	View image in PDF format
01/17/2017 -- ANNUAL REPORT	View image in PDF format
03/01/2016 -- ANNUAL REPORT	View image in PDF format
03/25/2015 -- ANNUAL REPORT	View image in PDF format
02/27/2014 -- ANNUAL REPORT	View image in PDF format
02/27/2013 -- ANNUAL REPORT	View image in PDF format
04/12/2012 -- ANNUAL REPORT	View image in PDF format
06/02/2011 -- ANNUAL REPORT	View image in PDF format
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03/28/2003 -- ANNUAL REPORT	View image in PDF format
04/30/2002 -- ANNUAL REPORT	View image in PDF format
03/08/2001 -- ANNUAL REPORT	View image in PDF format
04/03/2000 -- ANNUAL REPORT	View image in PDF format
03/05/1999 -- ANNUAL REPORT	View image in PDF format
07/08/1998 -- DEBIT MEMO	View image in PDF format
03/17/1998 -- ANNUAL REPORT	View image in PDF format
03/07/1997 -- ANNUAL REPORT	View image in PDF format
06/19/1996 -- ANNUAL REPORT	View image in PDF format
03/06/1995 -- ANNUAL REPORT	View image in PDF format

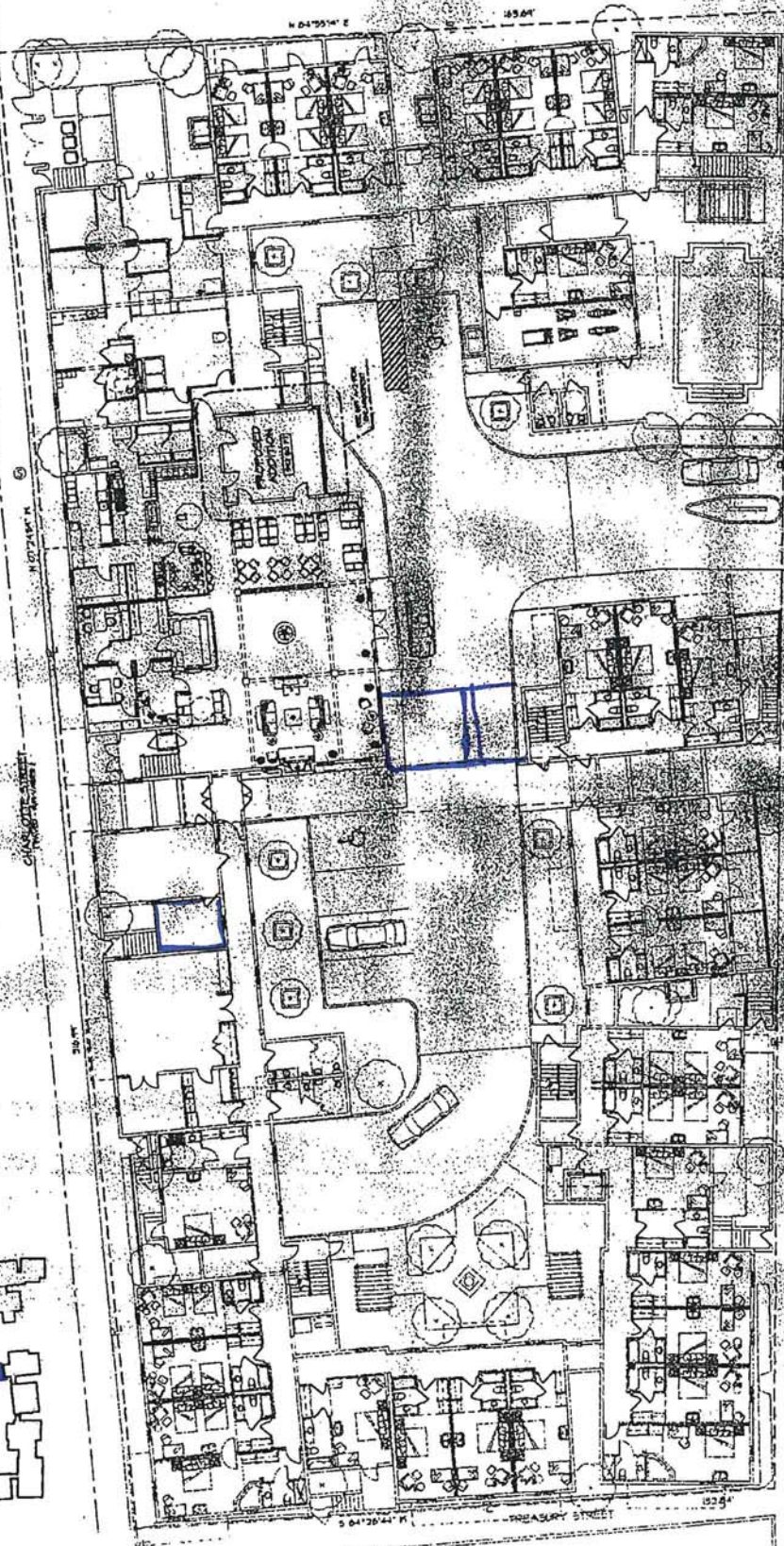
Exhibit "G"
Master Site Plan

$$\overline{48,239} \text{ } 55f$$

- EXISTING BUILDING LOT COVERAGE → 24,736 s.f.
- PROPOSED ADDITION → 543 s.f.
- NEW BUILDING LOT COVERAGE → 52.5 %



EXISTING BALANCE	-----	3,344.47
LOAN COVERAGE	-----	30.37
PROPOSED ADDITION	-----	3,374.84
NEW BALANCE	-----	3,405.21
LOAN COVERAGE	-----	30.37



SITE PLAN

RECEIVED
OCT 27 2004
Planning / Building Dept.

RECEIVED

By Patrick Doty at 4:32 pm, Feb 20, 2020

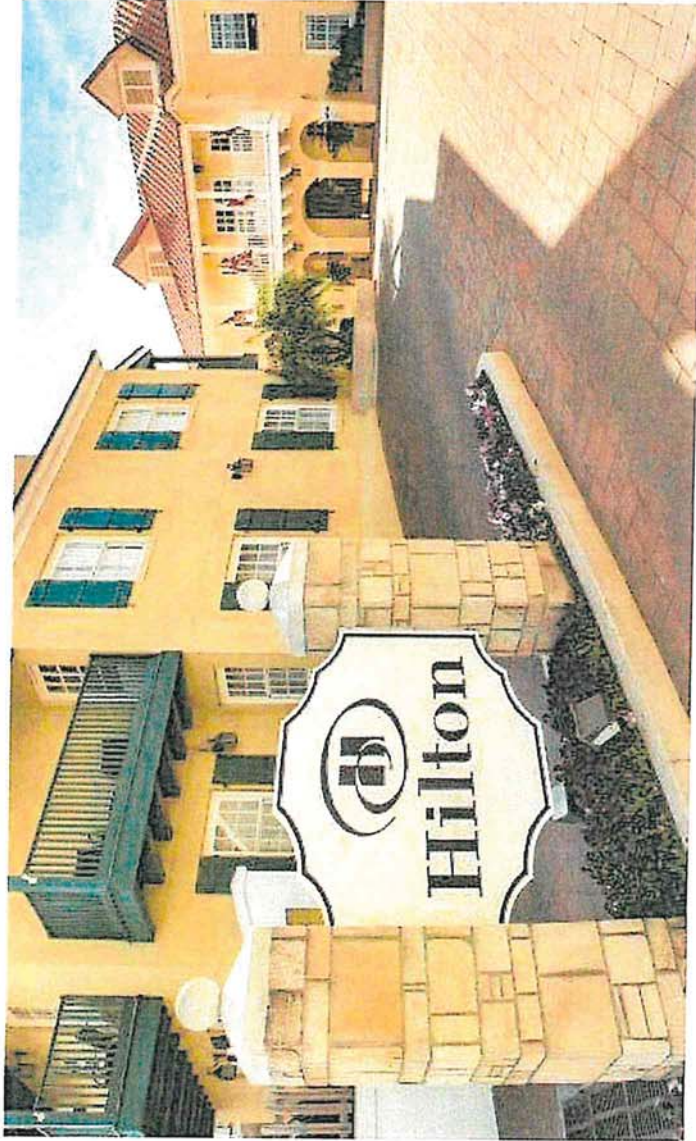
Attachment 3 - Architectural Renderings

EXHIBIT

H



Historic Hilton Bayfront



Historic Hilton Bayfront

32 Avenida Menendez
City of St. Augustine
Historic Architectural Review Board Presentation

Location

The Monson House was a 19th-century boarding house on the water's edge at Bay Street (now Avenida Menendez), between the Plaza and Fort Marion. The property is now the site of the Historic Hilton Bayfront with boundaries reaching to Treasury Street to the south and Charlotte Street to the west.

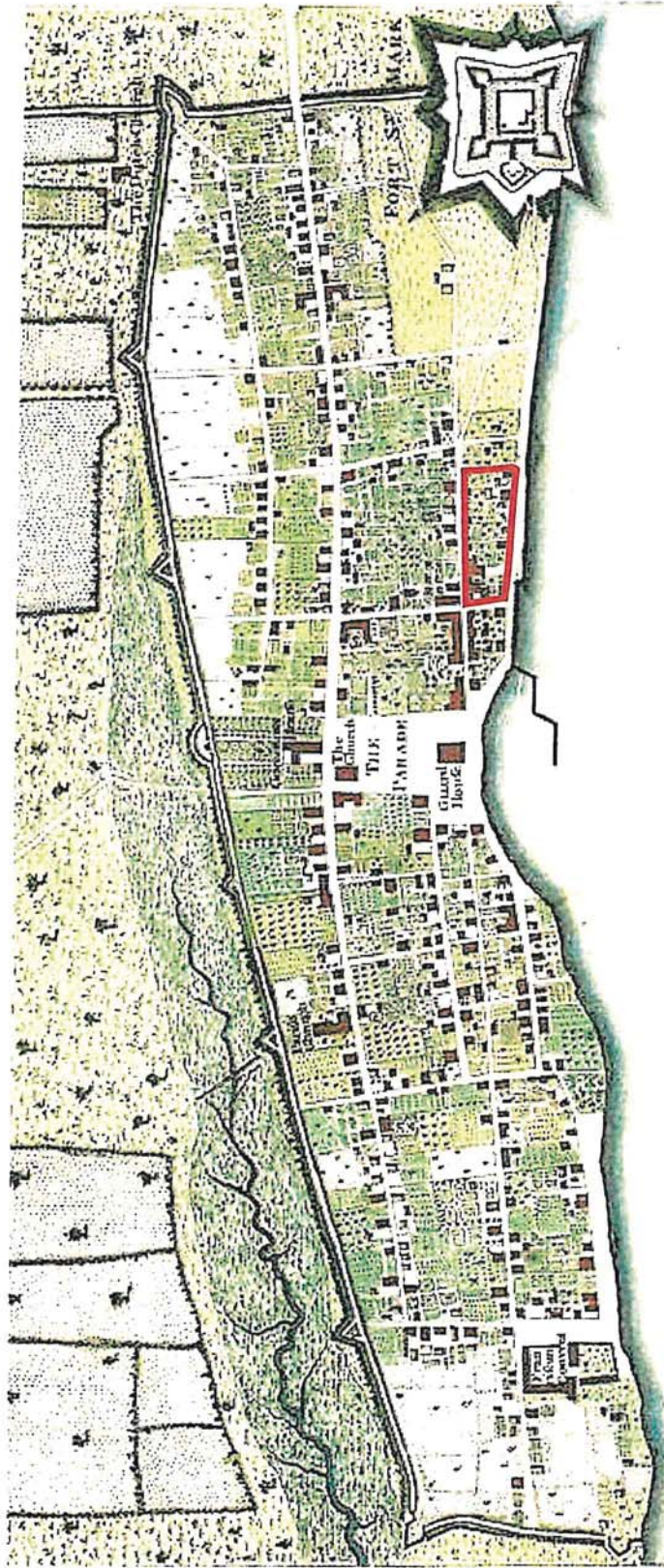
Historic Hilton Bayfront



History

The original hotel was established by Captain Anthony Vincent "Bossy" Monson in the 1880s, just before the Flagler hotels made the city a luxury destination. In 1895 this house burned and was later rebuilt and expanded. The final wooden hotel fell victim to the April 1914 fire that destroyed entire blocks from St. George Street to the bay.

Historic Hilton Bayfront





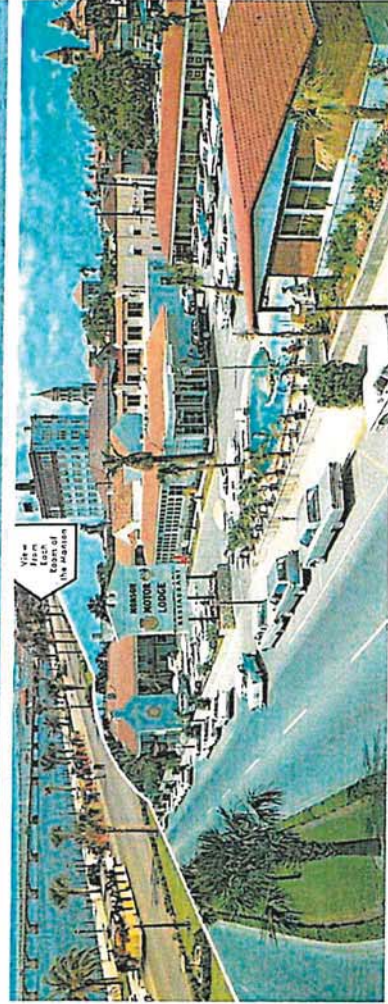
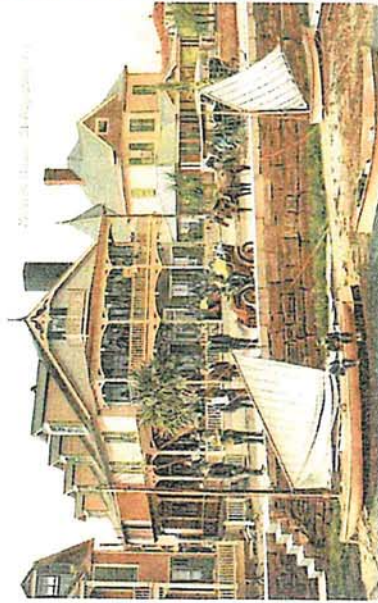
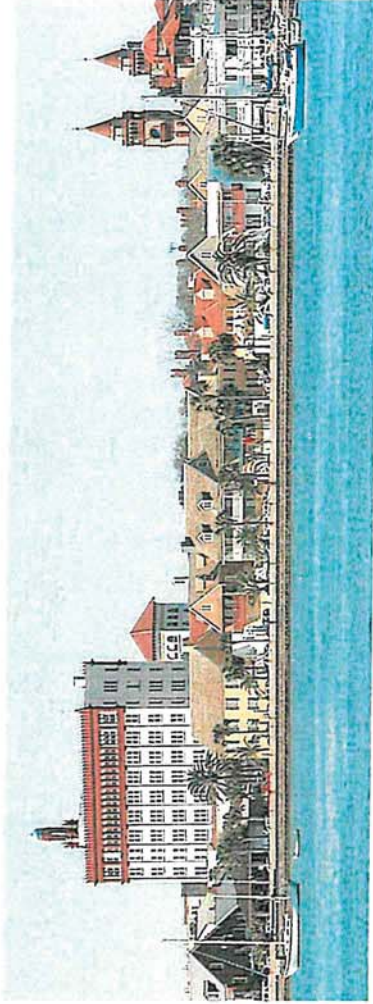
History

Historic Hilton Bayfront

The rebuilt hotel remained on the bay front until 1960, when it was demolished and replaced by the Monson Motor Lodge. That structure was eventually razed as well, and in 2003 reopened as the Historic Hilton Bayfront Hotel. Today a plaque commemorates the arrest of MLK Jr. on the steps of the Monson Motor Lodge restaurant on June 11, 1964.



THE MONSON, ST. AUGUSTINE, FLA.

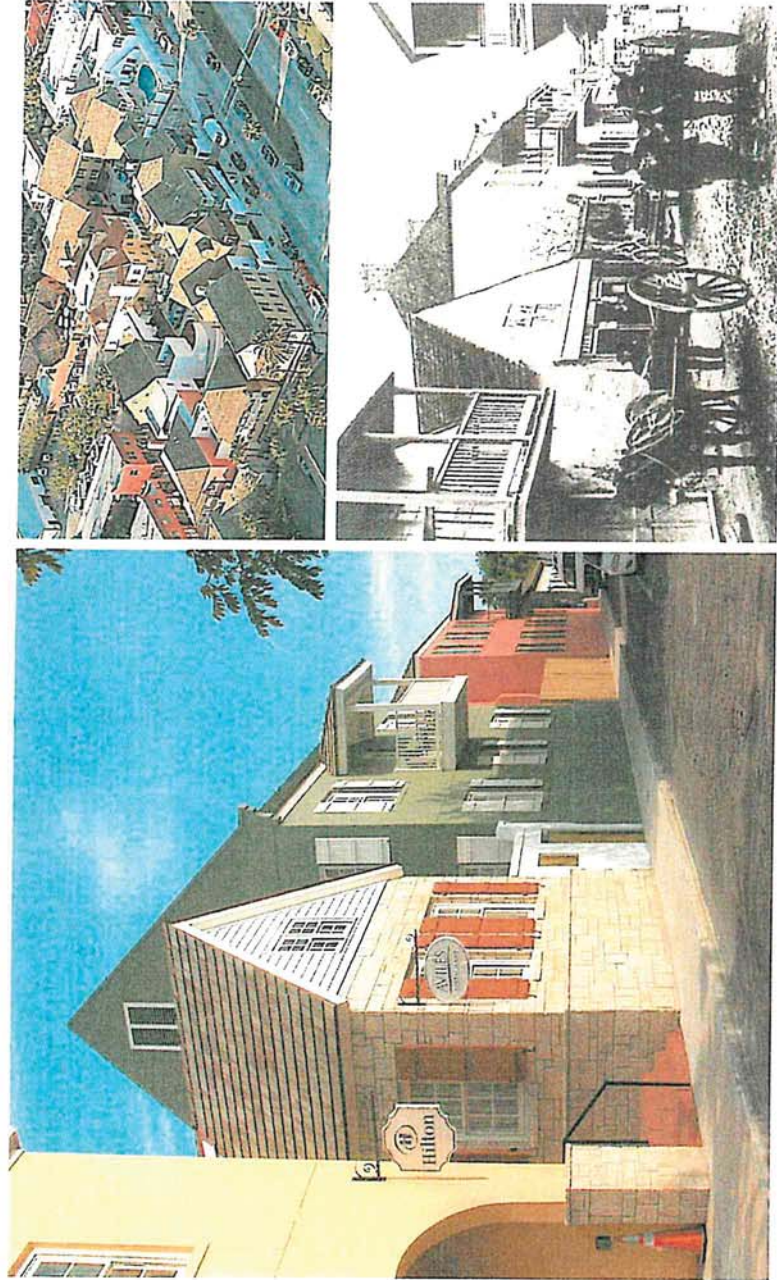




Design

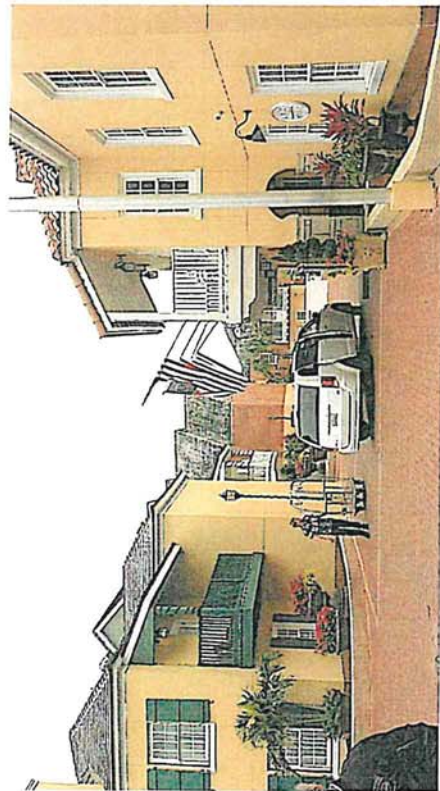
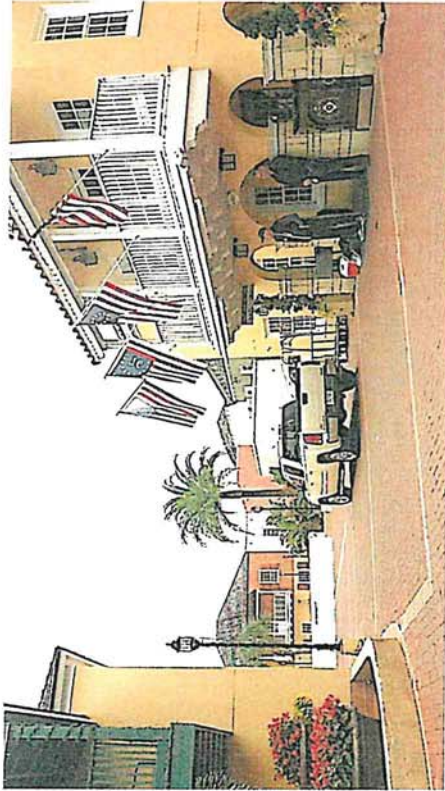
The quaint boutique style hotel is reminiscent of the Spanish Colonial period and remains under Hilton's management today, with 72 rooms spread over 19 small buildings. During excavations prior to construction of the Hilton's underground parking garage, archeologists found evidence of colonial foundations from Saint Augustine's British Period (1763 -1784).

Historic Hilton Bayfront



Current Covered Entry site photos

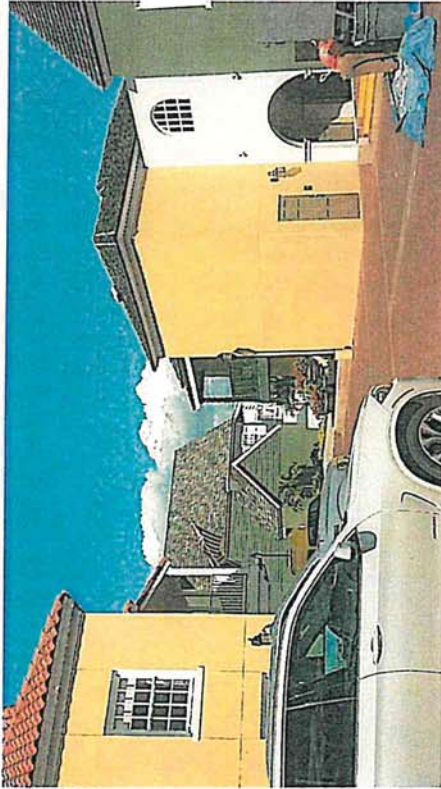
Historic Hilton Bayfront



- The current covered entry provides minimal weather protection for loading and unloading the guests and their belongings.
- A retractable awning was installed to mitigate the issue, however the water pools on the top and requires constant maintenance and attention by the valet and hotel staff.
- The pedestrian and vehicular circulation at the current covered entry can become chaotic during inclement weather as the natural tendency is to rush and stay dry.

Current Covered Entry site photos

Historic Hilton Bayfront

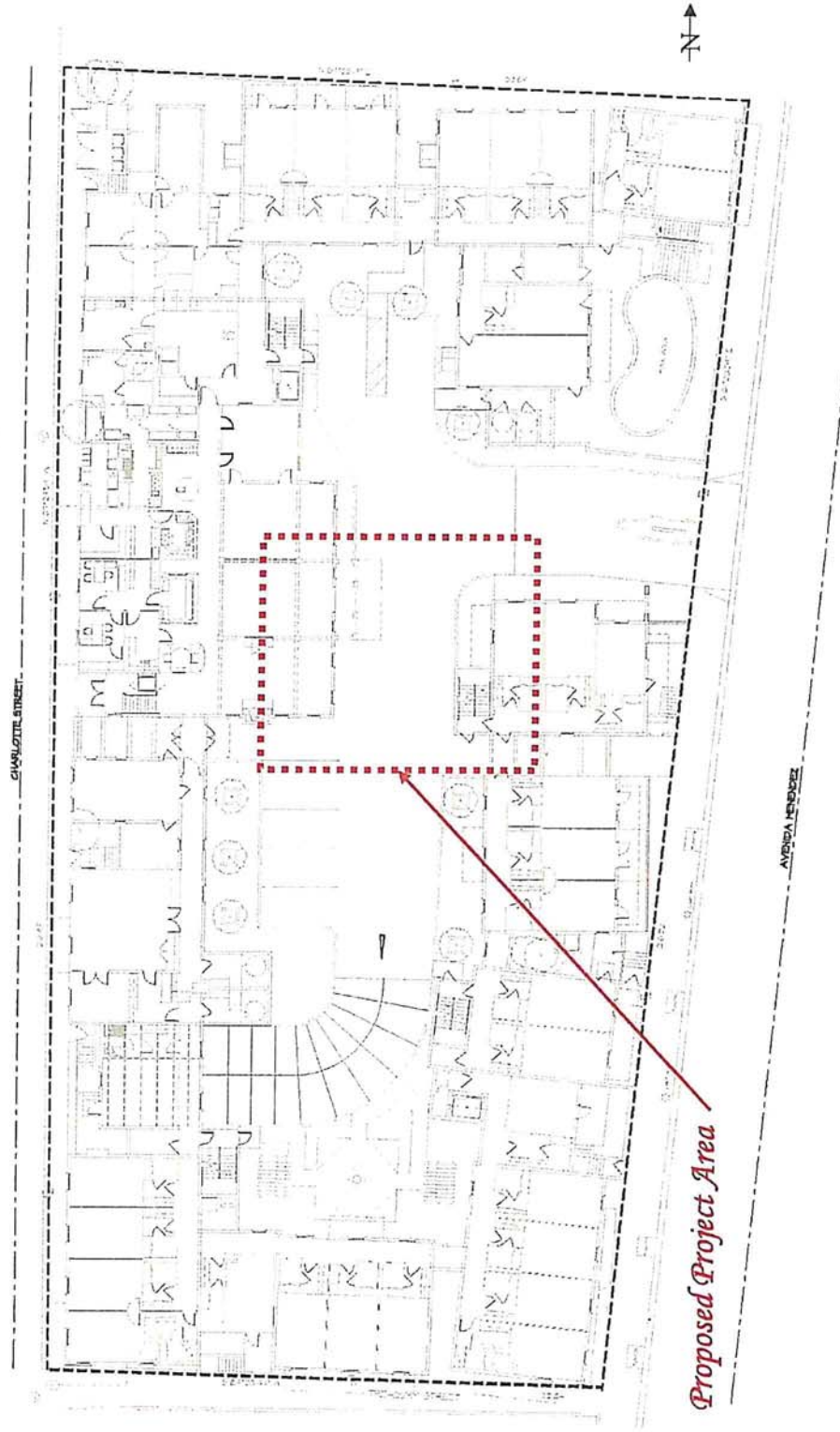


- The current design can accommodate the proposed entry adjacent to the stairwell on the exterior blank wall, directly across the current drop off area.
- The proposed covered entry will maintain the hotel's characteristics by incorporating the cement stucco arched pathways and the coquina stone clad columns.
- The proposed design will use the lighter pavers to assist and direct the circulation of guests and vehicles.
- The design will provide a safe and dry place to load and unload guests and their belongings.

Current Covered Entry

overall plan

Historic Hilton Bayfront

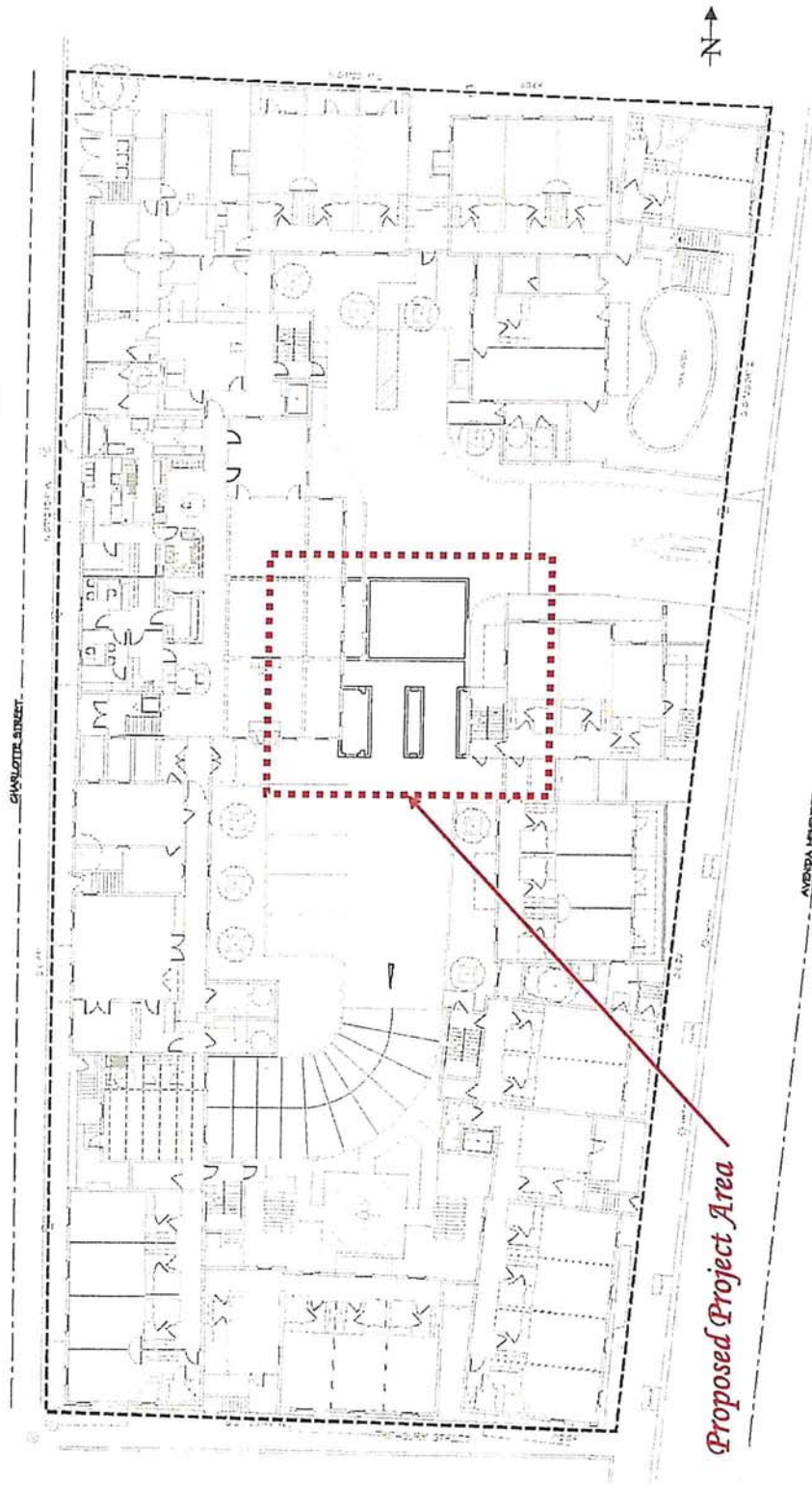




Proposed Covered Entry

overall plan

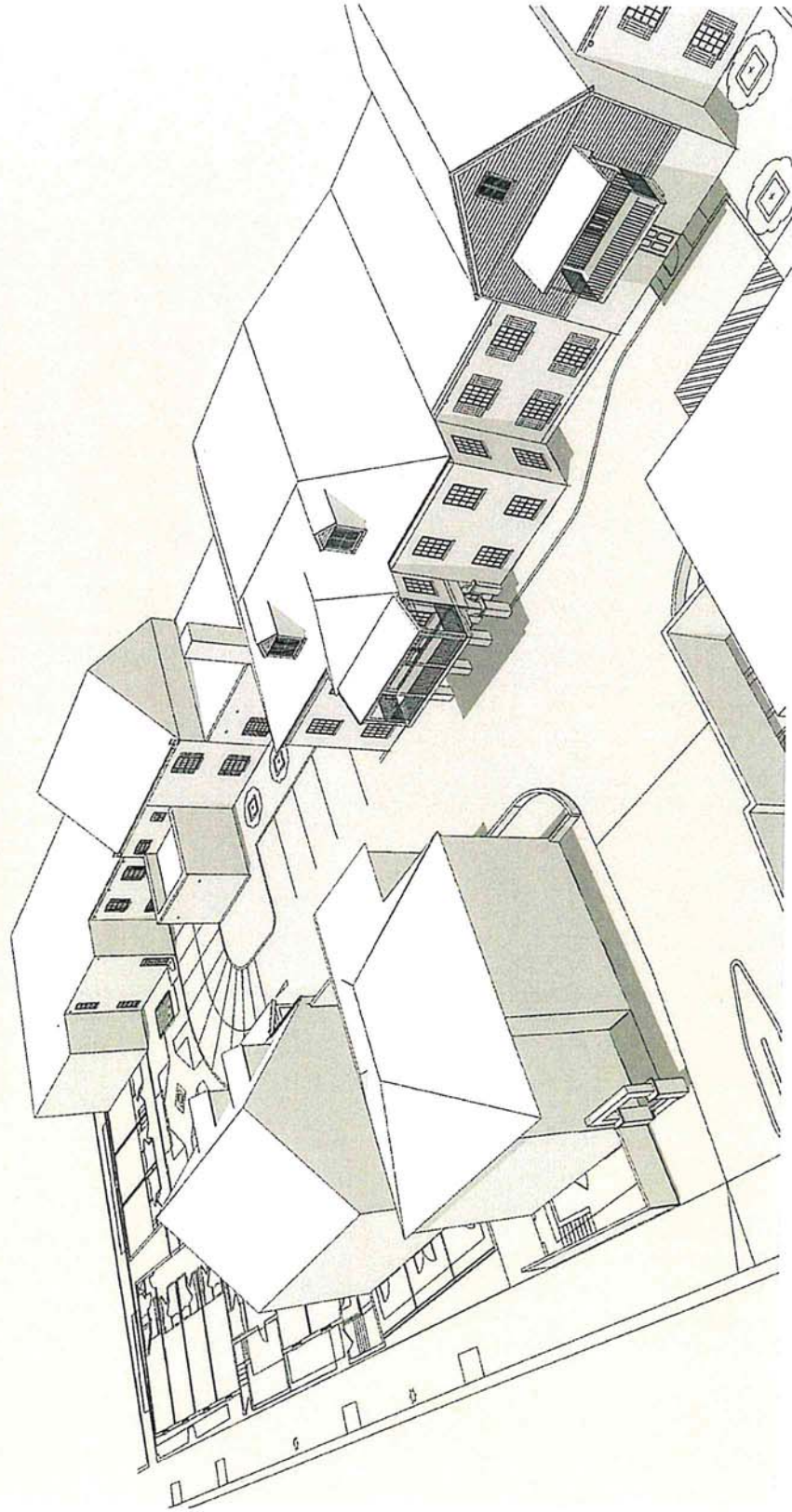
Historic Hilton Bayfront





Current Covered Entry overall view

Historic Hilton Bayfront

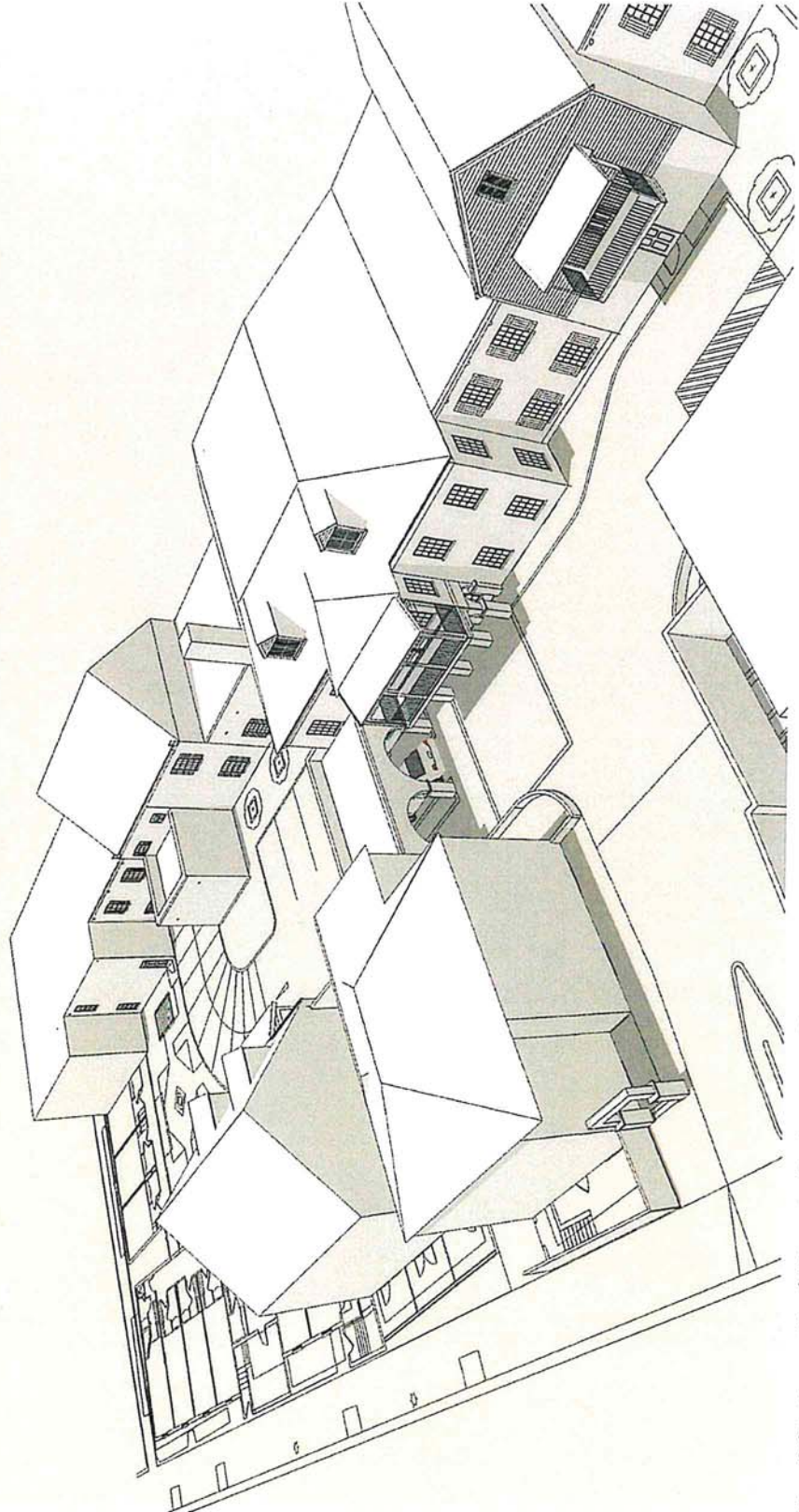


10 City of St. Augustine | Historic Architecture Review Board Presentation



Proposed Covered Entry overall view

Historic Hilton Bayfront

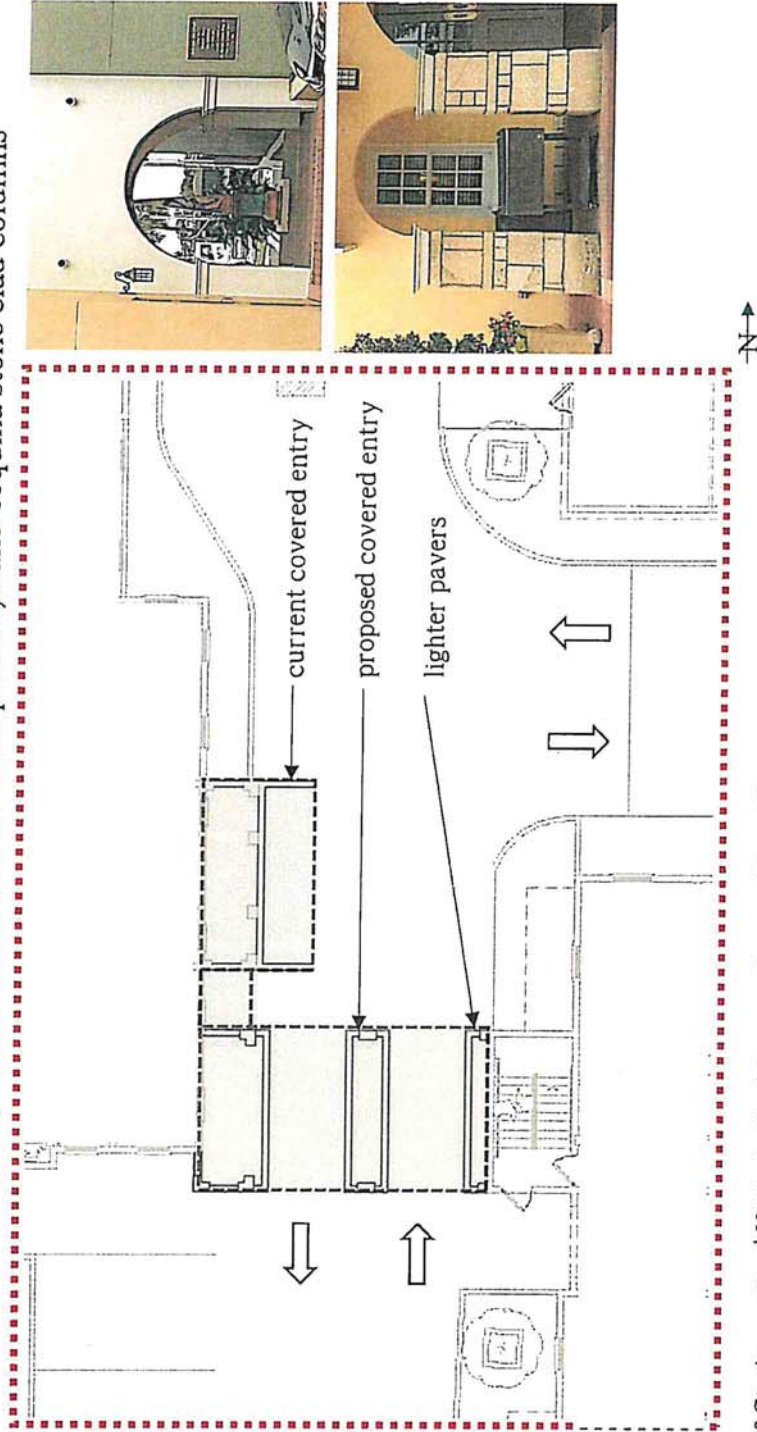


11 City of St. Augustine | Historic Architecture Review Board Presentation

Proposed Covered Entry

Floor Plan Modifications:

- Add covered entry adjacent to the existing stairwell
- Use of the lighter pavers to help delineate circulation paths
- Incorporate cement stucco arched pathways and coquina stone clad columns

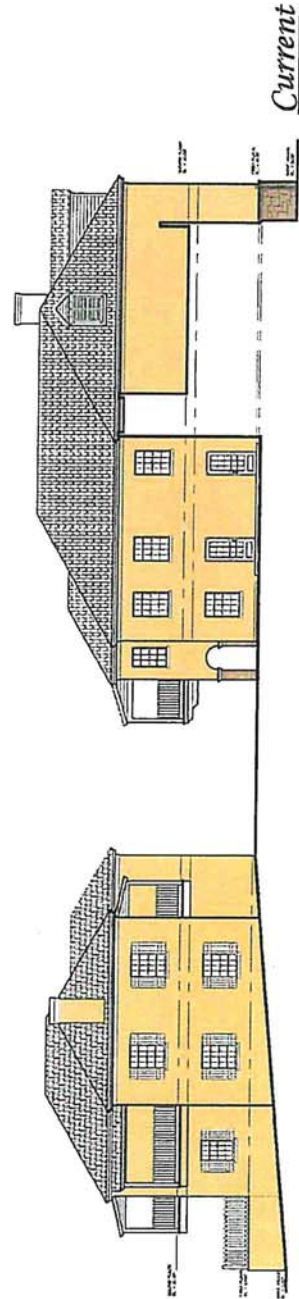
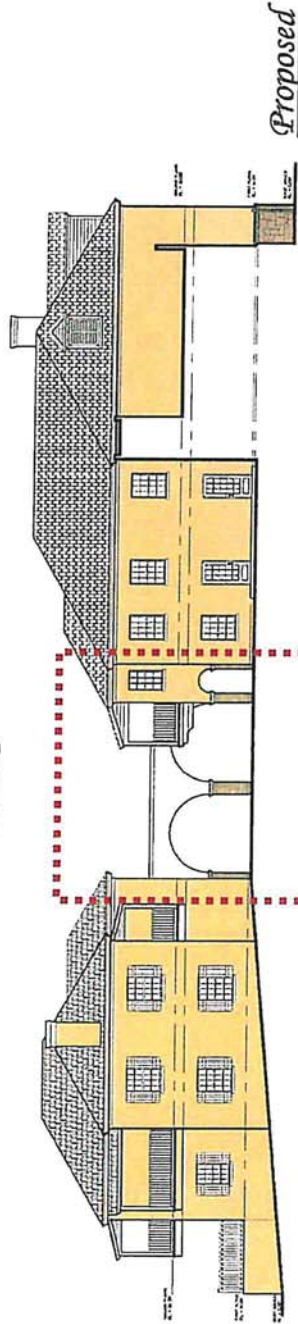


Historic Hilton Bayfront

Proposed Covered Entry north elevation

Elevation Modifications:

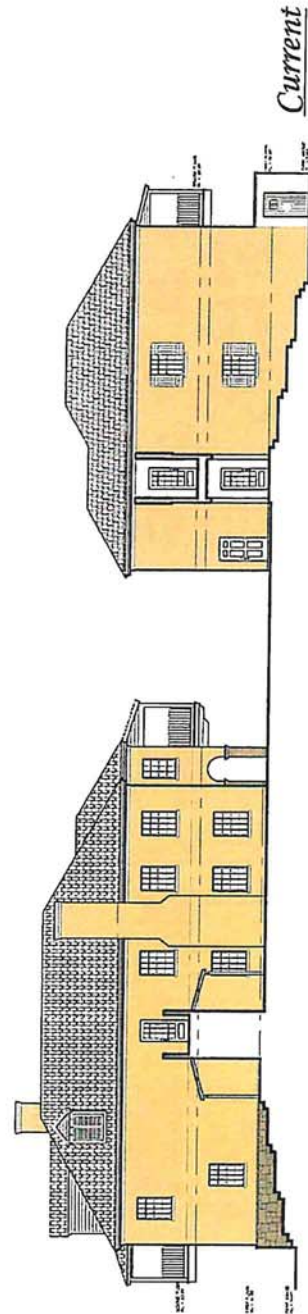
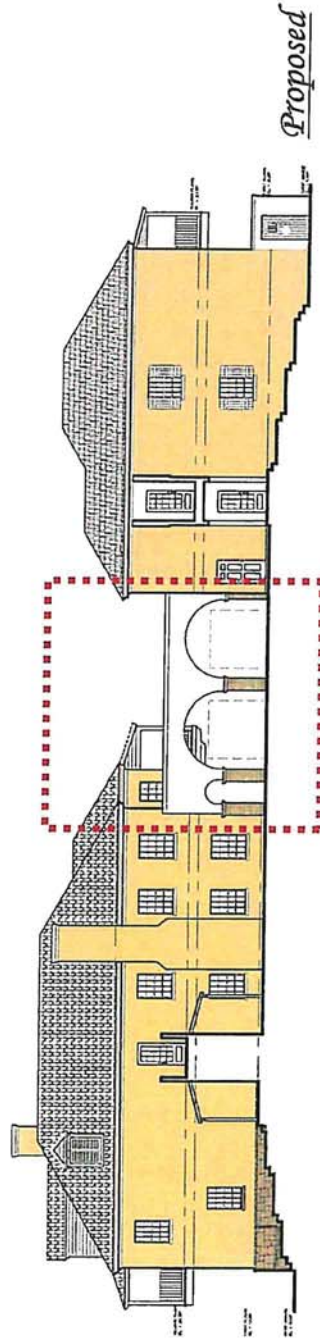
- Add covered entry with cement stucco arched pathways and the coquina stone clad columns to match existing



Proposed Covered Entry south elevation

Elevation Modifications:

- Add covered entry with cement stucco arched pathways and the coquina stone clad columns to match existing

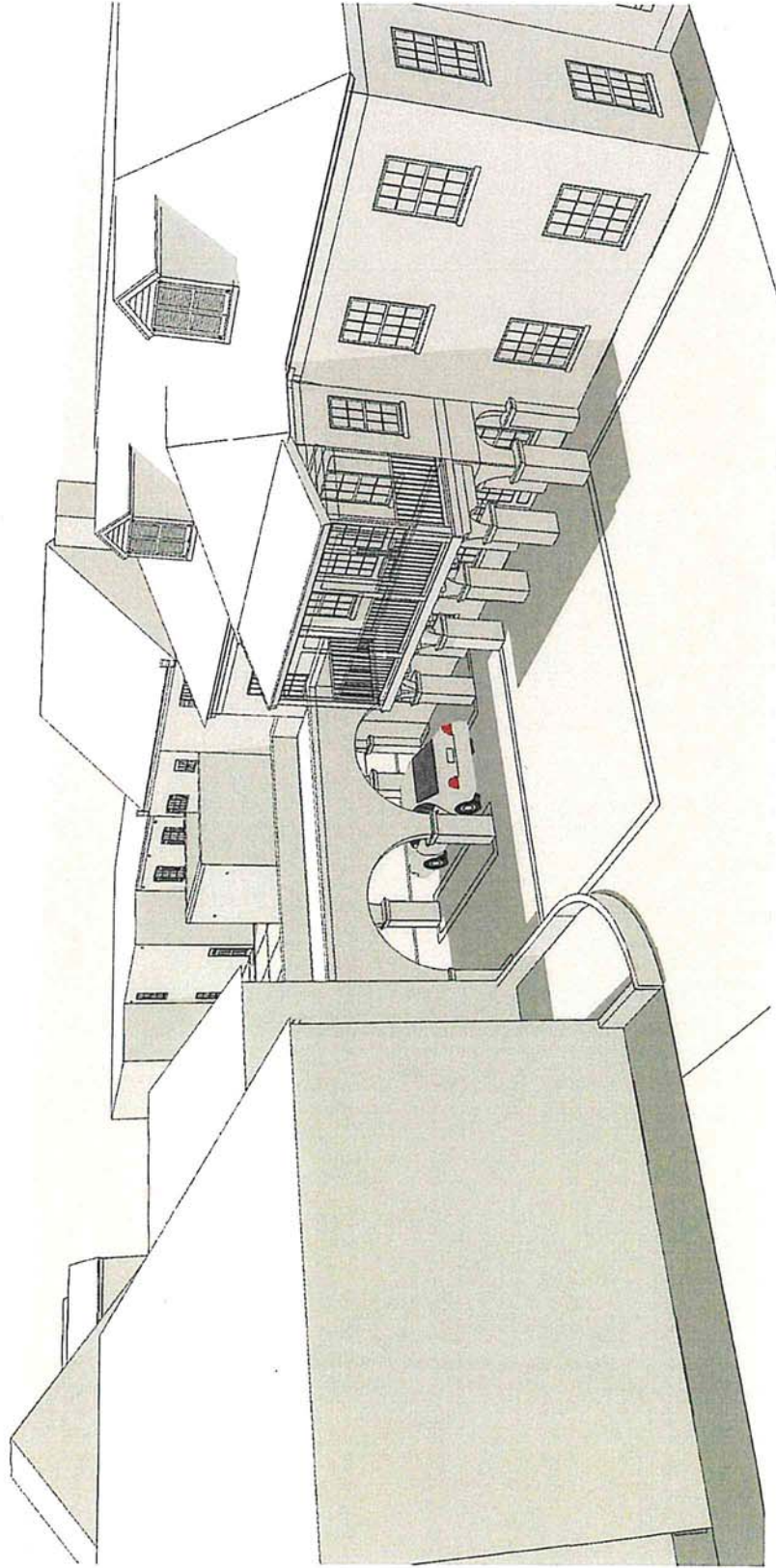




Proposed Covered Entry

view from north

Historic Hilton Bayfront



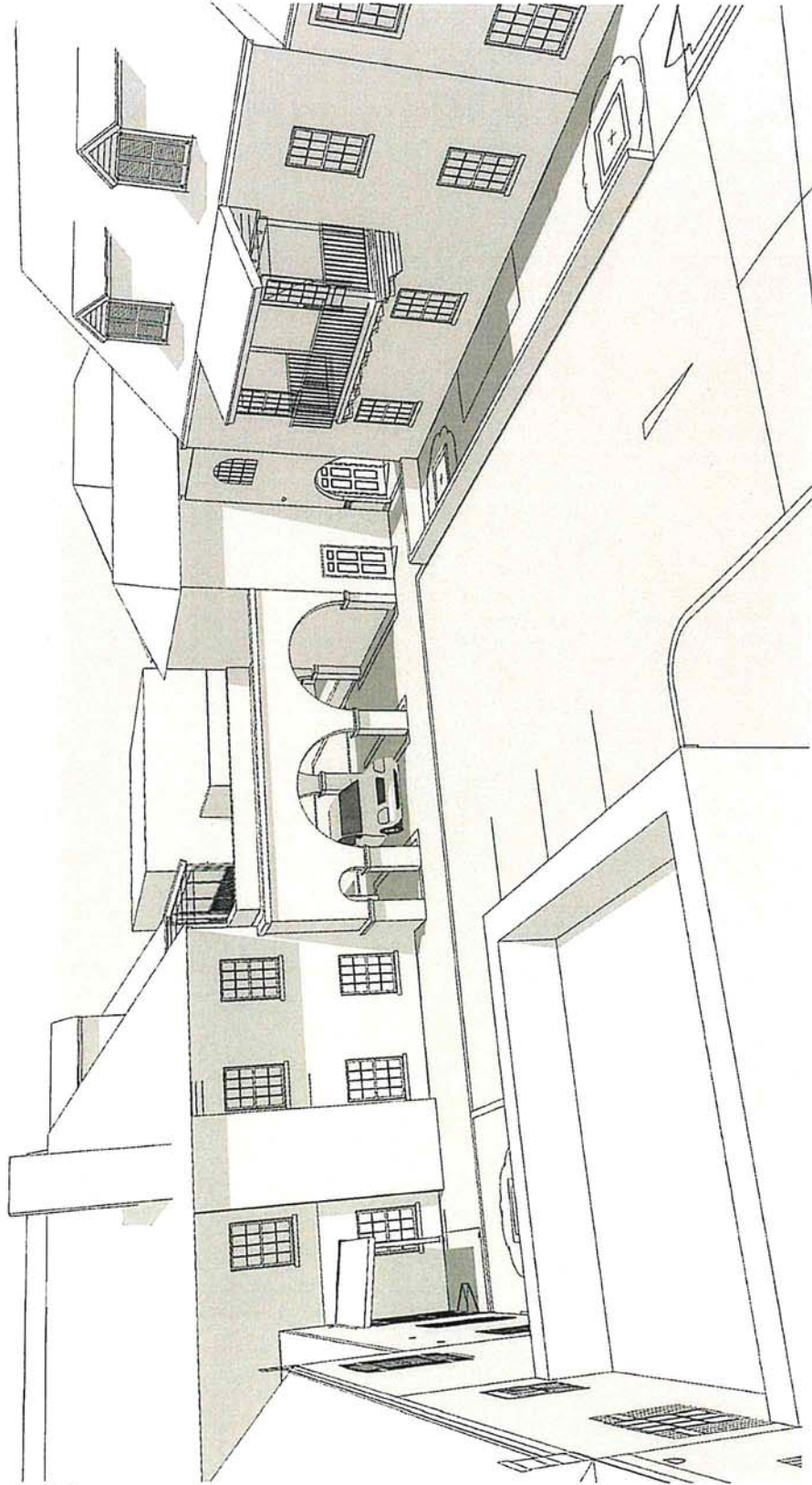
15 City of St. Augustine | Historic Architecture Review Board Presentation



Proposed Covered Entry

view from south

Historic Hilton Bayfront



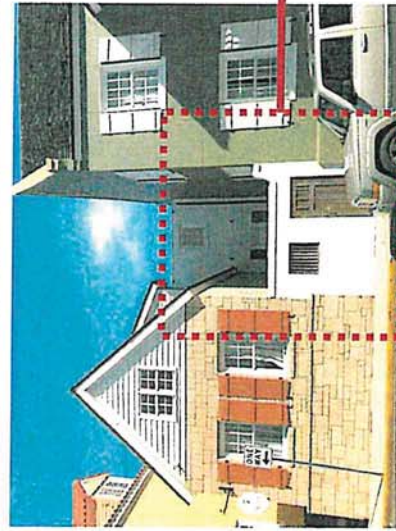
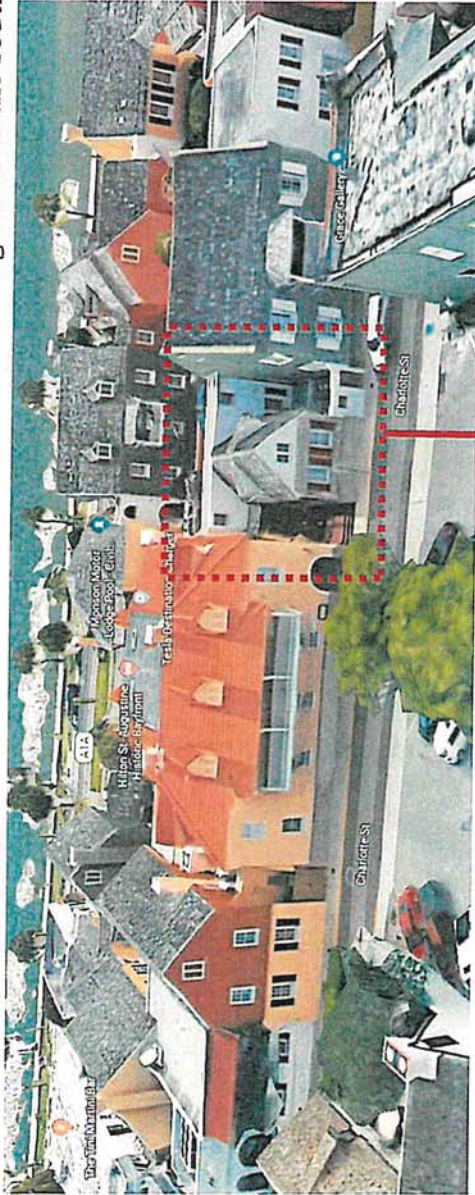
16 City of St. Augustine | Historic Architecture Review Board Presentation



Current Design

The Charlotte Street elevation shows a passage to the hotel entry to the north and a smaller accessible storage area to the south.

Historic Hilton Bayfront



Proposed Project Area

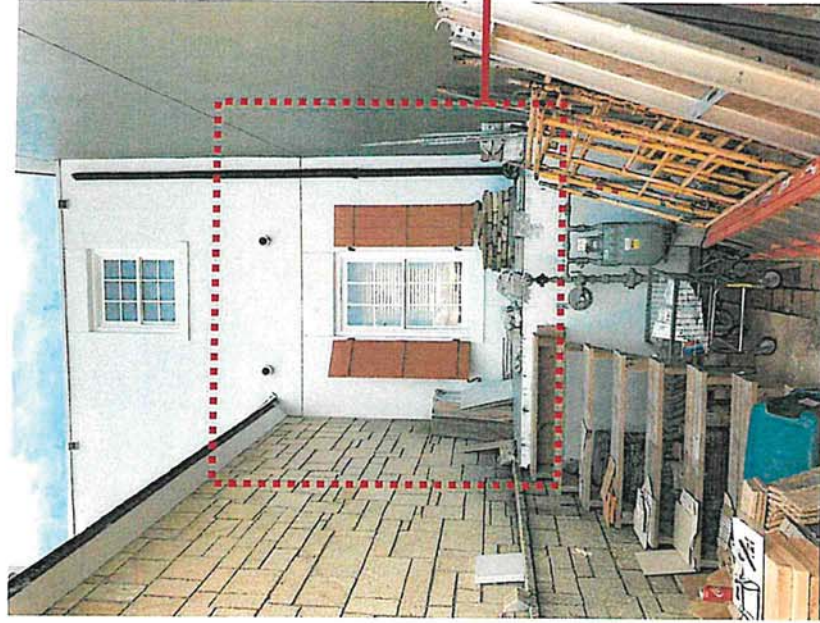
6 City of St. Augustine | Historic Architecture Review Board Presentation



Current Design

Behind the wooden door the exterior area provides open storage. The small raised area in the back is proposed to become a maids storage room accessible from the hotel.

Historic Hilton Bayfront

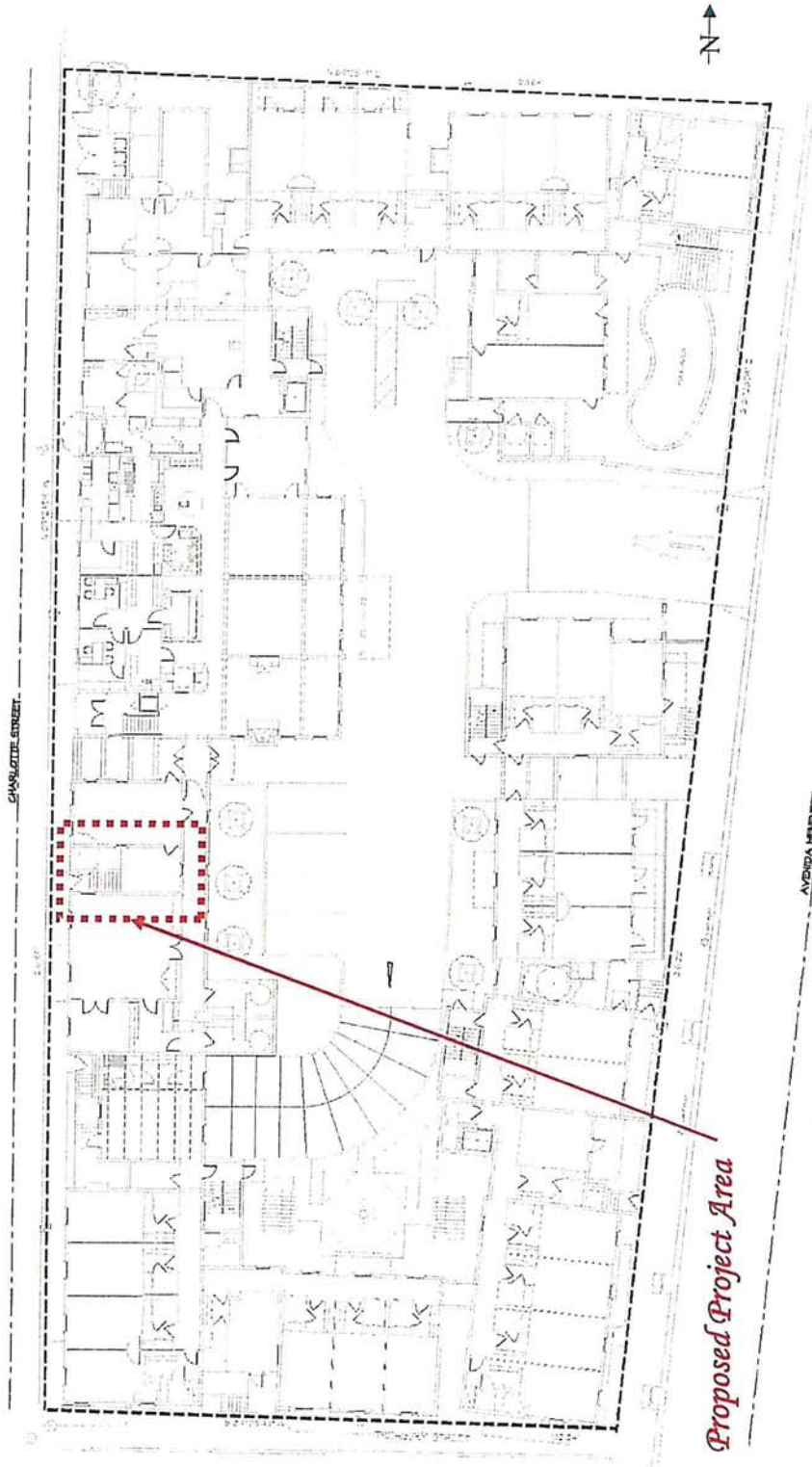


Proposed Project Area



Current Design Overall Plan

Historic Hilton Bayfront



8 City of St. Augustine | Historic Architecture Review Board Presentation

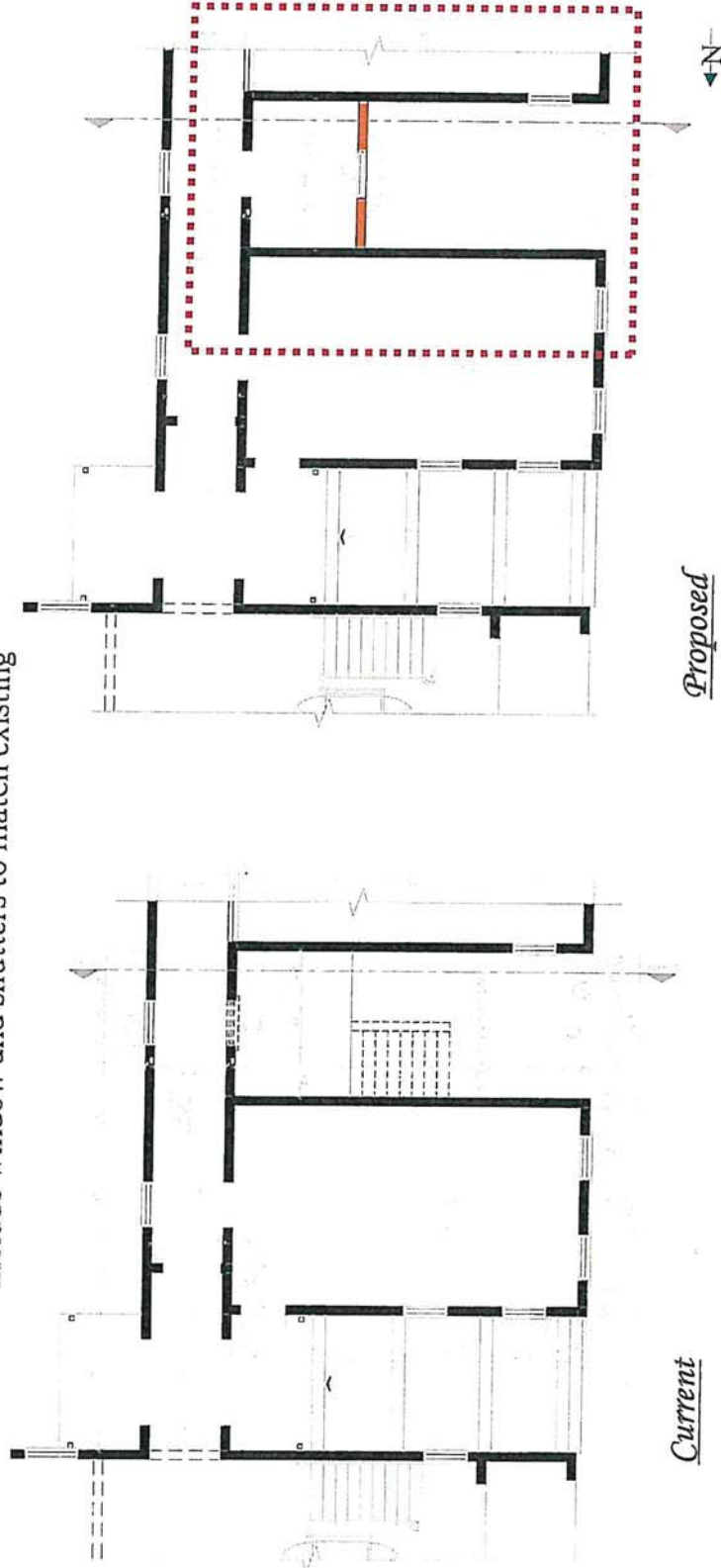


Proposed Design

Floor Plan Modifications:

- Add a block wall the stucco cement finish to match existing
- Include window and shutters to match existing

Historic Hilton Bayfront

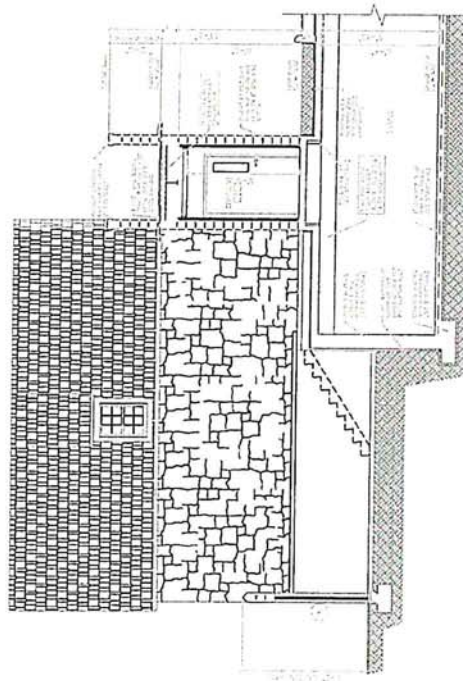


Proposed Design

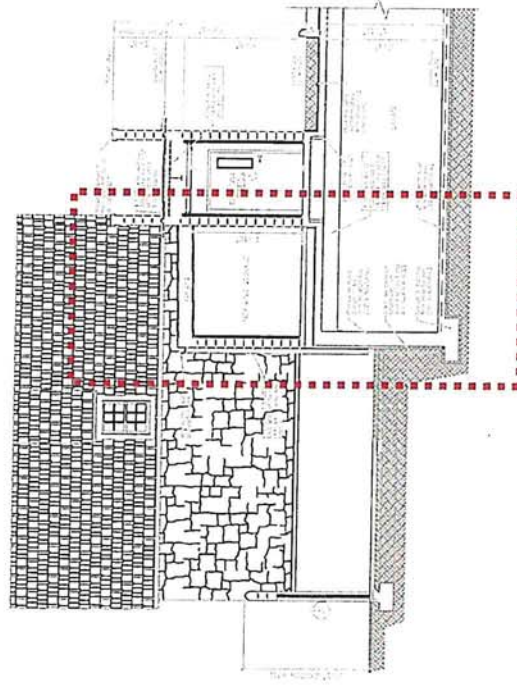
Section Modifications:

- The design incorporates a flat roof
- The new maids storage room will be accessed from the hotel interior

Historic Hilton Bayfront



Current



Proposed



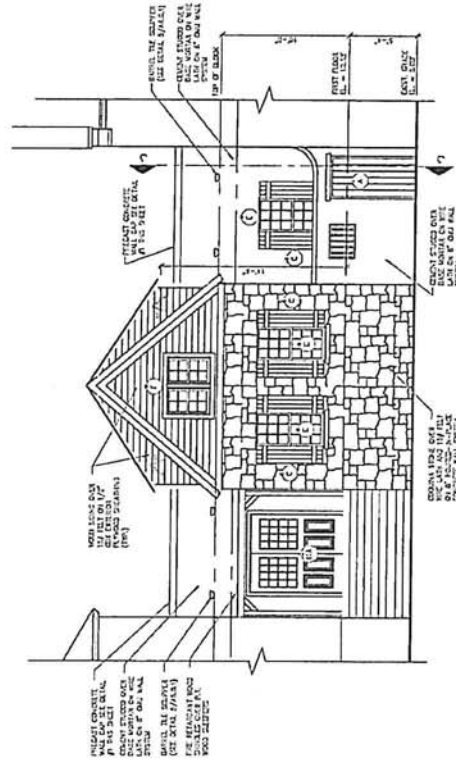
Proposed Design

Charlotte Street Elevation

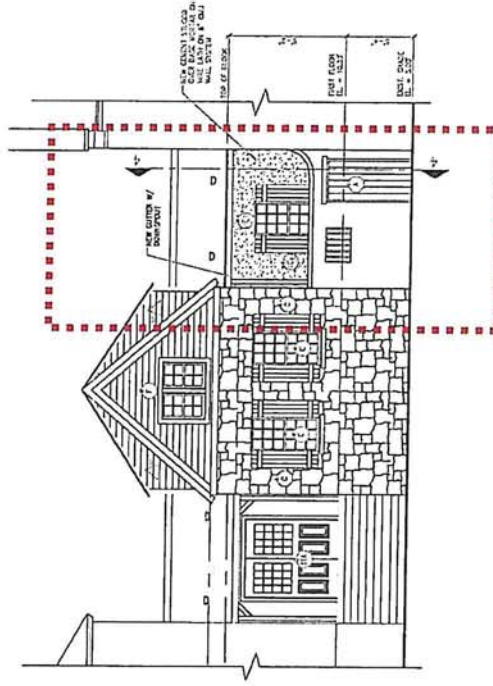
Historic Hilton Bayfront

Elevation Modifications:

- Add wall with cement stucco and flat roof to enclose the maid storage room. A window will be included to match the existing elevation



Current



Proposed



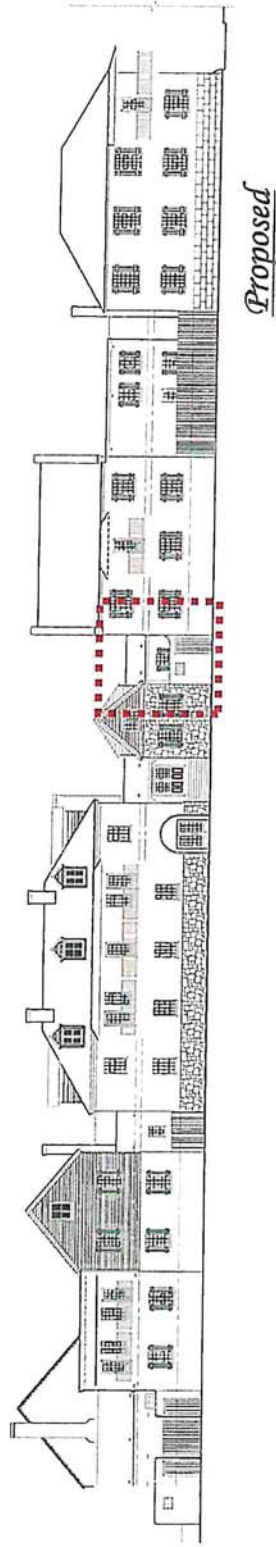
Proposed Design

Charlotte Street Elevation

Elevation Modifications:

- Minimal impact to the overall street elevation

Historic Hilton Bayfront



Proposed

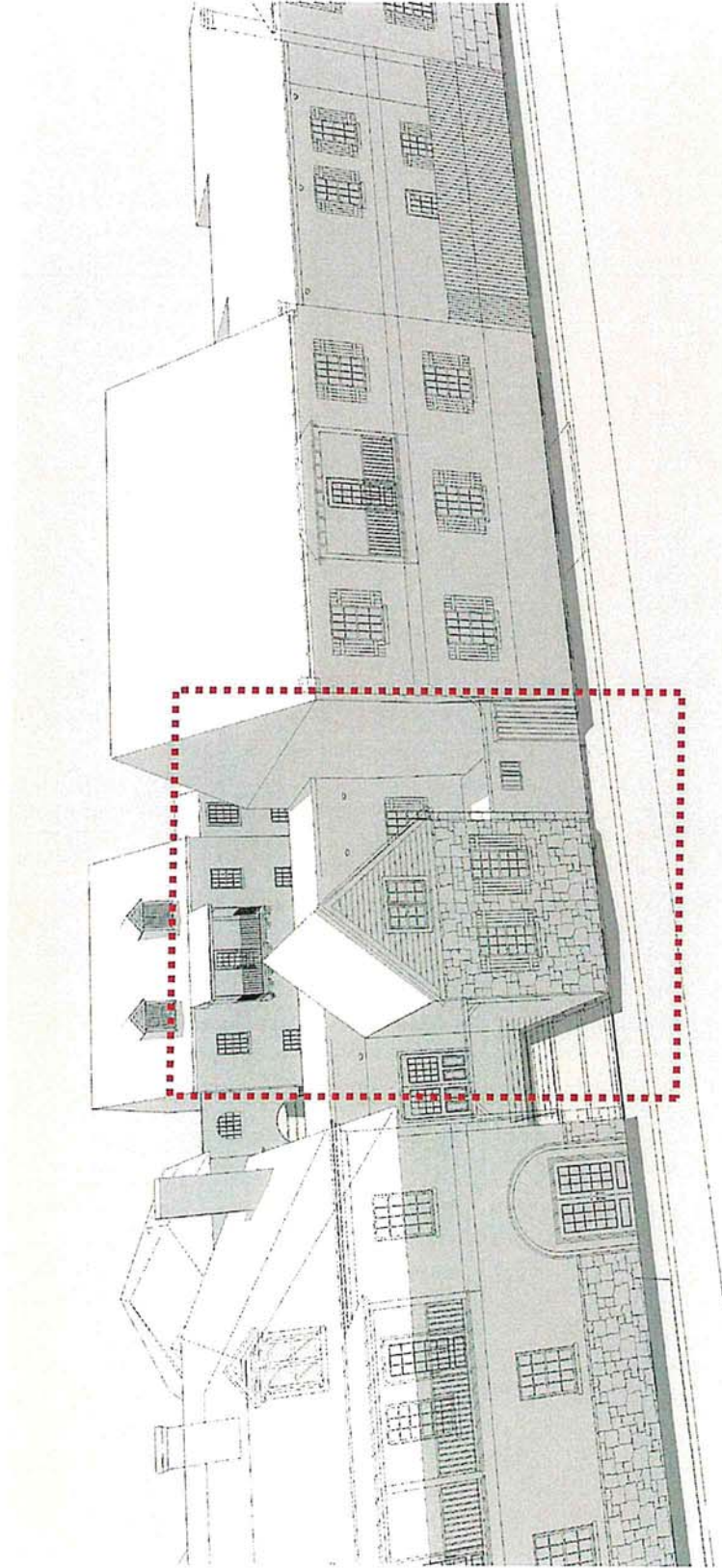


Current



Current Design Perspective view

Historic Hilton Bayfront

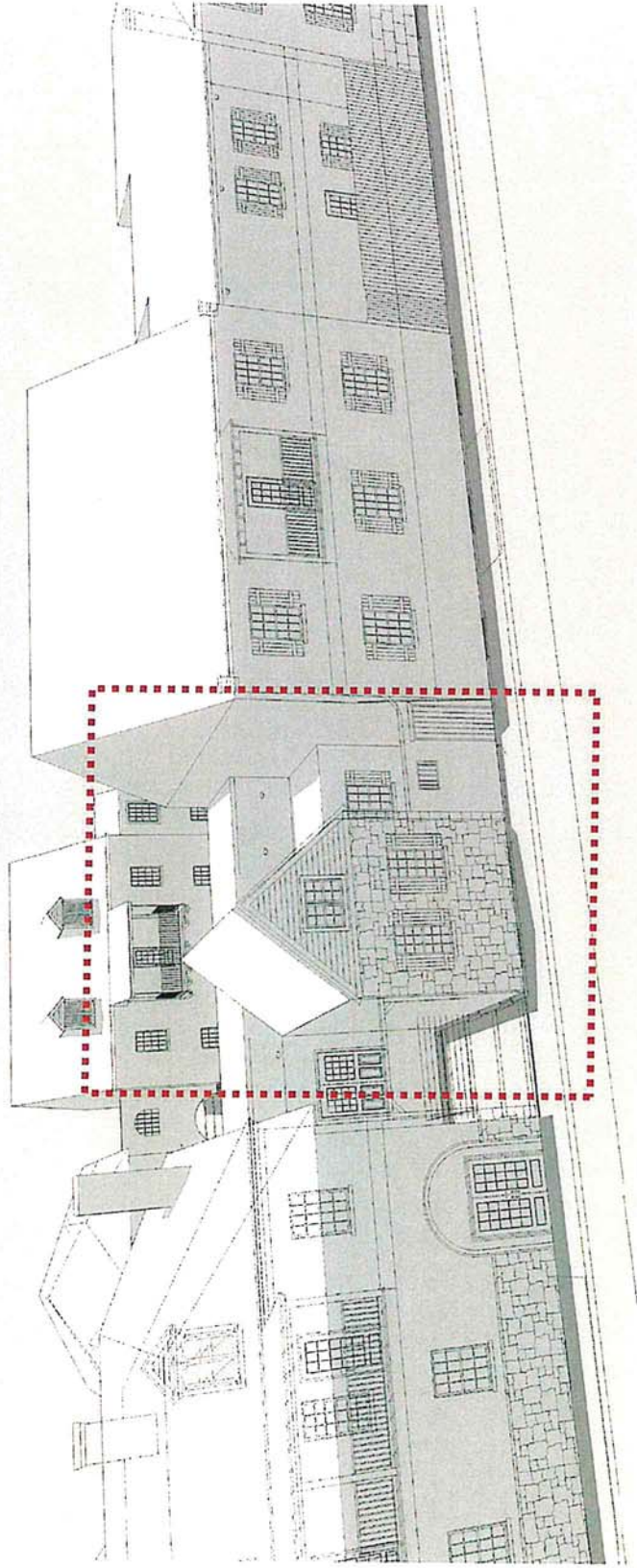




Historic Hilton Bayfront

Proposed Design

Perspective view



¹⁴ City of St. Augustine | Historic Architecture Review Board Presentation



Thank You

Historic Hilton Bayfront

Contact:
Robert Finnerty

Phone:
904.829.9277

Email:
rfinnerty@dixondg.com

Website:
<https://dixondg.com>

Address:
88 Riberia Street
St. Augustine, FL 32084

Attachment 4

ORDINANCE NO. 2009-02

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA ESTABLISHING THE HILTON BAYFRONT INN PLANNED UNIT DEVELOPMENT (PUD) PURSUANT TO SECTION 28-289 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR TERMS AND CONDITIONS OF THE PUD; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3194, Florida Statutes, requires that after a comprehensive plan, or element or portion thereof, has been adopted in conformity with this act, all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such plan or element shall be consistent with such plan or element as adopted; and

WHEREAS, the St. Augustine Comprehensive Plan provides for an Historic Preservation land use designation and associated use and density criteria for development within the designation; and

WHEREAS, Section 166.041, Florida Statutes, provides procedures for adoption of ordinances initiated by other than the municipality which change the actual zoning map designation of a parcel or parcels of land; and

WHEREAS, Section 28-289 of the Code of the City of St. Augustine provides procedures for the establishment of a Planned Unit Development (PUD); and

WHEREAS, on December 2, 2008, the City of St. Augustine Planning and Zoning Board reviewed a request to establish a planned unit development for property located at 32 Avenida Menendez and made recommendation to the City Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Establishment of Planned Unit Development. The Hilton Bayfront Inn Planned Unit Development (PUD) is hereby created for the property described in the PUD Application, with a submittal date of October 22, 2008, attached hereto and incorporated herein by reference.

Section 2. Terms and Conditions of the Planned Unit Development. The terms and conditions of the Hilton Bayfront Planned Unit Development shall be as provided in the PUD Application, with a submittal date of October 22, 2008, attached hereto and incorporated herein by reference.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. Effective Date. This ordinance shall become effective ten (10) days after passage, pursuant to Section 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this 9th day of FEBRUARY, 2009.

ATTEST:

Karen Rogers

Karen Rogers, CMC, City Clerk

(SEAL)



Joe Boles, Mayor-Commissioner

**HILTON BAYFRONT INN
(Seawall Motor Lodge, Inc.)**

Planned Unit Development Application

Submittal Date:

October 22, 2008

Request:

Rezone 48,239 gsf from Historic Preservation 3 (HP-3) to Planned Unit Development (PUD) to accommodate the enclosure of a 392-square foot area located within the interior of the existing 24,344 square foot hotel complex.

Applicant/Owner:

Sea Wall Motor Lodge, Inc./Kanti M. Patel
32 Avenedia Menendez
St. Augustine, FL 32084

Authorized Agent for the Applicant:

Dixon & Associates, LC
162 San Marco Avenue, Suite 104
St. Augustine, FL 32084

McClure Bloodworth, P.L.
81 King Street, Suite A
St. Augustine, FL 32084

Exhibits:

Exhibit A	Application
Exhibit B	Legal Description
Exhibit C	Development Plan Narrative
Exhibit D	Location Map/Aerial
Exhibit E	Proof of Ownership/Deed
Exhibit F	Authorizations
Exhibit G	Master Site Plan

Parcel Identification Number: 196320 0000

RECEIVED

OCT 27 2008

Planning / Building Dept.

CITY OF ST. AUGUSTINE

A3 - APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$400.00
 Receipt No. 18534-16

BDAC Project No. F2008-0139
 Meeting Date: 12-2-08

PLEASE PRINT OR TYPE

1. NAME OF APPLICANT: George M. McClure Daytime Telephone: 825-4343
 Business (if applicable): McClure Bloodworth, P.L.
 Address: 81 King Street, Ste. A City: St Augustine State: FL Zip: 32084
2. NAME OF PROPERTY OWNER: Sea Wall Motor Lodge, Inc. Daytime Telephone: _____
 Business (if applicable): _____
 Address: 32 Avenida Menendez City: St Augustine State: FL Zip: 32084
3. LEGAL DESCRIPTION OF PROJECT PROPERTY
 Lot: _____ Block: _____
 Subdivision: _____ Parcel Number: 196320-0000
4. PROJECT STREET ADDRESS: 32 Avenida Menendez
5. SPECIFIC PROPOSED USE: Hotel, with associated restaurant, meeting, recreational and support uses. Also, an enclosure of the outdoor seating area.
6. ACTION REQUESTED

☐ Exception	☐ Appeal of Staff Determination
☒ Rezoning	☐ Variance
☐ Land Use Plan Amendment	☐ Conservation Zone Development

☐ Other: _____
7. DESCRIPTION OF ACTION REQUESTED: Rezoning in accordance with the City of St. Augustine Zoning Code to allow for a change from Historic Preservation 3 to Planned Unit Development,
8. JUSTIFICATION FOR ACTION REQUESTED: Pursuant to City of St. Augustine Zoning Code Sect 28-289 governing PUD Applications.

RECEIVED

OCT 27 2008

Planning / Building Dept.

9. If applying for a variance, please complete the following:

- (a) Does the property have a disadvantage which is not common to other properties in the area?
Please explain fully. _____

- (b) Can you establish that this disadvantage is not due to the owner's actions? Please explain fully. _____

- (c) Can you establish that this disadvantage prevents reasonable use of the property? Please explain fully. _____

- (d) If granted, will the variance adversely affect other property in the area? Please explain fully. _____

- (e) If granted, can you establish that the variance will be in harmony with the intent and purpose of the code?
Please explain fully. _____

10. PREVIOUS APPLICATIONS

Has any application been submitted to the Planning and Zoning Board concerning any part of the subject property within the past year?
☒ Yes ☐ No If yes, give date and final disposition below.

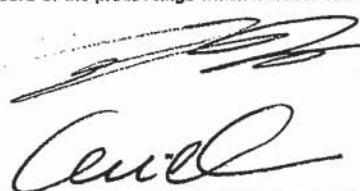
HARB Application filed July 10, 2008 and approved on September 11, 2008

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 266.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbalim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

12. 
Signature of Applicant

10/20/08
Date

13. 
Signature of Property Owner

10/20/08
Date

Exhibit "B"

Legal Description

All of Lot 3 of Block 3, according to the official map of the City of St. Augustine, saving and excepting therefrom a strip or parcel of land along the north line of said Lot 3, Block 3, City of St. Augustine, Florida, 9 feet in width extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south line of Lot 2, Block 3, City of St. Augustine, Florida. The above mentioned Lot 2, Block 3, being the property now or formerly of Hattie R. Butler; together with enough property at the Charlotte Street and Bay Street ends lying south of the south line of the above described strip or parcel of land to provide an eight (8) foot turning radius measured from the west curb line on Bay Street and the east curb line on Charlotte to the south line of the above described property to permit vehicles to turn from said Bay Street and Charlotte Street into the above described strip or parcel of land.

ALSO: All of Lots 4 and 5 of said Block 3; and all of Block 4, according to the official map of the City of St. Augustine, Florida.

ALSO: That certain strip or parcel of land formerly known as Baya Lane, extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south property line of Block or Square No. 3, and on the south by the north property line of Block or Square No. 4, City of St. Augustine, Florida, as shown on the official plat of the City of St. Augustine, Florida, dated June 12, 1923, subject to that certain right of way or easement in favor of the City of St. Augustine, Florida, for maintaining, repairing, inspecting and/or removing storm sewer and water pipes under said Baya Lane.

Together with the South 4 ½ feet of the North 9 feet of Lot 3, Block 3, according to the official map of the City of St. Augustine, Florida.

Exhibit "C"

DEVELOPMENT PLAN NARRATIVE

**HILTON BAYFRONT INN
PLANNED UNIT DEVELOPMENT
(10/22/08)**

SECTION I- INTRODUCTION AND REQUEST

This is an attachment to an application for a Planned Unit Development (PUD) with accompanying documents as required by the City of St. Augustine Zoning Code ("Zoning Code"). This petition is filed on behalf of the Applicant, Kanti M. Patel and Kalavati K. Patel, his wife. The Applicant is requesting a Rezoning in accordance with the City of St. Augustine Zoning Code to allow for a change from Historic Preservation 3 (HP-3) to Planned Unit Development (PUD).

The parcel is presently the site of the Hilton Bayfront Inn, which was renovated in 2005 with a 24,344 square foot, 47-unit hotel, contained within 22 buildings. The objective of the PUD is to allow for the enclosure of an additional 392 square foot dining area, which is currently used as an outdoor seating area.

A. Location/Surrounding Areas: The property sought to be rezoned consists of approximately 48,239 gsf, more particularly described in the Warranty Deeds attached as Exhibit E (the "Property"). The property is located at the corner of Treasury Street between Avenida Menendez and Charlotte Street. The property is generally rectangular in shape. There is an array of retail and commercial uses located to the north, south and west of the Property, with Avenida Menendez and the Matanzas River to its east.

B. Ownership/Agreement: The Property is owned by Kanti and Kalavati Patel and Sea Wall Motor Lodge, Inc., as shown by the Proof of Ownership (deed) which is attached as Exhibit E, who has authorized Dixon & Associates, LC and McClure Bloodworth, P.L. to represent it. Authorizations are attached as Exhibit F.

Applicant hereby agrees and stipulates to proceed with the proposed development in accordance with PUD Ordinance as adopted by the City of St. Augustine City Commission without authorization of the PZB and City Commission. The Applicant also agrees to comply with all conditions and safeguards established by the Planning & Building Department and the Planning & Zoning Board (PZB), Historic Architectural Review Board (HARB) and the City of St. Augustine City Commission.

SECTION II- APPLICATION

A. Permitted Uses: The sole allowable uses will be a hotel, with associated restaurant, meeting, recreational and support uses. The proposed enclosure of the outdoor seating area will be constructed in an orderly manner.

This PUD shall not release the Applicant, its successors and assigns, or their obligations to comply with all Federal, State and local applicable laws and does not otherwise limit nor expand the authority of the City of St. Augustine to enforce such laws nor limit nor expand defenses available to the property owner.

Uses by exception shall be provided for and any changes to the uses described herein by an amendment to the PUD.

B. Development Standards for NEW Structures within the PUD: The attached Site Plan depicts the appropriate site, plan and layout of the proposed enclosure. No material departure from the Site Plan is permitted without authorization of the PZB. In addition, the following specific criteria shall apply.

1. **Maximum lot coverage:** Fifty-two percent (52%)
2. **Maximum building height:** Maximum thirty-five (35) feet.
3. **Parking:** Parking spaces are provided in conformance with the City of St. Augustine Zoning Code and constructed in accordance with all City requirements and receipt of appropriate permits.
4. **Signage:** Size and construction of all signs within the property are in conformance with the City Sign Ordinance requirements. These signs conform to the City of St. Augustine Sign Ordinance requirements, may be incorporated into a wall and may be lighted (lights are not directed towards traffic) and do not obstruct visibility.
5. **Stormwater:** Stormwater is retained on site within the retention areas. The drainage structures and facilities have been designed and constructed in compliance with the regulations of the City of St. Augustine and conform with the permit requirements established by the St. Johns River Water Management District.
6. **Access:** Vehicular and pedestrian access to the property is provided only from Avenida Menendez.
7. **Fencing:** All existing fencing on the Property is either masonry (fronting Avenida Menendez) or wooden (along Charlotte Street). No additional fencing is proposed or required as a result of the proposed enclosure.

8. Utilities: All electrical and telephone lines are installed underground on the site. Electrical power is provided by Florida Power and Light Company or other franchised utility provider. Security lighting is provided as needed.

9. Potable Water: Potable water is provided by the City of St. Augustine.

10. Fire Protection/Assessment: Fire protection is afforded by fire hydrants in accordance with City standards. Applicant will comply with the non-ad valorem assessment for fire services adopted by the City through Ordinance Number 97-25 and Resolution Number 97-04. This will include the re-adoption or continuance on an annual basis of such assessment, by Resolution of the City Commission.

11. Sanitary Sewer: The development is served by central sewer collection from the City of St. Augustine. All extensions and connections are in accordance with City requirements and all proposed construction shall conform to current permit standards.

12. Sidewalks: Sidewalks are in place along Avenida Menendez and Charlotte Street. There is no opportunity for sidewalks along Treasury Street or on the north side of the existing Hotel.

13. Design: The design of the existing Hotel and proposed 392-square foot enclosure have been reviewed by the Historic Architectural Review Board ("HARB") to assure that the Hotel reflects a high standard of construction and consistent with modern construction methods and materials and the site constraints. HARB granted its approval for the existing Hotel in 2005 and approved the proposed 392-square foot enclosure on September 11, 2008.

SECTION III - MAINTENANCE

This Planned Unit Development will be owned and operated by the Applicant and/or its assigns. The Applicant, its successors and/or assigns shall be responsible for all improvements made to the site and shall maintain the site in a clean and orderly manner in accordance with all provisions of this PUD and conditions included with the adopting ordinance. All facilities are to remain private and will not be dedicated to the City of St. Augustine. The Applicant reserves the right to transfer the ownership of the PUD or portion thereof to multiple entities, providing maintenance agreement(s) between any property owner or owners has been established, which would provide for all maintenance and other requirements as stipulated herein.

SECTION IV-SUMMARY AND CONCLUSIONS

Approval of this Planned Unit Development, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, is justified in that:

1. The project will not adversely affect the orderly development of the City of St. Augustine as embodied by the City Zoning Ordinance and the respective Comprehensive Plan of the City, as the proposal is in conformance with the Plan and its goals and objectives, and the use, as included in the Narrative, is compatible with the surrounding

zoning. The project allows control over the size and intensity over development and assurance of compatibility with surrounding residential uses.

2. The project will not adversely affect the orderly development of the City of St. Augustine and will not adversely affect the health, safety and welfare of the residents or visitors to the area, will not be detrimental to the natural environment or the development of adjacent properties or the neighborhood as a result of the conditions and safeguards included in the application.

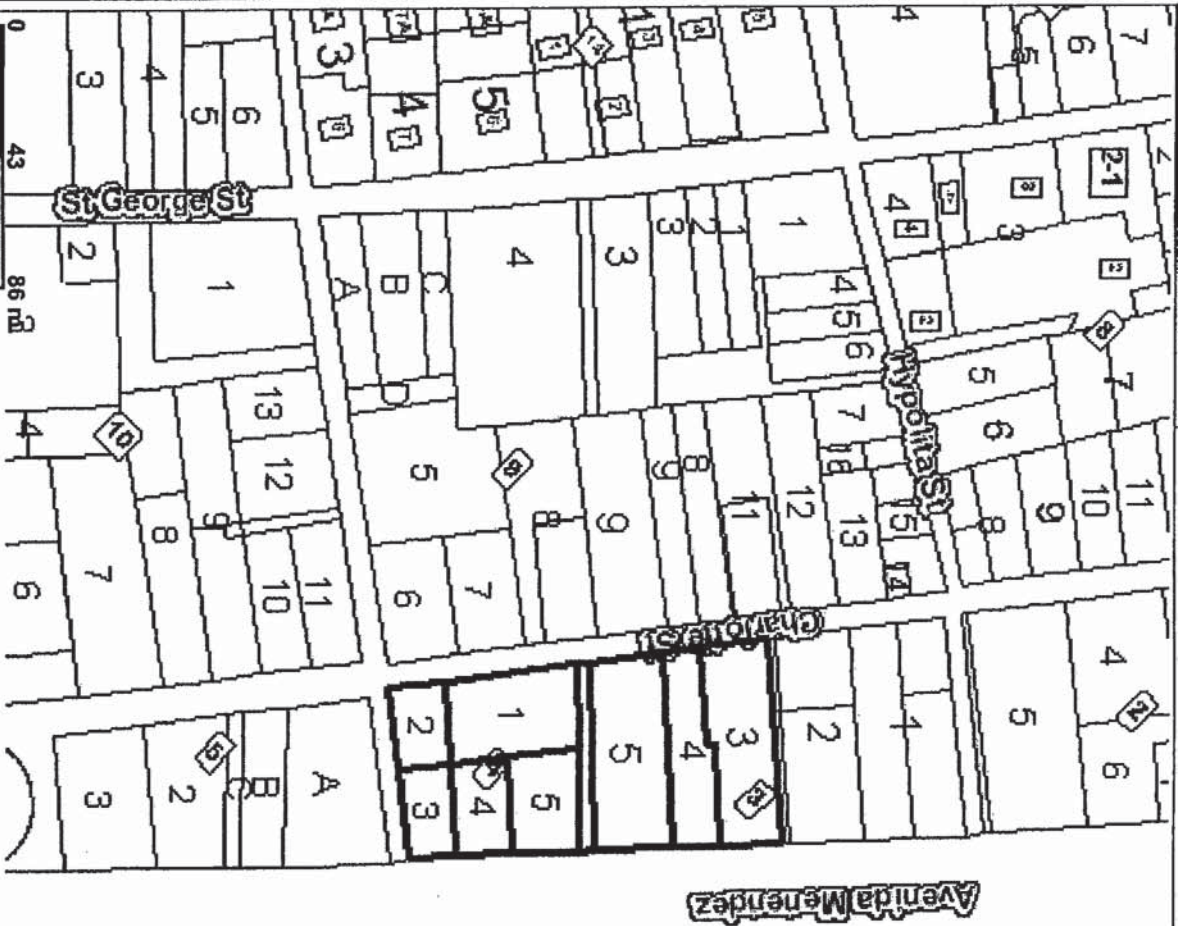
3. The project will accomplish the objective, standards and criteria set forth within the Zoning Ordinance and provides for strict regulation and maintenance of the project to provide the City with the assurance of an attractive and beneficial asset.

4. When developed in accordance with the conditions stipulated in the PUD application and imposed by this Ordinance, the proposed PUD will be consistent with the development of the property in the area and will be compatible with the desired future development of the area.

THEREFORE, This Planned Unit Development request meets all of the above listed City requirements, including the Comprehensive Plan requirements, does not conflict with any of the elements of the Plan and is consistent with the City Plan.



32 Avenida Menendez



Map center: 29° 53' 39.3" N, 81° 18' 41.1" W

Notes: PIN 196320 0000

The information provided on this map was derived from data that was compiled by the St. Johns County Property Appraiser's Office solely for the governmental purpose of property assessment. This information is not a survey and should not be relied upon by anyone for a determination of property ownership. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. www.sjcpa.us



Scale: 1:2,447

Legend

-  Parcels
-  Rights of Way
-  Water Bodies
-  Condominiums
-  Subdivision Boundaries
-  Section-Township-Range
-  Railroad
-  Major Road
-  Centerlines
-  Minor Road
-  Centerlines

WARRANTY DEED

THIS INDENTURE, Made this 8th day of August, 1960

between WILLIAM W. FAW joined by his wife, LUBA FAW, of the County of St. Johns and State of Florida, parties of the first part, and SEA-WALL MOTOR LODGE, INC., a corporation organized and existing under the Laws of the State of Florida, having its principal place of business in St. Johns County, Florida and its mailing address at 32 Bay Street, St. Augustine, Florida, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of \$10.00, and other good and valuable considerations, to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and transferred, and by these presents do grant, bargain, sell and transfer unto the said party of the second part all those certain parcels of land lying and being in the County of St. Johns and State of Florida, more particularly described as follows:

All of Lot 3 of Block 3, according to the official map of the City of St. Augustine, saving and excepting therefrom a strip or parcel of land along the north line of said Lot 3, Block 3, City of St. Augustine, Florida, 9 feet in width extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south line of Lot 2, Block 3, City of St. Augustine, Florida. The above mentioned Lot 2, Block 3, being the property now or formerly of Hattie R. Butler; together with enough property at the Charlotte Street and Bay Street ends lying south of the south line of the above described strip or parcel of land to provide an eight (8) foot turning radius measured from the west curb line on Bay Street and the east curb line on Charlotte to the south line of the above described property to permit vehicles to turn from said Bay Street and Charlotte Street into the above described strip or parcel of land.



JFF
REC

4 PAGE 282

ALSO: All of Lots 4 and 5 of said Block 3; and all of Block 4, according to the official map of the City of St. Augustine, Florida.

ALSO: That certain strip or parcel of land formerly known as Baya Lane, extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south property line of Block or Square No. 3, and on the south by the north property line of Block or Square No. 4, City of St. Augustine, Florida, as shown on the official plat of the City of St. Augustine, Florida, dated June 12, 1923, subject to that certain right of way or easement in favor of the City of St. Augustine, Florida, for maintaining, repairing, inspecting and/or removing storm sewer and water pipes under said Baya Lane.

TOGETHER with all fixtures, furnishings, furniture, utensils, tools, equipment and all other personal property used or useful in connection with operation of hotel and motel situate on the above described land.

SUBJECT to mortgage of record.

TOGETHER with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement there-to belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the said parties of the first part do covenant with the said party of the second part that they are lawfully seized of the said premises, that they are free from all incumbrances except

as above stated; and that they have good right and lawful authority to sell the same; and the said parties of the first part do hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

William W. Faw (SEAL)

Luba Faw (SEAL)

Signed, sealed and delivered in the presence of:

Sue W. Lapey

Mary B. Lapey
As to William W. Faw

Luba Faw
As to Luba Faw

STATE OF FLORIDA
ST. JOHNS COUNTY:

I HEREBY CERTIFY that on this day before me, the undersigned officer, personally appeared WILLIAM W. FAW to me well known and known to me to be one of the persons described in and who executed the foregoing instrument; and he acknowledged that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal this 8th day of August, 1960.



Mary B. Lapey
Notary Public of the State of Florida
at Large

My commission expires September 12, 1961

STATE OF TENNESSEE
COUNTY OF WASHINGTON

I HEREBY CERTIFY that on this day before me, the undersigned

officer, personally appeared LUBA FAW, to me well known and known to me to be the wife of the said WILLIAM W. FAW and one of the persons described in and who executed the foregoing instrument; and she acknowledged to and before me separate and apart from her said husband that she executed the foregoing instrument freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.



WITNESS my hand and official seal this 6TH day of MARCH, 1961.

Notary Public, State of TENNESSEE

My commission expires APRIL 20TH, 1964

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLA.

MAR 11 11 34 AM '61

Olive L. [Signature]
CLERK CIRCUIT COURT
SEA-CLK

OFF
REC

4 PAGE 285

Lamar Wadsworth—Form 100—Rev.

91295

THIS MORTGAGE DEED, Executed the 7th day of March A. D., 1961,
by RAY S. ETTTEL, joined by his wife, DOROTHY V. ETTTEL,hereinafter called the Mortgagors, which term shall include the heirs, legal representatives, successors and assigns
of the said Mortgagor wherever the context so requires or admits,
to MOI M. MONROE, SR., of Waycross, Georgiahereinafter called the Mortgagee, which term shall include the heirs, legal representatives, successors and assigns
of the said Mortgagee wherever the context so requires or admits.WITNESSES: That for divers good and valuable considerations, and also in consideration of the aggregate
sum named in the promissory note... of even date herewith hereinafter described, the said Mortgagor S, do
hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee his
heirs, successors and assigns, all the certain piece..., parcel... or tract... of land, of which the said Mortgagor s
are... now seized and possessed and in actual possession, situate in the County of St. Johns
and State of Florida, described as follows:Lots 3 to 8 inclusive, and Lots 13 to 18 inclusive, of Block 21,
Jackson Park Subdivision, according to plat thereof recorded in
Plat Book 3, page 51 of the public records of St. Johns County,
Florida, (said property adjoins the Casper Alligator Farm
on the South and was formerly known as Snug Harbor Motel).Received \$ 30.00 in payment of taxes due on class
"C" Intangible Personal Property pursuant to Chapter 20724,
Laws of Florida, Acts of 1941.R. D. Hooper

Tax Collector, St. Johns County, Florida

TO HAVE AND TO HOLD the same, together with all and singular the tenements, hereditaments and ap-
purtenances therunto belonging or in anywise appertaining and the reversion and reversions, remainder and re-
mainders, rents, issues and profits thereof and also all the estate, right, title, interest, property, possession, claim
and demand whatsoever as well in law as in equity of the said Mortgagor s in and to the same and every part
and parcel thereof unto the said Mortgagee, and his heirs, successors and assigns, in fee simple.And said Mortgagor s, for themselves and their heirs, legal representatives, successors and
assigns, hereby covenant with said Mortgagee, his heirs, legal representatives, successors and assigns,
that said Mortgagor s are indefeasibly seized of said land in fee simple; that the said Mortgagor s
have full power and lawful right to convey the same in fee simple as aforesaid; that it shall be lawful for
said Mortgagee, his heirs, legal representatives, successors and assigns, at all times peaceably and
quietly to enter upon, hold, occupy and enjoy said land and every part thereof; that said land is free from all
incumbrances; that said Mortgagor s, their heirs, legal representatives, successors and assigns, will make
such further assurances to perfect the fee simple title to said land in said Mortgagee, his heirs, legal
representatives, successors and assigns, as may reasonably be required; and that said Mortgagor s do hereby
fully warrant the title to said land and every part thereof and will defend the same against the lawful claims
of all persons whomsoever.PROVIDED ALWAYS, That if said Mortgagor s shall pay unto the said Mortgagee the certain promiss-
ory note, of which the following in words and figures is a true copy, to-wit:

This Indenture.

Whereas used herein, the term "party" shall include the heirs, personal representatives, successors and assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of said gender shall include all genders; and, if used, the term "male" shall include all the males herein described if more than one.

Made this 5th day of March A. D. 19 62

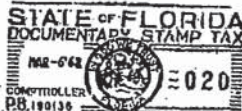
Between WILLIAM W. FAW joined by his wife, LUBA A. FAW

of the County of Washington and State of Tennessee
party of the first part, and SEA-WALL MOTOR LODGE, INC., a corporation exist-
ing under the Laws of the State of Florida, with its principal place
of business in St. Johns County, Florida and its mailing address at:
32 Bay Street, St. Augustine, Florida
~~of the County of~~ ~~and State of~~
party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of \$10.00 and other good and valuable considerations Dollars, to him in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred, and by these presents does grant, bargain, sell and transfer unto the said party of the second part all that certain parcel of land lying and being in the County of St. Johns, and State of Florida, more particularly described as follows:

The South 4½ feet of the North 9 feet of Lot 3, Block 3,
according to the official map of the City of St. Augustine, Flo-
rida.

ST. JOHNS
COUNTY



Together with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining:

To Have and to Hold the same in fee simple forever.

And the said party of the first part does covenant with the said party of the second part that he is lawfully seized of the said premises, that they are free from all incumbrances and that he has good right and lawful authority to sell the same; and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has herunto set his hand and seal the day and year above written.

Signed, Sealed and Delivered in Our Presence:

W. Kathryn A. Koch
W. Peggy Phillips

William W. Faw
Luba A. Faw



Exhibit "F"
Authorizations

OWNER'S AUTHORIZATION FOR AGENT

DIXON & ASSOCIATES, LC is hereby authorized TO ACT ON BEHALF of SEA WALL MOTOR LODGE, INC., the owner of those lands described within the attached application and as described in the attached deed, for an application related to a Planned Unit Development Application

BY: _____

Kanti M. Patel

ITS: President

STATE OF FLORIDA

COUNTY OF St Johns

Sworn to and subscribed before me this the 20th of October, 2008, by Kanti M. Patel as the President of Sea Wall Motor Lodge, Inc., who is personally known to me or who has produced identification and who has taken an oath.

Patricia M. Greene
Notary Public, State of Florida
Name: _____

My Commission Expires _____
My Commission Number is: _____



OWNER'S AUTHORIZATION FOR AGENT

MCCLURE BLOODWORTH, PL is hereby authorized TO ACT ON BEHALF of
SEA WALL MOTOR LODGE, INC., the owner of those lands described within the
attached application and as described in the attached deed, for an application
related to a Planned Unit Development Application

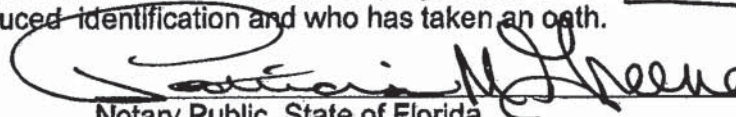
BY: 
Kanti M. Patel

ITS: President

STATE OF FLORIDA

COUNTY OF St. Johns

Sworn to and subscribed before me this the 20th of October, 2008, by
Kanti M. Patel as the President of Sea Wall Motor Lodge, Inc., who is personally known
to me or who has produced identification and who has taken an oath.



Notary Public, State of Florida
Name: _____

My Commission Expires _____
My Commission Number is: _____



FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS

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No Events

No Name History

Detail by Entity Name

Florida Profit Corporation

SEA-WALL MOTOR LODGE INC

Filing Information

Document Number 228446

FEI Number 590881447

Date Filed 09/28/1959

State FL

Status ACTIVE

Principal Address

32 AVENIDA MENENDEZ
SAINT AUGUSTINE FL 32084

Changed 04/03/2000

Mailing Address

32 AVENIDA MENENDEZ
SAINT AUGUSTINE FL 32084

Changed 04/27/2005

Registered Agent Name & Address

BRYAN, LINDA
97 ORANGE ST.
ST AUGUSTINE FL 32084

Name Changed: 03/05/1999

Address Changed: 03/05/1999

Officer/Director Detail

Name & Address

Title PD

PATEL, KANTI
32 AVEBIDA MENENDEZ
ST AUGUSTINE FL 32084

Title VPSD

PATEL, KALA
32 AVENIDA MENENDEZ
ST. AUGUSTINE FL 32084

Annual Reports

Report Year Filed Date

2006	04/10/2006
2007	04/30/2007
2008	04/07/2008

Document Images

04/07/2008 -- ANNUAL REPORT	View image in PDF format
04/30/2007 -- ANNUAL REPORT	View image in PDF format
04/10/2006 -- ANNUAL REPORT	View image in PDF format
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03/05/1999 -- ANNUAL REPORT	View image in PDF format
07/08/1998 -- DEBIT MEMO	View image in PDF format
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Note: This is not official record. See documents if question or conflict.

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Exhibit "G"
Master Site Plan





1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES OF THE STATE OF CALIFORNIA AND THE CITY OF LOS ANGELES.
2. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE CITY ENGINEER.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
6. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DISPOSAL OF ALL DEBRIS AND WASTE MATERIALS.
8. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SAFETY MEASURES AND BARRIERS AT ALL TIMES.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL TREES AND LANDSCAPE FEATURES.
10. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF ALL WORK DONE AND MATERIALS USED.

Hilton Garden Inn
Historic
Monterey Bayfront
Resort
St. Augustine, Florida

General Notes: See also
Monterey Bayfront Resort
22 Avenida de la Playa, Suite 200
St. Augustine, FL 32084
DRAWING

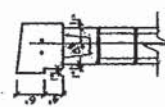
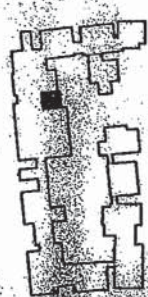
NO.	DESCRIPTION	DATE
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2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	
6	REVISION	
7	REVISION	
8	REVISION	
9	REVISION	
10	REVISION	

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10/27/2008
2	REVISION	
3	REVISION	
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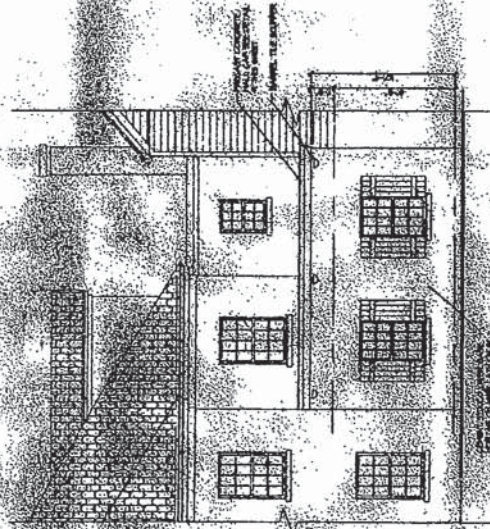
A-2

RECEIVED
OCT 27 2008
Planning / Building Dept.

KEY PLAN



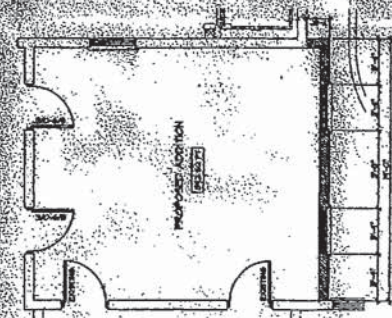
CAST IN PLACE OR
PRECAST WALL CAP
DETAIL



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

WALL LEGEND

SYMBOL	DESCRIPTION
---	EXISTING WALL
---	NEW WALL
---	REPAIR WALL



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

The St. Augustine Record

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **ROBIN JOYNER**

who on oath says that 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 PROPOSED ORD**

In/the matter of **ORDINANCE #2009-02 HILTON BAYFRONT PUD**

L255-9 was published in said newspaper **JANUARY 27, 2009**

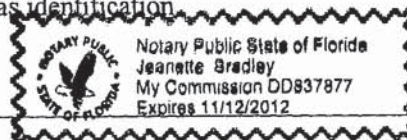
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 27th day of JAN 2009

by Robin Joyner who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Jeanette Bradley

(Signature of Notary Public)
JEANETTE BRADLEY



(Seal)

COPY OF ADVERTISEMENT



NOTICE OF PROPOSED ENACTMENT OF ORDINANCE 2009-02 BY THE CITY OF ST. AUGUSTINE, FLORIDA.

NOTICE IS HEREBY GIVEN OF A PUBLIC HEARING TO BE HELD BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE CONCERNING THE SECOND READING OF ORDINANCE 2009-02 THE PUBLIC HEARING WILL BE HELD ON MONDAY, FEBRUARY 09, 2009, BEGINNING AT 5:00 P.M., IN THE ALCAZAR ROOM, 1ST FLOOR, WEST WING, CITY HALL, 75 KING STREET, ST. AUGUSTINE. PUBLIC COMMENTS ARE INVITED ON THE FOLLOWING MATTER:

ORDINANCE NO. 2009-02
AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA ESTABLISHING THE HILTON BAYFRONT INN PLANNED UNIT DEVELOPMENT (PUD) PURSUANT TO SECTION 28-289 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR TERMS AND CONDITIONS OF THE PUD; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Related documents may be inspected by the public at the office of the City Clerk, City Hall, Lobby B, second floor, 75 King Street, St. Augustine, FL 32084, during the hours of 8:00 A.M. and 5:00 P.M. except weekends and holidays.

All interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on notice. Telephone: Karen Rogers, CMC, City Clerk (904)825-1007; or 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

Karen Rogers, CMC
City Clerk
L255-9 Jan 27, 2009

RECEIVED

FEB 02 2009

RECEIVED

FEB 02 2009

PURCHASING DIV.

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 7, 2020

RE: **REZONING / FUTURE LAND USE MAP AMENDMENT – 2020-0039**

AGENDA ITEM 9(a)

APPLICANT Ross Galbraith – Applicant
c/o KPM Franklin

OWNER Phyllis Fitzpatrick
c/o, ABC Liquors Inc

LOCATION 1830 A1A S / PIN 166430-0050

REQUEST A request to amend the Future land Use Map (FLUM) designation from St. Johns County Commercial Land Use to Commercial Medium Intensity in conjunction with an annexation from St. Johns County. A request to rezone the parcel from St. Johns County Commercial, General (CG) zoning to Commercial Medium-one (CM-1) zoning in conjunction with an annexation from St. Johns County.

APPLICABLE CODES/ORDINANCES FOR REZONING

Sec. 28-30. - Comprehensive plan amendments, rezonings 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.

STAFF ANALYSIS & SUMMARY

Staff does not make a recommendation on rezoning applications, however all information provided will be submitted to the Board and analyzed by staff with a comparative analysis of the existing and proposed zoning districts and future land use designations. This information provided below is meant as an aid in reviewing the existing, allowed uses and the proposed uses allowed under the requested zoning district.

The applicant is requesting to amend the future land use map designation from Commercial Land Use (St. Johns County) to Commercial Medium Intensity (attachment 2) that the property be rezoned from St. Johns County Commercial, General Zoning (attachment 3) to Commercial Medium-two (CM-2) zoning (attachment 4). The City Commission has approved a pre-annexation agreement and a petition for voluntary annexation for the property. The applicant suggests that the proposed changes would be consistent with the zoning and future land use map designations in the immediate area. The applicant states their intention is to create a car wash at this location and have provided a conceptual site plan (attachment 5). The use of auto laundry is only one of many uses allowed with the requested zoning and future land use category, however it was listed as the intended use in the pre annexation agreement.

The subject property is 0.89 acres in total.

Adjacent Zoning Districts

<u>Subject Property</u>	<u>Current Zoning - CG</u>	<u>Proposed – CM-2</u>
North	Commercial Medium, Two – CM-2, Residential General – Office (RGO), Open Land (OL)	n/a
South	Commercial Medium, Two – CM-2 / Open Lands - OL	n/a
East	San Sebastian River (OL)	Open Land (OL) east of most restrictive jurisdictional line
West	Commercial Medium, Two – CM-2	n/a

Subject Parcel & Adjacent Future Land Use Designations

<u>Subject Property</u>	<u>Current FLU</u>	<u>Proposed</u>
	Commercial (SJC)	Commercial Medium Intensity
North	Commercial (SJC)	
South	Commercial (SJC)	
East	Commercial (SJC)	
West	Commercial Medium Intensity	

Surrounding Uses

Subject Property	
North	Commercial/Retail
South	Fast Food Restaurant
East	Retail
West	Mini Warehouse Storage

Allowed Uses Comparison

USE	<u>CG (St. Johns County)*</u>	<u>CM-2*</u>
Carwash/Auto-Laundry	Special Use	Yes, by right
Multiple-Family Dwelling	Accessory	Yes
Shopping/Retail	Yes	Yes
Restaurant	Yes	Yes
Retail/Commercial	Yes	Yes
Offices	Yes	Yes
Alcohol sales for on- site consumption	Special Use	Yes
Hotels/Motels	Not allowed	Yes
Medical/Professional Office	Yes	Yes
Intermediate care Facilities	Yes	Yes

* - A complete list of uses is provided in attachment 6

Density Comparison Table

Residential Density	<u>PUD / Res. Med. Density/ Mixed Use</u>	<u>CM-2/ Commercial medium Intensity</u>
Single Family	Accessory only	8 units per/acre
Multiple -Family	Accessory only	16 units/acre

Maximum Building Height

	<u>CG</u>	<u>CM-2</u>
Height	40'	35'

STAFF RECOMMENDATION

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

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

The PZB should make a motion to designate the land use of the property at 1830 A1A S / PIN 166430-0050. The applicant requests Commercial Medium Intensity.

The PZB should make a motion to rezone the property at 1830 A1A S / PIN 166430-0050. The applicant requests rezoning from PUD to CM-2.

ATTACHMENTS

- Attachment 1 – Application & Property Record Card
- Attachment 2 – Current and Proposed Future Land Use Classifications
- Attachment 3 – Commercial General, St. Johns County zoning
- Attachment 4 - Commercial Medium-two (CM-2) zoning
- Attachment 5 – Conceptual Site Plan
- Attachment 6 – Allowed uses for CG & CM-2 Zoning

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

Attachment 1

Application & Property Record Card



CITY OF ST AUGUSTINE

APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED

By Patrick Doty at 12:52 pm, Apr 17, 2020

Application Fee: _____ (plus advertising costs) Project Number: _____

Receipt Number: _____ Meeting Date: _____

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

1. NAME OF APPLICANT: Ross Galbraith Contact Number: 407.994.4451

Business (if applicable): KPMFranklin

Address: 6300 Hazeltine National Dr #118 City: Orlando State: FL Zip: 32824

E-Mail Address: rgalbraith@kpmfranklin.com

2. NAME OF PROPERTY OWNER: Phyllis Fitzpatrick Contact Number: 407.851.4451

Business (if applicable): ABC Liquors, Inc

Address: 8989 S Orange Ave City: Orlando State: FL Zip: 32824

E-Mail Address: phyllisf@abcfws.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: n/a

Block: n/a

Subdivision: Menendez Park

Parcel Number: 1664300050

4. PROJECT STREET ADDRESS: 1830 A1A S

5. SPECIFIC PROPOSED USE: car wash

6. ACTION REQUESTED:

☐ Conservation Zone Development

☐ Appeal of Staff Determination

☐ Exception

☒ Land Use Plan Amendment

☐ Variance

☐ Rezoning

☒ Other: initial zoning CM-1

7. DESCRIPTION OF ACTION REQUESTED: LU amendment & initial zoning to CM-1

8. JUSTIFICATION FOR ACTION REQUESTED: Property is served by COSA utilities (water/sewer);

Adjacent property to west (across A1A S) is in COSA (zoned CM-1);

Annexation of this parcel does not create "enclave";

Property owner is entitled to submit petition for annexation, as provided for by

F.S. 171.044

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

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

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

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

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

10. PREVIOUS APPPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

Signature of Applicant

12/10/19

Date

Signature of Property Owner

12/13/19
Date



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

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

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

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

Ross Galbraith

Print name of applicant

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

Signature of applicant

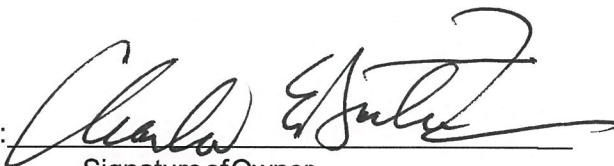
12/10/19

Date



Owner's Authorization For Agent

KPMFranklin is/are hereby authorized TO ACT ON BEHALF
OF ABC LIQUORS, Inc., the owner(s) of those lands described within
☒ the attached application, or ☐ described within the previously filed
Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:
1830 SR A1A S

BY: 
Signature of Owner
Charles E. Bailes, III
Print Name of Owner
407.851.0000
Telephone Number

State of FLORIDA

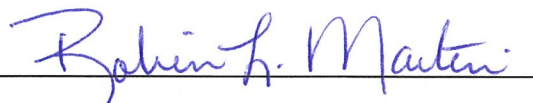
County of ORANGE

Signed and sworn before me on this 13th day of December, 2019.

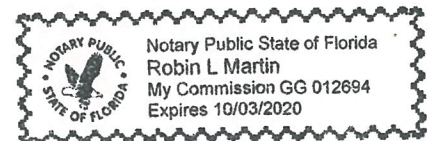
By Charles E. Bailes, III

Identification verified:

Oath sworn: ☒ Yes ☐ No

Notary Signature: 

My Commission expires: 10-3-20



June 18, 2020

Patrick Doty, CFM
Planning Division, City of St. Augustine
P.O. Box 210
St. Augustine, FL 32085

RE: Narrative for Application to Planning & Zoning Board for LU Amendment & Initial Zoning

Project: Building No. 206 Car Wash
1830 State Rd. A1A S. St. Augustine
PID: 1664300050

Dear Mr. Doty:

Please accept this letter as the requested Narrative in support of the referenced Application for the subject property.

Current Request

The request to the Planning & Zoning Board is for a recommendation of approval for a small-scale Land Use Amendment, and initial zoning designation of CM-2 for the subject property. This approval is sought to facilitate the earlier request to the Council of the City of St. Augustine for the property's annexation into the City of St. Augustine.

Property Overview

The property is a developed commercial property within the Menendez Park subdivision of St. Johns County. The property is occupied by a single building which was formerly used by the property owner ABC Liquors, Inc. (ABC), as an ABC Fine Wine & Spirits Store. The business has been closed and the property unused since February 2018.

Bounding the property are

- north/east – public r/w Old SR A1A South
- west – public r/w SR A1A South
- south – McDonalds restaurant (McDonalds)
- east – Aqua East Surf Shop (Aqua)

The property is zoned *Commercial, General (CG)* (St. Johns County).

Vehicular Access

The property has two driveway connections to public rights-of-way

- southwestern corner at SR A1A South
- eastern side at Old SR A1A South.

The ABC, McDonalds and Aqua properties enjoy reciprocal rights-of-access to, from, and across each other's properties, under a 1996 *Declaration of Covenants, Restrictions, and Reciprocal Easements*, recorded at St. Johns County Public Records bk/pg 1210/1099.

Adjacent Properties (City)

The City of St. Augustine city limit in the vicinity coincides with the western right-of-way line of SR A1A S. The properties within the City, on the western side of SR A1A S, across the road from the subject property are

- the newly expanded *Atlantic Self Storage* (zoning district CM-1)
- the walled and gated *Lions Gate* residential subdivision (zoning district PUD)

Adjacent Properties (County)

The immediately adjacent properties to the south and east are

- McDonalds restaurant (south); zoning CG (County)
- Aqua East Surf Shop (east); zoning CG (County)

The properties to the east/north across Old SR A1A S are various commercial properties, with uses including thrift store, pet rescue/adoption & souvenir shop, under County zoning CG or CI.

Intent

ABC intends to redevelop the property as a self-service automated car wash. The existing improvements will be demolished and the site redeveloped for the car wash use.

Justification

1. The intended car wash use (*auto laundry*) is compatible with and complimentary to the *nearest* property within the City (*Atlantic Self Storage*). The car wash use is also compatible with the nearby commercial uses on properties within the County.
2. The property is currently served by City utilities (water and sewer).
3. Adjacent property to the west (*Atlantic Self Storage*) is zoned CM-1 (City) and has City 2030 Future Land Use designation *Commercial Medium Intensity*.
4. The current (St. Johns County) Future Land Use designation for the subject property is Commercial.
5. The property Owner is entitled to petition the City for annexation of the property, as provided for by F.S. 171.004. The current application to the Planning & Zoning Board is a necessary precursor in that process.
6. The property is contiguous to the City, is compact, and the annexation of the property into the City will not result in the creation of an enclave or enclaves.

Thank you for your consideration. Please contact me at rgalbraith@kpmfranklin.com and (407) 994-4451 with questions and comments.

Sincerely,

KPMFranklin

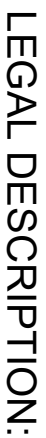


Ross Galbraith, E.I.
Project Manager

cc: John C. Kelly, P.E.

SURVEYOR'S NOTES:

1. THE LAND SHOWN ON THIS SURVEY IS THE SAME AS THE LAND IN THE PROVIDED TITLE REPORT.
 2. DEED BEARINGS AND DISTANCES SHOW HEREON ARE RELATIVE TO THE LEGAL DESCRIPTION PROVIDED BY PROPERTY INFO TITLE SEARCH SERVICES.
 3. FIELD BEARINGS AND DISTANCES ARE BASED ON THE STATE PLANE GRID. THE BEARING BASE IS ALONG THE EASTERLY YR OF WAY LINE OF STATE ROAD SR-3 (ALSO KNOWN AS A1A SCENIC AND HISTORIC COASTAL BYWAY) BEARING BASE NORTH 01°42'59" WEST.
 4. THIS IS A BOUNDARY & TOPOGRAPHIC SURVEY AS DEFINED IN CHAPTER 54.17, 0501(10)(A)(X) OF THE FLORIDA ADMINISTRATIVE CODE (FAC), MORE SPECIFICALLY THE PURPOSE OF THIS SURVEY, WAS TO CONVEY A BOUNDARY SURVEY AND ITS IMPROVEMENTS TOPOGRAPHICALLY.
 5. THE ACCURACY STANDARD USED FOR THE HORIZONTAL CONTROL FOR THIS SURVEY, AS CLASSIFIED IN THE STANDARDS OF PRACTICE (S-17.061 F.AQ) IS SUBSTANTIAL. THE MINIMUM RELATIVE DISTANCE ACCURACY FOR THIS TYPE OF SURVEY IS 1 FOOT IN 7,500 FEET. THE ACCURACY OBTAINED EXCEEDS THIS REQUIREMENT.
 6. THE HORIZONTAL CONTROL NETWORK WAS COMPLETED UTILIZING A SPECTRA SP- 30 GNSS RECEIVER. THE CONTROL FOR THIS SURVEY IS BASED ON REDUNDANT RTK (REAL TIME KINETIC) OBSERVATIONS BASED ON PPRI (FLORIDA PERMANENT REFERENCE NETWORK).
 - 6.1. THE REDUNDANT RTK (REAL TIME KINETIC) OBSERVATIONS WERE PERFORMED TO ESTABLISH THE PRIMARY NETWORK CONTROL. THE OBSERVATIONS WERE PERFORMED ON JULY, 2019.
 - 6.2. A FIELD TRAVERSE WAS USED TO ESTABLISH INTERMEDIATE CONTROL BETWEEN THE GPS POINTS.
 - 6.3. HORIZONTAL DATUM WAS USED TO ESTABLISH STATE PLANE COORDINATE WEST EAST (801) NAD (NORTH AMERICAN DATUM) 1983(2011AD).
 7. THE ACCURACY STANDARD USED FOR THE VERTICAL CONTROL FOR THIS SURVEY MEETS OR EXCEEDS THE REQUIREMENT CLASSIFIED IN THE STANDARDS OF PRACTICE (S-17.051 F.AQ). THE MAXIMUM ERROR OF ACCURACY ALLOWED FOR THIS TYPE OF SURVEY IS 0.05 TIMES THE SQUARE FOOT OF THE DISTANCE IN MILES (0.05 *²). THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION EXCEEDS THIS REQUIREMENT.
 8. THE VERTICAL CONTROL WAS BASED ON DIFFERENTIAL LEVELING FROM PUBLISHED BENCHMARK 1879 LOCATED IN ST. JOHNS COUNTY, FLORIDA (EL: -10.28 / NAD 83).
 - 8.1. VERTICAL DATA IS BASED ON NAD (NORTH AMERICAN VERTICAL DATUM) 1988 (US SURVEY FOOT).
 - 8.2. 2 TEMPORARY BENCH MARKS WERE SET ON THE SITE. SEE THE MAP OF SURVEY.
 9. ALL DISTANCES WERE MEASURED WITH E.D.M. EQUIPMENT AND HAVE BEEN ADJUSTED FOR TEMPERATURE.
 10. PROPERTY LINES SHOWN HEREON WERE COMPUTED FROM THE EXISTING PUBLIC RECORDS OF ST JOHNS COUNTY, FLORIDA AND ARE BASED ON FOUND MONUMENTATION. MONUMENT SYMBOLS ARE NOT TO SCALE.
 11. INSTRUMENTS OF RECORD REFLECTING EASEMENTS, ENCUMBRANCES, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE NOT FURNISHED TO THIS SURVEYOR. EXCEPT AS SHOWN, LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER DEEDS OF RECORD. THE TITLE REPORT PROVIDED BY PROPERTY INFO TITLE SEARCH SERVICES WAS USED TO CONVEY THE AFOREMENTIONED ITEMS.
 12. SURVEYOR'S LIABILITY FOR THE DOCUMENT SHALL BE LIMITED TO THE ORIGINAL PURCHASER AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITIES WITHOUT AN EXPRESSED RE-CERTIFICATION BY WHOSE SIGNATURE APPEARS UPON THE SURVEY.
 13. NO UNDERGROUND UTILITIES, FOUNDATIONS OR IMPROVEMENTS, IF ANY, HAVE BEEN LOCATED EXCEPT AS SHOWN, NO S.U.E. (SUBSURFACE UTILITY EXPLORATION) OR G.P.R. (GROUND PENETRATING RADAR) WERE UTILIZED DURING THIS SURVEY.
 14. ABOVE GROUND UTILITIES SHOWN WERE LOCATED BY FIELD OBSERVATIONS. UTILITIES SYMBOLS ARE NOT TO SCALE.
 15. THIS PROPERTY LIES WITHIN ZONE X OF THE CURRENT FEMA FLOOD RATE MAPS AND IS REFLECTED ON THE SURVEY. THE MAP IDENTIFICATION IS LAKE COUNTY UNINCORPORATED AREAS, FLORIDA. MAP NUMBER 121090J038J1 WITH A REVISION DATE OF DECEMBER 07, 2016.
 16. ONE FOOT CONTOUR INTERVALS ARE SHOWN HEREON.
 17. PRIOR TO ANY CONSTRUCTION, EXCAVATION OR ANY DISTURBANCE OF THE EXISTING GROUND ELEVATION, THE OWNER AND/OR CONTRACTOR SHOULD ASSUME RESPONSIBILITY OF CONTACTING THE LOCAL UTILITY AUTHORITIES FOR EXACT LOCATION OF UNDERGROUND GAS LINES, TELEPHONE LINES, ELECTRIC CABLES, WATER LINES, ETC. TO AVOID ANY HAZARD OR CONFLICT.
 18. TREE SYMBOLS ARE NOT TO SCALE. TREE DIAMETER BREAST HEIGHT IS DENOTED BY EACH TREE ON THIS SURVEY. TREE SPECIES SHOWN ARE FOR INFORMATION PURPOSES ONLY. PROFESSIONAL LANDSCAPE ARCHITECT (P.L.A.), ARBORIST OR PERSON OF A SIMILAR PROFESSION (TREE EXPERT).
 19. ALL TYPES, SIZES, LOCATIONS, GRADES, ETC. OF ALL FEATURES, SHOULD BE VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION.
 20. THIS SURVEY DOES NOT INCLUDE THE LOCATION OF ANY POSSIBLE WETLAND OR JURISDICTIONAL BOUNDARIES.
 21. 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.
 22. NO CEMETERIES, BURIAL GROUNDS, OR GRAVESIDES WERE OBSERVED ON THE PROPERTY.
- THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE REPORT BY PROPERTY INFO TITLE SEARCH SERVICES. COMMITMENT FILE NUMBER 44-228064206A, EFFECTIVE DATE JUNE 28, 2019.



A PORTION OF THE MENENDEZ PARK, SUBDIVISION AS RECORDED IN MAP BOOK 3, PAGE 31, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 30 EAST OF SAND COUNTY, MORE PARTICULARLY Y DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. S-3-A RIGHT-OF-WAY OF VARYING WIDTH WITH THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 312. (A 200 FOOT RIGHT-OF-WAY HAS NOW ESTABLISHED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 78002.2502). THENCE NORTH 01°50'09" WEST ALONG SAID BEGINNING, THENCE CONTINUE NORTH 01°50'09" WEST ALONG SAID DISTANCE OF 193.00 FEET TO THE POINT OF EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. S-3-A, A DISTANCE OF 122.52 FEET TO A POINT; THENCE NORTH 75°00'06" EAST ALONG A LINE THAT INTERSECTS THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. S-3, WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD A-1-A, A DISTANCE OF 46.34 FEET; THENCE INTERSECTION LIVING ON A CURVE, SAID CURVE BEING CONCAVE NORTH-EAST, HAVING A RADIUS OF 1000.37 FEET; THENCE SOUTH-EAST ALONG THE ARC OF SAID CURVE, HAVING AN ARCLength OF 167.42 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 55°10'57" EAST AND A CHORD CONTINUING ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 74.94 FEET TO A POINT ON SAID CONTINUING ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 74.94 FEET TO A POINT ON SAID RIGHT-OF-WAY LINE, SAID POINT LYING ON A CURVE SAID CURVE BEING CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 86.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND LEAVING SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, AN ARC DISTANCE OF 13.38 FEET; SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 02°29'13" WEST AND A CHORD DISTANCE OF 13.33 FEET TO THE POINT OF INTERSECTION OF SAID CURVE; THENCE SOUTH 01°50'09" EAST, A DISTANCE OF 66.50 FEET; THENCE SOUTH 88°05'51" WEST ALONG A LINE TO ITS INTERSECTION WITH ABOVEMENTIONED EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. S-3, A DISTANCE OF 31.01 FEET TO THE POINT OF BEGINNING.

TITLE REPORT MATTERS OF RECORD:

TAXES AND ASSESSMENTS FOR THE YEAR 2019 AND SUBSEQUENT YEARS, WHICH ARE NOT YET DUE AND PAYABLE:
(NOT A SURVEY MATTER)

(NOT A SURVEY MATTER)

ANY LIEN ARISING UNDER CHAPTER 159, FLORIDA STATUTES, IN FAVOR OF ANY CITY, TOWN, VILLAGE OR PORT AUTHORITY FOR UNPAID SERVICE CHARGES FOR SERVICE BY ANY WATER SYSTEM, SEWER SYSTEM OR GAS SYSTEM SERVICING THE LANDS DESCRIBED HEREIN.

(NOT A SURVEY MATTER)

EASEMENT TO FLORIDA POWER & LIGHT COMPANY, RECORDED DECEMBER 14, 1990. IN OFFICIAL RECORDS BOOK 878, PAGE 779, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

(AFFECTS PROPERTY - SHOWN ON MAP OF SURVEY)

DECLARATION OF COVENANTS, RESTRICTIONS, AND RECIPROCAL EASEMENTS BY AND BETWEEN ST. JOHN'S TRADING COMPANY, INC., MCOWALD'S CORPORATION AND ABC LIQUORS, INC., RECORDED DECEMBER 4, 1999, IN THE PUBLIC RECORDS BOOK 1210, PAGE 1098, OF THE PUBLIC RECORDS OF ST. JOHN'S COUNTY, FLORIDA, WHICH INCLUDES PROVISIONS FOR THE COLLECTION OF ASSESSMENTS.

(AFFECTS PROPERTY - SHOWN ON MAP OF SURVEY)

ANY EXISTING UNRECORDED LEASES AND ALL RIGHTS THERE UNDER OF THE LESSEES AND OF ANY PERSON CLAIMING BY, THROUGH OR UNDER THE LESSEES.
(NOT A SURVEY MATTER)

THIS MAP OF SURVEY SHOWN HEREON IS ALSO IN ACCORDANCE WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5S-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

ANGEL M. BOSQUE-POLANCO PSM NO. 6581
FLORIDA REGISTERED LAND SURVEYOR AND MAPPER.
NOT VALID WITHOUT THE SIGNATURE & THE ORIGINAL RAISEE
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

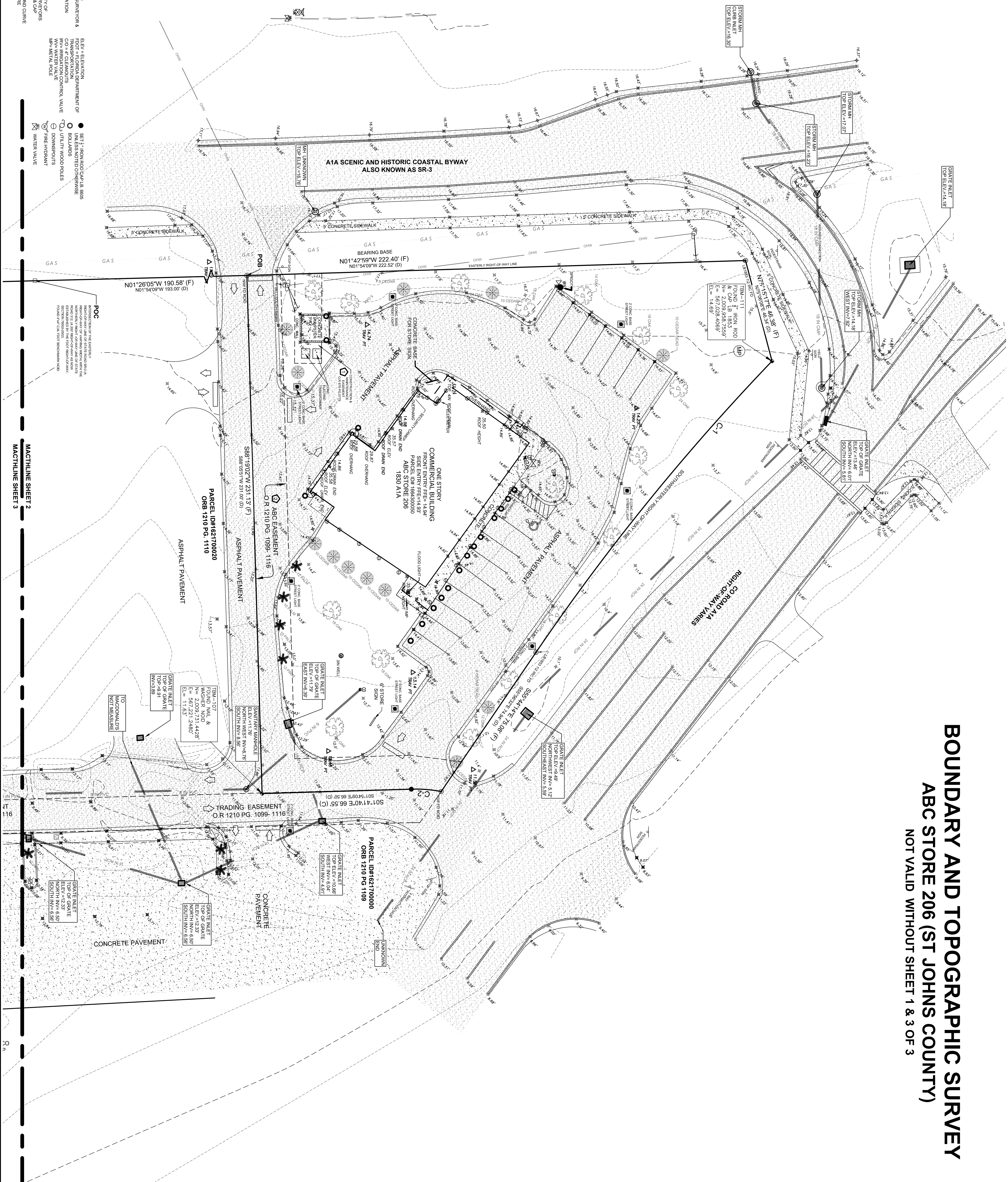
Job No. 19--0080.000	FIELD DATE: 7-15-19	REVISION	DATE
Scale 1:20	F.B.: KING / 506	1. ADDITIONAL SURVEY	06/13/19
Section 28	PAGE:KING / 5	2	
Township 7S	REVIEW: JMP	3	
Range 30E	DRAWN: CN / PT	4	
	CHECKED BY:JMP	5	

ABC STORE 206 (ST JOHNS COUNTY)
NOT VALID WITHOUT SHEET 1 & 3 OF 3



L=13.38' (C & D)
R=60.00'
CB=S04°29'13"W (C & D)
CH=13.35' (C & D)

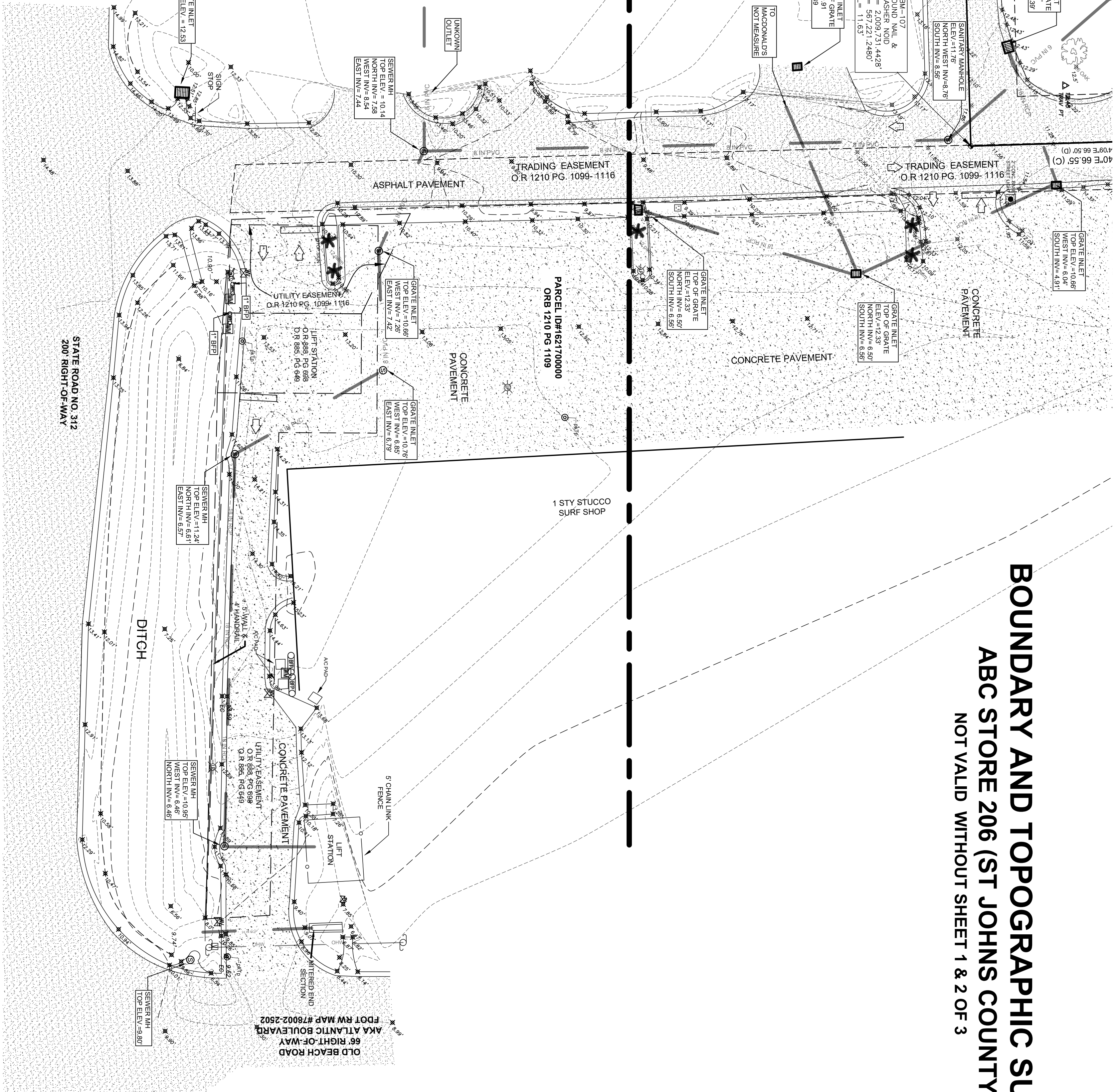
LEGEND:



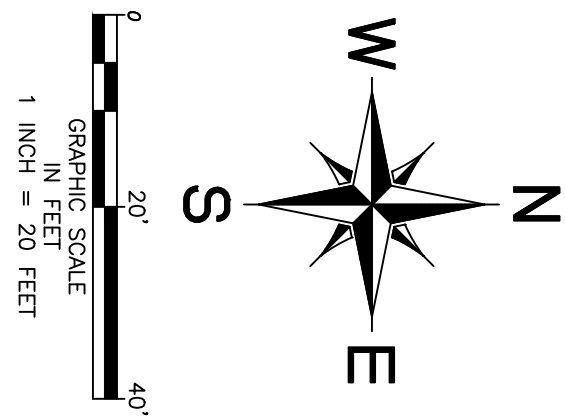
BOUNDARY AND TOPOGRAPHIC SURVEY
ABC STORE 206 (ST JOHNS COUNTY)

Job No. 19-0080.000		FIELD DATE: 7-15-19	REVISION	DATE
Scale 1:20	F.B.: KING	1		
Section 28	PAGE:KING	2		
Township 7S	REVIEW:	3		
Range 30E	DRAWN: CN	4		
	CHECKED BY: AMB	5		

ABC STORE 206 (ST JOHNS COUNTY)
NOT VALID WITHOUT SHEET 1 & 2 OF 3



LEGEND:



(F) = MEASURE FIELD
(D) = DEAD
(C) = CALCULATED
POC = POINT OF COMMENCE
POB = POINT OF BEGINNING
CONC = CONCRETE
IN= INCH
N/N= NAIL AND WASHER
FD= FOUND
XOID= NO ID
ORB= OFFICIAL RECORD BOOK
P.G= PAGE
ID = IDENTIFICATION

[illegible]

ELEV = ELEVATION
 FLET = FLOOR LEVEL
 FLD = FLOOR DEPARTMENT OF
 TRANSPORTATION
 CO = # CLEANOUTS
 R/A = RADIATION CONTROL VALVE
 M = METAL POLE

● SET 1 IRON ECO CAP LB. 6605
 UNLESS NOTED OTHERWISE
 BOLLARDS
 ○ UTILITY WOOD POLES
 ⊖ DOWNSPOUTS
 FIRE HYDRANT
 WATER VALVE

BOUNDARY AND TOPOGRAPHIC SURVEY
ABC STORE 206 (ST JOHNS COUNTY)

Job No. 19-0080.000	FIELD DATE: 7-15-19	REVISION		DATE
Scale 1:20	F.B.: KING / 506	1. ADDITIONAL SURVEY		08/15/19
Section 28	PAGE:KING / 5	2		
Township 7S	REVIEW: JMP	3		
Range 30E	DRAWN: CN / PT	4		
	CHECKED BY:JMP	5		



St. Johns County, FL

Tax Bill

My Tax Bill

Estimate Taxes

Tax Estimator

2019 TRIM Notice

2019 TRIM Notice

2018 TRIM Notice

2018 TRIM Notice

Summary

Parcel ID	1664300050
Location Address	1830 A1A S SAINT AUGUSTINE 32080-0000
Neighborhood	Liquor Store Countywide (COM) (680.16)
Tax Description*	3-31 MENENDEZ PARK BLK 29 ALL LYING SW OF CR A1A & W1/2 VAC ALCAZAR ST & N1/2 VAC CORUNNA ST LYING W OF ALCAZAR ST & UNPLATTED PT LYING SOUTH OR3760/543 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Stores (1100)
Subdivision	Menendez Park
Sec/Twp/Rng	28-7-30
District	St Augustine Beach Area Outside City Limits (District 550)
Millage Rate	14.0203
Acreage	0.890
Homestead	N

Owner Information

Owner Name	Abc Liquors Inc 100%
Mailing Address	8989 S ORANGE AVE ORLANDO, FL 32824-0000

Map



Valuation Information

	2020
Building Value	\$172,945
Extra Features Value	\$14,160
Total Land Value	\$385,770
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$572,875
Total Deferred	\$0
Assessed Value	\$572,875
Total Exemptions	\$0
Taxable Value	\$572,875

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2019	\$135,355	\$14,160	\$385,770	\$0	\$0	\$535,285	\$535,285	\$0	\$535,285
2018	\$140,022	\$14,160	\$385,770	\$0	\$0	\$539,952	\$539,952	\$0	\$539,952
2017	\$147,024	\$10,338	\$385,770	\$0	\$0	\$543,132	\$543,132	\$0	\$543,132
2016	\$144,480	\$10,338	\$385,770	\$0	\$0	\$540,588	\$540,588	\$0	\$540,588
2015	\$148,925	\$10,338	\$385,770	\$0	\$0	\$545,033	\$545,033	\$0	\$545,033
2014	\$144,349	\$10,338	\$385,770	\$0	\$0	\$540,457	\$540,457	\$0	\$540,457
2013	\$148,533	\$10,338	\$385,770	\$0	\$0	\$544,641	\$544,641	\$0	\$544,641
2012	\$152,717	\$10,338	\$385,770	\$0	\$0	\$548,825	\$548,825	\$0	\$548,825
2011	\$128,968	\$10,338	\$505,359	\$0	\$0	\$644,665	\$644,665	\$0	\$644,665
2010	\$131,131	\$10,338	\$559,366	\$0	\$0	\$700,835	\$700,835	\$0	\$700,835

Building Information

Building 1
Actual Area 5057
Conditioned Area 4140
Actual Year Built 1990
Use Stores (Retail)
Style 04
Class N
Exterior Wall Concrete Stucco

Roof Structure Rigid Frame
Roof Cover Built Up, Clay Tile
Interior Flooring Sheet Vinyl
Interior Wall Drywall
Heating Type Air Duct
Heating Fuel
Air Conditioning Central
Baths

Category	Type	Pct
Exterior Wall	Concrete Stucco	100%
Roofing Structure	Rigid Frame	100%
Roofing Cover	Built Up	90%
Roofing Cover	Clay Tile	10%
Interior Walls	Drywall	100%
Interior Flooring	Sheet Vinyl	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	6 Fixtures	100%
Electrical	Average	100%
Foundation	Concrete Perimeter Footing	100%
Insulation	2" Fiberglass	100%
Floor System	Concrete Slab	100%
Condition	Average	100%

Description	Conditioned Area	Actual Area
BASE AREA	4140	4140
CANOPY (COMMERCIAL)	0	488
FRAME UTILITY	0	429
Total SqFt	4140	5057

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Asphalt Paving	0	0	0	0	7000
Curb	0	0	0	0	990
Pole Light	0	0	0	0	1
Masonry Wall	0	0	0	0	288
Wood Fence	0	0	0	0	11

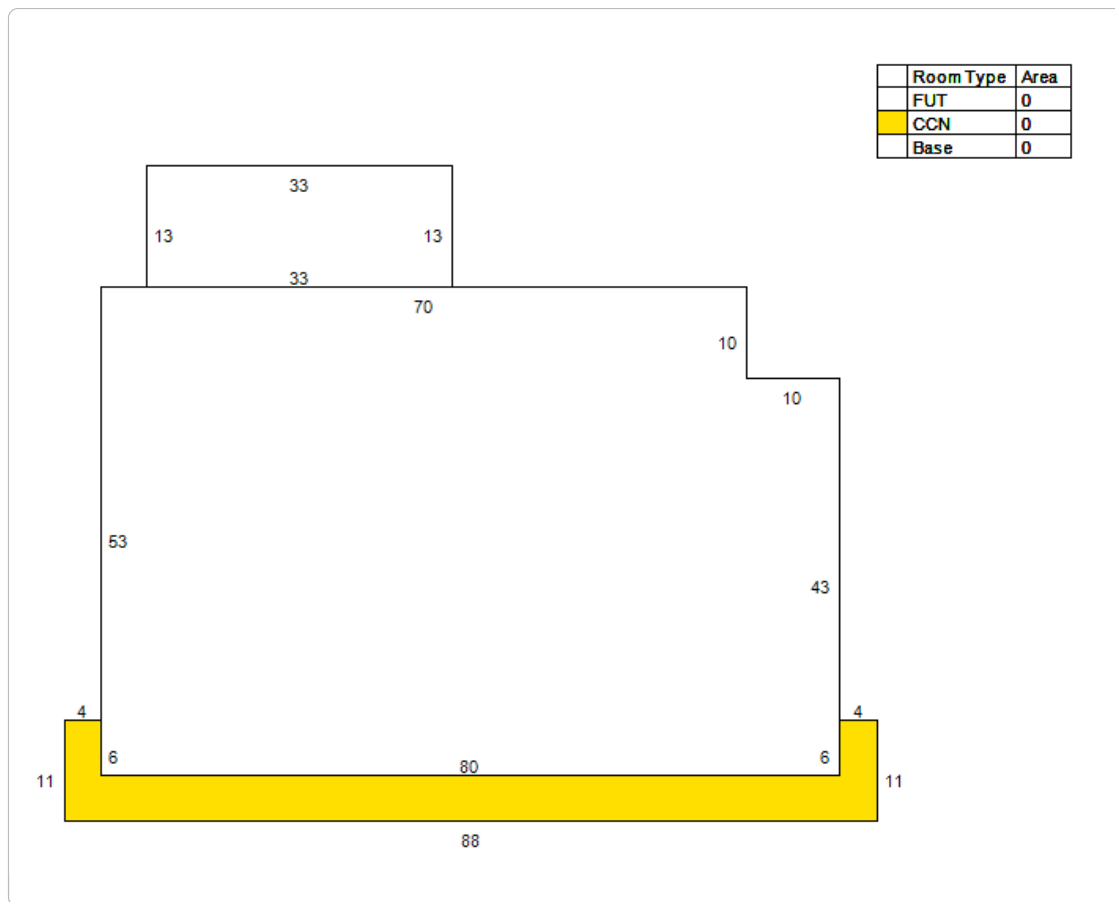
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Stores	0	0	38577	SF	\$385,770

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
7/11/2013	7/1/2013	\$1,300,000.00	WD	3760	543	U	I	ABC PROPERTIES LTD	ABC LIQUORS INC
8/6/2009	7/29/2009	\$100.00	CD	3226	971	U	I	ABC LIQUORS INC	ABC PROPERTIES LTD
	6/20/1995	\$767,800.00	WD	1126	1670	U	I	ABC LIQUORS INC	ABC PROPERTIES LTD
	11/1/1990	\$0.00		874	857	U	V		ABC LIQUORS INC
	3/1/1990	\$0.00		849	173	U	V		

Sketch Information



No data available for the following modules: Exemption Information.

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

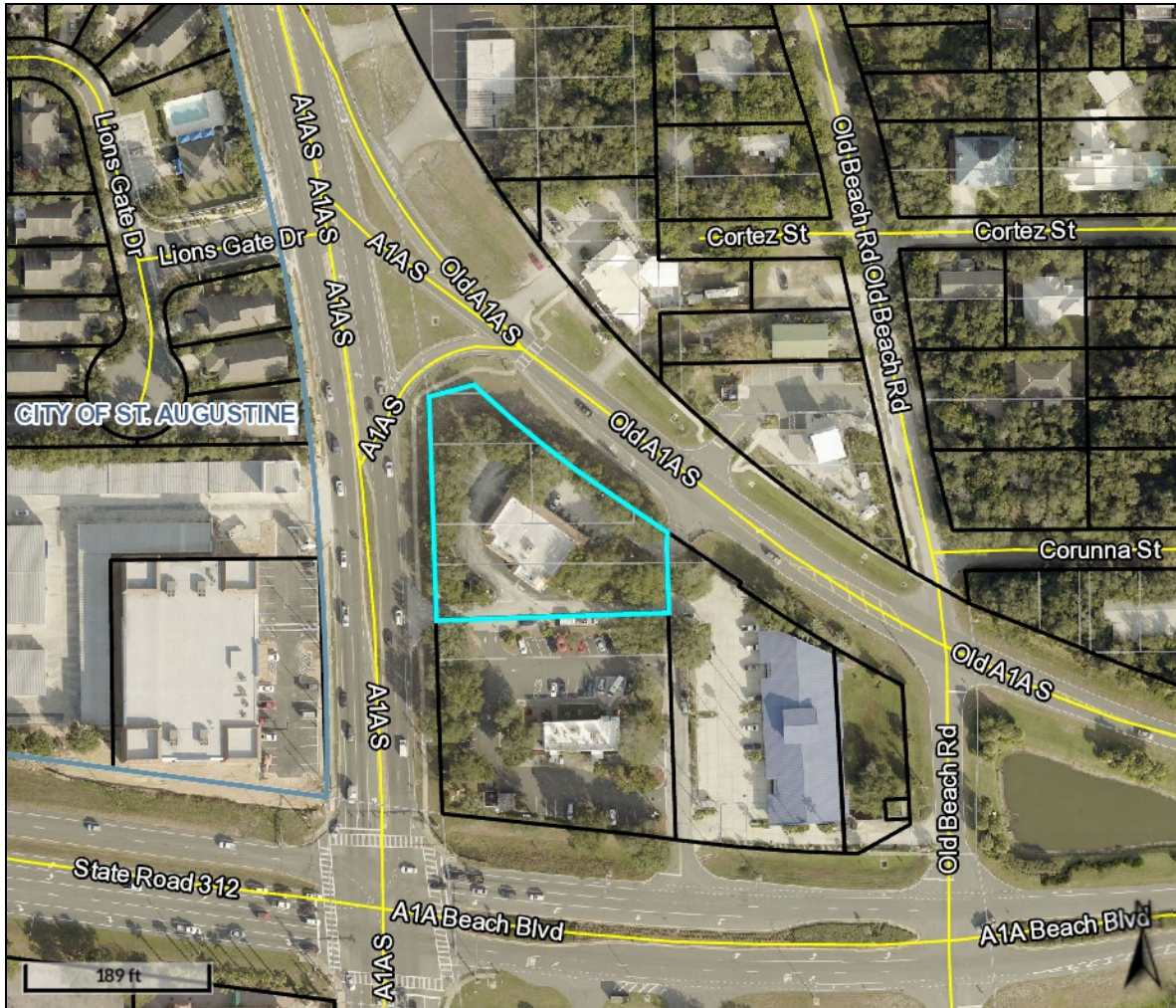
[User Privacy Policy](#)
[GDPR Privacy Notice](#)

[Last Data Upload: 4/7/2020, 12:18:50 AM](#)

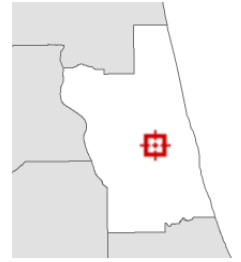
Developed by



[Version 2.3.53](#)



Overview



Legend

- Parcels
- Roads
- Cities

Parcel ID	1664300050	Physical Address	1830 A1A S	Building Value	\$172,945	Last 2 Sales			
Property Class	1100 - Stores	Mailing Address	SAINT AUGUSTINE	Extra Feature Value	\$14,160	Date	Price	Reason	Qual
Taxing District	St Augustine Beach Area	Address	ABC LIQUORS INC	Total Land Value	\$385,770	7/1/2013	\$1300000	11	U
Acres	0.89		8989 S ORANGE AVE	Just Value	\$572,875	6/20/1995	\$767800	11	U
			ORLANDO FL 32824-0000	Total	N/A				
				Deferred Assessed Value	\$572,875				
				Total	N/A				
				Exemptions					
				Taxable Value	\$572,875				

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

Date created: 4/7/2020
Last Data Uploaded: 4/7/2020 12:18:50 AM

Developed by  Schneider GEOSPATIAL

SJCA Pictometry View



Attachment 2

Current and Proposed Future Land Use Classifications

- Family Farms and Lots as defined in Policy A.1.6.4;
- Agribusiness and agritourism activities as defined in Policy A.1.6.9 and the Land Development Code.

(b) **Airport District** shall mean those lands occupied by the St. Augustine Airport and may include adjacent lands within the Airport's Master Plan as designated on the Future Land Use Map. Permitted uses shall include the following as defined and controlled by the County land development regulations:

- Agriculture
- Neighborhood Business and Commercial;
- General Business and Commercial;
- High Intensity Commercial;
- Highway Commercial
- Light and Heavy Industrial;
- Cultural/Institutional;
- Office and Professional;
- Neighborhood Public Service;
- General Public Service;
- Regional Business and Commercial;
- Mining and Extraction
- Residential uses on land zoned Residential Single Family or Multi-family not to exceed the density allowed by the existing zoning as defined by the Land Development Code subject to the Airport Overlay District requirements of the County land development regulations. In no case shall the density exceed 13 units per acre.

(c) **Commercial** – Commercial uses shall be allowed within areas designated on the Future Land Use Map as Commercial consistent with and compatible to the surrounding area and on other Commercial land use designations as described below:

(d) **Neighborhood Commercial** shall mean low-intensity commercial uses intended to serve the immediate surrounding neighborhood. Permitted uses shall include the following as defined and controlled by the County land development regulations:

- Neighborhood Business and Commercial;
- Cultural/Institutional;
- Office and Professional;
- Neighborhood Public Service;
- Multi-family Residential Units, up to 13 units per acre. When neighborhood commercial uses are planned in a Residential Future Land Use designation, the density is limited by the Residential Future Land Use designation. Such development shall be reviewed through the Planned Development land development regulations, and when constructed with commercial uses, such as apartments located on the second floor of retail shops. Density shall be determined on a site specific basis considering design, compatibility, infrastructure, site characteristics and other similar considerations, which may limit density appropriate to the site. In West Augustine, Neighborhood and Community Commercial uses may be provided in Residential Land Use designations as permitted by zoning designation and Overlay District regulations.
- Residential as an Accessory Use, defined in the Land Development Code.

(e) **Community Commercial** shall mean commercial and office uses intended to serve the surrounding community with a larger market area than Neighborhood Commercial, but of a sub-regional nature. Permitted uses shall include the following as defined and controlled by the County land development regulations:

- Neighborhood Business and Commercial;
- General Business and Commercial;
- Cultural/Institutional;
- Office and Professional;
- Neighborhood Public Service;

- Mixed Use – Community Commercial
- Multi-family Residential Units, up to 13 units per acre. When community commercial uses are planned in a Residential Future Land Use designation, the density is limited by the Residential Future Land Use designation. Such development shall be reviewed through the Planned Development land development regulations, and when constructed with commercial uses, such as apartments located on the second floor of retail shops. Density shall be determined on a site specific basis considering design, compatibility, infrastructure, site characteristics and other similar considerations, which may limit density appropriate to the site. In West Augustine, Neighborhood and Community Commercial uses may be provided in Residential Land Use designations as permitted by zoning designation and Overlay District regulations.
- Residential as an Accessory Use, defined in the Land Development Code.

(f) **Intensive Commercial** shall mean highway commercial or high-intensity commercial uses, along with large office, institutional, and tourist-oriented uses which are generally incompatible with residential uses. Permitted uses shall include the following as defined and controlled by the County land development regulations:

- Neighborhood Business and Commercial;
- General Business and Commercial;
- High Intensity Commercial;
- Highway Commercial
- Cultural/Institutional;
- Office and Professional;
- Neighborhood Public Service;
- General Public Service;
- Regional Business and Commercial;
- Regional Cultural and Entertainment
- Mixed Use – Intensive Commercial

- Multi-family Residential Units, up to 13 units per acre. When intensive commercial uses are planned in a Residential Future Land Use designation, the density is limited by the Residential Future Land Use designation. Such development shall be reviewed through the Planned Development land development regulations, and when constructed with commercial uses, such as apartments located on the second floor of retail shops. Density shall be determined on a site specific basis considering design, compatibility, infrastructure, site characteristics and other similar considerations, which may limit density appropriate to the site,
- Residential as an Accessory Use, defined in the Land Development Code.

(g) **Rural Commercial** shall mean commercial uses intended to serve rural communities and which are compatible with rural land use densities and intensities. Permitted uses shall include the following as defined and controlled by the County land development regulations:

- Rural Commercial (uses supportive of rural communities, including general stores; establishments for the retail sale of motor fuels, bait & tackle and general supplies; roadside stands; nurseries; fish camps with accessory lodging and restaurant facilities; bed and breakfast establishments; campgrounds; Recreational Vehicle parks; hunt clubs; saddle clubs; riding academies; boarding stables; shooting ranges, and other similar uses); and agricultural manufacturing establishments as defined in the County's Land Development Regulations;
- Neighborhood Business and Commercial;
- Cultural/Institutional
- Neighborhood Public Service
- Residential as may be allowed as an Accessory Use within the County land development regulations.

(h) **Business and Commerce Park** is a development that contains a mixture of retail, office, business and/or, light industrial buildings with supporting uses. Restaurants, showrooms and similar commercial retail are allowed on a scale to serve the Business and Commerce Park. Business and Commerce Parks shall have centralized traffic circulation, access, parking, utilities, drainage, open space, similar architectural and aesthetic designs and compatibility. Permitted uses shall include the following as defined and controlled by the County land development regulations:

- Neighborhood Business and Commercial;
- General Business and Commercial;
- High Intensity Commercial;
- Highway Commercial
- Light Industrial;
- Cultural/Institutional;
- Office and Professional;
- Neighborhood Public Service;
- General Public Service;
- Regional Business and Commercial;
- Regional Cultural and Entertainment.

(i) **Conservation** shall mean lands, wetlands and tidal marsh along with adjacent upland islands and other areas as designated on the Future Land Use Map. Due to their sensitive environmental qualities, only very low-intensity uses shall be permitted subject to all regulatory permitting requirements. Permitted uses shall include:

- Water related recreational uses, including but not limited to boat ramp facilities (excluding marinas and ports), shore access facilities, fish camps, or similar low-impact water oriented facilities, provided such uses shall be subject to all applicable federal, state, regional, and local permitting requirements, and such uses shall be designed and constructed pursuant to applicable land development regulations so as to minimize the impact on adjacent natural resources and such uses shall be subject to a maximum floor area ratio of 0.10 and a maximum impervious surface ratio of 0.10, and such uses shall maintain the following minimum percentages of the proposed development site as undisturbed open space:
 - (a) for proposed development sites less than (10) acres, minimum open space of 80% of the site;
 - (b) for proposed development sites containing ten (10) acres or

reproduction of historic structures and maintain the historic and low intensive ambiance of the neighborhood, and pedestrian scale of the neighborhood.

For All Uses

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

Commercial Low Intensity

This district is intended to apply to areas where small groups of low intensity commercial uses may be appropriately located to serve within convenient traveling distance from one (1) or several neighborhoods. The district is not intended for use by medium intensity commercial uses such as service stations, vehicle repair and sales, etc. but low traffic generating commercial uses are encouraged. In addition, professional and business offices, compatible tourist accommodations and similar uses are encouraged.

Residential Uses

Single family Residential

Eight single family dwelling units per acre (minimum lot area is 5,450 square feet). Not more than fifty percent (50%) of the Commercial Low Intensity designation shall be permitted for residential use.

Multiple family Residential

Maximum of 16 units per acre (minimum of 5,450 square feet of lot area for single-family dwelling units and for multiple-family dwelling units, 7,250 square feet of lot area for the first 2 units and 1,750 square feet of lot area for each additional unit).

Other uses

Maximum lot coverage of 60%; maximum height restriction of 35 feet.

Commercial Medium Intensity

This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities, and to areas where adequate lot depth is available to provide meaningful development for service-oriented automotive uses, tourist accommodations, attractions and supporting

facilities. It is not intended that this district become or be used for strip commercial purposes.

Residential Uses

Single family Residential

Eight single family dwelling units per acre (minimum lot area is 5,450 square feet). Not more than fifty percent (50%) of the Commercial Low Intensity designation shall be permitted for residential use.

Multiple family Residential

Maximum of 16 units per acre (minimum of 5,450 square feet of lot area for single family dwelling units and for multiple family dwelling units, 7,250 square feet of lot area for the first two units and 1,750 square feet of lot area for each additional unit).

Other uses

Minimum lot area must equal 15,000 square feet; maximum lot coverage of 70%; maximum height restriction of 35 feet.

Industrial

Non-residential uses

This district is intended to allow light manufacturing and related service, storage and commercial uses.

Maximum lot coverage of 80%; maximum height restriction of 35 feet.

Marine Industrial

Non-residential uses

This district is intended to allow light manufacturing and related service, storage and commercial uses. This district is also intended to allow marine related industrial and business activities to facilitate the continuation of the historic marina industry within the City.

Maximum lot coverage of 80%; maximum height restriction of 35 feet. Marine related uses approved as a Planned Unit Development (PUD): maximum lot coverage 50%; maximum height restriction of 50 feet.

Open Land (Very Low Density Residential)

Attachment 3

Commercial General, St. Johns County zoning

Table of Allowable Uses in Zoning Districts

Table 2.02.02

Zone District Use Category	O R	R S E	R S 1	R S 2	R S 3	R G 1	R G 2	R M H	R M H (S)	O P	C N	C G	C H T	T C M U	C I	C R	C H I	C W	I W	H I	P S	A D	P U D	P R D
Residential	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Agricultural	A																					A	A	A
Cultural / Institutional	A									A	A	A	A	A		A						A	A	A
Neighborhood Business											A	A	A	A	A	A						A	A	A
General Business												A		A	A							A	A	
Town Center Mixed Use														A									A	
High Intensity Commercial															A		A	A				A	A	
Highway Commercial													A		A							A	A	
Rural Commercial																A							A	A
Light Industrial																		A	A			A	A	
Heavy Industrial																				A		A	A	
Mining & Extraction	A																		A	A		A	A	A
Office & Professional										A	A	A		A	A							A	A	
Outdoor / Passive	A	A	A	A	A	A	A	A	A					A								A	A	A
Neighborhood Public Service	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
General Public Service															A			A	A	A	A	A	A	
Reg. Business & Commercial															A							A	A	
Reg. Cultural & Entertainment															A								A	
Solid Waste & Correct. Fac.	A																			A			A	

A - means the Use is allowable by right or by Special Use

PART 2.02.00 USES ALLOWED WITHIN ZONING DISTRICTS

Sec. 2.02.01 Use Classifications and Definitions

The following Sections describe the categories of Uses which apply within St. Johns County. Each category contains a description of the fundamental characteristics of the category and a list of representative Uses. It is not possible to list each and every individual Use which may be allowable within a category. The intent is to describe the category and provide a sufficient number of illustrative or representative Uses to allow other Uses to be assigned to a category as they are proposed in a zoning district.

A. Residential Uses

Residential Uses are those which provide dwellings or Structures intended for occupancy for housekeeping, and includes units which are Single Family detached, accessory apartments, multi-family in a variety of housing styles, including but not limited to duplex, triplex, quadplex, garden apartments, villas and townhouses, mid-rise and high-rise apartment Buildings, and garage apartments. Also included are Manufactured/Modular Homes, Manufactured/Mobile Homes, condominium ownership, cooperatives, and other ownership arrangements. Residential Uses also include Special Care Housing including group homes, congregate care homes, assisted living facilities, and foster homes; cemeteries and mausoleums; schools with conventional academic curriculum and Community Marinas. Residential Uses also include model homes, with or without sales office and construction trailers. Certain Uses are also allowable in the residential Use category by Special Use, and are specified in Part 2.03.00. Residential units, while allowable, shall not exceed the density limitations shown in the Comprehensive Plan. In addition, not all housing types are allowable in every zoning district. Refer to Section 2.02.03 which describes which housing types are allowable in each residential zoning district.

B. Agricultural Uses

1. Agricultural Uses are those related to the production, keeping, or maintenance, whether for sale or personal use, of plants and Animals for food, forage, fiber, or ornamental purposes. Agricultural Uses are characterized as predominantly outdoor activities, with Structures that may cover portions of the land, such as specific production activities, like poultry houses, greenhouses, and kennels. The Uses within this category may include both domestic and exotic species, except as specifically prohibited by other regulations. Agricultural Uses may also include passive outdoor recreational activities, Bed and Breakfast establishments, Retreats and similar passive rural Uses. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes allowable Uses and Special Uses by zoning district.
2. Typical Uses in this category are silviculture; horticulture; aquaculture; crop production; pasture lands; livestock; horses, ponies and other Animals; bee keeping; orchards; plant nurseries; General Stores and feed stores; cemeteries and mausoleums; Special Care Housing including group homes, congregate care homes, assisted living facilities, and foster homes; veterinary offices and Animal hospitals with outside Kennels; Kennels and other Animal boarding facilities; dog and domestic animal parks; Rural Home Industry; Rural Industry; Agricultural Manufacturing; and Structures and facilities necessary to agricultural production

activities, including barns, sties, pens, corrals, stables, greenhouses, milking parlors and dairies, feedlots, silos, and other substantially similar facilities and Structures whether for the primary Use or accessory to agricultural activity. Also included is treated Wastewater land application disposal. Agricultural Uses may also include, farm worker housing, and residences for the farm owner, operator, or caretaker, where those Uses are directly associated with the principal Agricultural Use of the land. Bed and Breakfast establishments limited to a maximum of ten (10) rental units, Primitive Campgrounds, Retreats limited to a maximum of ten (10) rental units and not exceeding an overnight occupancy of twenty (20) persons, Private Clubs, dude ranch, riding academy, hunting camps, game preserves, wildlife preserves, outdoor events, outdoor arenas and outdoor firing ranges, and aircraft landing fields shall be permitted.

C. **Cultural/Institutional Uses**

1. Cultural/Institutional Uses provide a personal service in the form of education, culture, fine arts displays and exhibits, and similar activities. Uses in this category are predominantly day-time activities. However, due to the nature of the Cultural/Institutional Use, traffic, parking, use of land coverage may be increased for special events. Users and employees may vary due to the nature of Cultural/Institutional Uses. Institutional Uses may be public or private. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes allowable Uses and Special Uses by zoning district.
2. Typical Cultural/Institutional Uses in this category are libraries, galleries, and museums; schools with conventional academic curriculum; child care, adult day care, or child nurseries; Community Centers; churches and synagogues; Private Clubs; parks and recreation facilities with or without lighted fields and courts. Specifically not included in this category are theaters and auditoriums or other similar places of assembly; colleges and universities are listed under Regional Culture and Entertainment Facilities.

D. **Neighborhood Business and Commercial Uses**

1. Land Use activities in this category are those which serve the surrounding neighborhood or a small group of neighborhoods. Uses typically require direct access to collectors, and operate primarily in daytime or early evening hours. Development may generally include one-story and low-rise Buildings outside of activity centers. This category does not include large-scale discount supercenters or big box retailers. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes allowable Uses and Special Uses by zoning district.
2. Typical Uses in this category include commercial indoor recreation, archery facilities, entertainment, retail, hospitality, and general business, such as retail goods stores; financial institutions with or without drive-through facilities; funeral homes and mortuaries; neighborhood Convenience Stores without gas pumps; grocery stores; specialty food stores; pharmacies without drive through facilities; billiards and pool parlors, spas, gyms, and health clubs; commercial, vocational, business or trade schools; churches; Bed and Breakfast establishments limited to a maximum of (10) rental units; personal property mini-warehouses; Recreational vehicle/boat storage; service businesses such as blueprint, printing, catering,

travel agencies, mail and package services and laundries; veterinary offices without outside boarding facilities and enclosed within a sound proof building; animal care facilities; personal services such as beauty shops, barbers, or photography studios; Adult Care Centers, Child Care Centers, Nursing Homes; psychics in accordance with St. Johns County Ordinance 98-18, as may be amended; Restaurants without drive-through facilities; Take-Out Restaurants; Brewpubs and Microbreweries; Community Marinas; medical and Professional Offices, and governmental branch offices, schools for the performing or fine arts and for martial arts.

E. **General Business and Commercial Uses**

1. Land Use activities in this category are those which serve the surrounding neighborhood, a small group of neighborhoods, or are community serving. Uses typically require direct access to Collectors and Arterials, may operate primarily in daytime or early evening hours. Development may generally include a predominance of one-story and low-rise Buildings outside of activity centers. Uses tend to be in individual Structures or in community scale shopping centers. This category does not include large-scale discount supercenters or big box retailers. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes allowable Uses and Special Uses by zoning district.
2. Typical Uses in this category include commercial recreation, archery facilities, entertainment, retail, hospitality, and general business, such as retail goods stores; financial institutions with or without drive-through facilities; pharmacies with or without drive-through facilities; free-standing ATM's; funeral homes and mortuaries; crematoriums; indoor farm and garden supply centers; outdoor plant sales; outdoor storage; neighborhood Convenience Stores with or without gas pumps; gas stations without auto service or repair; car wash facilities; automobile oil change facilities; tire service centers; small car rental offices with associated rental fleet; grocery stores, specialty food stores, and supermarkets; bowling alleys, billiards and pool parlors, spas, gyms, and health clubs; community hospitals; commercial, vocational, business or trade schools; Bed and Breakfast establishments and guest lodges limited to a maximum of ten (10) rental units; personal property mini-warehouses; Recreational vehicle/boat storage; service businesses such as blueprint, printing, catering, travel agencies, mail and package services, small appliance repair shops, upholstery, and laundries; personal services such as beauty shops, barbers, employment services, bail bond agencies, photography studios, psychics in accordance with St. Johns County Ordinance 98-18, as may be amended, Adult Care Centers, Child Care Centers, Nursing Homes; psychiatric care and treatment facilities with or without housing, alcohol rehabilitation centers with or without housing, Restaurants with or without drive-through facilities; Brewpubs and Microbreweries; Community Marinas, Marinas; general offices, medical offices, veterinary offices without outside boarding facilities and enclosed within a sound proof building with no more than ten (10) outside runs which shall not exceed a total area of six hundred forty (640) square feet, animal care facilities, Professional Offices, and government offices; golf driving ranges; schools for the performing or fine arts and for martial arts; movie theaters with three (3) or less screens.

and trades school; Microbreweries; commercial recreation; and other substantially similar facilities and Uses.

K. Heavy Industrial Uses

1. The characteristics of Uses in this category include large Lots, often with a single user or single employer, where heavy manufacturing, processing, storing, or distribution of goods occurs. Buildings are typically one floor, but may cover large portions of land. Businesses may operate on a twenty-four (24) hour time frame and include two (2), and three (3) shifts per day. Truck and rail traffic are common. Businesses may cause negative impacts from truck traffic, rail, noise, air, chemical, heat producing, and manufacturing processes are typical Uses in this category. These Uses may also have substantial and significant outdoor storage and/or outdoor activity. Uses are not typically open to the general public. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes allowable Uses and Special Uses by zoning district.
2. Typical Uses in this category are heavy manufacturing, slaughterhouse and Animal processing plants; Port facilities, Marinas; power plants; dry cleaning plants; metal and rubber fabrication; chemical and fertilizer manufacturing; paper and pulp manufacturing; petroleum refining; plastics, glass, cement, concrete, and clay manufacturing; and other substantially similar facilities and Uses.

L. Mining and Extractive Activities

This category includes all Uses where resources are removed from the ground, such as mines, borrow pits, and other similar activities and may include the on-site processing of such resources. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes allowable Uses and Special Uses by zoning district.

M. Office and Professional Services

1. Office and Professional Service Uses have primarily day-time operations. Normally there is an absence of impacts due to noise, light, or pollution. There is no outdoor storage or outdoor activity associated with these Uses. Commercial Uses are accessory only. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes allowable Uses and Special Uses by zoning district.
2. Typical Uses in this category include service businesses such as blueprint, printing, catering, travel agencies, mail and package services, small appliance repair shops, upholstery, and laundries; personal services such as beauty shops, barbers, bail bond agencies, employment services, or photography studios; vocational, technical, and trade schools; Restaurants; general offices, Professional Offices, and government offices; medical offices or clinics with scheduled or emergency services by physicians, dentists, Chiropractors, psychiatrists, podiatrists, physical therapists, optometrists, and other medical practitioners; medical laboratories. This category also includes diagnostic centers which provide radiology, and medical screening and testing services. Facilities to provide medical equipment, supplies, devices, eyeglasses, hearing aids, or other similar items for personal use upon advice of a health provider may be included in this

category so long as they are functionally associated with the office or clinic and are not an isolated or freestanding Use. This category does not include hospitals or other health care facilities which provide overnight lodging.

N. Outdoor/Passive Uses

1. Outdoor/Passive Uses are characterized by Uses which have large amounts of land with few Structures, normally minimum outdoor lighting. Activities tend to be low impact and are predominately daytime activities. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes allowable Uses and Special Uses by zoning district.
2. Included are walking and hiking trails, bridle paths, greenways, game preserves, natural preserves, parks with picnic areas, primitive camps, and similar low impact Uses. Also allowable are country clubs, golf clubs, golf driving ranges (provided they function accessory to and on the same site as a golf course or country club), and cemeteries (either human or pet). Mausoleums may be permitted provided they function accessory to and on the same site as related cemetery.

O. Neighborhood Public Service and Emergency Service Uses

1. This category represents those neighborhood-scale Uses which may have limited outdoor storage and outdoor activity, and may cause potential nuisance, but are nevertheless necessary as support to surrounding Uses. Any potential nuisance is mitigated by limitations on scale of Development, consistent with neighborhood scale Development. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes allowable Uses and Special Uses by zoning district.
2. The type of Uses included in this category include, but are not limited to neighborhood-scale fire stations, police stations, emergency medical services and facilities; water and Wastewater Treatment Plants and facilities and components of water and Wastewater Treatment Plants and facilities; electric substations; telephone equipment stations, switching stations, and similar communication facilities; communication Antennas and Antenna Towers; neighborhood support services; Social Assistance Centers; and other substantially similar facilities and Uses. Neighborhood Public Service and Emergency Service Uses shall not include the erection of structures, buildings, or office facilities for commercial activities, such as the sale of related merchandise or collection of bills, in those zoning districts where such commercial and office activities are prohibited.

P. General Public Service and Emergency Service Uses

1. This category represents those Uses which often operate on a twenty-four (24) hour time frame and have a high degree of outdoor storage and outdoor activity. These Uses may cause a nuisance due to noise, and high levels of truck or large vehicle traffic. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes allowable Uses and Special Uses by zoning district.
2. The types of Uses included in this category include, but are not limited to public use Airports, terminals, heliports, and associated infrastructure; seaplane support

TABLE 6.01

SCHEDULE OF AREA, HEIGHT, BULK AND PLACEMENT STANDARDS							
Zoning Districts	Minimum Lot Widths	Minimum Lot Area	Maximum Lot Coverage by All Buildings	Floor Area Ratio ➡	Impervious Surface Ratio ➡	Min. Yard Req. ⊗ Front/ Side/Rear	Maximum Height of Structures ⊕
RS-E	150 feet ☼	1 acre ☼	20%	N/A	70%	30/20/20 feet ✦	35 feet
RS-1	120 feet ☼	13,200 square feet ☼	25%	N/A	70%	30/10/15 feet ✦	35 feet
RS-2	90 feet ☼	10,000 square feet ☼	30%	N/A	70%	25/8/10 feet ✦	35 feet
RS-3	75 feet ☼	7,500 square feet ☼	35%	N/A	70%	25/8/10 feet ✦	35 feet
RG-1 SF Dwellings	75 feet ☼	7,500 square feet ☼	25%	N/A	70%	25/8/10 feet ✦	35 feet
RG-1 MF Dwellings	100 feet ☼	6,000 square feet ☼	25%	N/A	70%	20/10/20 feet ✦	35 feet
RG-2 SF Dwellings	75 feet ☼	7,500 square feet ☼	35%	N/A	70%	25/8/10 feet ✦	35 feet
RG-2 MF Dwellings	75 feet ☼	6,000 square feet ☼	Max. Height 35 feet - 27% 45 feet - 25% 55 feet - 23%	N/A	70%	20/10/10 feet ✦	35 feet ◇ #
RMH (Manufactured/ Mobile Home Park)	100 feet @ entrance & 200 feet @ portion used for Mobile Home stands ☼	10 acres for Mobile Home Park and 2,500 square feet for each Mobile Home stand ☼	35%	N/A	70%	25/10/10 feet	35 feet
RMH (Manufactured/ Mobile Home Subdiv. and Mobile Home on Individual Lot)	200 feet for the Subdivision & 60 feet for individual Lots ☼	10 acres for the Subdivision & 6,000 square feet for each Mobile Home Lot ☼	35%	N/A	70%	20/8/10 feet	35 feet
RMH-S	75 feet ☼	7,500 square feet ☼	35%	N/A	70%	25/8/10 feet	35 feet
OP	N/A	N/A	N/A	50%	75%	15/5/10 feet	40 feet ◇ # +
CN	N/A	N/A	N/A	50%	70%	20/5/10 feet	35 feet
CHT	100 feet	15,000 square feet	N/A	50%	75%	15/15/15 feet	40 feet ◇ # +
CG	N/A	N/A	N/A	50%	70%	15/5/10 feet	40 feet ◇ # +
TCMU							
Bldg. Type I	N/A	N/A	N/A	80%	75%	Section 3.10.05.C. 1	40 feet@ +
Bldg. Type II	N/A	N/A	N/A	80%	75%	Section 3.10.05. C.2	40 feet @ +
Bldg. Type III	N/A	N/A	N/A	80%	75%	Section 3.10.05 .C.3	40 feet @ +
CI	N/A	N/A	N/A	50%	75%	15/5/10 feet	40 feet ◇ # +
CHI	N/A	N/A	N/A	50%	75%	15/5/10 feet	40 feet ◇ # +
CR	N/A	N/A	N/A	50%	70%	15/5/10 feet	40 feet ◇ # +
CW	N/A	N/A	N/A	70%	75%	15/15/15	40 feet ◇ # +
IW	N/A	N/A	N/A	70%	75%	15/15/15 feet	None * # +

Attachment 4

Commercial Medium-two (CM-2) zoning

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

(1) *Permitted uses and structures.* As for CM-1 (section 28-208), and in addition:

- a. Retail outlets for the sale of general merchandise excluding new or used automobiles, trucks, boats and tractors (but not automobile wrecking or storage yards, junkyards, or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nursery, lumber and building supplies, supermarkets and convenience stores and similar products.
- b. Service establishments of all kinds including automobile service station or truck stop (see section 28-338) excluding businesses where automotive vehicles are offered for rent or sale, repair and service garage, motor vehicle body shop, auto laundry, drive-in restaurant, laundry or dry cleaning establishments, veterinarian or animal boarding kennels in soundproof building, pest control, carpenter or cabinet shop, home equipment rental, ice delivery station, job printing or newspaper, marina, radio or television broadcasting transmitter, antenna, office and studio facilities, banks and financial institutions, video rentals, funeral homes, travel agencies, electronic equipment/TV repair shop, employment offices, upholstering, furniture refinishing and similar establishments.
- c. Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.
- d. Any type of wholesale, jobber or distributorship business where the total operation does not require more than four thousand (4,000) square feet of floor space; no vehicle is used in excess of one-and-one-half-ton capacity; all merchandise is stored within an enclosed building; and no heavy machinery or manufacturing is located on the premises.
- e. Hotels and motels with or without kitchenettes.
- f. Building trades contractor not requiring outside storage; nor the use of any vehicle in excess of one-ton capacity; nor any machinery, ditching machines, tractors, bulldozers or other heavy construction equipment.
- g. Multifamily dwellings as for RG-1.
- h. Colleges.
- i. Shopping plaza or shopping center.
- j. Intermediate care facilities.
- k. Home office, private.

- l. Agricultural market, outdoor or indoor.
 - m. Special event venue as per section 28-347(8).
- (2) *Permitted accessory uses. See section 28-348.*
- (3) *Permissible uses by exception:*
- a. As provided in section 28-347.
 - b. Wholesale, warehouse, or storage use, to include miniwarehouses, and self-storage facilities.
 - c. Building trades contractor with outside storage yard and heavy construction equipment.
 - d. Boatyard.
 - e. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating and candy manufacturing.
 - f. Bulk storage yards, including bulk storage of flammable liquids.
 - g. Open air theaters, but not drive-in theaters.
 - h. Commercial, recreational and entertainment facilities such as museums, carnival or circus, shooting gallery, skating rink, pony ride, go-cart track, athletic complexes, arena, auditorium, convention center, dance hall, indoor theater and similar uses; provided, however, such uses do not have temporary facilities which exceed more than thirty-five (35) feet in height for more than thirty (30) days in any calendar year. For the purpose of this section, exceeding the height at any time during a twenty-four-hour period constitutes a day.
 - i. Palmist, astrologist, psychics, clairvoyants, phrenologists and similar uses.
 - j. Tattoo parlor or studio.
 - k. Businesses that offer for sale new or used automobiles, trucks, boats and tractors.
 - l. Uses and structures as for RG-1 (section 28-163).
 - m. Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana.
- (4) *Minimum lot requirements (width and area):*
- a. Minimum lot width, one hundred (100) feet.
 - b. Minimum lot area, fifteen thousand (15,000) square feet; except as specifically required for certain uses.
- (5) *Maximum lot coverage of all buildings. Seventy-five (75) percent.*
- (6) *Minimum yard requirements:*
- a. Front, zero feet minimum, thirty (30) feet maximum, except for property abutting U.S. Highway No. 1 for which the front yard requirements shall be ten (10) feet

minimum and no maximum. Buildings must front an arterial road if the property is located along an arterial, and front two (2) arterial roads if the property is located adjacent to two (2) or more arterial roads. The front yard requirement shall be measured from the property line to the building, excluding awnings, portes cochere, balconies, porches, canopies, or other non-occupied appendages.

- b. Side, five (5) feet.
- c. Rear, five (5) feet.
- d. Minimum yard requirements for the San Marco Avenue Design Standards. Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the residential typology requires a front setback fifteen (15) feet minimum, thirty (30) feet maximum. Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the traditional commercial typology requires a front setback zero feet minimum, ten (10) feet maximum, and zero feet side setback consistent with the chart in the design standards.

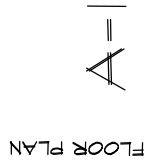
(7) *Maximum height of structures:* Thirty-five (35) feet.

(8) *Vehicular access:* Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana shall require a condition of direct vehicular access to a roadway functional classification of principal arterial-urban U.S. Highway 1.

(Code 1964, § 33-45; Ord. No. 93-03, § 1, 2-22-93; Ord. No. 00-04, § 1, 4-10-00; Ord. No. 03-17, § 5, 6-23-03; Ord. No. 06-34, § 1, 11-13-06; Ord. No. 2007-10, § 1, 7-9-07; Ord. No. 09-16, § 1, 5-11-09; Ord. 10-12, § 1, 4-12-10; Ord. No. 10-23, § 1, 8-9-10; Ord. No. 14-27, § 1, 12-8-14; Ord. No. 15-02, § 1, 12-14-15; Ord. No. 16-02, § 1, 1-25-16; Ord. No. 18-09, § 4, 6-25-18)

Attachment 5

Conceptual Site Plan



WARNING

0 1/2 1

IF THIS BAR DOES NOT MEASURE 1" THIS COPY OF THIS DOCUMENT IS NOT TO SCALE



DRAWN: CKS
CHECKED: JCK
DATE: _____, 2019
SCALE: 1" = 20'
JOB No: 19-0080.000

Attachment 6

Allowed uses for CG & CM-2 Zoning

TABLE OF ALLOWABLE AND SPECIAL USES																							
TABLE 2.03.01																							
Supplemental Regulations	Uses Allowed Within Zoning Districts	OR	RSE	RS-1	RS-2	RS-3	RG-1	RG-2	RMH	RMH(S)	Office & Professional	Commercial Neighborhood	Commerical General	Town Center Mixed Use	Commercial Highway Tourist	High Intensity Commercial	Commercial Rural	Commercial High Intensity	Commerical Warehouse	Industrial Warehousing	Heavy Industrial	Public Service	Airport Development
											OP	CN	CG	TCMU	CHT	CI	CR	CHI	CW	IW	HI	PS	AD
	Residential Use	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sec. 2.03.39	Single Family Detached	A	A	A	A	A	A	A		A	Aa	Aa	Aa	A	Aa	Aa	Aa	Aa	Aa	Aa	Aa	Aa	A
Sec. 2.03.08	Manufactured Homes/Mobile Home	A		S	S	S	S	S	A	A	S	S	S		S	S	S	S	Aa	Aa	Aa	Aa	S
Sec. 2.03.09	Manufactured/Mobile Home Parks								A	S													
	Condominium Ownership			A	A	A	A	A						A									
	cooperatives and other ownership arrangements (Multifamily, triplex)						A	A						A									
Sec. 2.03.04	Child and Adult Care	A	S	S	S	S	S	S	S	S	A	A	A	S	A	A	A			S	S		A
Sec. 2.03.23	Special Care Housing	A	S	S	S	S	A	A	S	S													S
	Cemetaries/Mausoleums	A	S	S	S	S	S	S	S	S	S	S	S										A
Sec. 2.03.17	Private Schools	S	S	S	S	S	S	S	S	S	S	S	S	S			S						S
Sec. 2.03.19	Community Marinas		S	S	S	S	S	S	S	S		S	A			S							
Sec 2.03.07	Home Occupation	S	S	S	S	S	S	S	S	S													S
	Horses and Ponies	A	S	S	S	S	S	S	S	S													A
Sec. 2.03.35	Household Animals	A	S	S	S	S	S	S	S	S													A
Sec. 2.03.06	Other animals	A	S	S	S	S	S	S	S	S													A
Sec. 2.03.18	Two Family Dwellings		S	S	S	S	A	A	S	S	A	A	A		A	A	A	A	A	A			A
	Townhomes						A	A			Aa	Aa	Aa	A	Aa	Aa	Aa	Aa	Aa	Aa	Aa		
	Duplex			S	S	S	A	A			Aa	Aa	Aa		Aa	Aa	Aa	Aa	Aa	Aa	Aa		
Sec. 2.03.28	More than one Main Use Structure on Residential Lot	S	S	S	S	S	A	A	S	S													
	Model homes with our without sales offices and construction trailers	A	A	A	A	A	A	A	S	S													A
	Agricultural Uses	✓																					✓
	Silviculture	A																					A
	Horticulture	A																					A
	Aquaculture	A																					A
	Crop Production	A																					A
	Pasture Lands	A																					A
	Passive Outdoor Recreation	A																					A
	Livestock	A																					A
	Bee Keeping	A																					A
Sec. 2.03.06	Horses, Ponies and other Animals	A																					A
	Orchards	A																					A
Sec. 2.03.29	Plant Nurseries (commercial)	A																					A
	General Stores and Feed Stores	S																					
Sec. 2.03.13	Cemeteries and Mausoleums	A																					A
Sec. 2.03.23	Special Care Housing	A																					S
Sec. 2.03.41	Veterinary Offices, Animal Hospitals (with outside Kennels)	S																					S
Sec. 2.03.32	Kennels and other Animal Boarding Facilites	S																					S
Section 2.03.56	Animal Care Facility																						A
	Dog and Domestic Animal Parks	A																					A
	Rural Home Industry	A																					A
	Agricultural Manufacturing and Structures (barns, sites, pens, corrals, stables, greenhouses, milking parlors, dairies, feedlots, silos)	A																					A

Supplemental Regulations	Uses Allowed Within Zoning Districts	OR	RSE	RS-1	RS-2	RS-3	RG-1	RG-2	RMH	RMH(S)	OP	CN	CG	TCMU	CHT	CI	CR	CHI	CW	IW	HI	PS	AD
	Treated Wastewater land application disposal	A																					
Sec. 2.03.21	Farm Worker Housing	S																					S
Sec. 2.03.24	Bed and Breakfast (max 10 units)	Sx																					A
	Primitive Campgrounds	A																					A
Sec. 2.03.33	Retreats (max 10 units, max 20 ppl)	S																					A
Sec. 2.03.28	Private Clubs	A																					S
	Dude Ranch	A																					A
	Riding Academy	A																					A
	Hunting Camps	A																					A
	Game Preserves	A																					A
	Wildlife Preserves	A																					A
	Outdoor Events	A																					A
	Outdoor Arenas	A																					A
Sec. 2.03.30	Outdoor Firing Ranges	S																					
Sec. 2.03.60	Rural Industry	S																					
Sec. 2.03.40	Aircraft Landing Fields	S																					
	Cultural / Institutional Use	✓									✓	✓	✓	✓	✓		✓						✓
	Libraries	A									A	A	A	A	A		A						A
	Galleries	A									A	A	A	A	A		A						A
	Museums	A									A	A	A	A	A		A						A
	Schools (Conventional Academic)	A									A	A	A	A	A		A						A
	Adult Day Care (child and adult daycare)	A	S	S	S	S	S	S	S	S	A	A	A	S	A	A	A			S	S		A
	Community Centers	A									A	A	A	A	A		A						A
Sec. 2.03.12	Churches and Synagogues	A	S	S	S	S	S	S	S	S	A	A	A	S	A	A	A	S	S	S	S	S	A
Sec. 2.03.38	Private Clubs	A									S	S	A		A	A	A						S
	Parks and Recreation Facilities (w/wo lighted fields and courts)	A									A	A	A	A	A		A						A
	Neighborhood Business/ Commercial Uses											✓	✓	✓	✓	✓	✓						✓
	Commercial Indoor Recreation											A	A		A	A	A	S	S	S			
	Archery											A	A	A	A	A	A						A
	Entertainment											A	A	A	A	A	A						A
	Hospitality											A	A	A	A	A	A						A
	Retail good stores											A	A	A	A	A	A						A
Sec. 2.03.46	Financial Institutions w/wo drive through											A	A	A*	A	A	A	S	S				
	Funeral homes										A	A	A	A	A	A	A						A
Sec. 2.03.44	Convenience Stores without gas pumps											A	A	A	A	A	A						
	Grocery Stores											A	A	A	A	A	A						A
	Specialty Food Stores											A	A	A	A	A	A						A
	Pharmacies (w/o drive through)											A	A	A	A	A	A						A
	Billards and Pool parlors											A	A	A	A	A	A						A
	Spas/gyms and health											A	A	A	A	A	A						A
	Trade schools										A	A	A	A	A	A	A	A	A	A			A
Sec. 2.03.12	Churches										A	A	A	S	A	A	A	S	S	S	S	S	A
Sec. 2.03.24	Bed and Breakfast (max 10 units)										S	Sx	Ax	A	A	A	A						A
	Mini Warehouse / personal property										S	S	S		S	A	S	A	A	A			A
Sec. 2.03.42	Recreational Vehicle/Boat Storage											S	S		A	A		A	A	A	A		

Supplemental Regulations	Uses Allowed Within Zoning Districts	OR	RSE	RS-1	RS-2	RS-3	RG-1	RG-2	RMH	RMH(S)	OP	CN	CG	TCMU	CHT	CI	CR	CHI	CW	IW	HI	PS	AD
	Personal Services (catering, printing, mail & package, travel agencies, laundries, beauty shops, barbers, photo studios)										A	A	A	A	A	A	A						A
Sec. 2.03.41	Veterinary Offices (no outdoor boarding facilities and enclosed within soundproof building)											A	A****	A	A	A	A						A
	Child and Adult Daycare										A	A	A	S	A	A	A			S	S		A
Sec. 2.03.45	Nursing Homes											A	A	A	A	A	A						A
Sec. 2.03.58	Restaurants (with/without drive through)										S	A*	A	A*	A	A	A	A	A				
Sec. 2.03.22	Brewpub											S	S	S	S	S		S	S				
Sec. 2.03.19	Psychics, Astorlogists, Palmists (Ord. 98-18)										S	S	A	S	A	A	A	A	A	A			A
	Community Marinas											S	A				S						
	Medical/professional offices										A	A	A	A	A	A	A	A	A				A
	Government offices										A	A	A	A	A	A	A	A	A	A	A	A	A
	Schools for fine arts or martial arts										A	A	A	A	A	A	A						A
	General Business / Commercial Use												✓	✓		✓							✓
Sec. 2.03.43	Commercial Recreation												A		A	A	A	S	S	S			
	Archery												A	A	A	A	A						A
	Entertainment												A	A	A	A	A						A
	Hospitality												A	A	A	A	A						A
Sec. 2.03.46	Retail good stores												A	A	A	A	A						A
	Financial Institutions (w/wo drive through)												A	A*	A	A	A	S	S				
	Pharmacies (w/wo drive through)												A	A*	A	A	A*						A
	Free Standing ATMS												A	A		A							A
Sec. 2.03.14	Crematoriums, Funeral Homes, Mortuaries,												S	A		S	S	S	S				S
	Indoor Farm and Garden Supply Centers												A	A		A	A						A
Sec. 2.03.44	Outdoor Plant Sales												A	A	A	A							A
	Outdoor Storage												S		A	A	S	A	A	A	A		A
	Neighborhood Convenience Stores w/wo pumps												A		A	A		S	S				
Sec. 2.03.50	Gas station w/out auto service repair												A	A	A	A		A	A				A
	Car Wash Facilities												S		A	A	S	A	A				
Sec. 2.03.51	Auto Oil Change Facilities												S		A	A	S	A	A				
Sec. 2.03.52	Tire Service Centers												S		A	A	S	A	A				
	Small car rental offices with fleet												A	A		A							A
	Grocery Stores, Specialty Food Stores										A	A	A	A	A	A	A						A
	Supermarkets												A	A		A							A
	Bowling alleys												A	A		A							A
	Spas, Gyms, Health Clubs											A	A	A	A	A	A						A
	Community hospitals												A	A		A							A
	Vocational/Trade School										A	A	A	A	A	A	A	A	A	A			A
Sec. 2.03.24	Bed and Breakfast	Sx									S	Sx	Ax	A	A	A	A						A
Sec. 2.03.16	Personal Property/Mini Warehouse										S	S	S		S	A	S	A	A	A			A
Sec. 2.03.42	RV/Boat Storage											S	S		A	A		A	A	A	A		
	Personal Services (catering, printing, mail & package, travel agencies, upholstery, laundries)										A	A	A	A	A	A	A						A

Supplemental Regulations	Uses Allowed Within Zoning Districts	OR	RSE	RS-1	RS-2	RS-3	RG-1	RG-2	RMH	RMH(S)	Office & Professional	Commercial Neighborhood	Commercial General	Town Center Mixed Use	Commercial Highway Tourist	High Intensity Commercial	Commercial Rural	Commercial High Intensity	Commercial Warehouse	Industrial Warehousing	Heavy Industrial	Public Service	Airport Development
	Small appliance repair shops										A	A	A	A		A			A	A			A
	Upholstery service											A	A	A	A	A	A						A
	Personal Services											A	A	A	A	A	A						A
	Employment services										A	A	A	A		A		A	A				A
	Bail bonds										A	A	A	A		A							A
	Photography Studios										A	A	A	A	A	A	A						A
Sec. 2.03.22	Psychics (Ord. 98-18)										S	S	A	S	A	A	A	A	A	A			A
	Adult and Child Care Centers	A	S	S	S	S	S	S	S	S	A	A	A	A	A	A	A	A	A	S	S		A
	Nursing Homes											A	A	A	A	A	A						A
	Psychiatric Care and Treatment Facilities with or without Housing												A	A		A							A
Sec. 2.03.45	Restaurants (with/without drive through)										S	A*	A	A*	A	A	A	A	A				
Sec. 2.03.58	Brewpub											S	S	S	S	S		S	S				
Sec. 2.03.59	Microbrewery												S	S	S	S		S	S	S	S		
Sec. 2.03.19	Community Marinas		S	S	S	S	S	S	S	S		S	A				S						
	General and Professional Offices, Medical Offices										A	A	A	A	A	A	A	A	A				A
Sec. 2.03.41	Veterinary office (wo outside boarding, sound proof, no more than 10 outside runs not to exceed 640 sqft)	S										A	A	S	A	A	A	A	A	A			S
	Government offices										A	A	A	A	A	A	A	A	A	A	A	A	A
	Golf driving ranges												A	A		A							A
	Movie theaters with three or fewer screens												A	A		A							A
	Schools for fine arts or martial arts										A	A	A	A	A	A	A						A
	Town Center Mixed Use													✓									✓
	Retail											A	A	A	A	A	A						A
	General Business												A	A		A							
	Office										A	A	A	A	A	A	A	A					A
	Hospitality, Beach and Recreation, Resort Svcs													A									
Sec. 2.03.24	Bed and Breakfast	S									S	S	A	A	A	A	A						A
	Hotel/Motel													A	A	A		A	A				
	Grocery Stores											A	A	A	A	A	A						
	Pharmacies (w/wo drive through)											A*	A	A*	A	A	A*						A
	Bank (w/wo drive through)											A	A	A*	A	A	A	S	S				
	Medical/professional offices										A	A	A	A	A	A	A	A	A				A
Sec. 2.03.41	Veterinary Offices and Animal Hospitals	S										A***	A****	S***		A	A	A	A	A			S
	Personal Services: Beauty Shops, Barbers, Day Spas										A	A	A	A	A	A	A						A
	Daily Neighborhood Business Services													A									
	Mail and Package Servies										A	A	A	A	A	A	A						A
Sec. 2.03.45	Restaurants										S	A*	A	A*	A	A	A	A	A				
Sec. 2.03.58	Brewpub											S	S	S	S	S		S	S				A
Sec. 2.03.59	Microbrewery												S	S	S	S		S	S	S	S		A
Sec. 2.03.47	Bars, Pubs, Night Clubs													S		S		S	S				
	Deli											A	A	A	A	A	A						A

Supplemental Regulations	Uses Allowed Within Zoning Districts	OR	RSE	RS-1	RS-2	RS-3	RG-1	RG-2	RMH	RMH(S)	Office & Professional	Commercial Neighborhood	Commercial General	Town Center Mixed Use	Commercial Highway Tourist	High Intensity Commercial	Commercial Rural	Commercial High Intensity	Commercial Warehouse	Industrial Warehouse/ing	Heavy Industrial	Public Service	Airport Development
	Personal Services (catering, printing, copying, mail & package, travel agencies, laundries, beauty shops, barbers, photo studios, video)										A	A	A	A	A	A							A
	Billiards and Pool Parlors											A	A	A	A	A							A
	Specialty Food Stores											A	A	A	A	A							A
	Liquor and Wine Stores											A	A	A	A	A							A
	Urgent Care Facilities (not hospitals)										A	A	A	A		A							A
	Health Clubs, Gyms											A	A	A	A	A	A						
Sec. 2.03.22	Psychics										S	S	A	S	A	A	A	A	A				A
	Multi-family Residential			Aa	Aa	Aa	A	A			Aa	Aa	Aa	A	Aa	Aa							
	Government Offices (PO, Library, Sheriff SubStation)										A	A	A	A	A	A	A	A	A	A	A	A	A
	Town Center Mainstreet Office													A									
	Cultural Centers													A									
	Vendors Subject to Permitting													A									
	Schools for Performing or Cultural Arts													A									
	Indoor Recreation including movie/live theatre													A									
	Alcoholic Beverage Sales subject to 2.03.01, 2.03.02	S									S	S	S	A	S	S	S	S	S	S			S
	Outdoor Sit Down Cafes													A									
	Art Galleries													A									
	Pottery Shops													A									
	Apparel, Vintage Clothing													A									
	Gift Shops, Home Décor													A									
	Garden Stores, Book Stores													A									
	Kite Shops, Surf Shops, Bike Shops													A									
	Dry Cleaner (Mail and Package only)													A									
	Travel, Real Estate, Financial Advisor													A									
	Live/Work Units													A									
	Highway Commercial Uses														✓	✓							✓
	Service stations w/wo retail food sales														A	A		A	A				A
Sec. 2.03.51	Auto Oil Change Facilities (3 enclosed bays)												S		A	A	S	A	A				
	Auto service (3 enclosed bays no outdoor storage)												A		A	A							A
Sec. 2.03.50	Car Wash Facilities												S		A	A	S	A	A				
Sec. 2.03.45	Restaurants, w/wo drive through facilities										S	A*	A	A*	A	A	A	A	A				
	Agricultural Stands Temp/Perm														A	A	A	A	A				A
	Outdoor Plant Sales												A	A	A	A		A	A				A
Sec. 2.03.27	RV Campgrounds														A	S	A	S	S	S			A
Sec. 2.03.19	Marinas												S	S	A	A		A	A	A			S
	Hotels and Motels													A	A	A		A	A				
	Adult Arcade Amusement Centers														S	A		A	S				
Sec. 2.03.48	Electronic Game Promotions														S	S		S	S				
Sec. 2.03.33	Retreats	S													A	A	A						A
Sec. 2.03.34	Fish Camps	S													A		A						

Supplemental Regulations	Uses Allowed Within Zoning Districts	OR	RSE	RS-1	RS-2	RS-3	RG-1	RG-2	RMH	RMH(S)	OP	CN	CG	TCMU	CHT	CI	CR	CHI	CW	IW	HI	PS	AD
Sec. 2.03.44	Convenience Stores w/wo gas sales												A		A	A		S	S				
	Tourist Retail Sales														A	A							A
Sec. 2.03.36	Truck Stops														S	S		S	S				
	High Intensity Commercial Uses															✓		✓	✓				✓
	automobile sales - I															A		A	A				A
	automobile rental - I															A		A	A				A
	automobile service/repair - I, Repair of farm and garden equipment															A		A	A				A
	automobile storage -I															A		A	A				A
	Body shops															A		A	A				A
Sec. 2.03.50	Car Wash Facilities												S		A	A	S	A	A				
	Service stations															A		A	A				A
Sec. 2.03.44	Convenience Stores with gas pumps												A			A		S	S				
	Large scale discount centers															A		A	A				A
	Supercenters															A		A	A				A
	Large Scale Building Supply Centers															A		A	A				A
	Big Box retailers															A		A	A				A
	Outdoor plant and garden supply sales															A		A	A				A
	Professional Office, general office, govn office										A	A	A	A	A	A	A	A	A				A
Sec. 2.03.22	Psychics (Ord. 98-18)										S	S	A	S	A	A	A	A	A	A			A
Sec. 2.03.46	Financial institutions w/wo drive through											A	A	A*	A	A	A	S	S				
Sec. 2.03.45	Restaurants w/wo drive through										S	A*	A	A*	A	A	A	A	A				
Sec. 2.03.43	Commercial recreation											A	A		A	A	A	S	S	S			
	Vocational, technical trade school										A	A	A	A	A	A	A	A	A	A			A
	Licensed parimutual permit holder														S	A		S	A				
	newspaper printing operations and distribution centers															A		A	A				A
Sec. 2.03.47	Free Standing Taverns, Bars, Lounges, Clubs													S		S		S	S				
Sec. 2.03.48	Electronic Game Promotions														S	S		S	S				
	Adult Uses															S		S	S	S			
Sec. 2.03.48	Indoor Activities, Adult Arcades														S	A		A	S				
	Agricultural Stands (temporary or perm)														A	A	A	A	A				A
	Outdoor arenas	A														A		A	A				A
	Rodeo Grounds															A		A	A				A
	Livestock auction facilities															A		A	A				A
	Race tracks (auto, dog, kart, horse, moto)															A		A	A				A
	Indoor shooting firing ranges															A		A	A				A
Sec. 2.03.27	RV Campgrounds														A	S	A	S	S	S			S
Sec. 2.03.19	Ports															A		A	A	A	A		
Sec. 2.03.19	Marinas												S	S	A	A		A	A	A			S
Sec. 2.03.41	veterinary office/animal hospital (outside boarding)	S														A	A	A	A	A			S
Sec. 2.03.32	Kennels and other animal boarding facility	S														A	A	A	A	A			S
	storage yards for equipment/machinery															A		A	A				A

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	dry storage for boats, building contractors, landscaping services, garbage haulers																				A			A	A										A	
	extermination/ pest control																				A			A	A										A	
	Flea Markets (outdoor/indoor sales complex) temporary or permanent																				A			A	A										A	
Sec. 2.03.36	Truck Stops																		S	S				S	S											
	Hotels/Motels																		A	A				A	A									A		
	Rural Commercial Uses																						✓													
Sec. 2.03.29	General Stores	S											A	A					A	A	A															
Sec. 2.03.45	Restaurants w/wo drive through											S	A*	A	A*				A	A	A	A	A	A	A	A										
	Gas Stations														A				A	A				S	S											
	Farm and Garden Supply Stores														A	A				A	A														A	
Sec. 2.03.50	Car Wash Facilities														S				A	A	S	A	A													
Sec. 2.03.51	Auto Oil Change Facilities														S				A	A	S	A	A													
Sec. 2.03.52	Tire Service Centers														S				A	A	S	A	A													
	Bait and Tackle General Supplies																					A														
	Agricultural Stands																		A	A	A	A	A												A	
	Nurseries	A																					A													
Sec. 2.03.34	Fish Camps	S																	A			A														
Sec. 2.03.19	Community Marinas		S	S	S	S	S	S	S	S			S	A									S													
Sec. 2.03.24	Bed and Breakfast Establishments	S										S	S	A	A				A	A	A	A													A	
Sec. 2.03.33	Retreats	S																	A	A	A														A	
	Primitive Campgrounds	A																				A													A	
Sec. 2.03.27	RV Campgrounds																		A	S	A	S	S	S											S	
Sec. 2.03.38	Private Clubs (Hunt, Saddle, Riding)	A										S	S	A					A	A	A														S	
Sec. 2.03.32	Boarding Stables, Kennels, other animals	S																			A	A	A	A	A										S	
	Shooting Ranges	S																				A														
Sec. 2.03.54	Outside storage														S				A	A	S	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Sec. 2.03.41	Veterinary Offices	S											A	A	S						A	A	A	A	A	A	A	A	A	A	A	A	A	A	S	
	Light Industrial Uses																									✓	✓		✓		✓				✓	
	Boat and RV storage												S	S					A	A				A	A	A	A	A	A							
	Light Manufacturing																									A	A								A	
	Vegetable Food Processing																									A	A								A	
	Production, Packaging, Assembly Plants																									A	A								A	
	Warehousing w/wo Distribution Centers																									A	A								A	
	Lumberyards																									A	A								A	
	Large Scale Printing Plants																									A	A								A	
	Newspaper Printing Operation/Distribution																									A	A								A	
	Business amd Commerce Parks																									A	A								A	
Sec. 2.03.19	Ports																				A			A	A	A	A	A	A							
Sec. 2.03.19	Marinas													S	S				A	A			A	A	A	A	A	A						S		
	Office Showrooms																									A	A								A	
Sec. 2.03.31	Vehicle Recycling Facilities																									S	S									
Sec. 2.03.49	Composting and other Yard Waste Facilities	S																										S	A							
	Extermination and Pest Control Svcs																				A			A	A	A	A								A	

Supplemental Regulations	Uses Allowed Within Zoning Districts	OR	RSE	RS-1	RS-2	RS-3	RG-1	RG-2	RMH	RMH(S)	OP	CN	CG	TCMU	CHT	CI	CR	CHI	CW	IW	HI	PS	AD
	Storage Yards for Equipment, Machinery, Boats and supplies for trades contractors															A		A	A	A			A
	Boat and RV storage											S	S		A	A		A	A	A	A		
	Landscaping Services															A		A	A	A			A
	Garbage Haulers															A		A	A	A			A
	Appliance Repair Shops																		A	A			A
	Machine Shops																		A	A			A
	Vehicle Repair and Storage (All Types)																		A	A			A
	Mini Warehousing Personal Property										S	S	S		S	A	S	A	A	A			A
	Indoor Kennels and other animal boarding	S														A	A	A	A	A			S
Sec. 2.03.41	Veterinary Office and Animal Hospitals and Groomers	S														A	A	A	A	A			S
	Vocational/Technical Trade Schools										A	A	A	A	A	A	A	A	A	A			A
Sec. 2.03.43	Commercial Recreation											A	A		A	A	A	S	S	S			
	Heavy Industrial																						
	Heavy Manufacturing																				A		A
Sec. 2.03.19	Slaughterhouse and Animal Processing																				A		A
Sec. 2.03.19	Port Facilities															A		A	A	A	A		
	Marinas											S	S	A	A		A	A	A	A			S
	Power Plants																				A		A
	Dry Cleaning Plants																				A		A
	Metal and Rubber Fabrication																				A		A
	Chemical and Fertilizer Manufacturing																				A		A
	Paper and Pulp Manufacturing																				A		A
	Petroleum Refining																				A		A
	Plastic, Glass, Cement, Concrete, Clay Manufacture																				A		A
	Mining and Extraction Activities	✓																			✓	✓	✓
Sec. 2.03.10	Land Excavation/Borrow Pits	S																	S	S	A	S	A
	Onsite processing of resources	A																		A	A		A
	Office and Professional Services										✓	✓	✓	✓		✓							✓
	Personal Services (catering, printing, mail & package, travel agencies, laundries, beauty shops, barbers, photo studios)										A	A	A	A	A	A	A						A
	Small Appliance Repair										A	A	A	A		A							A
	Upholstery service										A	A	A	A		A							A
	Bail Bond Agencies										A	A	A	A		A							A
	Employment Services										A	A	A	A		A		A	A				A
	Vocational/Technical Schools										A	A	A	A	A	A	A	A	A	A			A
Sec. 2.03.45	Restaurants										S	A*	A	A*	A	A	A	A	A	A			
	Offices - Government										A	A	A	A	A	A	A	A	A	A	A	A	A
	Offices - Professional										A	A	A	A	A	A	A	A	A				A
	Medical offices w/scheduled or emergency services (No overnight lodging)										A	A	A	A		A							A

Supplemental Regulations	Uses Allowed Within Zoning Districts	OR	RSE	RS-1	RS-2	RS-3	RG-1	RG-2	RMH	RMH(S)	Office & Professional	Commercial Neighborhood	Commercial General	Town Center Mixed Use	Commercial Highway Tourist	High Intensity Commercial	Commercial Rural	Commercial High Intensity	Commercial Warehouse	Industrial Warehousing	Heavy Industrial	Public Service	Airport Development
	Diagnostic Centers: Radiology, Screening, Testing										A	A	A	A		A							A
	Medical Equipment, Supplies										A	A	A	A		A							A
	Outdoor /Passive Uses	✓	✓	✓	✓	✓	✓	✓	✓	✓				✓									✓
	Walking and Hiking Trails	A	A	A	A	A	A	A	A	A				A									A
	Bridle Paths	A	A	A	A	A	A	A	A	A				A									A
	Greenways	A	A	A	A	A	A	A	A	A				A									A
	Game Preserves	A	A	A	A	A	A	A	A	A				A									A
	Natural Preserves	A	A	A	A	A	A	A	A	A				A									A
	Parks with Picnic Areas	A	A	A	A	A	A	A	A	A				A									A
	Primitive Camps	A	A	A	A	A	A	A	A	A				A									A
	Country Clubs	A	A	A	A	A	A	A	A	A	S	S	A		A	A	A						S
	Golf Clubs, Golf Driving Ranges	A	A	A	A	A	A	A	A	A			A	A		A							A
Sec. 2.03.13	Cemeteries (People or Pets) Mausoleums	A	S	S	S	S	S	S	S	S	S	S	S										A
	Neighborhood Public and Emergency Service	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Neighborhood Scale Fire, Police Stations, EMS	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Sec. 2.03.25	Wastewater Treatment Plants	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	A	A	S
Sec. 2.03.37	Electric Substations	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	A	A	S
	Telephone Equipment, Switching, Similar	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Sec. 2.03.26	Antennas, Antenna Towers	A	S	S	S	S	S	S	S	S	S	S	S		S	A	S	A	A	A	A	S	S
Sec. 2.03.53	Social Assistance Centers	S									S	S	S	S	S	A	S	A	A	S	S	A	S
	General Public and Emergency Service															✓			✓	✓	✓	✓	✓
	Airports, Heliport Seaplane Facilities															A			A	A	A	A	A
	Rail Yards															A			A	A	A	A	A
	Ambulance/Fire/Police/EMS															A			A	A	A	A	A
	Government offices										A	A	A	A	A	A	A	A	A	A	A	A	A
Sec. 2.03.25	Wastewater Treatment Plants	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	A	A	S
Sec. 2.03.37	Electric Substations	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	A	A	S
	Maintenance, Garage, Storage Yards for School Buses, Highway Construction Equipment,															A			A	A	A	A	A
Sec. 2.03.26	Towers; Microwave, Radio, Telecom, Antenna	S	S	S	S	S	S	S	S	S	S	S	S		S	A	S	A	A	A	A	S	S
	Commercial Uses															✓							✓
	Shopping Mall															A							A
	Commerce Parks															A							A
	All uses in General Business Category															A							A
	All uses in High Intensity Commerical Category															A							A
	All uses in Office and Professional Services Category															A							A
	Regional Cultural and Entertainment Facilities															✓							
	Colleges and Universities															A							
	Amusement and Theme Parks															A							
	Performing Arts Center															A							
	Hospitals and Medical Centers															A							

Supplemental Regulations	Uses Allowed Within Zoning Districts	Open Rural										Office & Professional	Commercial Neighborhood	Commercial General	Town Center Mixed Use	Commercial Highway Tourist	High Intensity Commercial	Commercial Rural	Commercial High Intensity	Commercial Warehouse	Industrial Warehousing	Heavy Industrial	Public Service	Airport Development	
		OR	RSE	RS-1	RS-2	RS-3	RG-1	RG-2	RMH	RMH(S)	OP	CN	CG	TCMU	CHT	CI	CR	CHI	CW	IW	HI	PS	AD		
	Convention Centers															A									
	Solid Waste & Correctional Facilities	✓																				✓			
Sec. 2.03.11	Solid Waste Transfer Facilities	S																				A			
	Hazardous Waste Transfer Facilities	A																				A			
Sec. 2.03.49	Recycling Centers	A																				A			
	Composting and other Yard Waste Facilities	S																		S	A				
Sec. 2.03.20	Criminal Justice Detention Correctional Facilities	S																				S			
	Other uses																								
Sec. 2.03.15	Offsite unpaved parking lots	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S	S	S	
	Horse and Pony	A	S	S	S	S	S	S	S	S															
	alcoholic beverages	S									S	S	S	A	S	S	S	S	S	S				S	
Sec. 2.03.25	Water / Wastewater Treatment Facility	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S	A	A	S	
Sec. 2.03.23	Special care housing	A	S	S	S	S	A	A	S	S														S	
Sec. 2.03.26	Antennae Towers	A	S	S	S	S	S	S	S	S	S	S	S		S	A	S	A	A	A	A	A	S	S	
	Electric Substations	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	A	A	S		
Sec. 2.03.54	Outside Storage												S		A	A	S	A	A	A	A	A	A	A	
Sec. 2.03.55	Large Place of Assembly	S	S	S	S	S	S	S	S	S	S	S	S	S	A	A	S	S	S	S	S	S	S	S	
* drive thru prohibited																									
** gas pumps not permitted																									
*** without outside boarding facilities																									
**** without boarding facilities and outside runs limited to 10 not to exceed an area of 640 sf total																									
a accessory use per section 2.02.04																									
A Allowed by right																									
S Special use																									
I all vessels to include automobiles, buses, boats, farm and garden equipment, motorcycles, trucks, recreational vehicles, manufactured mobile homes																									
x limited to maximum of 10 units																									
xx limited to max of 20 units																									

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

(1) *Permitted uses and structures.* As for CM-1 (section 28-208), and in addition:

- a. Retail outlets for the sale of general merchandise excluding new or used automobiles, trucks, boats and tractors (but not automobile wrecking or storage yards, junkyards, or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nursery, lumber and building supplies, supermarkets and convenience stores and similar products.
- b. Service establishments of all kinds including automobile service station or truck stop (see section 28-338) excluding businesses where automotive vehicles are offered for rent or sale, repair and service garage, motor vehicle body shop, auto laundry, drive-in restaurant, laundry or dry cleaning establishments, veterinarian or animal boarding kennels in soundproof building, pest control, carpenter or cabinet shop, home equipment rental, ice delivery station, job printing or newspaper, marina, radio or television broadcasting transmitter, antenna, office and studio facilities, banks and financial institutions, video rentals, funeral homes, travel agencies, electronic equipment/TV repair shop, employment offices, upholstering, furniture refinishing and similar establishments.
- c. Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.
- d. Any type of wholesale, jobber or distributorship business where the total operation does not require more than four thousand (4,000) square feet of floor space; no vehicle is used in excess of one-and-one-half-ton capacity; all merchandise is stored within an enclosed building; and no heavy machinery or manufacturing is located on the premises.
- e. Hotels and motels with or without kitchenettes.
- f. Building trades contractor not requiring outside storage; nor the use of any vehicle in excess of one-ton capacity; nor any machinery, ditching machines, tractors, bulldozers or other heavy construction equipment.
- g. Multifamily dwellings as for RG-1.
- h. Colleges.
- i. Shopping plaza or shopping center.
- j. Intermediate care facilities.
- k. Home office, private.

- l. Agricultural market, outdoor or indoor.
 - m. Special event venue as per section 28-347(8).
- (2) *Permitted accessory uses*. See section 28-348.
- (3) *Permissible uses by exception*:
 - a. As provided in section 28-347.
 - b. Wholesale, warehouse, or storage use, to include miniwarehouses, and self-storage facilities.
 - c. Building trades contractor with outside storage yard and heavy construction equipment.
 - d. Boatyard.
 - e. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating and candy manufacturing.
 - f. Bulk storage yards, including bulk storage of flammable liquids.
 - g. Open air theaters, but not drive-in theaters.
 - h. Commercial, recreational and entertainment facilities such as museums, carnival or circus, shooting gallery, skating rink, pony ride, go-cart track, athletic complexes, arena, auditorium, convention center, dance hall, indoor theater and similar uses; provided, however, such uses do not have temporary facilities which exceed more than thirty-five (35) feet in height for more than thirty (30) days in any calendar year. For the purpose of this section, exceeding the height at any time during a twenty-four-hour period constitutes a day.
 - i. Palmist, astrologist, psychics, clairvoyants, phrenologists and similar uses.
 - j. Tattoo parlor or studio.
 - k. Businesses that offer for sale new or used automobiles, trucks, boats and tractors.
 - l. Uses and structures as for RG-1 (section 28-163).
 - m. Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana.
- (4) *Minimum lot requirements (width and area)*:
 - a. Minimum lot width, one hundred (100) feet.
 - b. Minimum lot area, fifteen thousand (15,000) square feet; except as specifically required for certain uses.
- (5) *Maximum lot coverage of all buildings*. Seventy-five (75) percent.
- (6) *Minimum yard requirements*:
 - a. Front, zero feet minimum, thirty (30) feet maximum, except for property abutting U.S. Highway No. 1 for which the front yard requirements shall be ten (10) feet

minimum and no maximum. Buildings must front an arterial road if the property is located along an arterial, and front two (2) arterial roads if the property is located adjacent to two (2) or more arterial roads. The front yard requirement shall be measured from the property line to the building, excluding awnings, portes cochere, balconies, porches, canopies, or other non-occupied appendages.

b. Side, five (5) feet.

c. Rear, five (5) feet.

d. Minimum yard requirements for the San Marco Avenue Design Standards.

Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the residential typology requires a front setback fifteen (15) feet minimum, thirty (30) feet maximum. Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the traditional commercial typology requires a front setback zero feet minimum, ten (10) feet maximum, and zero feet side setback consistent with the chart in the design standards.

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

(8) *Vehicular access:* Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana shall require a condition of direct vehicular access to a roadway functional classification of principal arterial-urban U.S. Highway 1.

(Code 1964, § 33-45; Ord. No. 93-03, § 1, 2-22-93; Ord. No. 00-04, § 1, 4-10-00; Ord. No. 03-17, § 5, 6-23-03; Ord. No. 06-34, § 1, 11-13-06; Ord. No. 2007-10, § 1, 7-9-07; Ord. No. 09-16, § 1, 5-11-09; Ord. 10-12, § 1, 4-12-10; Ord. No. 10-23, § 1, 8-9-10; Ord. No. 14-27, § 1, 12-8-14; Ord. No. 15-02, § 1, 12-14-15; Ord. No. 16-02, § 1, 1-25-16; Ord. No. 18-09, § 4, 6-25-18)