

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting October 6, 2020

The Planning and Zoning Board met in formal session Tuesday, October 6, 2020, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Jon DePreter, Acting Chairperson and the following were present:

1. Roll Call: Jon DePreter, Acting Chairperson
Grant Misterly
Sarah Ryan
Christina Opsahl
Mike Davis
Carl Blow
William Masson

City Staff: David Birchim, Director, Planning & Building Department
Amy Skinner, Deputy Director, Planning & Building Department
Patrick Doty, Senior Development Review Planner
Denise May, City Attorney
Candice Seymour, Recording Secretary

Mr. DePreter welcomed William Masson to the Board.

2. General Public hearings for Items Not on the Agenda

The Board heard from the following members of the public:

- Lauren Giber
- B.J. Kalaidi

3. Approval of Minutes

MOTION

Ms. Ryan **MOVED** to **APPROVE** the September 1, 2020 minutes as presented. The motion was **SECONDED** by Mr. Blow.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

4. Use by Exception

4. (a) 2020-0105 – Kawtar “Kathy” Cresci – Applicant
Siminee Schmidt – Owner
6 Grove Avenue

To approve a use by exception for a home occupation for a hair salon in Commercial Low-two (CL-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 for a single seat salon as a permitted use by exception at **6 Grove Ave / PIN 194460-0000**.

Kawtar Cresci reviewed the application.

The Board provided their ex parte communications.

12 certified notices were sent, 4 were returned opposed and 4 had comments.

Public hearing was opened.

B.J. Kalaidi asked that the four notices returned opposed be read into the record.

Public hearing was closed.

Mr. DePreter read the notices into the record.

Ms. Cresci clarified that concerns for parking were unfounded as her intent was to provide on-site parking in the driveway. She added that the home was currently used as a vacation rental; but she would be living in the home and utilize only one room for the proposed business.

The Board discussed:

- Salon use was permitted in current zoning; however, because of the single-family use with home occupation, the exception was required
- Low intensity of the use with off-street parking
- Exception would run with the applicant and would be void if they decided not to purchase the house
- Use met CL-1 and home occupation criteria
- Condition of one customer at a time
- Hours of operation would be 9:00a.m. to no-later than 5:00p.m.
- Exception would improve residential feel of the neighborhood since the applicant intends to live in the home
- Business may cause less traffic than current vacation rental use.

MOTION

Ms. Ryan MOVED to APPROVE Use by Exception application 2020-0105 at 6 Grove Avenue, to run with the applicant and with the conditions that the home occupation hair salon operates from 9:00a.m. to 5:00p.m., with only one client at a time, and that the parking be off-

street. The motion was SECONDED by Mr. Masson.

VOTE ON MOTION:

**AYES: Ryan, Masson, Blow, Davis,
Opsahl, Misterly, DePreter**

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

**4. (b) 2020-0106 – William Earnest – Applicant
Oyster Creek LLC – Owner
Lewis Blvd – PIN 118910-0300**

To approve a use by exception for a single-family home, per RG-1, within Commercial, medium-two (CM-2) zoning district.

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 single family home, per RG-1, at **Lewis Blvd / PIN 118910-0300**.

William Earnest reviewed the application.

The Board provided their ex parte communications.

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

Public hearing was opened.

B.J. Kalaidi asked for clarification regarding the applicant's ownership of other surrounding properties. She also wanted the applicant to know that the area was prone to flooding.

Public hearing was closed.

Mr. Earnest clarified his current residence in response to public comment.

The Board discussed:

- Importance of residential uses to protect the neighborhood
- Proposed residential use was consistent with surrounding uses
- Approval of the application would not allow a larger structure than already permitted on the property
- Lot was an existing, non-conforming lot
- Tree removal would require another hearing by the board

MOTION

Ms. Ryan MOVED to APPROVE Use by Exception application 2020-0106 at Lewis Boulevard approve a use by exception for a single-family home, per RG-1, within Commercial, medium-two (CM-2) zoning district. The motion was SECONDED by Mr. Misterly.

VOTE ON MOTION:

**AYES: Ryan, Misterly, Masson, Blow
Davis, Opsahl, DePreter**

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. Other Business

William Masson, in response to general public comment, confirmed that Former Mayor Joe Boles was his step-father.

5. (a) Selection of Chair and Vice-chair

MOTION

Mr. Davis MOVED to NOMINATE Jon DePreter as Chair. The motion was SECONDED by Ms. Ryan.

VOTE ON MOTION

**AYES: Davis, Ryan, Masson, Blow,
Opsahl, Misterly, DePreter**

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

MOTION

Ms. Ryan MOVED to NOMINATE Christina Opsahl as Vice-Chair. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION

**AYES: Ryan, Blow, Masson, Davis,
Opsahl, Misterly, DePreter**

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

There was a brief discussion wherein it was determined that the Board could benefit from hearing the City Commission's opinion on certain topics such as downtown night-life and the construction of larger docks. Staff agreed to organize a possible workshop wherein the Board could pose questions to the Commission for clarification and guidance.

Mr. Birchim overviewed updates to the Zoning and Flood Mitigation codes to further flood protection efforts in addition to updates to the sign code and minor housekeeping changes related to other ordinances which will require the Board's review in the near future.

8. Adjournment

Having no further business, Mr. DePreter adjourned the meeting at 2:46 P.M.¹



Jon DePreter, Chairperson

¹ Transcribed by Candice Seymour