AGENDA

Planning and Zoning Board
City of St. Augustine, Florida
Alcazar Room
Tuesday, July 6, 2021 at 2:00 p.m.

Regular Agenda

1. Roll Call

2. General Public Comments for Items Not on the Agenda

3. Approval of Minutes

a. Regular Meeting Minutes from June 1, 2021.

4. Use by Exception

a. 2021-0084

Stanley M. Boring – Applicant
St. Augustine Auto Sales, LLC
Wave Breaker, LLC – Owner
3726 N. Ponce de Leon Avenue
To approve a used automobile, truck, boat and vehicle business as a permissible use by exception.

b. 2021-0088

Jean-Pierre Klifa – Applicant
Sugartime St. Augustine, LLC – Owner
32 Charlotte Street
To approve a bar/cocktail lounge with live music as a permissible use by exception.

5. Variance

a. 2021-0066
(Continued from June 1 PZB meeting)

Kirby Booth – Applicant
KRB Construction
George A. Hill – Owner
67 Lighthouse Avenue
To exceed the maximum lot coverage and to encroach into the required side yard building setbacks for a residential addition.

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b. 2021-0081

Rodney McDougal – Applicant
Vincent Seibold- Owner
3 Solano Avenue
To exceed the maximum lot coverage for a residential addition.

c. 2021-0083

Theresa M. Travis – Owner/Applicant
10 Tremerton Street
To exceed the maximum lot coverage and encroach into the required secondary front yard building setbacks for a residential addition.

6. Conservation Overlay Zone Development

a. 2021-0040
(Continued from April 6 PZB meeting)

R.E. Chip Mitchell – Applicant
California Trends, LLC - Owner
70 Florida Avenue
To approve the construction of a retaining wall in Conservation Overlay Zone 2.

b. 2021-0087

Matt Lahti, P.E. – Applicant
Gulfstream Design Group, LLC
St. Johns Housing Partnership, Inc. – Owner
111 Masters Drive
To remove significant trees for development of multi-family housing (affordable housing).

c. 2021-0089

Scott Patrou – Applicant
GP Salt Run, LLC – Owner
435 Flagler Boulevard and 27 Comares Avenue
To approve a structure in excess of 75 feet in width in Conservation Overlay Zone 2. To approve the removal of one (1) cedar tree.

7. Rezoning

a. 2021-0085

Gary B. Davenport, PA - Applicant
36 Granada Street, LLC – Owner
36 Granada Street
To rezone the property from Commercial Low-one (CL-1) to Planned Unit Development (PUD).

8. Other Business

a. Discussion and Recommendation – Ordinance 2021-12 Amending Sec. 11-29

9. 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
June 1, 2021

The Planning and Zoning Board met in formal session Tuesday, June 1, 2021, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Jon DePreter, Chairperson and the following were present:

1. Roll Call:

Jon DePreter, Chairperson
Christina Opsahl, Vice-Chairperson
Grant Misterly
Sarah Ryan
Mike Davis
Carl Blow
William Masson

Absent: Grant Misterly, excused
William Masson, excused

City Staff: David Birchim, Director, Planning & Building Department
Denise May, City Attorney
Elyse Anderson, Recording Secretary

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2. General Public hearings for Items Not on the Agenda

The board heard from the following member of the public:

- Gail Wisler

Modifications to the Agenda

Mr. DePreter announced that Item 6. (a) requested a continuance to the July 6, 2021, meeting, although discussion took place under the Item.

Mr. Blow asked when the applicant requested to be continued.

Mr. Birchim referenced an email in the Board's packet.

Mr. DePreter advised a member of the public to check the agenda to ensure item had not been moved.
Ms. May suggested calling the Planning and Building Department (PZB) for a status.

MOTION

Mr. DePreter MOVED to CONTINUE the application 2021-0040 to July 6, 2021. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:
AYES: DePreter, Davis, Blow, Ryan
NAYES: NONE
MOTION CARRIED UNANIMOUSLY[1]

3. Approval of Minutes

Ms. Ryan stated during Board discussion on page 9 'Corazon Movie Theater failed after being denied the previous rezoning request to CL-2 and facing damage from several floods' read as a statement rather than an opinion. She requested to have this revised.

[1] Ms. Opsahl took a brief recess from 2:02 p.m.- 2:36 p.m.

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MOTION

Ms. Ryan MOVED to APPROVED the May 4, 2021, minutes as presented. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:[2]
AYES: Ryan, DePreter, Blow, Davis
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

4. Use by Exception

4. (a) 2021-0065 – Alon Ben Israel & Itzhak Ben Shimol – Applicant
St. George Street Properties – Owner
30 St. George Street

To approve a bar/tavern as a permissible use by exception.

Mr. Birchim read the staff report and said based on a review of Section 28-2, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for a bar at **30 St. George Street**, as submitted.

Itzhak Ben Shimol was available for questions.

The Board provided their ex parte communications.

30 certified notices were sent, 2 returned opposed and 2 had comments.

Public hearing was opened.

Nancy Pellicer expressed her concern with having too many bars in the downtown area. She spoke in favor of a previous business before the Board which did not comply with what was approved. She concluded that if zoning was changed for a property, it should change back if the business leaves.

Mr. DePreter referred Ms. Pellicer to City Attorney, Denise May, and the City Commission for further concerns.

Ms. May commented that the application presented was a use by exception which will not travel with the property, it was only for the applicant. She indicated that the Board was able to place conditions on the application.

Charles Pappas pointed out the City Commission was struggling with the number of alcoholic venues. He felt that adding beer and wine to a retail business changed the dynamic of the space. He said the sale of alcohol was not necessary for cigar sales.

BJ Kalaidi agreed with the other comments. She did not feel the application should pass, and if it did, she stressed no loud music or amplified music should be outside.

Public hearing was closed.

Mr. Shimol responded to public comments. He said the location would have room for a few people to relax and have a glass of beer or wine and smoke a cigar. He said the business was not a bar or a place to party, as the location was small.

The Board discussed:

- Past similar applications had conditions
- No amplified music or no music at all
- Maximum of 10 seats
- 3 or 5 formal complaints to the Police Department must come back for review
- Control of hours
- Small location, only grant variance limited to front side of the building
- Limit to beer and wine
- Liquor could require additional Board approval

Mr. DePreter asked if the application was for only beer and wine.

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Ms. May stated the application was for a bar/tavern.

Mr. Birchim clarified the application was for beer and wine only.

Mr. Shimol reiterated there would be no music upstairs, and business would operate from 10:00 a.m.- 9:00 p.m. on weekdays and from 10:00 a.m.-10:00 p.m. on the weekends.

MOTION

Mr. Blow MOVED to APPROVE the exception application 2021-0065 subject to the following conditions: limited to sale of beer and wine only, no music of any kind either amplified or live, limited to ten seats on the second floor of the existing building and does not include any activity outside the building or to the rear, also based on operating hours beer and wine will not be served beyond 9:00 p.m. Monday - Thursday and 10:00p.m. Friday, Saturday and Sunday, and also if there are three or more written complaints made to the City Police Department or to the Building and Zoning Department in the first twelve months of the exception, this exception will have to return to the Board and be subject to be denied and will only run with the applicant. The motion was SECONDED by Ms. Ryan.

VOTE ON MOTION:
AYES: Blow, Ryan, Davis, DePreter
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

4. (b) 2021-0062 – Ellen Avery-Smith, Esq. – Applicant
Windward Shipyard Land Holdings, LLC and Windward Shipyard, LLC– Owner
PID # 127910 0000, 128090 0010, 134230 0011, 134230 0030, 134230 0000, 134230 0020 (aka the "St. Augustine Shipyards")

To approve off-site parking within the overall property as a permissible use by exception.

Mr. Birchim read the staff report and said based on a review of Sec. 28-371 and 28-372, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for off-site parking at the **St. Augustine Shipyards** as per the amended Development Agreement.

Ms. Avery-Smith was available to answer questions, as well as Chris Simons and Carl Masters, who were with the Shipyard project.

The Board provided their ex parte communications.

37 certified notices were sent; however, none were returned.

Public hearing was opened.

BJ Kalaidi felt the parking should not run with the land. She stated once the property was sold, the new buyers should have to explain what the usage would be. She was concerned developers were going to overpark the area.

John Rogan stated he loved the area and the river. He understood that there could be primary and secondary impacts from approved projects. He stated the river had vast amounts of traffic, and he was concerned about improvements that might affect the quality and waterways.

Public hearing was closed.

Ms. Avery-Smith presented the application and responded to public comment. She stated the application did run with the title to the property because the companion development agreement was recorded with the entire property, and regardless of who owned the parcels, they must be code compliant. She said the idea was to have unified parking for the property.

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The Board discussed:

- Supported shared parking to eliminate congestion
- Creativity with parking the same amount of vehicles
- Development must fit within the space
- Pedestrian safety

Ms. Avery-Smith responded to Mr. Davis' questions:

- Confirmed that on and off-site parking would exist within the parcel, not another location
- Internal private streets were the locations for "on-street" parking within the parcel
- Proposed parking garage within the site

Carl Masters provided a brief overview of the project and stated they were trying to incorporate the public and potential residents into the site. He stated the multi-family design would have a parking garage within the complex hidden from view, and as the project progressed, they would look at the addition of a stand-alone parking structure to serve the entire area. He noted the design, or the number of parking spaces was yet to be determined.

Mr. Birchim stated that 50 feet was the maximum amount of height allowed on site.

Mr. Blow questioned how many levels for multi-family and parking.

Ms. Avery-Smith stated the project had RGO zoning and would comply with the Cities' land development code and zoning.

Mr. Blow inquired about land outside the property boundary and stated the group owned other property within the County.

Ms. Avery-Smith confirmed and said only the portion of property that was already annexed into the City could be subject to this and the development agreement.

Mr. Blow asked if there were plans to annex the rest of the property into the City.

Ms. Avery-Smith stated they were trying to get this portion of project started and then take it piece-by-piece.

MOTION

Ms. Ryan MOVED to APPROVE Use by Exception application 2021-0062 to approve off-site parking within the overall property as a permissible use exception. The motion was SECONDED by Ms. Opsahl.

Ms. May stated the request was for it to travel with the land and would need to be included within the motion.

Ms. Ryan AMENDED her motion to include to run with the land. Ms. Opsahl SECONDED the amended motion.

VOTE ON MOTION:
AYES: Ryan, Opsahl, Blow, Davis, DePreter
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

4. (c) 2021-0067 – Susan Bebry. – Applicant
Ribossa Property Management, LLC– Owner
63 Saragossa Street

To approve three (3) off-site parking spaces at the municipal parking garage for a short-term rental at 63 Saragossa Street.

Mr. Birchim read the staff report and said based on a review of Section 28-2 & 28-151, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for three (3) off-site parking spaces at the municipal garage for a short-term rental at **63 Saragossa Street.**

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Susan Berbry reviewed her application and questioned whether Board approval was required, should she locate closer parking.

Mr. Birchim replied in the affirmative.

Ex parte communication was not discussed.

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

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

There was Board consensus that the application was in line with the City's proposal for short-term rentals and parking issues.

MOTION

Ms. Ryan MOVED to APPROVE Use by Exception application 2021-0067 to approve 3 off-site parking spaces at the municipal parking garage for short-term rental at 63 Saragossa Street. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:
AYES: Ryan, Blow, Davis, Opsahl, DePreter
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

5.Variance

5. (a) 2021-0066 –Kirby Booth, KRB Construction – Applicant
George A. Hill– Owner
67 Lighthouse Avenue

To approve a variance to exceed the maximum lot coverage and a variance to encroach into the required side yard building setbacks for a residential addition.

Mr. Birchim read the staff report and said based on a review of Section 28-29(b), and without the support of evidence to the contrary, staff finds:

1.The Board can **APPROVE** a variance to exceed the maximum lot coverage and encroach into the side yard building setbacks **at 67 Lighthouse Avenue** if it determines that a unique singular disadvantage exists, that 45.9% lot coverage is a reasonable request and that granting the variance will not adversely affect other property in the vicinity.

2.The Board can **DENY** a variance to exceed the maximum lot coverage and encroach into the side yard building setbacks at **67 Lighthouse Avenue** if it determines that a unique singular disadvantage does not exist, or that 45.9% lot coverage is not a reasonable request or that granting a variance will adversely affect other property in the vicinity.

George Anthony Hill, II requested the personal pronouns of 'she and her'. She reviewed the application and indicated flooding was an issue without adding any structure. She said she would be mostly affected by flooding which was the City's issue.

The Board provided their ex parte communications.

18 certified notices were sent, 1 was returned in favor, 4 returned opposed and 4 had comments.

Public hearing was opened.

Chad Schwaninger stated the street was small and the garage would assist with vehicle storage and security. He said it was similar to the location across the street; however, the backyard would be secured. He stated the flooding had been an issue for the past 5 years, and he had spoken with the City before; however, there was no location for the water to go. He indicated the tree was dying and built into the drain field, which must be removed to tie into City sewer.

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Mr. Schwaninger answered Board questions:

- Sewer hookup would be on Holly Lane, not Lighthouse Avenue
- A tap existed to gravity sewer system
- System was a pressured line, not a lift station, and would tie into a forced main

Hank Osborne supported his neighbor for the encroachment and the normal setbacks. He was concerned with flooding at back of his property. He felt the plans lacked detail and asked for the Board to hold approval until the water issue was resolved.

Claire Black agreed flooding was an issue and several homes were affected. She suggested the live oak tree did not need to be removed as she had Danny Lippy, Board Certified Master Arborist, write a summary of his findings. She stated a viewing deck was also part of the project.

BJ Kalaidi stated St. Augustine was a tree city. She said if the tree was healthy then the application should be continued until the Board had sufficient information.

Mr. Schwaninger responded regarding the live oak tree on the property. He explained the tree was dying and a danger to the homeowner, and the second tree needing to be removed leaned towards the neighbor's home and was held up by the wooden deck. He agreed to using an arborist.

Aaron Brown reinforced that the flooding issue had been around for years and felt the structure would increase the flooding. He stated he was not aware of the usage of the sewer line. He agreed with Ms. Black about street parking.

Ben Garcia stated his client's concern for the project, and he wanted the best for the neighborhood. He supported hiring an arborist to assist in the final decision. He said he could design a natural drainage where water flows to the lowest point of the yard. He stated that the two-story structure would assist with the parking.

Public hearing was closed.

Mr. DePreter asked Ms. May for more information regarding tree removal and flooding issues.

Ms. May stated the application was for a variance and the removal of the tree was not incorporated. She cited State law to the Board which precludes local government from requiring a permit if the owner of a residential property obtained documentation from a certified arborist or a landscape architect that stated the tree presented a danger to persons or property. She informed the Board the change took place in 2019. She said the items needing approval or denial were listed by Staff.

The Board discussed:

- Application criteria not met
- Singular disadvantage unfound
- Property usage substantial
- Porches in area, not observation decks
- Parking remained same
- Lot coverage exceeded surrounding properties
- Flooding not City's problem, applicant should work with City on flooding
- Irresponsible to increase drainage issue
- Lighthouse Park did not have City gravity sewer system
- Private lift station installed for connection with City
- Pressure not strong, causing more sewer problem
- Intensity high for location
- Information not presented or non-existent for a hardship on particular property

Mr. Schwaninger responded by stating lot coverage and flooding was understandable. He asked if he could receive approval for

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only the side variance. He stated the setbacks were listed on the material provided.

Mr. Birchim stated the measurements and location were unclear and an exact lot coverage increase had to be noted.

Mr. DePreter asked if the application was denied and applicant resubmitted only for side variance, would he need to wait a year.

Mr. Birchim indicated he would have to wait, or the Board could waive the one-year period.

Ms. Opsahl pointed out that applicant could request a continuance and present more information.

Ms. May advised if more information was needed, the Board could request that information for staff to review before re-presenting.

Mr. DePreter requested Board consensus.

Mr. DePreter and Mr. Blow agreed with application denial and waving the one-year period.

Mr. Birchim provided the application and re-advertising fees as questioned by Board members.

Ms. Opsahl said if applicant wanted a continuance, the Board should vote.

MOTION

Mr. Davis MOVED to grant the CONTINUANCE and give the applicant 30 days. The motion was SECONDED by Ms. Opsahl

VOTE ON MOTION:
AYES: Davis, Opsahl, Ryan
NAYES: Blow, DePreter
MOTION CARRIED 3/2

Mr. DePreter stated the application was continued to July 6, 2021.

6. Conservation Zone Development

6. (a) 2021-0040 – R.E. Chip Mitchell – Applicant
California Trends, LLC – Owner
70 Florida Avenue

To approve the construction of a retaining wall in Conservation Overlay Zone 2.

Applicant requested continuance to the July 6,2021 meeting.

6. (b) 2021-0052 – Mark McConnel – Applicant and Owner
S. Leonardi Street (PID#119920 0350)

To remove three (3) significant trees (2 laurel oaks, 1 southern red cedar) for construction of a garage/guesthouse.

Mr. Birchim read the staff report and said based on a review of Section 11-29 and the health of the trees as expressed in the arborist's report, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the removal of three (3) significant trees located at **S. Leonardi Street/ PID# 119920-0350.**

Ms. Ryan recused herself from the application as a business associate of the applicant.[3]

Mark McConnel was available to answer any questions. He said at last month's meeting a Board member commented on the removal of three trees for a parking space. He noted that after meeting with the arborist he was able to save three trees.
The Board provided their ex parte communications.

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

[3] Form attached to original minutes

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

There was Board consensus that applicant had done his due diligence to save as many trees as possible and approved of the application.

MOTION

Mr. Davis MOVED to APPROVE the Conservation Zone Overlay Development 2021-0052 for the removal of three significant trees, two laurel oaks, one southern red cedar for the construction of a garage/guesthouse. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:
AYES: Davis, DePreter, Blow, Opsahl
NAYES: NONE
MOTION CARRIED UNANIMOUSLY[4]

6. (c) 2021-0064 – Jonathan Ayres – Applicant and – Owner
7 Ponce de Leon Avenue

To remove three (3) significant trees (1 laurel oak, 1 southern magnolia, 1 hackberry) for construction of a single-family home.

Mr. Birchim read the staff report and said based on a review of Section 11-29 and the health of the trees as expressed in the arborist's report, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the removal of three (3) significant trees located at **7 Ponce de Leon Avenue.**

Jonathan Ayres reviewed the application.
The Board provided their ex parte communications.

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

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

The Board discussed:

- Lot was small; therefore, hard to not remove trees
- Applicant worked with City regarding sewer
- Arborist report showed diseased trees
- Effort made to save as many trees as possible

Mr. Ayres provided clarification for Mr. DePreter regarding the locations of the trees off the arborist report.

MOTION

Mr. Davis MOVED to APPROVE Conservation Overlay Zone Development 2021-0064 to remove three significant trees; one laurel oak, one southern magnolia, and one hackberry for construction of a single-family home. The motion was SECONDED by Mr. Blow.

At the request of Mr. Blow, Mr. Ayres confirmed the 14-foot Oak tree near the driveway would be preserved.

VOTE ON MOTION:
AYES: Davis, Blow, Ryan, Opsahl, DePreter
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

6. (d) 2021-0068 –Ryan Carter, Carter Environmental Services, Inc. – Applicant
John Encinas – Owner
Address 209 S. Matanzas Boulevard

To approve a dock with a floating terminal end and floating boat platform.

Mr. Birchim read the staff report and said based on a review of section 11-29 and without the support of evidence to the

[4] Break from 3:51 p.m. to 4:03 p.m.

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contrary, staff finds that the Board can **APPROVE** the construction of a dock with a floating terminal end and floating boat lift within Conservation Overlay Zone one located at **209 S. Matanzas Blvd**.

Ryan Carter reviewed the application.

The Board provided their ex parte communications.

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

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

The Board approved the compromise for the smaller dock and thanked the owner for working with his neighbors.

MOTION

Mr. DePreter MOVED to APPROVE Conservation Overlay Zone Development 2021-0068 stating it meets the requirement and the purpose of intent of the application. The motion was SECONDED by Ms. Ryan.

VOTE ON MOTION:
AYES: DePreter, Ryan, Blow, Davis, Opsahl
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

6. (e) 2021-0069 – Ryan Carter, Carter Environmental Services, Inc. – Applicant
Louis Herrera – Owner
38, 44 and 50 Villa Calissa Court

To approve a cantilevered deck over wetlands/open water attached to a bulkhead.

Mr. Birchim read the staff report and based on the application as submitted showed the proposed deck 83 feet in length and covering salt marsh vegetation and mangroves. A new design was submitted by the applicant after the staff reports were completed that reduces the length of the deck to avoid covering the mangroves. updated design shows the deck 10 feet in width and 61 feet in length. The applicant is here to go over the new design and it does not require re-advertising. The staff report recommended a continuance based on the lack of information regarding the impacts of shading on the vegetation and our primary concern was the mangroves but since the proposed deck has been modified to no longer cover the mangroves, staff finds that the board can approve this application as modified with the deck dimensions of 10 feet by 61 feet.

Ryan Carter reviewed the application.

The Board provided their ex parte communication.

27 certified notices were sent; however, there were none returned.

Public hearing was opened.

John Rogan worried that the townhome owners would have an obstructed view.

BJ Kalaidi stated the protection of mangroves was important and spoke about dredging near the Shipyard. She spoke against applicant's materials being turned in late.

Public hearing was closed.

Mr. Carter addressed comments from the public. He stated the deck was low profile and, in his opinion, did not feel the view would be affected.

Public hearing was re-opened.

Mr. Rogan understood that the structure was level but required a railing. He voiced concern for future additions, which could impact the view.

Mr. Carter referenced section 11-29 C (17) of the Municipal Code stating covered decks

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or boat docks were not permitted. He stated the railing would likely be repurposed.

Public hearing was closed.

The Board discussed:

- Mangrove coverage resolved
- Railing height not obstructive to sight lines
- Public safety overrides small disturbance
- Previous view would remain same without obstructions
- Approval received from St. Johns River Water Management District
- Entertainment space for 3 owners

MOTION

Ms. Opsahl MOVED to APPROVE Conservation Overlay Zone Development to application 2021-0069 to approve a cantilever deck over wetlands open water attached to a bulkhead as applied for 38, 44 and 50 Villa Calissa Court. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:
AYES: Opsahl, Blow, Davis, Ryan, DePreter
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

6.(f). 2021-0071– David Ott – Applicant and – Owner
83 Comares Avenue, unit 7B

To approve a boatlift to an existing boat slip.

Mr. Birchim 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** a boat lift at **83 Comares Avenue, unit 7B**, **slip D18** as submitted.

David Ott reviewed application.

The Board provided their ex parte communications.

48 certified notices were sent, 3 were returned in favor.

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

The Board discussed that the dock would be safer with being low profile.

MOTION

Ms. Opsahl MOVED to APPROVE Conservation Overlay Zone to Development Application 2021-0071 to approve boat lift in Conservation Overlay Zone One for 83 Comares Avenue unit 7B. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:
AYES:Opsahl, DePreter, Blow, Davis, Ryan
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

7. Other Business

7. (a). Discussion and Recommendation – Ordinance 2021-12 Amending Short Term Rental Ch. 28

Ms. May presented the topic.

Ms. May replied to Mr. Davis' question and stated the Fire Marshal would conduct annual inspections.

Mr. Blow spoke about hunting passes at the Municipal Parking Garage. He said an estimated 10% were already in use and he questioned the maximum amount of hunting permits allowed.

Ms. May informed the Board this was a legislative policy, and these were not the only hunting permits available as there were also monthly passes. She stated the City knew how often the garage reached

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capacity, and if it were an ongoing issue, the policy would return to the City Commission.

Ms. Ryan stated she was in support, as it seemed to clarify the Fire Prevention Association (FPA) information.

Ms. May agreed, and stated it updated the language and indicated what zoning code a person was in: 7-day, 30-day, or none.

MOTION

Mr. DePerter MOVED to RECOMMEND the amendments to Chapter 28 division 2 of Vacation Rentals as spelled out in our memorandum. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:
AYES: DePreter, Blow, Davis, Ryan, Opsahl
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

7. (b.) Discussion regarding Historic Preservation Work Plan FY 2021-2022.

Ms. Jenny Wolfe, Historic Preservation Officer, presented the topic.

Ms. Wolfe stated joint meetings with the PZB, and the Historic Architectural Review Board (HARB) would resume next spring.
Ms. Wolfe mentioned the update of the Architectural Guidelines for Historic Preservation (AGHP), and stated public outreach was currently being conducted.

7. (c.) Discussion and Recommendation - Amendments to Chapter 28 Zoning, Sec. 28-89 Criteria for certificate of appropriateness or demolition review and Sec. 28-90 Administration and records

Ms. Wolfe presented the topic to the Board and referenced the memo in the packet. She gave details about the meaning of partial demolitions and identified five critical elements.

The Board and Ms. Wolfe discussed:

- Item was clearly defined
- Difficult to see descriptions about what was being described in images
- Property owners should be listed first before tourism regarding historic resources
- Ways to identify City's 20% historic homes that must go before HARB, where other homes would not
- Structures cited as contributing landmarks or potential local landmarks
- Worked on story map to engage neighborhood associations and the Commission to help bring attention to landmarks
- Full demolition had not been brought up as the AGHP was being updated

Ms. Wolfe stated the department wanted to administratively approve demolitions without presenting every application to HARB if the property had no historic, architectural, or unique value, and presented in expedited list as informational to Board; however, the request was turned down.

Ms. May stated that could be further discussed at a joint meeting between HARB and PZB.
Mr. Davis asked if structures outside the historic district and over fifty years old for partial demolition must go before HARB and did HARB want to have input on what would be reconstructed. He questioned if the duties of HARB were being extended to the entire City.

Ms. Wolfe answered in the affirmative. She referred to the proposed amendment Sec. 28-89. She said this did not apply to buildings older than fifty years. She continued it limited partial demolition to just those designated structures in the seven

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National Registers District, 659 contributing buildings or local landmarks.

Mr. Davis was in support of staff having more administrative approvals with items that regularly appeared before HARB. HE stated with the expansion of HARB's duties and Entry Corridor Reviews the PZB meetings would not last long.

Ms. Wolfe advised that HARB no longer had the Entry Corridor duties.

Mr. Blow commended City staff about making government more efficient. He was concerned with bringing this before the Commission. He said he would not want to recommend without having input from the local community. He questioned Ms. Wolfe about the outreach happening within the community.

Mr. Davis agreed with Mr. Blow regarding more outreach. He stated 600+ structures were under the protected class and asked whether the homeowner had been notified. He said based on this plan, should reach out to let them know since they would be most affected. He mentioned that the homeowners should be informed of the steps needed for repairs or reconstructions.

Mr. DePreter inquired whether the people who lived within the 600+ homes knew they were in a historic home or when people bought a home they were notified. He stated if people knew that when purchasing homes, it could lessen the amount of people appearing before the Board.

Mr. Birchim stated that with the vast amount of turnover in real estate in the downtown area, it was difficult to ensure everyone was notified.

Mr. Birchim stated that there was a special meeting scheduled on June 16th to discuss the four Building Code Task Force goals. He suggested bringing back a second item, a plan for public outreach for this proposed ordinance, and between now and then do more outreach within the real estate community. He told the board that they had done maximum effort to advertise the Building Code Task Force and had received little feedback as people were focused on other things.

Mr. Davis thanked Mr. Birchim for doing outreach with the builder's community and stated he understood that the outreach would be difficult with the high turnover.

Ms. Wolfe said one way to notify people would be through water utility bills, and she requested both residential and commercial accounts for the correct information.

Mr. DePreter indicated it would be best to bring the item back before the Board to continue discussion.

Ms. Wolfe corrected the historical properties number stating it was 1,659 not 659 that are contributing to National Registered Districts.

Ms. Ryan advised she would not be in attendance at the July 6, 2021, meeting.

8. Adjournment

Having no further business, Mr. DePreter adjourned the meeting at 5:53 P.M.[5]

Jon DePreter, Chairperson

[5] Transcribed by Elyse Anderson

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CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting
June 1, 2021

The Planning and Zoning Board met in formal session Tuesday, June 1, 2021, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Jon DePreter, Chairperson and the following were present:

1. Roll Call:

Jon DePreter, Chairperson
Christina Opsahl, Vice-Chairperson
Grant Misterly
Sarah Ryan
Mike Davis
Carl Blow
William Masson

Absent: Grant Misterly, excused
William Masson, excused

City Staff: David Birchim, Director, Planning & Building Department
Denise May, City Attorney
Elyse Anderson, Recording Secretary

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2. General Public hearings for Items Not on the Agenda

The board heard from the following member of the public:

- Gail Wisler

Modifications to the Agenda

Mr. DePreter announced that Item 6. (a) requested a continuance to the July 6, 2021, meeting, although discussion took place under the Item.

Mr. Blow asked when the applicant requested to be continued.

Mr. Birchim referenced an email in the Board's packet.

Mr. DePreter advised a member of the public to check the agenda to ensure item had not been moved.
Ms. May suggested calling the Planning and Building Department (PZB) for a status.

MOTION

Mr. DePreter MOVED to CONTINUE the application 2021-0040 to July 6, 2021. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:
AYES: DePreter, Davis, Blow, Ryan
NAYES: NONE
MOTION CARRIED UNANIMOUSLY[1]

3. Approval of Minutes

Ms. Ryan stated during Board discussion on page 9 'Corazon Movie Theater failed after being denied the previous rezoning request to CL-2 and facing damage from several floods' read as a statement rather than an opinion. She requested to have this revised.

[1] Ms. Opsahl took a brief recess from 2:02 p.m.- 2:36 p.m.

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MOTION

Ms. Ryan MOVED to APPROVED the May 4, 2021, minutes as presented. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:[2]
AYES: Ryan, DePreter, Blow, Davis
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

4. Use by Exception

4. (a) 2021-0065 – Alon Ben Israel & Itzhak Ben Shimol – Applicant
St. George Street Properties – Owner
30 St. George Street

To approve a bar/tavern as a permissible use by exception.

Mr. Birchim read the staff report and said based on a review of Section 28-2, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for a bar at **30 St. George Street**, as submitted.

Itzhak Ben Shimol was available for questions.

The Board provided their ex parte communications.

30 certified notices were sent, 2 returned opposed and 2 had comments.

Public hearing was opened.

Nancy Pellicer expressed her concern with having too many bars in the downtown area. She spoke in favor of a previous business before the Board which did not comply with what was approved. She concluded that if zoning was changed for a property, it should change back if the business leaves.

Mr. DePreter referred Ms. Pellicer to City Attorney, Denise May, and the City Commission for further concerns.

Ms. May commented that the application presented was a use by exception which will not travel with the property, it was only for the applicant. She indicated that the Board was able to place conditions on the application.

Charles Pappas pointed out the City Commission was struggling with the number of alcoholic venues. He felt that adding beer and wine to a retail business changed the dynamic of the space. He said the sale of alcohol was not necessary for cigar sales.

BJ Kalaidi agreed with the other comments. She did not feel the application should pass, and if it did, she stressed no loud music or amplified music should be outside.

Public hearing was closed.

Mr. Shimol responded to public comments. He said the location would have room for a few people to relax and have a glass of beer or wine and smoke a cigar. He said the business was not a bar or a place to party, as the location was small.

The Board discussed:

- Past similar applications had conditions
- No amplified music or no music at all
- Maximum of 10 seats
- 3 or 5 formal complaints to the Police Department must come back for review
- Control of hours
- Small location, only grant variance limited to front side of the building
- Limit to beer and wine
- Liquor could require additional Board approval

Mr. DePreter asked if the application was for only beer and wine.

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Ms. May stated the application was for a bar/tavern.

Mr. Birchim clarified the application was for beer and wine only.

Mr. Shimol reiterated there would be no music upstairs, and business would operate from 10:00 a.m.- 9:00 p.m. on weekdays and from 10:00 a.m.-10:00 p.m. on the weekends.

MOTION

Mr. Blow MOVED to APPROVE the exception application 2021-0065 subject to the following conditions: limited to sale of beer and wine only, no music of any kind either amplified or live, limited to ten seats on the second floor of the existing building and does not include any activity outside the building or to the rear, also based on operating hours beer and wine will not be served beyond 9:00 p.m. Monday - Thursday and 10:00p.m. Friday, Saturday and Sunday, and also if there are three or more written complaints made to the City Police Department or to the Building and Zoning Department in the first twelve months of the exception, this exception will have to return to the Board and be subject to be denied and will only run with the applicant. The motion was SECONDED by Ms. Ryan.

VOTE ON MOTION:
AYES: Blow, Ryan, Davis, DePreter
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

4. (b) 2021-0062 – Ellen Avery-Smith, Esq. – Applicant
Windward Shipyard Land Holdings, LLC and Windward Shipyard, LLC– Owner
PID # 127910 0000, 128090 0010, 134230 0011, 134230 0030, 134230 0000, 134230 0020 (aka the "St. Augustine Shipyards")

To approve off-site parking within the overall property as a permissible use by exception.

Mr. Birchim read the staff report and said based on a review of Sec. 28-371 and 28-372, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for off-site parking at the **St. Augustine Shipyards** as per the amended Development Agreement.

Ms. Avery-Smith was available to answer questions, as well as Chris Simons and Carl Masters, who were with the Shipyard project.

The Board provided their ex parte communications.

37 certified notices were sent; however, none were returned.

Public hearing was opened.

BJ Kalaidi felt the parking should not run with the land. She stated once the property was sold, the new buyers should have to explain what the usage would be. She was concerned developers were going to overpark the area.

John Rogan stated he loved the area and the river. He understood that there could be primary and secondary impacts from approved projects. He stated the river had vast amounts of traffic, and he was concerned about improvements that might affect the quality and waterways.

Public hearing was closed.

Ms. Avery-Smith presented the application and responded to public comment. She stated the application did run with the title to the property because the companion development agreement was recorded with the entire property, and regardless of who owned the parcels, they must be code compliant. She said the idea was to have unified parking for the property.

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The Board discussed:

- Supported shared parking to eliminate congestion
- Creativity with parking the same amount of vehicles
- Development must fit within the space
- Pedestrian safety

Ms. Avery-Smith responded to Mr. Davis' questions:

- Confirmed that on and off-site parking would exist within the parcel, not another location
- Internal private streets were the locations for "on-street" parking within the parcel
- Proposed parking garage within the site

Carl Masters provided a brief overview of the project and stated they were trying to incorporate the public and potential residents into the site. He stated the multi-family design would have a parking garage within the complex hidden from view, and as the project progressed, they would look at the addition of a stand-alone parking structure to serve the entire area. He noted the design, or the number of parking spaces was yet to be determined.

Mr. Birchim stated that 50 feet was the maximum amount of height allowed on site.

Mr. Blow questioned how many levels for multi-family and parking.

Ms. Avery-Smith stated the project had RGO zoning and would comply with the Cities' land development code and zoning.

Mr. Blow inquired about land outside the property boundary and stated the group owned other property within the County.

Ms. Avery-Smith confirmed and said only the portion of property that was already annexed into the City could be subject to this and the development agreement.

Mr. Blow asked if there were plans to annex the rest of the property into the City.

Ms. Avery-Smith stated they were trying to get this portion of project started and then take it piece-by-piece.

MOTION

Ms. Ryan MOVED to APPROVE Use by Exception application 2021-0062 to approve off-site parking within the overall property as a permissible use exception. The motion was SECONDED by Ms. Opsahl.

Ms. May stated the request was for it to travel with the land and would need to be included within the motion.

Ms. Ryan AMENDED her motion to include to run with the land. Ms. Opsahl SECONDED the amended motion.

VOTE ON MOTION:
AYES: Ryan, Opsahl, Blow, Davis, DePreter
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

4. (c) 2021-0067 – Susan Bebry. – Applicant
Ribossa Property Management, LLC– Owner
63 Saragossa Street

To approve three (3) off-site parking spaces at the municipal parking garage for a short-term rental at 63 Saragossa Street.

Mr. Birchim read the staff report and said based on a review of Section 28-2 & 28-151, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for three (3) off-site parking spaces at the municipal garage for a short-term rental at **63 Saragossa Street.**

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Susan Berbry reviewed her application and questioned whether Board approval was required, should she locate closer parking.

Mr. Birchim replied in the affirmative.

Ex parte communication was not discussed.

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

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

There was Board consensus that the application was in line with the City's proposal for short-term rentals and parking issues.

MOTION

Ms. Ryan MOVED to APPROVE Use by Exception application 2021-0067 to approve 3 off-site parking spaces at the municipal parking garage for short-term rental at 63 Saragossa Street. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:
AYES: Ryan, Blow, Davis, Opsahl, DePreter
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

5.Variance

5. (a) 2021-0066 –Kirby Booth, KRB Construction – Applicant
George A. Hill– Owner
67 Lighthouse Avenue

To approve a variance to exceed the maximum lot coverage and a variance to encroach into the required side yard building setbacks for a residential addition.

Mr. Birchim read the staff report and said based on a review of Section 28-29(b), and without the support of evidence to the contrary, staff finds:

1.The Board can **APPROVE** a variance to exceed the maximum lot coverage and encroach into the side yard building setbacks **at 67 Lighthouse Avenue** if it determines that a unique singular disadvantage exists, that 45.9% lot coverage is a reasonable request and that granting the variance will not adversely affect other property in the vicinity.

2.The Board can **DENY** a variance to exceed the maximum lot coverage and encroach into the side yard building setbacks at **67 Lighthouse Avenue** if it determines that a unique singular disadvantage does not exist, or that 45.9% lot coverage is not a reasonable request or that granting a variance will adversely affect other property in the vicinity.

George Anthony Hill, II requested the personal pronouns of 'she and her'. She reviewed the application and indicated flooding was an issue without adding any structure. She said she would be mostly affected by flooding which was the City's issue.

The Board provided their ex parte communications.

18 certified notices were sent, 1 was returned in favor, 4 returned opposed and 4 had comments.

Public hearing was opened.

Chad Schwaninger stated the street was small and the garage would assist with vehicle storage and security. He said it was similar to the location across the street; however, the backyard would be secured. He stated the flooding had been an issue for the past 5 years, and he had spoken with the City before; however, there was no location for the water to go. He indicated the tree was dying and built into the drain field, which must be removed to tie into City sewer.

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Mr. Schwaninger answered Board questions:

- Sewer hookup would be on Holly Lane, not Lighthouse Avenue
- A tap existed to gravity sewer system
- System was a pressured line, not a lift station, and would tie into a forced main

Hank Osborne supported his neighbor for the encroachment and the normal setbacks. He was concerned with flooding at back of his property. He felt the plans lacked detail and asked for the Board to hold approval until the water issue was resolved.

Claire Black agreed flooding was an issue and several homes were affected. She suggested the live oak tree did not need to be removed as she had Danny Lippy, Board Certified Master Arborist, write a summary of his findings. She stated a viewing deck was also part of the project.

BJ Kalaidi stated St. Augustine was a tree city. She said if the tree was healthy then the application should be continued until the Board had sufficient information.

Mr. Schwaninger responded regarding the live oak tree on the property. He explained the tree was dying and a danger to the homeowner, and the second tree needing to be removed leaned towards the neighbor's home and was held up by the wooden deck. He agreed to using an arborist.

Aaron Brown reinforced that the flooding issue had been around for years and felt the structure would increase the flooding. He stated he was not aware of the usage of the sewer line. He agreed with Ms. Black about street parking.

Ben Garcia stated his client's concern for the project, and he wanted the best for the neighborhood. He supported hiring an arborist to assist in the final decision. He said he could design a natural drainage where water flows to the lowest point of the yard. He stated that the two-story structure would assist with the parking.

Public hearing was closed.

Mr. DePreter asked Ms. May for more information regarding tree removal and flooding issues.

Ms. May stated the application was for a variance and the removal of the tree was not incorporated. She cited State law to the Board which precludes local government from requiring a permit if the owner of a residential property obtained documentation from a certified arborist or a landscape architect that stated the tree presented a danger to persons or property. She informed the Board the change took place in 2019. She said the items needing approval or denial were listed by Staff.

The Board discussed:

- Application criteria not met
- Singular disadvantage unfound
- Property usage substantial
- Porches in area, not observation decks
- Parking remained same
- Lot coverage exceeded surrounding properties
- Flooding not City's problem, applicant should work with City on flooding
- Irresponsible to increase drainage issue
- Lighthouse Park did not have City gravity sewer system
- Private lift station installed for connection with City
- Pressure not strong, causing more sewer problem
- Intensity high for location
- Information not presented or non-existent for a hardship on particular property

Mr. Schwaninger responded by stating lot coverage and flooding was understandable. He asked if he could receive approval for

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only the side variance. He stated the setbacks were listed on the material provided.

Mr. Birchim stated the measurements and location were unclear and an exact lot coverage increase had to be noted.

Mr. DePreter asked if the application was denied and applicant resubmitted only for side variance, would he need to wait a year.

Mr. Birchim indicated he would have to wait, or the Board could waive the one-year period.

Ms. Opsahl pointed out that applicant could request a continuance and present more information.

Ms. May advised if more information was needed, the Board could request that information for staff to review before re-presenting.

Mr. DePreter requested Board consensus.

Mr. DePreter and Mr. Blow agreed with application denial and waving the one-year period.

Mr. Birchim provided the application and re-advertising fees as questioned by Board members.

Ms. Opsahl said if applicant wanted a continuance, the Board should vote.

MOTION

Mr. Davis MOVED to grant the CONTINUANCE and give the applicant 30 days. The motion was SECONDED by Ms. Opsahl

VOTE ON MOTION:
AYES: Davis, Opsahl, Ryan
NAYES: Blow, DePreter
MOTION CARRIED 3/2

Mr. DePreter stated the application was continued to July 6, 2021.

6. Conservation Zone Development

6. (a) 2021-0040 – R.E. Chip Mitchell – Applicant
California Trends, LLC – Owner
70 Florida Avenue

To approve the construction of a retaining wall in Conservation Overlay Zone 2.

Applicant requested continuance to the July 6,2021 meeting.

6. (b) 2021-0052 – Mark McConnel – Applicant and Owner
S. Leonardi Street (PID#119920 0350)

To remove three (3) significant trees (2 laurel oaks, 1 southern red cedar) for construction of a garage/guesthouse.

Mr. Birchim read the staff report and said based on a review of Section 11-29 and the health of the trees as expressed in the arborist's report, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the removal of three (3) significant trees located at **S. Leonardi Street/ PID# 119920-0350.**

Ms. Ryan recused herself from the application as a business associate of the applicant.[3]

Mark McConnel was available to answer any questions. He said at last month's meeting a Board member commented on the removal of three trees for a parking space. He noted that after meeting with the arborist he was able to save three trees.
The Board provided their ex parte communications.

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

[3] Form attached to original minutes

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

There was Board consensus that applicant had done his due diligence to save as many trees as possible and approved of the application.

MOTION

Mr. Davis MOVED to APPROVE the Conservation Zone Overlay Development 2021-0052 for the removal of three significant trees, two laurel oaks, one southern red cedar for the construction of a garage/guesthouse. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:
AYES: Davis, DePreter, Blow, Opsahl
NAYES: NONE
MOTION CARRIED UNANIMOUSLY[4]

6. (c) 2021-0064 – Jonathan Ayres – Applicant and – Owner
7 Ponce de Leon Avenue

To remove three (3) significant trees (1 laurel oak, 1 southern magnolia, 1 hackberry) for construction of a single-family home.

Mr. Birchim read the staff report and said based on a review of Section 11-29 and the health of the trees as expressed in the arborist's report, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the removal of three (3) significant trees located at **7 Ponce de Leon Avenue.**

Jonathan Ayres reviewed the application.
The Board provided their ex parte communications.

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

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

The Board discussed:

- Lot was small; therefore, hard to not remove trees
- Applicant worked with City regarding sewer
- Arborist report showed diseased trees
- Effort made to save as many trees as possible

Mr. Ayres provided clarification for Mr. DePreter regarding the locations of the trees off the arborist report.

MOTION

Mr. Davis MOVED to APPROVE Conservation Overlay Zone Development 2021-0064 to remove three significant trees; one laurel oak, one southern magnolia, and one hackberry for construction of a single-family home. The motion was SECONDED by Mr. Blow.

At the request of Mr. Blow, Mr. Ayres confirmed the 14-foot Oak tree near the driveway would be preserved.

VOTE ON MOTION:
AYES: Davis, Blow, Ryan, Opsahl, DePreter
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

6. (d) 2021-0068 –Ryan Carter, Carter Environmental Services, Inc. – Applicant
John Encinas – Owner
Address 209 S. Matanzas Boulevard

To approve a dock with a floating terminal end and floating boat platform.

Mr. Birchim read the staff report and said based on a review of section 11-29 and without the support of evidence to the

[4] Break from 3:51 p.m. to 4:03 p.m.

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contrary, staff finds that the Board can **APPROVE** the construction of a dock with a floating terminal end and floating boat lift within Conservation Overlay Zone one located at **209 S. Matanzas Blvd**.

Ryan Carter reviewed the application.

The Board provided their ex parte communications.

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

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

The Board approved the compromise for the smaller dock and thanked the owner for working with his neighbors.

MOTION

Mr. DePreter MOVED to APPROVE Conservation Overlay Zone Development 2021-0068 stating it meets the requirement and the purpose of intent of the application. The motion was SECONDED by Ms. Ryan.

VOTE ON MOTION:
AYES: DePreter, Ryan, Blow, Davis, Opsahl
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

6. (e) 2021-0069 – Ryan Carter, Carter Environmental Services, Inc. – Applicant
Louis Herrera – Owner
38, 44 and 50 Villa Calissa Court

To approve a cantilevered deck over wetlands/open water attached to a bulkhead.

Mr. Birchim read the staff report and based on the application as submitted showed the proposed deck 83 feet in length and covering salt marsh vegetation and mangroves. A new design was submitted by the applicant after the staff reports were completed that reduces the length of the deck to avoid covering the mangroves. updated design shows the deck 10 feet in width and 61 feet in length. The applicant is here to go over the new design and it does not require re-advertising. The staff report recommended a continuance based on the lack of information regarding the impacts of shading on the vegetation and our primary concern was the mangroves but since the proposed deck has been modified to no longer cover the mangroves, staff finds that the board can approve this application as modified with the deck dimensions of 10 feet by 61 feet.

Ryan Carter reviewed the application.

The Board provided their ex parte communication.

27 certified notices were sent; however, there were none returned.

Public hearing was opened.

John Rogan worried that the townhome owners would have an obstructed view.

BJ Kalaidi stated the protection of mangroves was important and spoke about dredging near the Shipyard. She spoke against applicant's materials being turned in late.

Public hearing was closed.

Mr. Carter addressed comments from the public. He stated the deck was low profile and, in his opinion, did not feel the view would be affected.

Public hearing was re-opened.

Mr. Rogan understood that the structure was level but required a railing. He voiced concern for future additions, which could impact the view.

Mr. Carter referenced section 11-29 C (17) of the Municipal Code stating covered decks

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or boat docks were not permitted. He stated the railing would likely be repurposed.

Public hearing was closed.

The Board discussed:

- Mangrove coverage resolved
- Railing height not obstructive to sight lines
- Public safety overrides small disturbance
- Previous view would remain same without obstructions
- Approval received from St. Johns River Water Management District
- Entertainment space for 3 owners

MOTION

Ms. Opsahl MOVED to APPROVE Conservation Overlay Zone Development to application 2021-0069 to approve a cantilever deck over wetlands open water attached to a bulkhead as applied for 38, 44 and 50 Villa Calissa Court. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:
AYES: Opsahl, Blow, Davis, Ryan, DePreter
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

6.(f). 2021-0071– David Ott – Applicant and – Owner
83 Comares Avenue, unit 7B

To approve a boatlift to an existing boat slip.

Mr. Birchim 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** a boat lift at **83 Comares Avenue, unit 7B**, **slip D18** as submitted.

David Ott reviewed application.

The Board provided their ex parte communications.

48 certified notices were sent, 3 were returned in favor.

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

The Board discussed that the dock would be safer with being low profile.

MOTION

Ms. Opsahl MOVED to APPROVE Conservation Overlay Zone to Development Application 2021-0071 to approve boat lift in Conservation Overlay Zone One for 83 Comares Avenue unit 7B. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:
AYES:Opsahl, DePreter, Blow, Davis, Ryan
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

7. Other Business

7. (a). Discussion and Recommendation – Ordinance 2021-12 Amending Short Term Rental Ch. 28

Ms. May presented the topic.

Ms. May replied to Mr. Davis' question and stated the Fire Marshal would conduct annual inspections.

Mr. Blow spoke about hunting passes at the Municipal Parking Garage. He said an estimated 10% were already in use and he questioned the maximum amount of hunting permits allowed.

Ms. May informed the Board this was a legislative policy, and these were not the only hunting permits available as there were also monthly passes. She stated the City knew how often the garage reached

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capacity, and if it were an ongoing issue, the policy would return to the City Commission.

Ms. Ryan stated she was in support, as it seemed to clarify the Fire Prevention Association (FPA) information.

Ms. May agreed, and stated it updated the language and indicated what zoning code a person was in: 7-day, 30-day, or none.

MOTION

Mr. DePerter MOVED to RECOMMEND the amendments to Chapter 28 division 2 of Vacation Rentals as spelled out in our memorandum. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:
AYES: DePreter, Blow, Davis, Ryan, Opsahl
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

7. (b.) Discussion regarding Historic Preservation Work Plan FY 2021-2022.

Ms. Jenny Wolfe, Historic Preservation Officer, presented the topic.

Ms. Wolfe stated joint meetings with the PZB, and the Historic Architectural Review Board (HARB) would resume next spring.
Ms. Wolfe mentioned the update of the Architectural Guidelines for Historic Preservation (AGHP), and stated public outreach was currently being conducted.

7. (c.) Discussion and Recommendation - Amendments to Chapter 28 Zoning, Sec. 28-89 Criteria for certificate of appropriateness or demolition review and Sec. 28-90 Administration and records

Ms. Wolfe presented the topic to the Board and referenced the memo in the packet. She gave details about the meaning of partial demolitions and identified five critical elements.

The Board and Ms. Wolfe discussed:

- Item was clearly defined
- Difficult to see descriptions about what was being described in images
- Property owners should be listed first before tourism regarding historic resources
- Ways to identify City's 20% historic homes that must go before HARB, where other homes would not
- Structures cited as contributing landmarks or potential local landmarks
- Worked on story map to engage neighborhood associations and the Commission to help bring attention to landmarks
- Full demolition had not been brought up as the AGHP was being updated

Ms. Wolfe stated the department wanted to administratively approve demolitions without presenting every application to HARB if the property had no historic, architectural, or unique value, and presented in expedited list as informational to Board; however, the request was turned down.

Ms. May stated that could be further discussed at a joint meeting between HARB and PZB.
Mr. Davis asked if structures outside the historic district and over fifty years old for partial demolition must go before HARB and did HARB want to have input on what would be reconstructed. He questioned if the duties of HARB were being extended to the entire City.

Ms. Wolfe answered in the affirmative. She referred to the proposed amendment Sec. 28-89. She said this did not apply to buildings older than fifty years. She continued it limited partial demolition to just those designated structures in the seven

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National Registers District, 659 contributing buildings or local landmarks.

Mr. Davis was in support of staff having more administrative approvals with items that regularly appeared before HARB. HE stated with the expansion of HARB's duties and Entry Corridor Reviews the PZB meetings would not last long.

Ms. Wolfe advised that HARB no longer had the Entry Corridor duties.

Mr. Blow commended City staff about making government more efficient. He was concerned with bringing this before the Commission. He said he would not want to recommend without having input from the local community. He questioned Ms. Wolfe about the outreach happening within the community.

Mr. Davis agreed with Mr. Blow regarding more outreach. He stated 600+ structures were under the protected class and asked whether the homeowner had been notified. He said based on this plan, should reach out to let them know since they would be most affected. He mentioned that the homeowners should be informed of the steps needed for repairs or reconstructions.

Mr. DePreter inquired whether the people who lived within the 600+ homes knew they were in a historic home or when people bought a home they were notified. He stated if people knew that when purchasing homes, it could lessen the amount of people appearing before the Board.

Mr. Birchim stated that with the vast amount of turnover in real estate in the downtown area, it was difficult to ensure everyone was notified.

Mr. Birchim stated that there was a special meeting scheduled on June 16th to discuss the four Building Code Task Force goals. He suggested bringing back a second item, a plan for public outreach for this proposed ordinance, and between now and then do more outreach within the real estate community. He told the board that they had done maximum effort to advertise the Building Code Task Force and had received little feedback as people were focused on other things.

Mr. Davis thanked Mr. Birchim for doing outreach with the builder's community and stated he understood that the outreach would be difficult with the high turnover.

Ms. Wolfe said one way to notify people would be through water utility bills, and she requested both residential and commercial accounts for the correct information.

Mr. DePreter indicated it would be best to bring the item back before the Board to continue discussion.

Ms. Wolfe corrected the historical properties number stating it was 1,659 not 659 that are contributing to National Registered Districts.

Ms. Ryan advised she would not be in attendance at the July 6, 2021, meeting.

8. Adjournment

Having no further business, Mr. DePreter adjourned the meeting at 5:53 P.M.[5]

Jon DePreter, Chairperson

[5] Transcribed by Elyse Anderson

DRAFT

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: **USE BY EXCEPTION– 2021-0084**

AGENDA ITEM	4(a)
APPLICANT	Stanley M. Boring St. Augustine Auto Sales, LLC
OWNER	Wave Breaker, LLC
LOCATION	3726 N. Ponce de Leon Boulevard
REQUEST	**To approve a used automobile, truck, boat and vehicle business as a permissible use by exception.**
LAND USE	Commercial Medium Intensity
ZONING	Commercial Medium-two (CM-2)

This property has been used as a boat or automobile sales lot since at least 1994.

SURROUNDING USES
North – Commercial (Office)
South – Commercial (Hair Salon)
East – Residential, Single Family
West – Highway US 1 (N. Ponce de Leon Boulevard)

APPLICABLE CODES/ORDINANCES

Sec. 28-2. Definitions
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.

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

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

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

Sec. 28-209. - 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.

Permissible uses by exception:

j. Businesses that offer for sale new or used automobiles, trucks, boats and tractors.

STAFF SUMMARY AND ANALYSIS

This property has been used as a boat or automobile sales lot since at least 1994.

The board approved an automobile sales lot at this location in 2012 and again in 2014.

There is a wood board privacy fences on the north side of the property, which is adjacent to a vacant office and there is a wood board privacy fence on the east side of the property, which is adjacent to residential property.

The office for this facility is approximately 1,300 square feet, which requires 4 parking spaces. The property has a parking area that can accommodate over 20 vehicles.

Sec. 28-2 *Exception*
Sec. 28-2 "a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled <u>as to the number, area, location or relation to the neighborhood</u>"
There are no automobile sales lots in the immediate area, but there is a shopping center plaza, a restaurant, an auto repair garage, a fruit and seafood market and a bar in the area. (number)

3726 N. Ponce de Leon Boulevard is in an area dominated by a mix of commercial uses and a vehicle sales lot appears to be a compatible commercial use. (area)

The specific location for this proposed vehicle sales lot does not appear to negatively impact surrounding properties. (location)

Sec. 28-2 "would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare"
An automobile, truck, boat and vehicle sales lot may promote the general prosperity of this business district.

<u>STAFF RECOMMENDATION</u>

Based on a review of Section 28-2, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for an automobile, truck, boat and vehicle sales lot at **3726 N. Ponce de Leon Boulevard**, as submitted.

David Birchim

David Birchim, AICP
Director, Planning and Building Department

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $250 (plus advertising costs) Project Number: 2021-0084

Receipt Number: 2129789 Meeting Date: July 6, 2021

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

1. NAME OF APPLICANT: Stanley M Boring Contact Number: 678-925-3012
   Business (*if applicable*): St Augustine Auto Sales, LLC
   Address: 3726 N Ponce De Leon Blvd City: St Augustine State: FL Zip: 32084
   E-Mail Address: mark.boring@usautocreditcorp.com
2. NAME OF PROPERTY OWNER: Wave Breaker Marine, LLC Contact Number:_____
   Business (*if applicable*):_____
   Address: 7300 SW 40 th City: Miami State: FL Zip: 33155
   E-Mail Address: nigel.s.bailey@gmail.com
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 3-136 Saratoga Lake Lot C(13-16) Block: District 42
   Subdivision:_____ Parcel Number: 1499700000
4. PROJECT STREET ADDRESS: 3726 N Ponce De Leon Blvd
5. SPECIFIC PROPOSED USE: Used Car Dealer
6. ACTION REQUESTED:
   - ☐ Conservation Zone Development
   - ☒ Exception
   - ☐ Variance
   - ☐ Appeal of Staff Determination
   - ☐ Land Use Plan Amendment
   - ☐ Rezoning
   - ☐ Other:_____
7. DESCRIPTION OF ACTION REQUESTED: Approval for a business that offers for sale new or used automobiles, trucks, boats and tractors by exception under the St Augustine Codes.
8. JUSTIFICATION FOR ACTION REQUESTED: Location previously used for same type of business. An opportunity for continued economic growth in the area.

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

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

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

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

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

10. PREVIOUS APPPLICATIONS:

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

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

_____

11. AGREEMENT:

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

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

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

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

Signature of Applicant — Date: 06/05/2021

Signature of Property Owner — Date: 6-5-2021

04/18/2019

Electronic Articles of Organization For Florida Limited Liability Company

L21000257437
FILED 8:00 AM
June 02, 2021
Sec. Of State
jafason

Article I

The name of the Limited Liability Company is:

ST. AUGUSTINE AUTO SALES, LLC

Article II

The street address of the principal office of the Limited Liability Company is:

3726 N PONCE DE LEON BLVD
ST. AUGUSTINE, FL. 32084

The mailing address of the Limited Liability Company is:

3726 N PONCE DE LEON BLVD
ST. AUGUSTINE, FL. 32084

Article III

The name and Florida street address of the registered agent is:

RYAN A JOHNSON
8120 NATIONS WAY
STE 208
JACKSONVILLE, FL. 32256

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: RYAN A JOHNSON

Article IV

L21000257437
FILED 8:00 AM
June 02, 2021
Sec. Of State
jafason

The name and address of person(s) authorized to manage LLC:

Title: P
GLYNN R WIMBERLY
8120 NATIONS WAY, STE 208
JACKSONVILLE, FL. 32256

Title: ST
JEFFERY S CURRY
8120 NATIONS WAY, STE 208
JACKSONVILLE, FL. 32256

Title: V
ALVAREZ MARIA
8120 NATIONS WAY, STE 208
JACKSONVILLE, FL. 32256

Title: V
MARK BORING
8120 NATIONS WAY, STE 208
JACKSONVILLE, FL. 32256

Title: V
RYAN A JOHNSON
8120 NATIONS WAY, STE 208
JACKSONVILLE, FL. 32256

Signature of member or an authorized representative

Electronic Signature: RYAN A JOHNSON

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

St. Johns County, FL

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

Sales Questionnaire

Summary

Clicking Image Opens Cyclomedia Viewer In a New Tab

Parcel ID	1499700000
Location Address	3726 N PONCE DE LEON BLVD SAINT AUGUSTINE 32084-0000
Neighborhood	Auto Sales Countywide (COM) (647.7)
Tax Description*	3-136 SARATOGA LAKE LOT C ALL LOTS 13 14 15 & 16 (EX W44.51 FT AT N END & W44.35 FT ON S END IN R/W OF RD#5 DB210/193) BLK 1 OR3177/846 *The Description above is not to be used on legal documents.
Property Use Code	Sales & Service, Repair, Rental & Storage (Auto, Marine, Mobile Home & Farm Equipment) (2700)
Subdivision	Saratoga Lake, Unit One Of
Sec/Twp/Rng	55-7-30
District	City of St Augustine (District 452)
Millage Rate	19.4926
Acreage	0.440
Homestead	N

Owner Information

Owner Name	Wave Breaker Marine LLC 100%
Mailing Address	7300 SW 40 ST MIAMI, FL 33155-0000

Map

Valuation Information

	2021
Building Value	$28,958
Extra Features Value	$10,273
Total Land Value	$171,198
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$210,429**
Total Deferred	$28,942
Assessed Value	**$181,487**
Total Exemptions	$0
Taxable Value	**$181,487**

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
2020	$29,957	$11,144	$171,198	$0	$0	$212,299	$164,988	$47,311	$164,988
2019	$26,212	$12,237	$171,198	$0	$0	$209,647	$149,989	$59,658	$149,989
2018	$27,045	$13,429	$171,198	$0	$0	$211,672	$136,354	$75,318	$136,354
2017	$21,694	$14,978	$171,198	$0	$0	$207,870	$120,853	$87,017	$120,853
2016	$18,356	$15,848	$95,110	$0	$0	$129,314	$109,866	$19,448	$109,866
2015	$16,687	$17,041	$66,150	$0	$0	$99,878	$99,878	$0	$99,878
2014	$16,491	$14,108	$66,150	$0	$0	$96,749	$96,749	$0	$96,749
2013	$17,276	$14,493	$66,150	$0	$0	$97,919	$97,919	$0	$97,919
2012	$17,827	$14,877	$66,150	$0	$0	$98,854	$98,854	$0	$98,854
2011	$20,713	$15,262	$75,600	$0	$0	$111,575	$111,575	$0	$111,575
2010	$26,434	$14,139	$82,215	$0	$0	$122,788	$122,788	$0	$122,788

Building Information

Building	1
Actual Area	1305
Conditioned Area	1305
Actual Year Built	1956
Use	Sales & Service (Automotive)
Style	04
Class	N
Exterior Wall	Concrete Block, Modular Metal
Roof Structure	Rigid Frame

Roof Structure	Rigid Frame
Roof Cover	Built Up
Interior Flooring	Concrete Finish
Interior Wall	
Heating Type	None
Air Conditioning	Window
Bedrooms	
Baths	

Category	Type	Pct
Exterior Wall	Concrete Block	50%
Exterior Wall	Modular Metal	50%
Roofing Structure	Rigid Frame	100%
Roofing Cover	Built Up	100%
Interior Flooring	Concrete Finish	100%
Heating Type	None	100%
Air Conditioning	Window	100%
Frame	Masonry	100%
Plumbing	4 Fixtures	100%
Electrical	Average	100%
Foundation	Concrete Perimeter Footing	100%
Condition	Average	100%
Floor System	Concrete Slab	100%

Description	Conditioned Area	Actual Area
BASE AREA	406	406
BASE AREA	899	899
Total SqFt	1305	1305

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Asphault Paving	0	0	0	0	2079
Concrete Paving	0	0	0	0	6079
Wood Fence	0	0	0	0	220
Deck (Unattached)	0	0	0	0	320
Metal Fence 6'	0	0	0	0	270

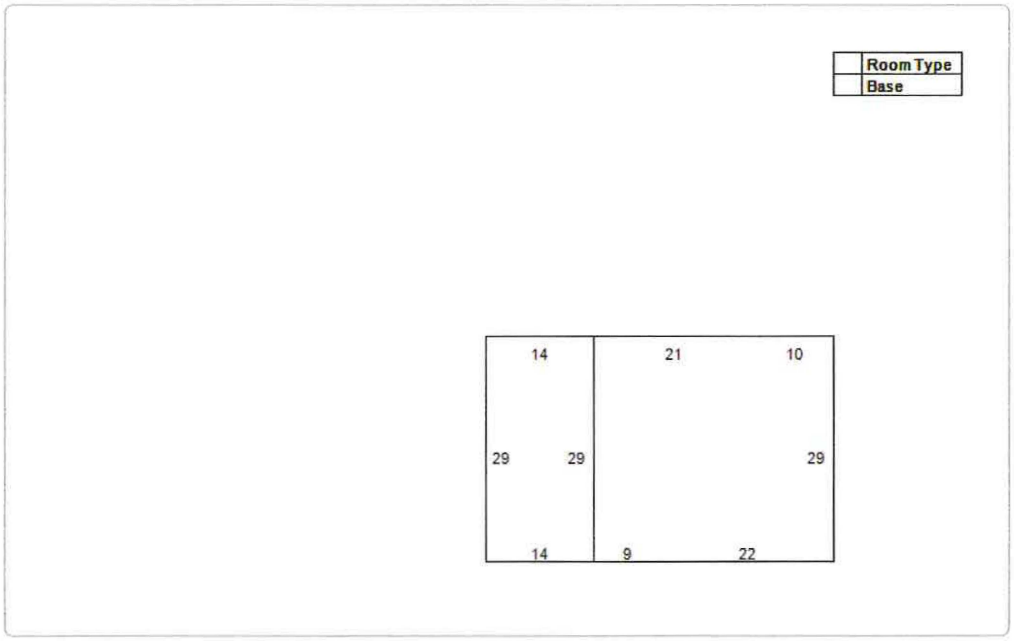
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Owner Occupied Sales & Service (Automotive)	210	90	19022	SF	$171,198

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	3/11/2009	$313,500.00	WARRANTY DEED	3177	846	U	I	BELLONI GEORGE L,HELENE	WAVE BREAKER MARINE LLC
	12/21/2007	$500,000.00	WARRANTY DEED	3025	1758	U	I	DOLAN BARBARA ANN & MICHAEL A	BELLONI GEORGE L,HELENE
	6/22/2000	$100.00	WARRANTY DEED	1506	714	U	I	DOLAN BARBARA ANN	DOLAN BARBARA ANN & MICHAEL A
	9/7/1994	$100.00	QUIT CLAIM DEED	1072	683	U	I	DOLAN MICHAEL A	DOLAN BARBARA ANN
	6/6/1991	$100.00	QUIT CLAIM DEED	943	233	U	I		DOLAN MICHAEL A
	1/1/1979	$42,500.00		424	680	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

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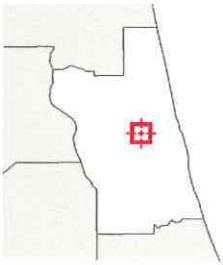
Last Data Upload: 6/5/2021, 12:45:33 AM

Version 2.3.123

St. Johns County, FL

Overview



Legend

☐ Parcels

Parcel ID	1499700000	**Physical Address**	3726 N PONCE DE LEON BLVD SAINT AUGUSTINE	**Building Value**	$28,958	**Last 2 Sales**			
Property Class	2700 - Sales & Service (Automotive)			**Extra Feature Value**	$10,273	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine	**Mailing Address**	WAVE BREAKER MARINE LLC 7300 SW 40 ST MIAMI FL 33155-0000	**Total Land Value**	$171,198	3/11/2009	$313500	30	U
Acres	0.44			**Just Value**	$210,429	12/21/2007	$500000	11	U
				Total Deferred	$28,942				
				Assessed Value	$181,487				
				Total Exemptions	N/A				
				Taxable Value	$181,487				

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Date created: 6/7/2021
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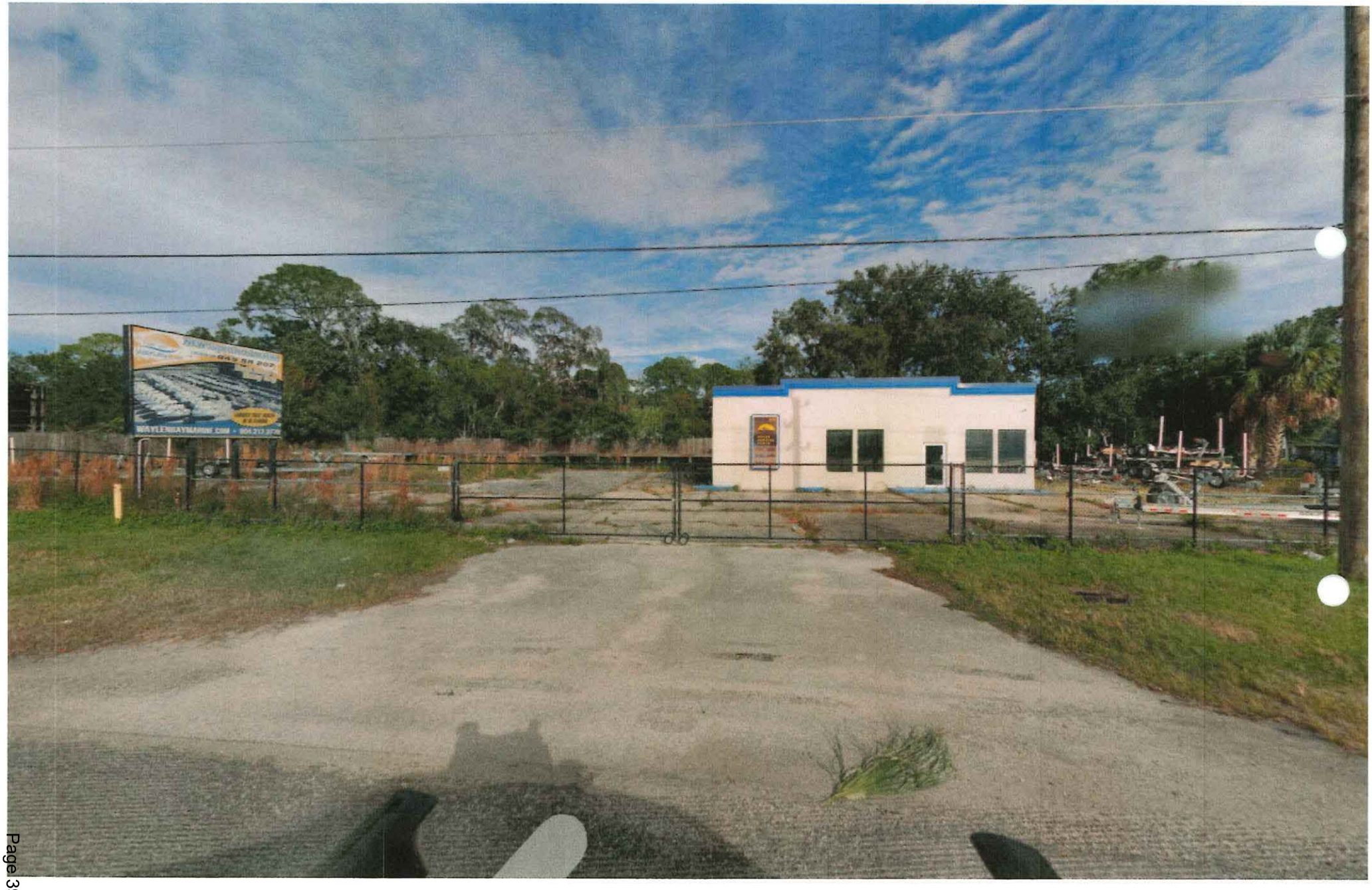

06/24/2021 09:04

NEW Superstore Location
845 SR 207
LARGEST BOAT DEALER IN NE FLORIDA
WAYLENBAYMARINE.COM • 904.217.3778
06/24/2021 09:04

S CENTRAL ANGLE
S RADIUS
S TANGENT DISTANCE
S LENGTH OF ARC
S CHORD BEARING
S CHORD DISTANCE
S CENTERLINE

RECEIVED
OCT 01 2012
Planning/Building Dept.

ASSUMED

REMAINDER OF LOT 12

FENCE

40.9'

0.7'

FOUND 1/2" REBAR
I.D. LS #2674

(DEED N61°57'43"E)
N61°57'13"E
90.65'

CONCRETE WALL WITH FENCE, ±ONLINE

OVERHEAD WIRES

50.00'

POWERPOLE

LOT 28

LOT 29

POWERPOLE

INLET

25.0'

BASIS OF BEARING
S28°02'47"E
50.00'

25' MAINTANCE AREA AS PER D.B. 70, PAGE 449

EDGE OF PAVEMENT

REMAINDER OF LOT 14

CONCRETE BASE

ASPHALT & CONCRETE PARKING

OVERHEAD WIRES

(DEED N28°04'47"W)
N28°05'22"W
210.00'

BLOCK 1

ONE STORY BUILDING

28.7'

45.2'

SHED

PROPANE TANK

10.0'

CONCRETE WALL WITH FENCE, ±ONLINE

POWERPOLE

15' ALLEY - DIRT

210.00'
110.00'
(PLAT 125')

ASPHALT

REMAINDER OF LOT 15

26.0'

11.0'

AWNING

23.9'

10.9'

24.8'

WALK

LOT C

ASPHALT & CONCRETE PARKING

56.2'

INLET

PART OF LOTS 13-16, BLOCK 1, LYING IN THE R/W OF U.S. #1 AS PER DEED 210, PAGE 193

SAN MARCO AVE. - S.R. #5
U.S. HIGHWAY #1
RIGHT-OF-WAY VARIES
PAVED

REMAINDER OF LOT 16

SET 5/8" REBAR
I.D. LS #4690

ASPHALT

(DEED S61°57'43"W)
S61°57'13"W
90.49'
RIGHT-OF-WAY

CONCRETE WALL WITH FENCE, ±ONLINE

SIDEWALK

EDGE OF PAVEMENT

FOUND 1/2" IRON PIPE
no I.D.

SIGN

CONCRETE

INLET

FIRE HYDRANT

POINT OF REFERENCE
POINT OF BEGINNING

ELEVATION CERTIFICATE:

PERTY LIES IN FLOOD ZONE "XS"
N ON THE FLOOD INSURANCE RATE
.R.M.), COMMUNITY PANEL NO.
2109C0312H, MAP DATED

(OF ST. AUG., FL.

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: **USE BY EXCEPTION– 2021-0084**

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<u>STAFF RECOMMENDATION</u>

Based on a review of Section 28-2, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for an automobile, truck, boat and vehicle sales lot at **3726 N. Ponce de Leon Boulevard**, as submitted.

David Birchim

David Birchim, AICP
Director, Planning and Building Department

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $250 (plus advertising costs) Project Number: 2021-0084

Receipt Number: 2129789 Meeting Date: July 6, 2021

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

1. NAME OF APPLICANT: Stanley M Boring Contact Number: 678-925-3012
   Business (*if applicable*): St Augustine Auto Sales, LLC
   Address: 3726 N Ponce De Leon Blvd City: St Augustine State: FL Zip: 32084
   E-Mail Address: mark.boring@usautocreditcorp.com
2. NAME OF PROPERTY OWNER: Wave Breaker Marine, LLC Contact Number:_____
   Business (*if applicable*):_____
   Address: 7300 SW 40 th City: Miami State: FL Zip: 33155
   E-Mail Address: nigel.s.bailey@gmail.com
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 3-136 Saratoga Lake Lot C(13-16) Block: District 42
   Subdivision:_____ Parcel Number: 1499700000
4. PROJECT STREET ADDRESS: 3726 N Ponce De Leon Blvd
5. SPECIFIC PROPOSED USE: Used Car Dealer
6. ACTION REQUESTED:
   - ☐ Conservation Zone Development
   - ☒ Exception
   - ☐ Variance
   - ☐ Appeal of Staff Determination
   - ☐ Land Use Plan Amendment
   - ☐ Rezoning
   - ☐ Other:_____
7. DESCRIPTION OF ACTION REQUESTED: Approval for a business that offers for sale new or used automobiles, trucks, boats and tractors by exception under the St Augustine Codes.
8. JUSTIFICATION FOR ACTION REQUESTED: Location previously used for same type of business. An opportunity for continued economic growth in the area.

04/18/2019

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

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

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

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

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

10. PREVIOUS APPPLICATIONS:

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

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

_____

11. AGREEMENT:

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

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

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

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

Signature of Applicant — Date: 06/05/2021

Signature of Property Owner — Date: 6-5-2021

04/18/2019

Electronic Articles of Organization For Florida Limited Liability Company

L21000257437
FILED 8:00 AM
June 02, 2021
Sec. Of State
jafason

Article I

The name of the Limited Liability Company is:

ST. AUGUSTINE AUTO SALES, LLC

Article II

The street address of the principal office of the Limited Liability Company is:

3726 N PONCE DE LEON BLVD
ST. AUGUSTINE, FL. 32084

The mailing address of the Limited Liability Company is:

3726 N PONCE DE LEON BLVD
ST. AUGUSTINE, FL. 32084

Article III

The name and Florida street address of the registered agent is:

RYAN A JOHNSON
8120 NATIONS WAY
STE 208
JACKSONVILLE, FL. 32256

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: RYAN A JOHNSON

Article IV

L21000257437
FILED 8:00 AM
June 02, 2021
Sec. Of State
jafason

The name and address of person(s) authorized to manage LLC:

Title: P
GLYNN R WIMBERLY
8120 NATIONS WAY, STE 208
JACKSONVILLE, FL. 32256

Title: ST
JEFFERY S CURRY
8120 NATIONS WAY, STE 208
JACKSONVILLE, FL. 32256

Title: V
ALVAREZ MARIA
8120 NATIONS WAY, STE 208
JACKSONVILLE, FL. 32256

Title: V
MARK BORING
8120 NATIONS WAY, STE 208
JACKSONVILLE, FL. 32256

Title: V
RYAN A JOHNSON
8120 NATIONS WAY, STE 208
JACKSONVILLE, FL. 32256

Signature of member or an authorized representative

Electronic Signature: RYAN A JOHNSON

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

St. Johns County, FL

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

Sales Questionnaire

Summary

Clicking Image Opens Cyclomedia Viewer In a New Tab

Parcel ID	1499700000
Location Address	3726 N PONCE DE LEON BLVD SAINT AUGUSTINE 32084-0000
Neighborhood	Auto Sales Countywide (COM) (647.7)
Tax Description*	3-136 SARATOGA LAKE LOT C ALL LOTS 13 14 15 & 16 (EX W44.51 FT AT N END & W44.35 FT ON S END IN R/W OF RD#5 DB210/193) BLK 1 OR3177/846 *The Description above is not to be used on legal documents.
Property Use Code	Sales & Service, Repair, Rental & Storage (Auto, Marine, Mobile Home & Farm Equipment) (2700)
Subdivision	Saratoga Lake, Unit One Of
Sec/Twp/Rng	55-7-30
District	City of St Augustine (District 452)
Millage Rate	19.4926
Acreage	0.440
Homestead	N

Owner Information

Owner Name	Wave Breaker Marine LLC 100%
Mailing Address	7300 SW 40 ST MIAMI, FL 33155-0000

Map

Valuation Information

	2021
Building Value	$28,958
Extra Features Value	$10,273
Total Land Value	$171,198
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$210,429**
Total Deferred	$28,942
Assessed Value	**$181,487**
Total Exemptions	$0
Taxable Value	**$181,487**

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
2020	$29,957	$11,144	$171,198	$0	$0	$212,299	$164,988	$47,311	$164,988
2019	$26,212	$12,237	$171,198	$0	$0	$209,647	$149,989	$59,658	$149,989
2018	$27,045	$13,429	$171,198	$0	$0	$211,672	$136,354	$75,318	$136,354
2017	$21,694	$14,978	$171,198	$0	$0	$207,870	$120,853	$87,017	$120,853
2016	$18,356	$15,848	$95,110	$0	$0	$129,314	$109,866	$19,448	$109,866
2015	$16,687	$17,041	$66,150	$0	$0	$99,878	$99,878	$0	$99,878
2014	$16,491	$14,108	$66,150	$0	$0	$96,749	$96,749	$0	$96,749
2013	$17,276	$14,493	$66,150	$0	$0	$97,919	$97,919	$0	$97,919
2012	$17,827	$14,877	$66,150	$0	$0	$98,854	$98,854	$0	$98,854
2011	$20,713	$15,262	$75,600	$0	$0	$111,575	$111,575	$0	$111,575
2010	$26,434	$14,139	$82,215	$0	$0	$122,788	$122,788	$0	$122,788

Building Information

Building	1
Actual Area	1305
Conditioned Area	1305
Actual Year Built	1956
Use	Sales & Service (Automotive)
Style	04
Class	N
Exterior Wall	Concrete Block, Modular Metal
Roof Structure	Rigid Frame

Roof Structure	Rigid Frame
Roof Cover	Built Up
Interior Flooring	Concrete Finish
Interior Wall	
Heating Type	None
Air Conditioning	Window
Bedrooms	
Baths	

Category	Type	Pct
Exterior Wall	Concrete Block	50%
Exterior Wall	Modular Metal	50%
Roofing Structure	Rigid Frame	100%
Roofing Cover	Built Up	100%
Interior Flooring	Concrete Finish	100%
Heating Type	None	100%
Air Conditioning	Window	100%
Frame	Masonry	100%
Plumbing	4 Fixtures	100%
Electrical	Average	100%
Foundation	Concrete Perimeter Footing	100%
Condition	Average	100%
Floor System	Concrete Slab	100%

Description	Conditioned Area	Actual Area
BASE AREA	406	406
BASE AREA	899	899
Total SqFt	1305	1305

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Asphault Paving	0	0	0	0	2079
Concrete Paving	0	0	0	0	6079
Wood Fence	0	0	0	0	220
Deck (Unattached)	0	0	0	0	320
Metal Fence 6'	0	0	0	0	270

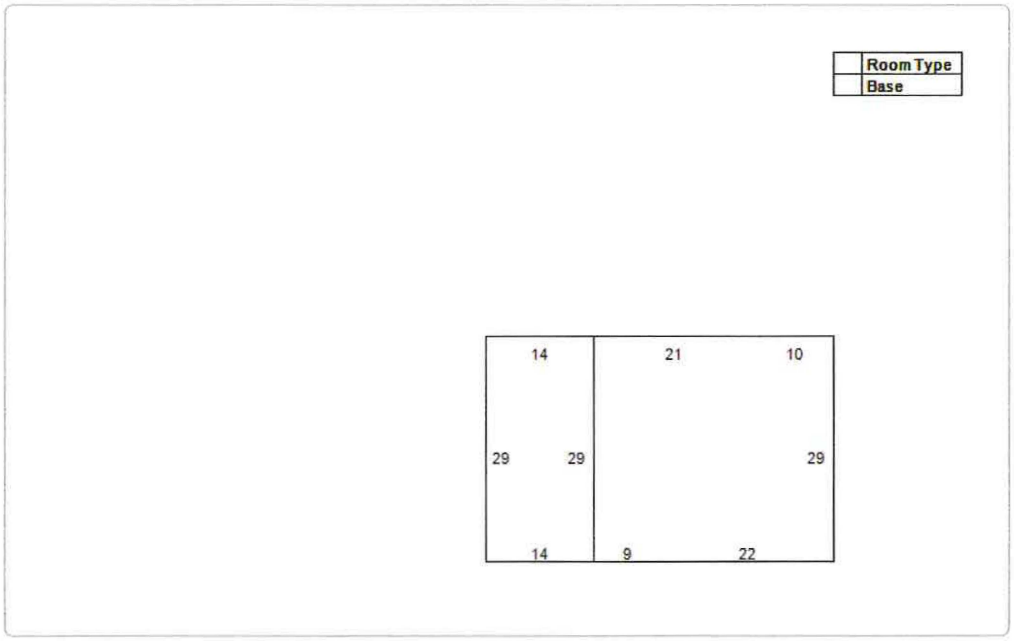
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Owner Occupied Sales & Service (Automotive)	210	90	19022	SF	$171,198

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	3/11/2009	$313,500.00	WARRANTY DEED	3177	846	U	I	BELLONI GEORGE L,HELENE	WAVE BREAKER MARINE LLC
	12/21/2007	$500,000.00	WARRANTY DEED	3025	1758	U	I	DOLAN BARBARA ANN & MICHAEL A	BELLONI GEORGE L,HELENE
	6/22/2000	$100.00	WARRANTY DEED	1506	714	U	I	DOLAN BARBARA ANN	DOLAN BARBARA ANN & MICHAEL A
	9/7/1994	$100.00	QUIT CLAIM DEED	1072	683	U	I	DOLAN MICHAEL A	DOLAN BARBARA ANN
	6/6/1991	$100.00	QUIT CLAIM DEED	943	233	U	I		DOLAN MICHAEL A
	1/1/1979	$42,500.00		424	680	U	I		

Sketch Information



No data available for the following modules: Exemption Information.

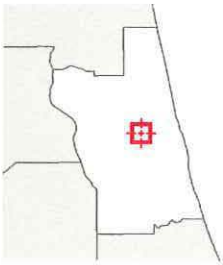
The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.
User Privacy Policy
GDPR Privacy Notice

Developed by Schneider GEOSPATIAL

Last Data Upload: 6/5/2021, 12:45:33 AM

Version 2.3.123

St. Johns County, FL



Parcel ID	1499700000	**Physical Address**	3726 N PONCE DE LEON BLVD SAINT AUGUSTINE	**Building Value**	$28,958	**Last 2 Sales**			
Property Class	2700 - Sales & Service (Automotive)			**Extra Feature Value**	$10,273	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine	**Mailing Address**	WAVE BREAKER MARINE LLC 7300 SW 40 ST MIAMI FL 33155-0000	**Total Land Value**	$171,198	3/11/2009	$313500	30	U
Acres	0.44			**Just Value**	$210,429	12/21/2007	$500000	11	U
				Total Deferred	$28,942				
				Assessed Value	$181,487				
				Total Exemptions	N/A				
				Taxable Value	$181,487				

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Date created: 6/7/2021
Last Data Uploaded: 6/5/2021 12:45:33 AM

Developed by Schneider GEOSPATIAL

06/24/2021 09:04

NEW Superstore Location
845 SR 207
LARGEST BOAT DEALER IN NE FLORIDA
WAYLENBAYMARINE.COM • 904.217.3778
06/24/2021 09:04

S CENTRAL ANGLE
S RADIUS
S TANGENT DISTANCE
S LENGTH OF ARC
S CHORD BEARING
S CHORD DISTANCE
S CENTERLINE

RECEIVED
OCT 01 2012
Planning&Building Dept.

ASSUMED

REMAINDER OF LOT 12

FENCE

40.9'

0.7'

FOUND 1/2" REBAR
I.D. LS #2674

(DEED N61°57'43"E)
N61°57'13"E
90.65'

CONCRETE WALL WITH FENCE, ±ONLINE

OVERHEAD WIRES

50.00'

POWERPOLE

LOT 28

LOT 29

POWERPOLE

INLET

EDGE OF PAVEMENT

25.0'

BASIS OF BEARING
S28°02'47"E
50.00'

25' MAINTANCE AREA AS PER D.B. 70, PAGE 449

REMAINDER OF LOT 14

ASPHALT & CONCRETE PARKING

CONCRETE BASE

OVERHEAD WIRES

(DEED N28°04'47"W)
N28°05'22"W
210.00'

BLOCK 1

ONE STORY BUILDING

28.7'

45.2'

SHED

PROPANE TANK

CONCRETE WALL WITH FENCE, ±ONLINE

15' ALLEY - DIRT

210.00'
110.00'
(PLAT 125')

REMAINDER OF LOT 15

26.0'

11.0'

AWNING

23.9'

10.9'

24.8'

WALK

LOT C

ASPHALT & CONCRETE PARKING

56.2'

SET 5/8" REBAR
I.D. LS #4690

ASPHALT

INLET

PART OF LOTS 13-16, BLOCK 1, LYING IN THE R/W OF U.S. #1 AS PER DEED 210, PAGE 193

SAN MARCO AVE. - S.R. #5
U.S. HIGHWAY #1
RIGHT-OF-WAY VARIES
PAVED

REMAINDER OF LOT 16

ASPHALT

FOUND 1/2" IRON PIPE
no I.D.

SIGN

(DEED S61°57'43"W)
S61°57'13"W
90.49'
RIGHT-OF-WAY

CONCRETE WALL WITH FENCE, ±ONLINE

SIDEWALK

EDGE OF PAVEMENT

CONCRETE

INLET

FIRE HYDRANT

POINT OF REFERENCE
POINT OF BEGINNING

ELEVATION CERTIFICATE:

PERTY LIES IN FLOOD ZONE "XS"
N ON THE FLOOD INSURANCE RATE
.R.M.), COMMUNITY PANEL NO.
2109C0312H, MAP DATED

(OF ST. AUG., FL.

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: **USE BY EXCEPTION– 2021-0088**

AGENDA ITEM	4(b)
APPLICANT	Jean-Pierre Klifa
OWNER	Sugartime St. Augustine, LLC
LOCATION	32 Charlotte Street
REQUEST	**To approve a bar/cocktail lounge with live music as a permissible use by exception.**
LAND USE	Historic Preservation
ZONING	Historic Preservation-three (HP-3)
SURROUNDING USES	Retail, Food and Beverage Service, Lodging

APPLICABLE CODES/ORDINANCES

Sec. 28-2. Definitions

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.

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

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

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

Sec. 28-185. Historic preservation district: HP-3.

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) Permitted uses by exception:

b. Cocktail lounges, taverns.

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.

STAFF SUMMARY AND ANALYSIS

The property at 32 Charlotte Street is a 2 story, wood frame structure built in 1915. It is located on the north side of Charlotte Street and nearby properties include restaurants and bars, retail shops, a cigar bar, a coffee shop and a hotel.

Below is a series of questions about the proposed bar and the applicant's answers are in red.

- What are your hours of operation? As per the city code, but most likely 3pm to 11 pm….possibly later on the week-end, as I will have to decide once we are opened.
- Will you be serving alcohol until 2:00am? By alcohol do you mean Hard liquor? No Hard liquor. This will be a wine bar, and I am planning to serve wine and beer only, and definitely not later than 2 am.
- Will the live music be inside the building or will you also have live music on the outside porches? Only inside on a very limited basis
- Will you have seating on the outside porches? The front Porch will have two high top tables. The side porch will have probably 3 tables. I haven't done a seating plan yet, because I was under the impression that the fire Marshall would dictate that.
- What are the total number of seats in the cocktail lounge? See Above. My initial goal is 20/25 seats, but again the Fire marshall may decide differently
- Do you have handicap access into the building? Not Right now. But we will look at code to conform to requirements. I noticed many places around did not have handicap access
- Do you have handicap accessible restrooms in the building? Not Right now. But we will look at code to conform to requirements. I noticed many places around did not have handicap access

Sec. 28-2 *Exception*
Sec. 28-2 "a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled <u>as to the number, area, location or relation to the neighborhood</u>"
There are over 60 businesses that have alcohol licenses in the downtown historic districts, which include restaurants, bars and cigar bars. (number)

32 Charlotte Street is in an area dominated by tourism oriented commercial uses including restaurants and bars. (area)

The specific location for this proposed bar does not appear to negatively impact surrounding properties. (location)

Sec. 28-2 "would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare"
A small bar may promote the general prosperity of this business district.

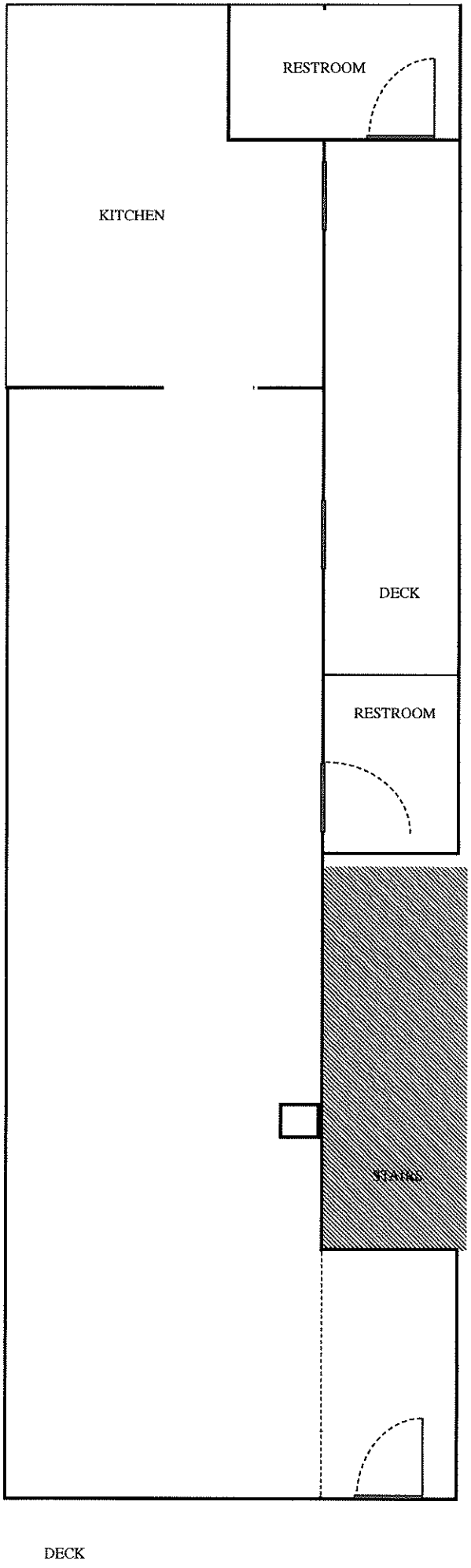
STAFF RECOMMENDATION

Based on a review of Section 28-2, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for a bar at **32 Charlotte Street**, as submitted.

David Birchim

David Birchim, AICP
Director, Planning and Building Department

FOR LEASE
CALL OR TEXT
06/24/2021 10:48


RESTROOM
KITCHEN
DECK
RESTROOM
STAIRS
DECK

DocuSign Envelope ID: 6F227D86-5421-[illegible]-BD27-9EBD9F7554D5

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $250 (plus advertising costs) Project Number: 2021-0088

Receipt Number: 2131945 Meeting Date: July 6, 2021

Advertising Costs: $ 86.40 Paid On: 6/1/21 Receipt Number: 2134105

---

1. NAME OF APPLICANT: Jean-Pierre Klifa Contact Number: 754-263-2233
   Business (*if applicable*):
   Address: 52 St. George Street City: St. Augustine State: FL Zip: 32084
   E-Mail Address: jpk@jeanpierreklifa.com
2. NAME OF PROPERTY OWNER: Delana Rast Contact Number: 803-378-9217
   Business (*if applicable*):
   Address: PO Box 684 City: Edisto Beach State: SC Zip: 29438
   E-Mail Address: lanarast1@gmail.com
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 12 Block: 8
   Subdivision: City of St. Augustine Parcel Number: 1967200000
4. PROJECT STREET ADDRESS: 32 Charlotte St.
5. SPECIFIC PROPOSED USE: Cocktail Lounge with live music serving beer and wine only
6. ACTION REQUESTED:
   - ☐ Conservation Zone Development
   - ☒ Exception
   - ☐ Variance
   - ☐ Other:
   - ☐ Appeal of Staff Determination
   - ☐ Land Use Plan Amendment
   - ☐ Rezoning
7. DESCRIPTION OF ACTION REQUESTED: Applying for use by exception to allow a cocktail lounge.
8. JUSTIFICATION FOR ACTION REQUESTED: There are multiple restaurants and cocktail lounges surrounding the property and we feel a cocktail lounge with live music will mesh with current businesses.

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.

DocuSigned by:
Jean Pierr Klifa
3E73BB64CF774b9...
Signature of Applicant

6/7/2021 | 3:07 PM EDT
Date

DocuSigned by:
Delana Rast
CA8C1DD84C4E4EA...
Signature of Property Owner

6/7/2021
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.

Jean Pierr Klifa

Print name of applicant

DocuSigned by:
Jean Pierr Klifa
3E73BB64CF77469...

Signature of applicant

6/7/2021 | 3:07 PM EDT

Date

ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

Jean-Pierre Klifa and/or Richard Brooks is/are hereby authorized TO ACT ON BEHALF OF Delana Rast, 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: 32 Charlotte St. St. Augustine 32084

BY: Delana Rast
Signature of Owner

Delana Rast
Print Name of Owner

803-378-9217
Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 1st day of June, 2021

By Delana Rast

Identification verified: Personally Known

Oath sworn: X Yes ___ No

Notary Signature: _____

My Commission expires: October 25, 2024

STEPHANIE JILL MANGUM
Notary Public - State of Florida
Commission # HH 51583
My Comm. Expires Oct 25, 2024
Bonded through National Notary Assn.

Rev:022117

St. Johns County, FL

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

Sales Questionnaire

Summary

12/6/2020

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Clicking Image Opens Cyclomedia Viewer In a New Tab

Parcel ID	1967200000
Location Address	32 CHARLOTTE ST SAINT AUGUSTINE 32084-0000
Neighborhood	City St Aug E of St George (COM) (610.08)
Tax Description*	CITY OF ST AUG LOT 12 BLK 8 OR5238/1165 *The Description above is not to be used on legal documents.
Property Use Code	Owner Occupied Mixed Use (Store/Office/Residential Combo) (1205)
Subdivision	City of St Augustine
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	19.4926
Acreage	0.060
Homestead	Y

Owner Information

Owner Name	Sugartime St Augustine LLC 100%
Mailing Address	PO BOX 684 EDISTO BEACH, SC 29438-0000

Map

Valuation Information

	2021
Building Value	$99,189
Extra Features Value	$1,123
Total Land Value	$211,200
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$311,512**
Total Deferred	$183,772
Assessed Value	**$127,740**
Total Exemptions	$22,872
Taxable Value	**$104,868**

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

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Exemption Information

Exemption Type	Amount
Homestead	$22,872

Building Information

Building	1
Actual Area	1506
Conditioned Area	1194
Actual Year Built	1915
Use	Mixed Use (City/Historical)
Style	01
Class	N
Exterior Wall	Wood
Roof Structure	Gable Hip

Roof Structure	Gable Hip
Roof Cover	Cement Fiber Shingle
Interior Flooring	Carpet
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	0
Baths	

Category	Type	Pct
Exterior Wall	Wood	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Cement Fiber Shingle	100%
Interior Walls	Drywall	100%
Interior Flooring	Carpet	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	7 Fixtures	100%
Electrical	Good	100%
Foundation	Piers and Posts	100%
Floor System	Wood Frame	100%
Condition	Good	100%

Description	Conditioned Area	Actual Area
BASE AREA (HOMESTEAD)	253	253
BASE AREA (HOMESTEAD)	195	195
FINISHED OPEN PORCH (HOMESTEAD)	0	90
FINISHED OPEN PORCH (HOMESTEAD)	0	36
FINISHED OPEN PORCH (HOMESTEAD)	0	96
FINISHED UPPER STORY (HOMESTEAD)	746	746
FINISHED OPEN PORCH (HOMESTEAD)	0	90
Total SqFt	1194	1506

Building	2
Actual Area	647
Conditioned Area	551
Actual Year Built	1915
Use	Mixed Use (City/Historical)
Style	01
Class	N

Roof Structure	Gable Hip
Roof Cover	Cement Fiber Shingle
Interior Flooring	Carpet
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	0

Exterior Wall	Wood	**Baths**	
Roof Structure	Gable Hip		

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Interior Walls	Drywall	100%
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Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	3 Fixtures	100%
Electrical	Average	100%
Foundation	Piers and Posts	100%
Floor System	Wood Frame	100%
Condition	Average	100%

Description	Conditioned Area	Actual Area
BASE AREA	551	551
FINISHED OPEN PORCH	0	96
Total SqFt	551	647

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Deck (Unattached)	0	0	0	0	289

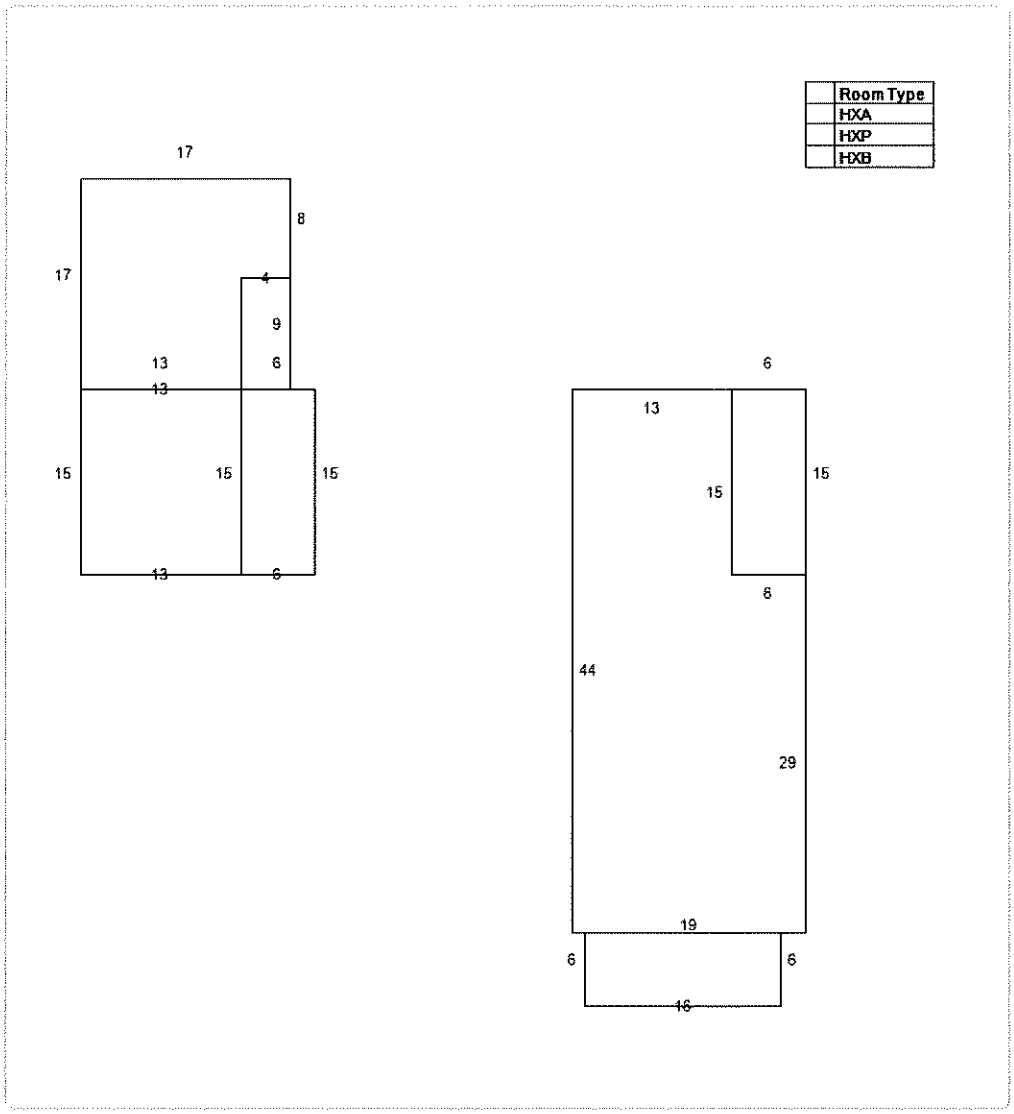
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Owner Occupied Mixed Use - Store/Office/Res Combo	12	110	1320	SF	$105,600
Owner Occupied Mixed Use - Store/Office/Res Combo	12	110	1320	SF	$105,600

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
4/15/2021	4/6/2021	$810,000.00	WARRANTY DEED	5238	1165	Q	I	BALDWIN PHILIP L ETUX	SUGARTIME ST AUGUSTINE LLC
	9/28/1994	$132,500.00	WARRANTY DEED	1075	1266	Q	I	JEROME WILLIAM T III	BALDWIN PHILIP L ETUX
	2/1/1991	$0.00		884	921	U	I		JEROME WILLIAM T III
	12/1/1983	$135,000.00		617	656	Q	I		
	1/1/1980	$90,000.00		467	400	U	I		

Sketch Information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HXP
HXB
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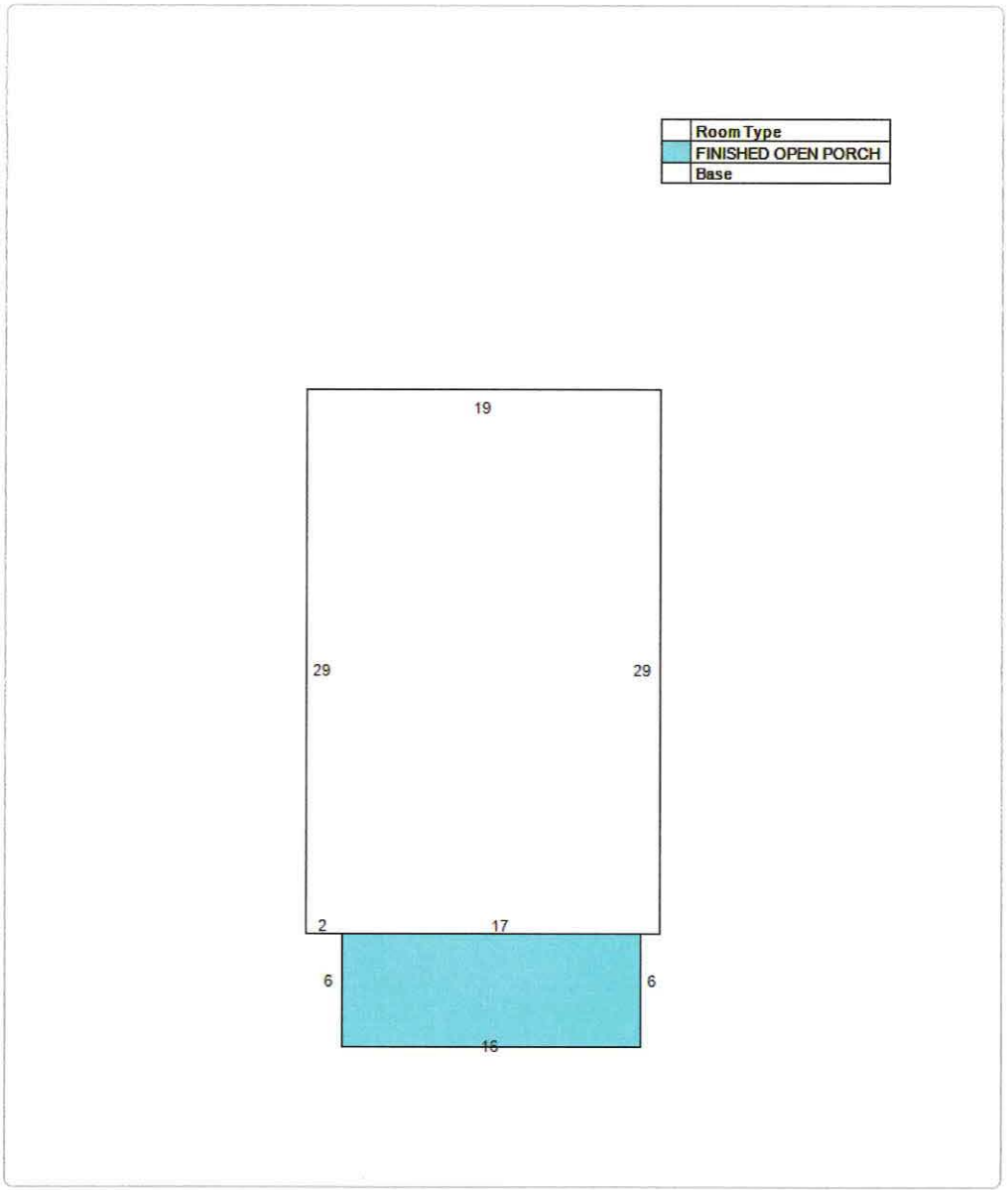

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Version 2.3.124

Developed by Schneider GEOSPATIAL

St. Johns County, FL

Parcel ID	1967200000
Property Class	1205 - Owner Occupied Mixed Use - Store/Office/Res Combo
Taxing District	City of St Augustine
Acres	0.06

Physical Address	32 CHARLOTTE ST SAINT AUGUSTINE
Mailing Address	SUGARTIME ST AUGUSTINE LLC PO BOX 684 EDISTO BEACH SC 29438-0000

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Total Exemptions	$22,872
Taxable Value	$104,868

Last 2 Sales

Date	Price	Reason	Qual
4/6/2021	$810000	01	Q
9/28/1994	$132500	01	Q

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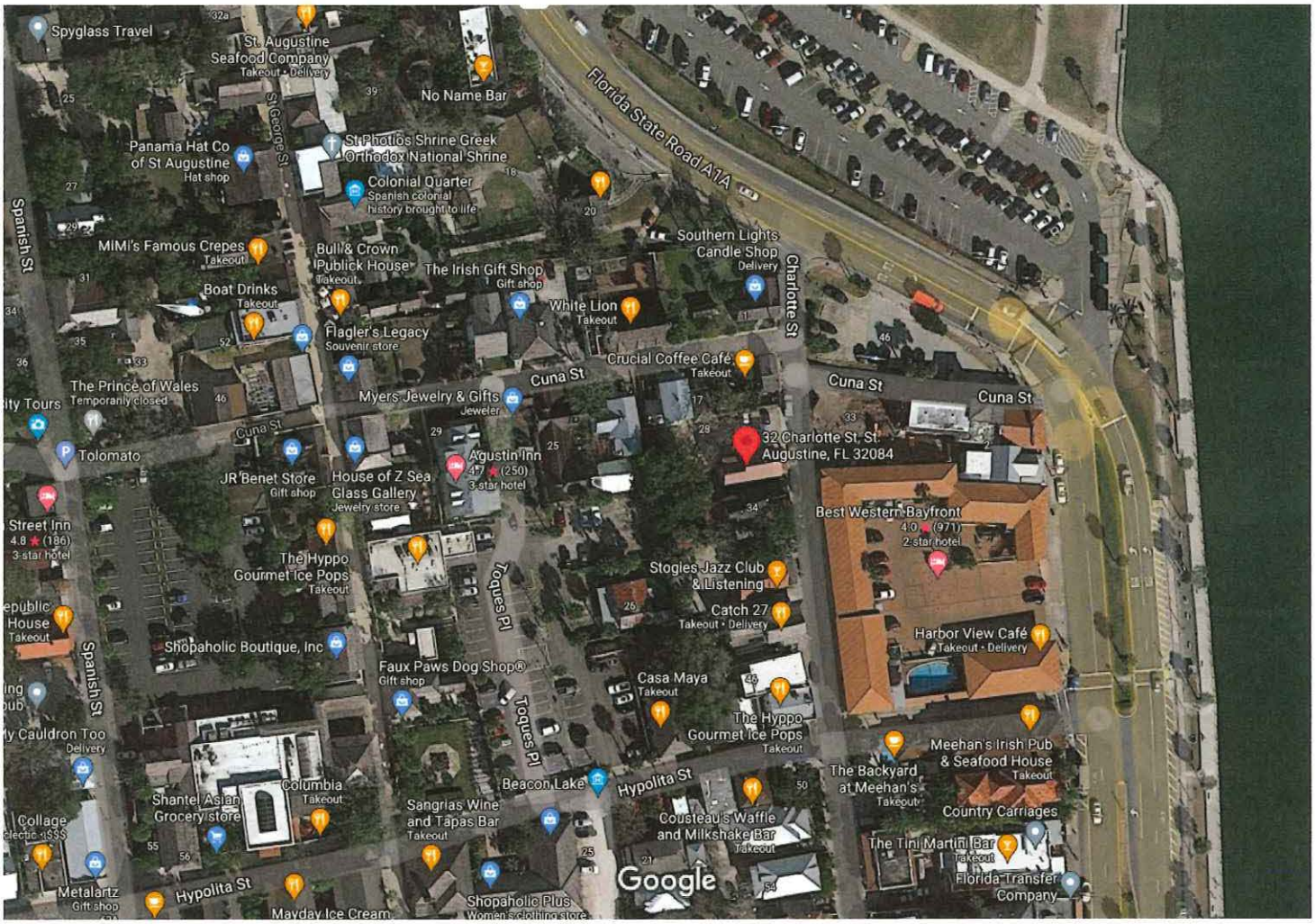
Date created: 6/8/2021
Last Data Uploaded: 6/8/2021 1:36:48 AM

Developed by Schneider GEOSPATIAL

Google Maps 32 Charlotte St



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 50 ft

32 Charlotte St

St. Augustine, FL 32084
Building

Directions Save Nearby Send to your phone Share

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: **USE BY EXCEPTION– 2021-0088**

AGENDA ITEM	4(b)
APPLICANT	Jean-Pierre Klifa
OWNER	Sugartime St. Augustine, LLC
LOCATION	32 Charlotte Street
REQUEST	**To approve a bar/cocktail lounge with live music as a permissible use by exception.**
LAND USE	Historic Preservation
ZONING	Historic Preservation-three (HP-3)
SURROUNDING USES	Retail, Food and Beverage Service, Lodging

APPLICABLE CODES/ORDINANCES

Sec. 28-2. Definitions

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.

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

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

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

Sec. 28-185. Historic preservation district: HP-3.

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) Permitted uses by exception:

b. Cocktail lounges, taverns.

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.

STAFF SUMMARY AND ANALYSIS

The property at 32 Charlotte Street is a 2 story, wood frame structure built in 1915. It is located on the north side of Charlotte Street and nearby properties include restaurants and bars, retail shops, a cigar bar, a coffee shop and a hotel.

Below is a series of questions about the proposed bar and the applicant's answers are in red.

- What are your hours of operation? As per the city code, but most likely 3pm to 11 pm….possibly later on the week-end, as I will have to decide once we are opened.
- Will you be serving alcohol until 2:00am? By alcohol do you mean Hard liquor? No Hard liquor. This will be a wine bar, and I am planning to serve wine and beer only, and definitely not later than 2 am.
- Will the live music be inside the building or will you also have live music on the outside porches? Only inside on a very limited basis
- Will you have seating on the outside porches? The front Porch will have two high top tables. The side porch will have probably 3 tables. I haven't done a seating plan yet, because I was under the impression that the fire Marshall would dictate that.
- What are the total number of seats in the cocktail lounge? See Above. My initial goal is 20/25 seats, but again the Fire marshall may decide differently
- Do you have handicap access into the building? Not Right now. But we will look at code to conform to requirements. I noticed many places around did not have handicap access
- Do you have handicap accessible restrooms in the building? Not Right now. But we will look at code to conform to requirements. I noticed many places around did not have handicap access

Sec. 28-2 *Exception*
Sec. 28-2 "a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled <u>as to the number, area, location or relation to the neighborhood</u>"
There are over 60 businesses that have alcohol licenses in the downtown historic districts, which include restaurants, bars and cigar bars. (number)

32 Charlotte Street is in an area dominated by tourism oriented commercial uses including restaurants and bars. (area)

The specific location for this proposed bar does not appear to negatively impact surrounding properties. (location)

Sec. 28-2 "would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare"
A small bar may promote the general prosperity of this business district.

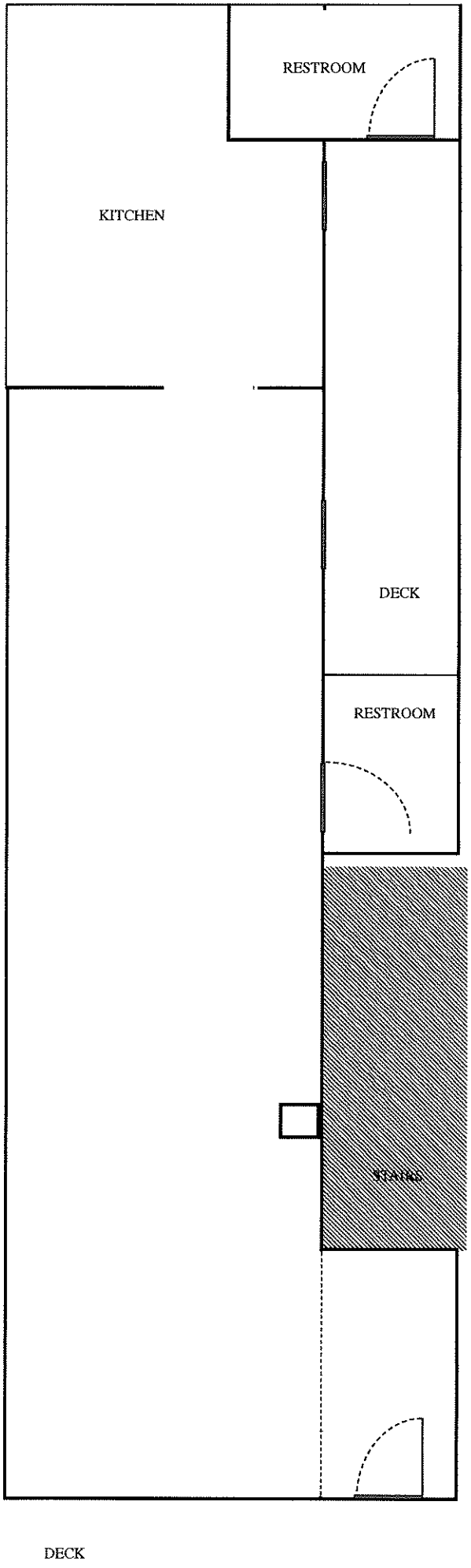
STAFF RECOMMENDATION

Based on a review of Section 28-2, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for a bar at **32 Charlotte Street**, as submitted.

David Birchim

David Birchim, AICP
Director, Planning and Building Department

FOR LEASE
CALL OR TEXT
06/24/2021 10:48


RESTROOM
KITCHEN
DECK
RESTROOM
STAIRS
DECK

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CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $250 (plus advertising costs) Project Number: 2021-0088

Receipt Number: 2131945 Meeting Date: July 6, 2021

Advertising Costs: $ 86.40 Paid On: 6/1/21 Receipt Number: 2134105

---

1. NAME OF APPLICANT: Jean-Pierre Klifa Contact Number: 754-263-2233
   Business (*if applicable*):
   Address: 52 St. George Street City: St. Augustine State: FL Zip: 32084
   E-Mail Address: jpk@jeanpierreklifa.com
2. NAME OF PROPERTY OWNER: Delana Rast Contact Number: 803-378-9217
   Business (*if applicable*):
   Address: PO Box 684 City: Edisto Beach State: SC Zip: 29438
   E-Mail Address: lanarast1@gmail.com
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 12 Block: 8
   Subdivision: City of St. Augustine Parcel Number: 1967200000
4. PROJECT STREET ADDRESS: 32 Charlotte St.
5. SPECIFIC PROPOSED USE: Cocktail Lounge with live music serving beer and wine only
6. ACTION REQUESTED:
   - ☐ Conservation Zone Development
   - ☒ Exception
   - ☐ Variance
   - ☐ Other:
   - ☐ Appeal of Staff Determination
   - ☐ Land Use Plan Amendment
   - ☐ Rezoning
7. DESCRIPTION OF ACTION REQUESTED: Applying for use by exception to allow a cocktail lounge.
8. JUSTIFICATION FOR ACTION REQUESTED: There are multiple restaurants and cocktail lounges surrounding the property and we feel a cocktail lounge with live music will mesh with current businesses.

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.

DocuSigned by:
Jean Pierr Klifa
3E73BB64CF774B9...
Signature of Applicant

6/7/2021 | 3:07 PM EDT
Date

DocuSigned by:
Delana Rast
CA8C1DD84C4E4EA...
Signature of Property Owner

6/7/2021
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.

Jean Pierr Klifa

Print name of applicant

DocuSigned by:
Jean Pierr Klifa
3E73BB64CF77469...

Signature of applicant

6/7/2021 | 3:07 PM EDT

Date

ST AUGUSTINE
EST. 1565

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BY: Delana Rast
Signature of Owner

Delana Rast
Print Name of Owner

803-378-9217
Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 1st day of June, 2021

By Delana Rast

Identification verified: Personally Known

Oath sworn: X Yes ___ No

Notary Signature: _____

My Commission expires: October 25, 2024

STEPHANIE JILL MANGUM
Notary Public - State of Florida
Commission # HH 51583
My Comm. Expires Oct 25, 2024
Bonded through National Notary Assn.

Rev:022117

St. Johns County, FL

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12/6/2020

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Class	N

Roof Structure	Gable Hip
Roof Cover	Cement Fiber Shingle
Interior Flooring	Carpet
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	0

Exterior Wall	Wood	**Baths**	
Roof Structure	Gable Hip		

Category	Type	Pct
Exterior Wall	Wood	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Cement Fiber Shingle	100%
Interior Walls	Drywall	100%
Interior Flooring	Carpet	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	3 Fixtures	100%
Electrical	Average	100%
Foundation	Piers and Posts	100%
Floor System	Wood Frame	100%
Condition	Average	100%

Description	Conditioned Area	Actual Area
BASE AREA	551	551
FINISHED OPEN PORCH	0	96
Total SqFt	551	647

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Deck (Unattached)	0	0	0	0	289

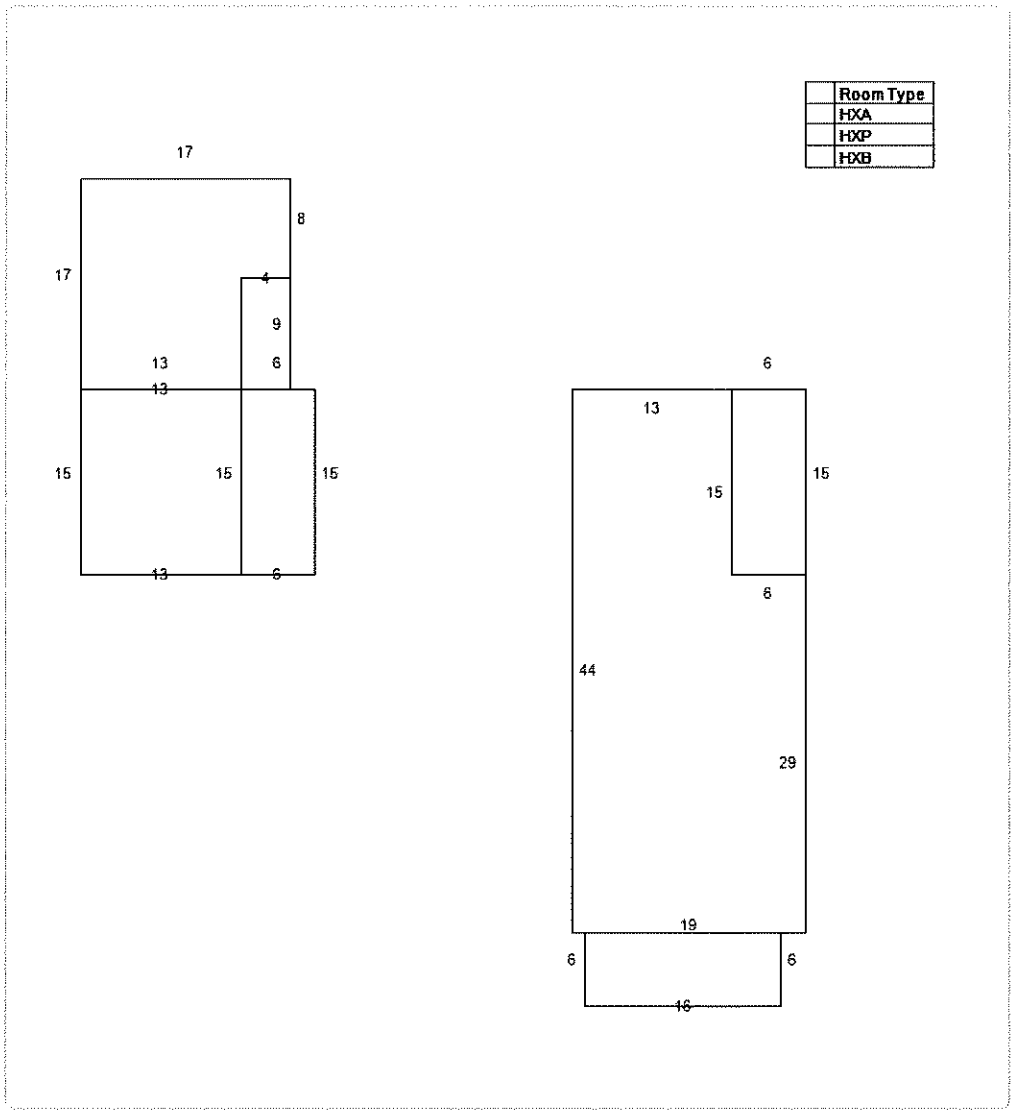
Land Information

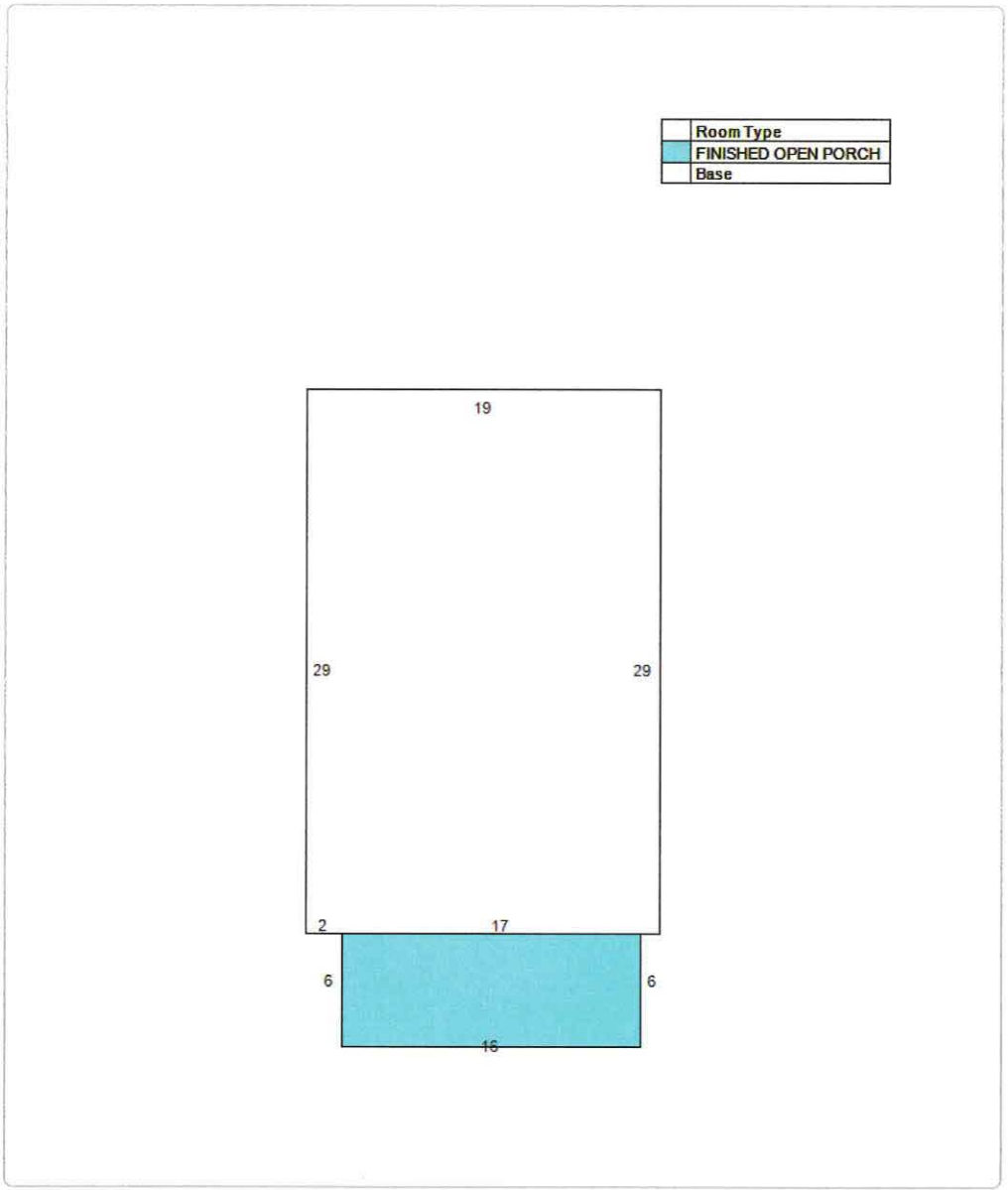
Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Owner Occupied Mixed Use - Store/Office/Res Combo	12	110	1320	SF	$105,600
Owner Occupied Mixed Use - Store/Office/Res Combo	12	110	1320	SF	$105,600

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
4/15/2021	4/6/2021	$810,000.00	WARRANTY DEED	5238	1165	Q	I	BALDWIN PHILIP L ETUX	SUGARTIME ST AUGUSTINE LLC
	9/28/1994	$132,500.00	WARRANTY DEED	1075	1266	Q	I	JEROME WILLIAM T III	BALDWIN PHILIP L ETUX
	2/1/1991	$0.00		884	921	U	I		JEROME WILLIAM T III
	12/1/1983	$135,000.00		617	656	Q	I		
	1/1/1980	$90,000.00		467	400	U	I		

Sketch Information


Room Type
HXA
HXP
HXB
17
8
17
4
9
13
6
13
15
15
15
13
6
6
13
15
15
6
44
29
19
6
6
16



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St. Johns County, FL

Parcel ID	1967200000
Property Class	1205 - Owner Occupied Mixed Use - Store/Office/Res Combo
Taxing District	City of St Augustine
Acres	0.06

Physical Address	32 CHARLOTTE ST SAINT AUGUSTINE
Mailing Address	SUGARTIME ST AUGUSTINE LLC PO BOX 684 EDISTO BEACH SC 29438-0000

Building Value	$99,189
Extra Feature Value	$1,123
Total Land Value	$211,200
Just Value	$311,512
Total Deferred	$183,772
Assessed Value	$127,740
Total Exemptions	$22,872
Taxable Value	$104,868

Last 2 Sales

Date	Price	Reason	Qual
4/6/2021	$810000	01	Q
9/28/1994	$132500	01	Q

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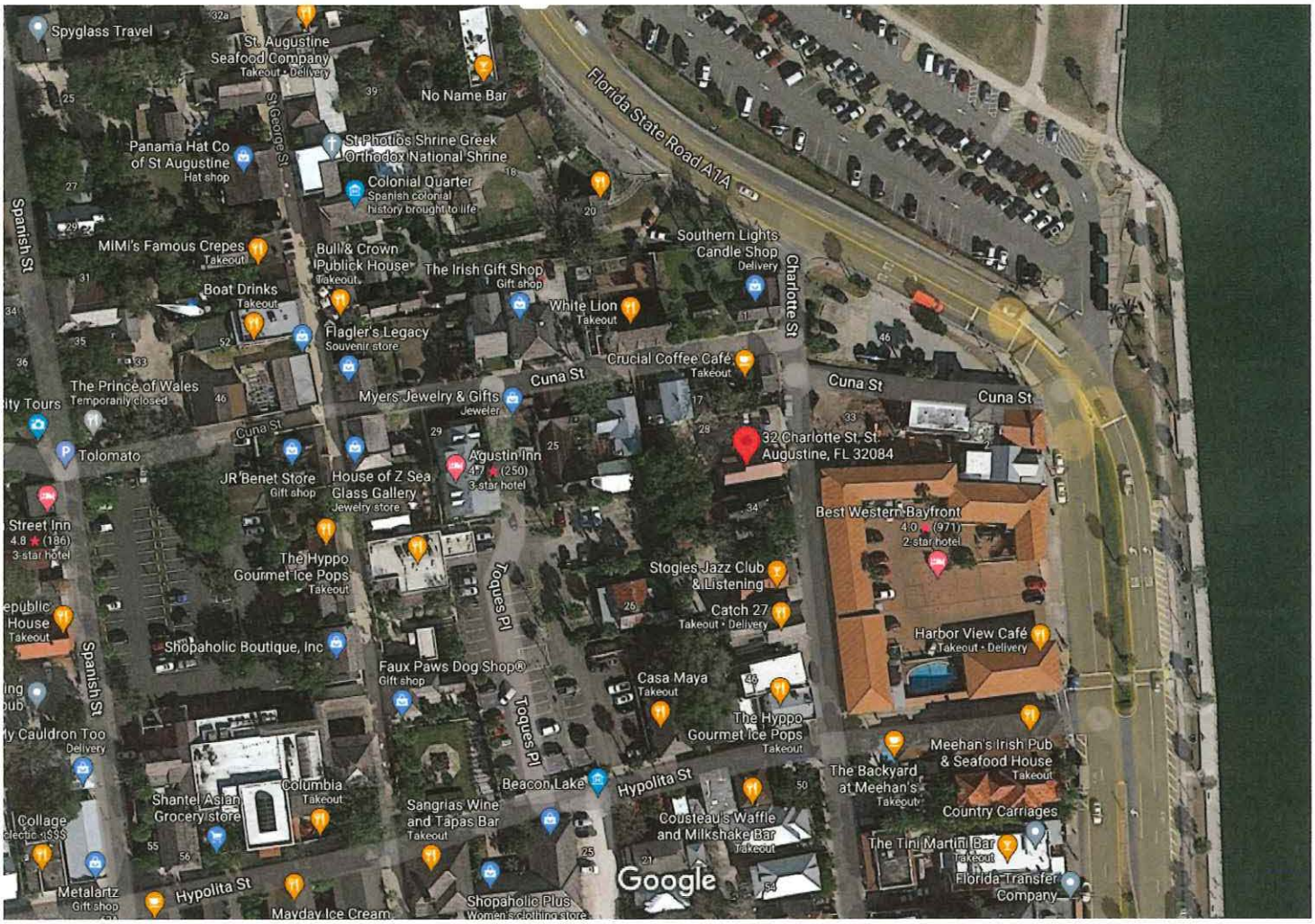
Google Maps 32 Charlotte St



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32 Charlotte St

St. Augustine, FL 32084
Building

Directions Save Nearby Send to your phone Share

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: VARIANCE– 2021-0067

AGENDA ITEM	5(a)
APPLICANT	Kirby Booth KRB Construction
OWNER	George A. Hill
LOCATION	67 Lighthouse Avenue
REQUEST	**To approve a variance to exceed the maximum lot coverage by 1.2% and a variance to encroach into the required side yard building setbacks by 4 inches for a 40 square foot residential addition.**
LAND USE	Residential Low Density
ZONING	Residential Single Family-one (RS-1)
LOT INFORMATION	
Lot Width (measured)	49.68 feet
Lot Area	8,804 square feet
This is a non-conforming RS-1 lot.	
Building Area (Existing)	2,622 square feet
Building Area (Proposed)	2,662 square feet
Lot Coverage (Maximum Allowed)	29%
Lot Coverage (Existing)	29.7%
Lot Coverage (Proposed)	30.2%
Side Yard Building Setbacks (Required)	5 feet, measured from property line to roof overhang
South Side Building Setbacks (Proposed)	4 feet 8 inches (4'8")

APPLICABLE CODES/ORDINANCES

Sec. 28-2. Definitions

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.

Within the historic preservation zoning districts 1, 2 and 3 and national register districts, the board may grant a request for variance for architectural or historic reasons, provided that the variance is necessary for the construction or reconstruction of buildings or structures in the appropriate historic architectural style or form, based upon review of the historic architectural review board's recommendations. The board shall find that granting the variance will not be contrary to the public interest; will not adversely affect other property and structures in the district; and will be in harmony with the spirit, intent and purpose of this section.

(2) Written application. All applications for variance from this chapter shall be in writing and in such form as may be determined by the board.

(3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider an application for a zoning variance within not more than thirty (30) days from the date of filing of the complete application. Notice of such public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.
(4) Violations of variances. The violation of the terms of a variance, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.

Sec. 28-160. Height restrictions and maximum lot coverage on non-conforming lots of record in single-family residential districts (RS-1 and RS-2).

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

Sec. 28-119. Nonconforming lots of record.

Notwithstanding limitations imposed by the provisions of this chapter, any single lot or lots of record which were so recorded on or before the effective date of adoption of this chapter April 29, 1975 may be used in accordance with the following:
(6) The above uses are also subject to the following:
a. No side yard shall be less than ten (10) percent of the width of the lot.

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

Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and uses compatible with low density single-family uses, so as to create and maintain a stable low intensity residential character.
(1) Permitted uses and structures. Single-family dwelling; home office, private.
(2) Permitted accessory uses and structures. See section 28-348.
(3) Permissible uses by exception. See section 28-347.
(4) Minimum lot requirements (width and area):
a. Minimum lot width, seventy-five (75) feet.
b. Minimum lot area, one-quarter acre (10,890 square feet).
(5) Maximum lot coverage by all buildings and structures. Twenty-five (25) percent.
(6) Minimum yard requirements:
a. Front, twenty (20) feet minimum.
b. Side, fifteen (15) feet minimum.
c. Rear, twenty (20) feet minimum.
(7) Maximum height of structures. Thirty-five (35) feet.

STAFF SUMMARY AND ANALYSIS

This is a non-conforming RS-1 lot.
The minimum width for a RS-1 lot is 75 feet.
This lot is 49.68 feet in width.

The minimum area for a RS-1 lot is 10,890 square feet.
This lot is 8,804 square feet in area.

- If this property had the minimum required area (10,890 square feet), the additions proposed in this application would result in 24.4% lot coverage, not requiring a variance.

No variance shall be granted unless the applicant shall show and the board shall find that:
(Staff response in italics)

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

This is a non-conforming lot of record and it appears that neighboring properties are larger and consist of multiple lots.

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

Because of the small size of this lot, the owner can not make any additions to the house without a variance to exceed the maximum lot coverage. The proposed 30.2% lot coverage is a 1.2% lot coverage increase which is a reasonable request. The building setback variance on the south side is negligible, it is only encroaching by 4 inches.

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

The owner did not create the non-conforming nature of this property.

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

Granting a variance based on non-conforming lot width and area is not contrary to the public interest.

STAFF RECOMMENDATION

Based on a review of Section 28-29(b), and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a variance to exceed the maximum lot coverage and encroach into the side yard building setbacks for a 40 square foot addition at **67 Lighthouse Avenue.**

David Birchim

David Birchim, AICP
Director, Planning and Building Department

WE BELIEVE
KRB Construction
(941) 343-5180
05/18/2021 11:20

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $350 (plus advertising costs) Project Number: 2021-0066

Receipt Number: 2104095 Meeting Date: June 1, 2021

Advertising Costs: $ 74.70 Paid On: 5/17/21 Receipt Number: 2117033

---

1. NAME OF APPLICANT: Kirby Boothe/Chad Schwingen Contact Number: 904 347 5780
   Business (*if applicable*): KRB CONSTRUCTION
   Address: 1010 Cheyenne City: St Aug State: FL Zip: 32084
   E-Mail Address: Schwingen72@Gmail.com
2. NAME OF PROPERTY OWNER: George A Hill Contact Number:
   Business (*if applicable*):
   Address: 67 Lighthouse Ave City: St Aug State: FL Zip: 32080
   E-Mail Address:
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 1-8 & 8 Carver's Subd Lot 5 Block: 1 Part of Govt Lot 2
   Subdivision: Parcel Number: 1569600000
4. PROJECT STREET ADDRESS: 67 Lighthouse Ave
5. SPECIFIC PROPOSED USE: Single Family (0100)
6. ACTION REQUESTED:
   - ☐ Conservation Zone Development
   - ☐ Exception
   - ☒ Variance
   - ☐ Appeal of Staff Determination
   - ☐ Land Use Plan Amendment
   - ☐ Rezoning
   - ☐ Other:
7. DESCRIPTION OF ACTION REQUESTED: Build a 4'x10' addition on the South side of home. All so we would like to build a 22'x34 Foot Garage with a Second Floor with Two Bath Rooms Also a Top Deck for observation ~~Deck~~
8. JUSTIFICATION FOR ACTION REQUESTED:

04/18/2019

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

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

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: NO Covered Parking on [redacted] SECURE Parking

(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: MOST PROPERTYS ARE BUILT TO SAME LOT COVERAGE

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.

[redacted] 4/29/21

Signature of Applicant Date

[redacted] 4/29/21

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.

Kirby Booth
Print name of applicant

Signature of applicant

4/29/21
Date

CITY OF
ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

KRB CONSTRUCTION is/are hereby authorized TO ACT ON BEHALF OF _____, 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

GEORGE HILL
Print Name of Owner

904-838-6030
Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 6 day of May, 2021

By George Hill

Identification verified: FLDL

Oath sworn: ✓ Yes ____ No

Notary Public State of Florida
BrieAnna Quast
My Commission HH 036501
Expires 08/25/2024

Notary Signature: BrieAnna Quast

My Commission expires: 08/25/2024

Rev:022117

St. Johns County, FL

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

Sales Questionnaire

Summary

Parcel ID	1569600000
Location Address	67 LIGHTHOUSE AVE SAINT AUGUSTINE 32080-0000
Neighborhood	Carvers (713)
Tax Description*	1-58 CARVER'S SUBD ANASTASIA LOT 5 BLK 1 & PART OF GOVT LOT2 SEC 21-7S-30E 70FT LYING E OF LOT 5 BLK 1 OR5061/446 *The Description above is not to be used on legal documents.
Property Use Code	Single Family (0100)
Subdivision	Anastasia, Map Of
Sec/Twp/Rng	58-7-30
District	City of St Augustine (District 452)
Millage Rate	19.4926
Acreage	0.200
Homestead	N

Owner Information

Owner Name	Hill George Anthony II 100%
Mailing Address	67 LIGHTHOUSE AVE SAINT AUGUSTINE, FL 32080-4648

Map

Valuation Information

	2021
Building Value	$311,670
Extra Features Value	$1,024
Total Land Value	$246,240
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$558,934**
Total Deferred	$0
Assessed Value	**$558,934**
Total Exemptions	$0
Taxable Value	**$558,934**

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
2020	$251,707	$1,024	$205,200	$0	$0	$457,931	$450,519	$62,912	$395,019
2019	$235,908	$1,024	$205,200	$0	$0	$442,132	$440,390	$56,742	$385,390
2018	$238,785	$1,024	$203,832	$0	$0	$443,641	$432,179	$61,462	$382,179
2017	$252,634	$1,024	$169,632	$0	$0	$423,290	$423,290	$50,000	$373,290
2016	$255,643	$1,024	$169,632	$0	$0	$426,299	$426,299	$0	$426,299
2015	$246,177	$1,024	$147,744	$0	$0	$394,945	$275,251	$169,694	$225,251
2014	$205,897	$1,024	$123,120	$0	$0	$330,041	$273,066	$106,975	$223,066
2013	$173,615	$1,024	$94,392	$0	$0	$269,031	$269,031	$50,000	$219,031
2012	$105,881	$230	$81,997	$0	$0	$188,108	$134,171	$142,577	$45,531
2011	$107,509	$230	$91,109	$0	$0	$198,848	$134,252	$150,654	$48,194
2010	$110,767	$230	$101,232	$0	$0	$212,229	$136,281	$175,948	$36,281

Building Information

Building	1
Actual Area	4076
Conditioned Area	2129
Actual Year Built	1900
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Concrete Siding, Wood
Roof Structure	Gable Hip

Roof Structure	Gable Hip
Roof Cover	Composite Shingle
Interior Flooring	Hardwood
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	3
Baths	3.5

Category	Type	Pct
Exterior Wall	Wood	50%
Exterior Wall	Concrete Siding	50%
Roofing Structure	Gable Hip	100%
Roofing Cover	Composite Shingle	100%
Interior Walls	Drywall	100%
Interior Flooring	Hardwood	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	13 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Wood Frame	100%

Description	Conditioned Area	Actual Area
BASE AREA	1512	1512
FINISHED DECK	0	720
FRAME ADDITION	617	617
UNFINISHED STORAGE	0	617
UNFINISHED STORAGE	0	523
OUTSIDE STAIRS	0	27
FINISHED OPEN PORCH	0	20
FINISHED OPEN PORCH	0	40
Total SqFt	2129	4076

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Residential Fence	0	0	0	0	1
Masonry Wall	0	0	0	0	200

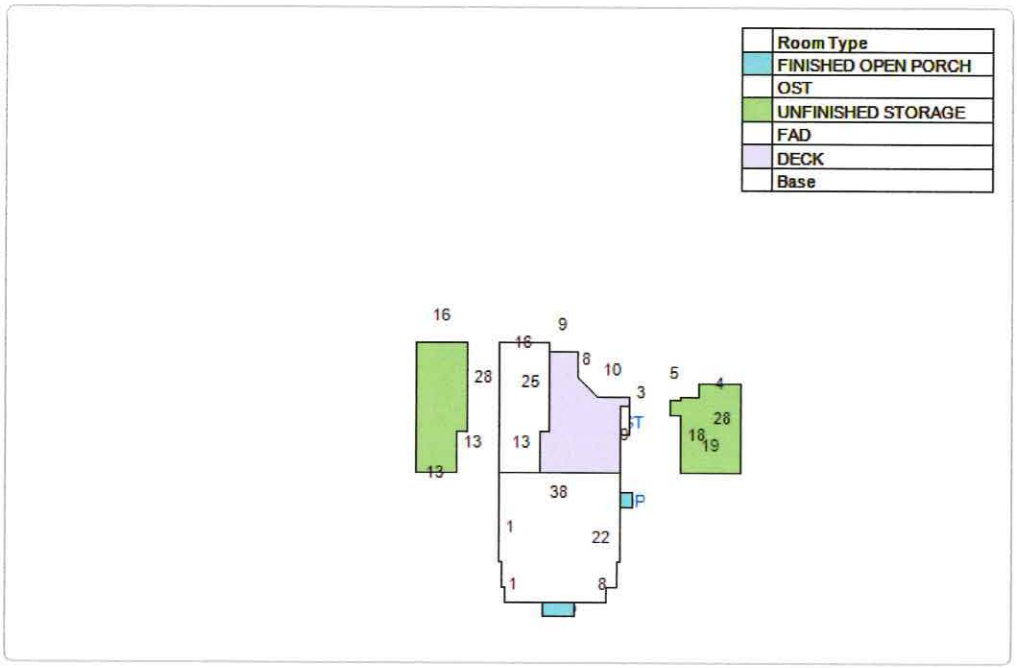
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	48	180	48	EF	$246,240

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
10/2/2020	10/2/2020	$660,000.00	WARRANTY DEED	5061	446	Q	I	FILLER STUART L,REBECCA G	HILL GEORGE ANTHONY II
3/26/2019	3/25/2019	$100.00	WARRANTY DEED	4699	825	U	I	FILLER STUART L,REBECCA G	FILLER STUART L,REBECCA G
2/15/2016	2/12/2016	$510,000.00	WARRANTY DEED	4149	1556	Q	I	DEBUSK WILLIAM F,PATRICIA A	FILLER STUART L,REBECCA G
8/20/2012	8/17/2012	$355,000.00	WARRANTY DEED	3603	1124	Q	I	RAHNER THOMAS P,AGNES A	DEBUSK WILLIAM F,PATRICIA A

Sketch Information



No data available for the following modules: Exemption Information.

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Version 2.3.119

St. Johns County, FL

Overview

Legend

☐ Parcels

Parcel ID	1569600000	**Physical Address**	67 LIGHTHOUSE AVE SAINT AUGUSTINE	**Building Value**	$311,670	**Last 2 Sales**			
Property Class	0100 - Single Family	**Mailing Address**	HILL GEORGE ANTHONY II 67 LIGHTHOUSE AVE SAINT AUGUSTINE FL 32080-4648	**Extra Feature Value**	$1,024	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine			**Total Land Value**	$246,240	10/2/2020	$660000	01	Q
Acres	0.2			**Just Value**	$558,934	2/12/2016	$510000	01	Q
				Total Deferred	N/A				
				Assessed Value	$558,934				
				Total Exemptions	N/A				
				Taxable Value	$558,934				

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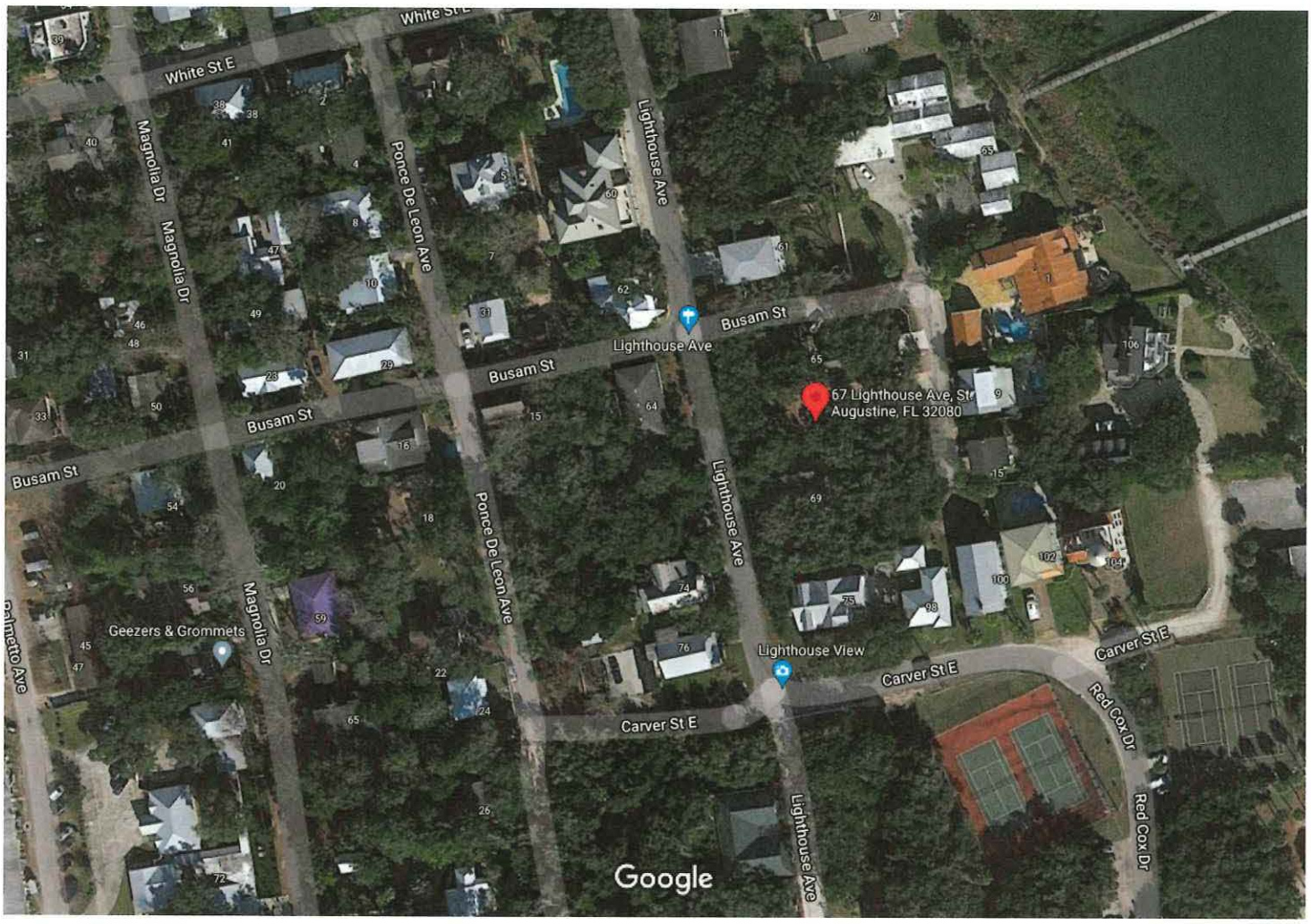
Google Maps 67 Lighthouse Ave



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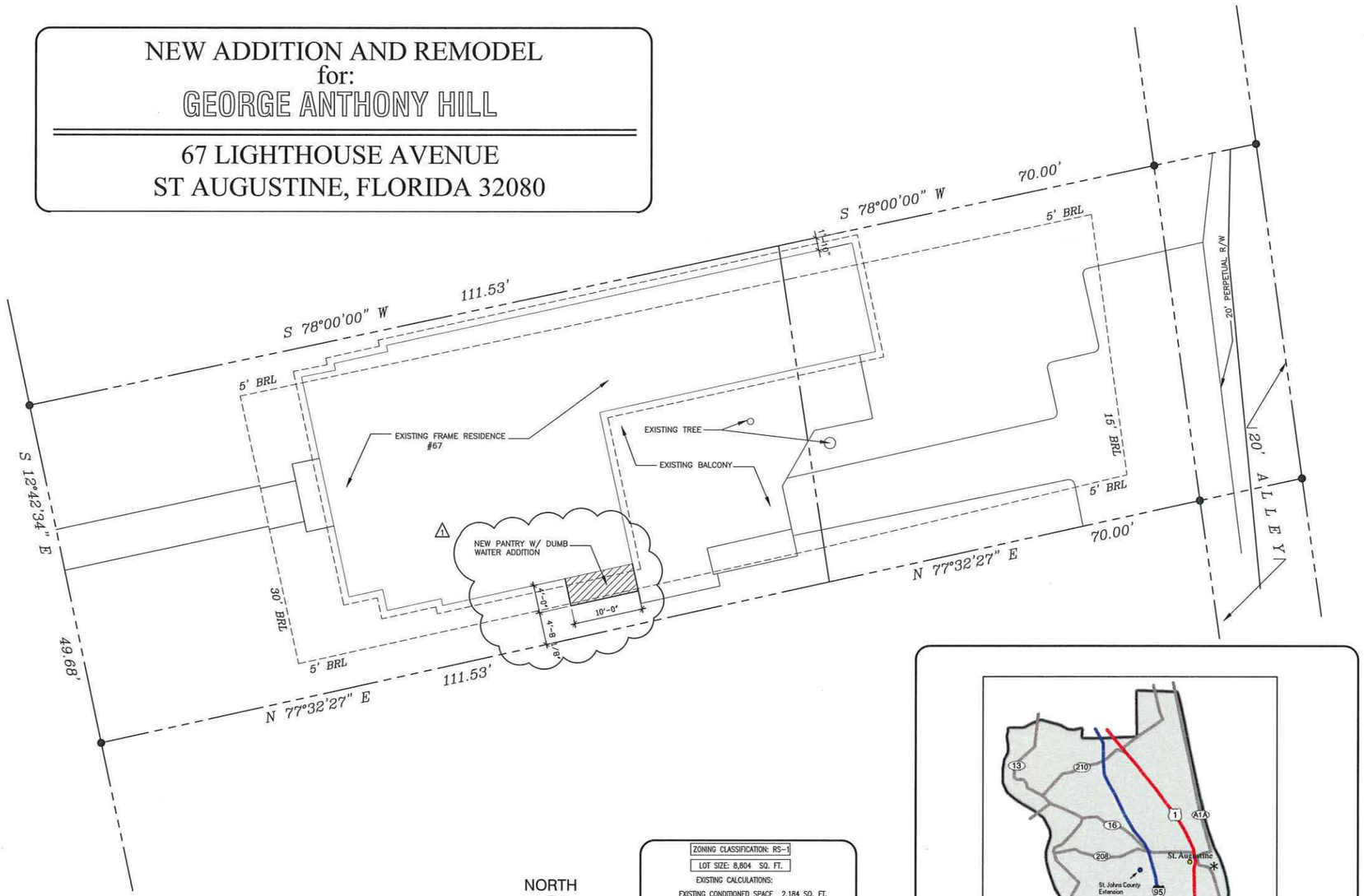
67 Lighthouse Ave

St. Augustine, FL 32080
Building

Directions Save Nearby Send to your phone Share

NEW ADDITION AND REMODEL
for:
GEORGE ANTHONY HILL

67 LIGHTHOUSE AVENUE
ST AUGUSTINE, FLORIDA 32080



SITE PLAN

SCALE : 1/8"= 1'-0"

NORTH

SITE PLAN NOTES

1. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO STAKE-OUT PERIMETER OF NEW ADDITION & FIELD VERIFY ALL SETBACKS PRIOR TO COMMENCEMENT OF CONSTRUCTION.

2. THE ADDITION ON THIS SITE PLAN IS FOR KEYPLAN REFERENCE ONLY. EXACT BUILDING FOOTPRINT LOCATION OF ADDITION & ORIENTATION TO BE VERIFIED IN FIELD .

3. VERIFY ALL CODES & RESTRICTIONS WITH STATE & LOCAL MUNICIPALITIES PRIOR TO CONSTRUCTION.

ZONING CLASSIFICATION: RS-1

LOT SIZE: 8,804 SQ. FT.

EXISTING CALCULATIONS:

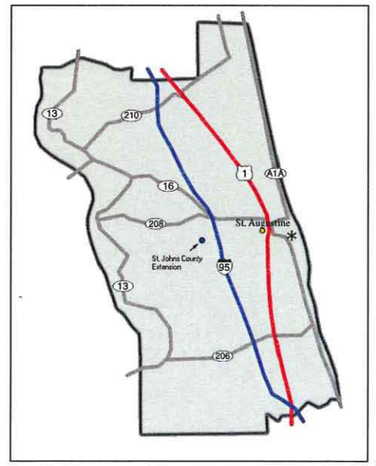
EXISTING CONDITIONED SPACE	2,184 SQ. FT.
EXISTING PORCH	40 SQ. FT.
EXISTING BALCONY	398 SQ. FT.
TOTAL TOTAL LOT COVERAGE	2,622 SQ. FT.

2,622 ÷ 8,804 SQ. FT. = .29% EXISTING

NEW PANTRY ADDITION	40 SQ. FT.
TOTAL NEW ADDITION	40 SQ. FT.

1,424 ÷ 8,804 SQ. FT. = .005% NEW ADDITION

MAX. LOT ADDITION COVERAGE ALLOWED IS .19%



VICINITY MAP

* INDICATES PROJECT LOCATION

N

bdg design/build llc
architecture . . contracting

box 350453
jacksonville, florida 32235
phone: (904) 982.5893
fax: (904) 903.7949
email: bdgdesign@comcast.net

project name:

NEW ADDITION & REMODEL
for:
GEORGE ANTHONY HILL
67 LIGHTHOUSE AVE.
ST AUGUSTINE, FL 32080

project number: BdG2127

consultants:

seal / signature:

BDG DESIGN

revision item:	date:
1 PANTRY ADDITION ONLY	06.25.21

drawn by: cmg/bdg

checked by: bdg

computer file name: bdg2126

issue date: 05.13.2021

sheet title:

SITE PLAN

SCALE:

SCALE AS NOTED

sheet number:

SP1.1

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: VARIANCE– 2021-0067

AGENDA ITEM	5(a)
APPLICANT	Kirby Booth KRB Construction
OWNER	George A. Hill
LOCATION	67 Lighthouse Avenue
REQUEST	**To approve a variance to exceed the maximum lot coverage by 1.2% and a variance to encroach into the required side yard building setbacks by 4 inches for a 40 square foot residential addition.**
LAND USE	Residential Low Density
ZONING	Residential Single Family-one (RS-1)
LOT INFORMATION	
Lot Width (measured)	49.68 feet
Lot Area	8,804 square feet
This is a non-conforming RS-1 lot.	
Building Area (Existing)	2,622 square feet
Building Area (Proposed)	2,662 square feet
Lot Coverage (Maximum Allowed)	29%
Lot Coverage (Existing)	29.7%
Lot Coverage (Proposed)	30.2%
Side Yard Building Setbacks (Required)	5 feet, measured from property line to roof overhang
South Side Building Setbacks (Proposed)	4 feet 8 inches (4'8")

APPLICABLE CODES/ORDINANCES

Sec. 28-2. Definitions

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.

Within the historic preservation zoning districts 1, 2 and 3 and national register districts, the board may grant a request for variance for architectural or historic reasons, provided that the variance is necessary for the construction or reconstruction of buildings or structures in the appropriate historic architectural style or form, based upon review of the historic architectural review board's recommendations. The board shall find that granting the variance will not be contrary to the public interest; will not adversely affect other property and structures in the district; and will be in harmony with the spirit, intent and purpose of this section.

(2) Written application. All applications for variance from this chapter shall be in writing and in such form as may be determined by the board.

(3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider an application for a zoning variance within not more than thirty (30) days from the date of filing of the complete application. Notice of such public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.
(4) Violations of variances. The violation of the terms of a variance, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.

Sec. 28-160. Height restrictions and maximum lot coverage on non-conforming lots of record in single-family residential districts (RS-1 and RS-2).

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

Sec. 28-119. Nonconforming lots of record.

Notwithstanding limitations imposed by the provisions of this chapter, any single lot or lots of record which were so recorded on or before the effective date of adoption of this chapter April 29, 1975 may be used in accordance with the following:
(6) The above uses are also subject to the following:
a. No side yard shall be less than ten (10) percent of the width of the lot.

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

Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and uses compatible with low density single-family uses, so as to create and maintain a stable low intensity residential character.
(1) Permitted uses and structures. Single-family dwelling; home office, private.
(2) Permitted accessory uses and structures. See section 28-348.
(3) Permissible uses by exception. See section 28-347.
(4) Minimum lot requirements (width and area):
a. Minimum lot width, seventy-five (75) feet.
b. Minimum lot area, one-quarter acre (10,890 square feet).
(5) Maximum lot coverage by all buildings and structures. Twenty-five (25) percent.
(6) Minimum yard requirements:
a. Front, twenty (20) feet minimum.
b. Side, fifteen (15) feet minimum.
c. Rear, twenty (20) feet minimum.
(7) Maximum height of structures. Thirty-five (35) feet.

STAFF SUMMARY AND ANALYSIS

This is a non-conforming RS-1 lot.
The minimum width for a RS-1 lot is 75 feet.
This lot is 49.68 feet in width.

The minimum area for a RS-1 lot is 10,890 square feet.
This lot is 8,804 square feet in area.

- If this property had the minimum required area (10,890 square feet), the additions proposed in this application would result in 24.4% lot coverage, not requiring a variance.

No variance shall be granted unless the applicant shall show and the board shall find that:
(Staff response in italics)

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

This is a non-conforming lot of record and it appears that neighboring properties are larger and consist of multiple lots.

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

Because of the small size of this lot, the owner can not make any additions to the house without a variance to exceed the maximum lot coverage. The proposed 30.2% lot coverage is a 1.2% lot coverage increase which is a reasonable request. The building setback variance on the south side is negligible, it is only encroaching by 4 inches.

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

The owner did not create the non-conforming nature of this property.

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

Granting a variance based on non-conforming lot width and area is not contrary to the public interest.

STAFF RECOMMENDATION

Based on a review of Section 28-29(b), and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a variance to exceed the maximum lot coverage and encroach into the side yard building setbacks for a 40 square foot addition at **67 Lighthouse Avenue.**

David Birchim

David Birchim, AICP
Director, Planning and Building Department

05/18/2021 11:20

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $350 (plus advertising costs) Project Number: 2021-0066

Receipt Number: 2104095 Meeting Date: June 1, 2021

Advertising Costs: $ 74.70 Paid On: 5/17/21 Receipt Number: 2117033

---

1. NAME OF APPLICANT: Kirby Boothe/Chad Schwingruber Contact Number: 904 347 5780
   Business (*if applicable*): KRB CONSTRUCTION
   Address: 1010 Cheyenne City: St Aug State: FL Zip: 32084
   E-Mail Address: Schwingruber72@Gmail.com
2. NAME OF PROPERTY OWNER: George Hill Contact Number:
   Business (*if applicable*):
   Address: 67 Lighthouse Ave City: St Aug State: FL Zip: 32080
   E-Mail Address:
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 1-8 & 8 Carver's Subd Lot 5 Block: 1 Part of Govt Lot 2
   Subdivision: Parcel Number: 156960 0000
4. PROJECT STREET ADDRESS: 67 Lighthouse Ave
5. SPECIFIC PROPOSED USE: Single Family (0100)
6. ACTION REQUESTED:
   - ☐ Conservation Zone Development
   - ☐ Exception
   - ☒ Variance
   - ☐ Appeal of Staff Determination
   - ☐ Land Use Plan Amendment
   - ☐ Rezoning
   - ☐ Other:
7. DESCRIPTION OF ACTION REQUESTED: Build a 4'x10' addition on the South Side of home. All so we would like to build a 22'x34 Foot Garage with a Second Floor with Two Bath Rooms Also a Top Deck for observation ~~Deck~~
8. JUSTIFICATION FOR ACTION REQUESTED:

04/18/2019

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

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

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: NO Covered Parking on [redacted] SECURE Parking

(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: MOST PROPERTYS ARE BUILT TO SQMT LOT COVERAGE

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.

_____ 4/29/21

Signature of Applicant Date

_____ 4/29/21

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.

Kirby Booth

Print name of applicant

Signature of applicant

4/29/21

Date

10/31/17

CITY OF
ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

KRB CONSTRUCTION is/are hereby authorized TO ACT ON BEHALF OF _____, 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

GEORGE HILL
Print Name of Owner

904-838-6030
Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 6 day of May, 2021

By George Hill

Identification verified: FLDL

Oath sworn: ✓ Yes ____ No

Notary Public State of Florida
BrieAnna Quast
My Commission HH 036501
Expires 08/25/2024

Notary Signature: _____

My Commission expires: 08/25/2024

Rev:022117

St. Johns County, FL

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

Sales Questionnaire

Summary

Parcel ID	1569600000
Location Address	67 LIGHTHOUSE AVE SAINT AUGUSTINE 32080-0000
Neighborhood	Carvers (713)
Tax Description*	1-58 CARVER'S SUBD ANASTASIA LOT 5 BLK 1 & PART OF GOVT LOT2 SEC 21-7S-30E 70FT LYING E OF LOT 5 BLK 1 OR5061/446 *The Description above is not to be used on legal documents.
Property Use Code	Single Family (0100)
Subdivision	Anastasia, Map Of
Sec/Twp/Rng	58-7-30
District	City of St Augustine (District 452)
Millage Rate	19.4926
Acreage	0.200
Homestead	N

Owner Information

Owner Name	Hill George Anthony II 100%
Mailing Address	67 LIGHTHOUSE AVE SAINT AUGUSTINE, FL 32080-4648

Map

Valuation Information

	2021
Building Value	$311,670
Extra Features Value	$1,024
Total Land Value	$246,240
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$558,934**
Total Deferred	$0
Assessed Value	**$558,934**
Total Exemptions	$0
Taxable Value	**$558,934**

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
2020	$251,707	$1,024	$205,200	$0	$0	$457,931	$450,519	$62,912	$395,019
2019	$235,908	$1,024	$205,200	$0	$0	$442,132	$440,390	$56,742	$385,390
2018	$238,785	$1,024	$203,832	$0	$0	$443,641	$432,179	$61,462	$382,179
2017	$252,634	$1,024	$169,632	$0	$0	$423,290	$423,290	$50,000	$373,290
2016	$255,643	$1,024	$169,632	$0	$0	$426,299	$426,299	$0	$426,299
2015	$246,177	$1,024	$147,744	$0	$0	$394,945	$275,251	$169,694	$225,251
2014	$205,897	$1,024	$123,120	$0	$0	$330,041	$273,066	$106,975	$223,066
2013	$173,615	$1,024	$94,392	$0	$0	$269,031	$269,031	$50,000	$219,031
2012	$105,881	$230	$81,997	$0	$0	$188,108	$134,171	$142,577	$45,531
2011	$107,509	$230	$91,109	$0	$0	$198,848	$134,252	$150,654	$48,194
2010	$110,767	$230	$101,232	$0	$0	$212,229	$136,281	$175,948	$36,281

Building Information

Building	1
Actual Area	4076
Conditioned Area	2129
Actual Year Built	1900
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Concrete Siding, Wood
Roof Structure	Gable Hip

Roof Structure	Gable Hip
Roof Cover	Composite Shingle
Interior Flooring	Hardwood
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	3
Baths	3.5

Category	Type	Pct
Exterior Wall	Wood	50%
Exterior Wall	Concrete Siding	50%
Roofing Structure	Gable Hip	100%
Roofing Cover	Composite Shingle	100%
Interior Walls	Drywall	100%
Interior Flooring	Hardwood	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	13 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Wood Frame	100%

Description	Conditioned Area	Actual Area
BASE AREA	1512	1512
FINISHED DECK	0	720
FRAME ADDITION	617	617
UNFINISHED STORAGE	0	617
UNFINISHED STORAGE	0	523
OUTSIDE STAIRS	0	27
FINISHED OPEN PORCH	0	20
FINISHED OPEN PORCH	0	40
Total SqFt	2129	4076

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Residential Fence	0	0	0	0	1
Masonry Wall	0	0	0	0	200

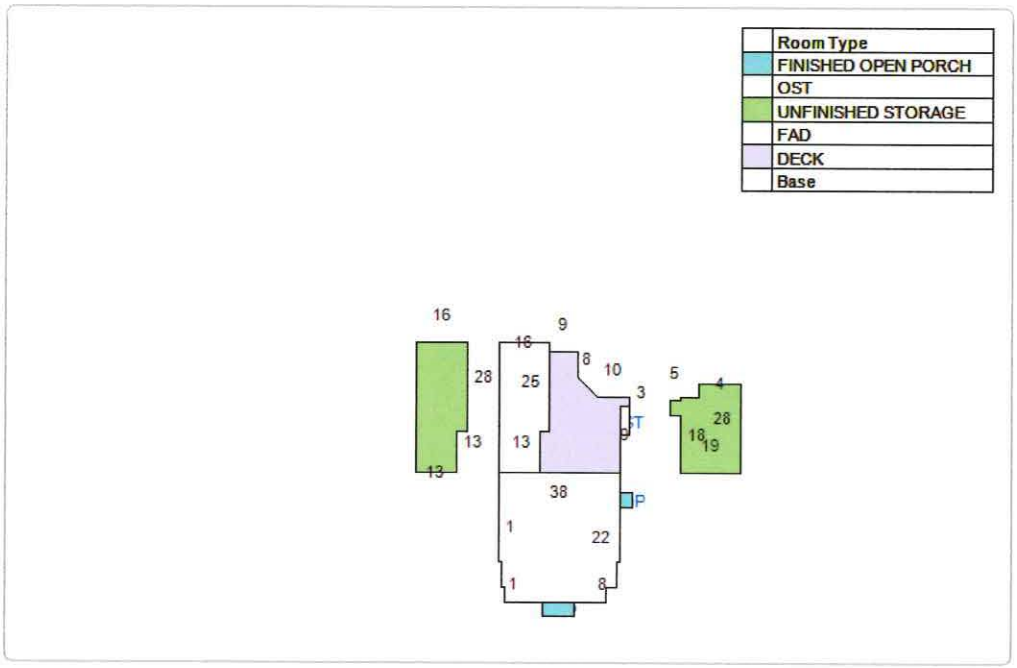
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	48	180	48	EF	$246,240

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
10/2/2020	10/2/2020	$660,000.00	WARRANTY DEED	5061	446	Q	I	FILLER STUART L,REBECCA G	HILL GEORGE ANTHONY II
3/26/2019	3/25/2019	$100.00	WARRANTY DEED	4699	825	U	I	FILLER STUART L,REBECCA G	FILLER STUART L,REBECCA G
2/15/2016	2/12/2016	$510,000.00	WARRANTY DEED	4149	1556	Q	I	DEBUSK WILLIAM F,PATRICIA A	FILLER STUART L,REBECCA G
8/20/2012	8/17/2012	$355,000.00	WARRANTY DEED	3603	1124	Q	I	RAHNER THOMAS P,AGNES A	DEBUSK WILLIAM F,PATRICIA A

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: 5/6/2021, 12:17:34 AM

Developed by Schneider GEOSPATIAL

Version 2.3.119

St. Johns County, FL

Overview

Legend

☐ Parcels

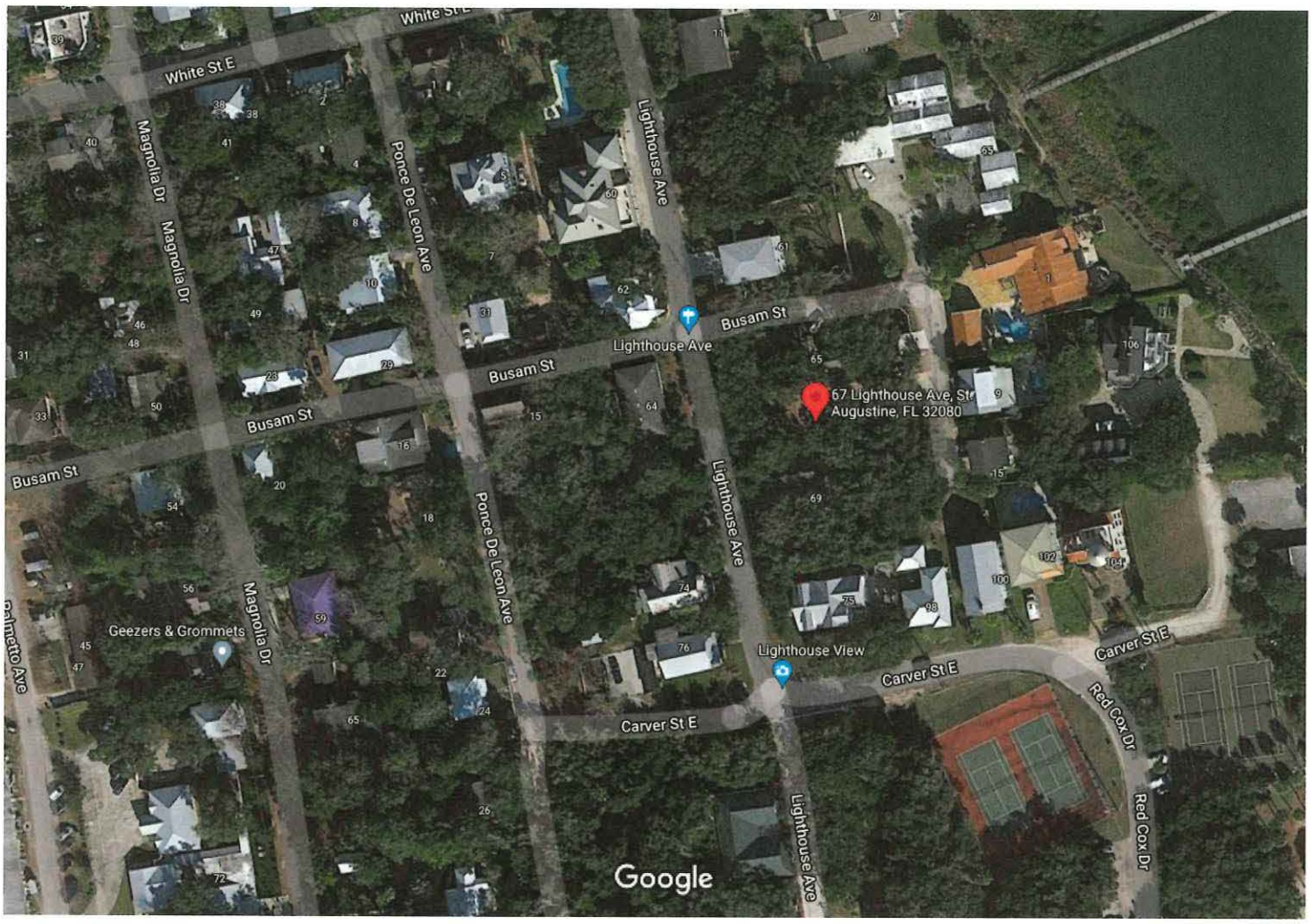
Parcel ID	1569600000	**Physical Address**	67 LIGHTHOUSE AVE SAINT AUGUSTINE	**Building Value**	$311,670	**Last 2 Sales**			
Property Class	0100 - Single Family	**Mailing Address**	HILL GEORGE ANTHONY II 67 LIGHTHOUSE AVE SAINT AUGUSTINE FL 32080-4648	**Extra Feature Value**	$1,024	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine			**Total Land Value**	$246,240	10/2/2020	$660000	01	Q
Acres	0.2			**Just Value**	$558,934	2/12/2016	$510000	01	Q
				Total Deferred	N/A				
				Assessed Value	$558,934				
				Total Exemptions	N/A				
				Taxable Value	$558,934				

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: 5/6/2021
Last Data Uploaded: 5/6/2021 12:17:34 AM

Developed by Schneider GEOSPATIAL

Google Maps 67 Lighthouse Ave



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 50 ft

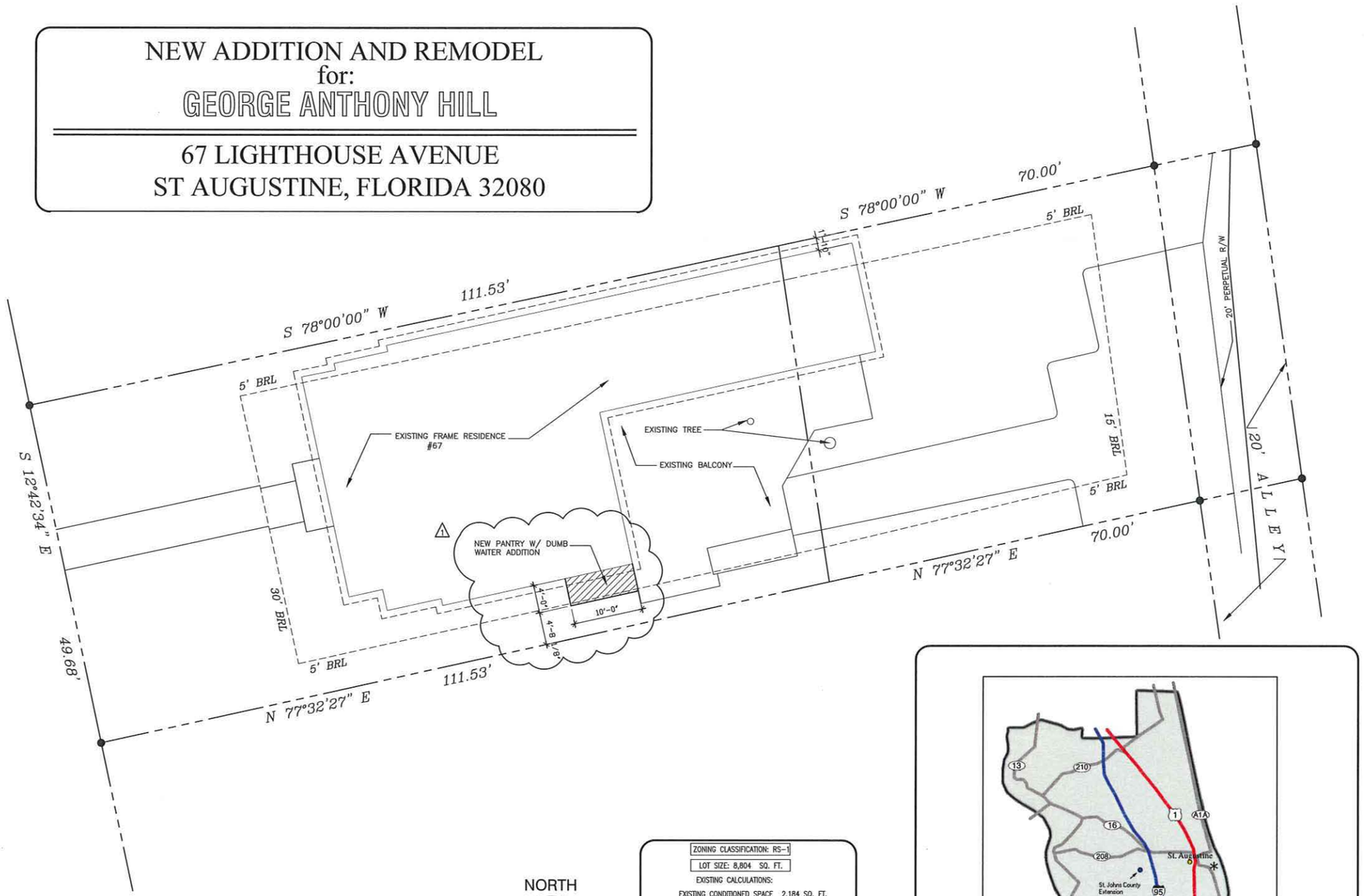
67 Lighthouse Ave

St. Augustine, FL 32080
Building

Directions Save Nearby Send to your phone Share

NEW ADDITION AND REMODEL
for:
GEORGE ANTHONY HILL

67 LIGHTHOUSE AVENUE
ST AUGUSTINE, FLORIDA 32080



SITE PLAN

SCALE : 1/8"= 1'- 0"

NORTH

SITE PLAN NOTES

1.IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO STAKE-OUT PERIMETER OF NEW ADDITION & FIELD VERIFY ALL SETBACKS PRIOR TO COMMENCEMENT OF CONSTRUCTION.

2. THE ADDITION ON THIS SITE PLAN IS FOR KEYPLAN REFERENCE ONLY. EXACT BUILDING FOOTPRINT LOCATION OF ADDITION & ORIENTATION TO BE VERIFIED IN FIELD .

3. VERIFY ALL CODES & RESTRICTIONS WITH STATE & LOCAL MUNICIPALITIES PRIOR TO CONSTRUCTION.

ZONING CLASSIFICATION: RS-1

LOT SIZE: 8,804 SQ. FT.

EXISTING CALCULATIONS:

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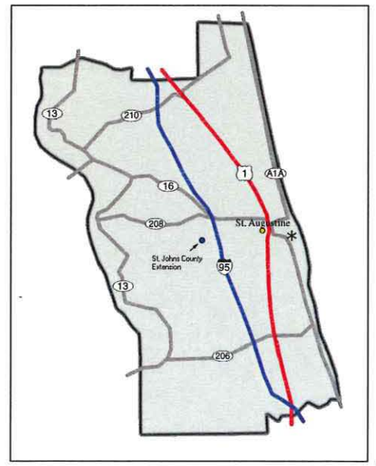
MAX. LOT ADDITION COVERAGE ALLOWED IS .19%



VICINITY MAP

* INDICATES PROJECT LOCATION

bdg design group llc
architecture . . contracting

box 350453
jacksonville,florida 32235
phone: (904) 982.5893
fax: (904) 903.7949
email: bdgdesign@comcast.net

project name:

NEW ADDITION & REMODEL
for:
GEORGE ANTHONY HILL
67 LIGHTHOUSE AVE.
ST AUGUSTINE, FL 32080

project number: BdG2127

consultants:

seal / signature:

BDG DESIGN

revision item:	date:
1 PANTRY ADDITION ONLY	06.25.21

drawn by: cmg/bdg

checked by: bdg

computer file name: bdg2126

issue date: 05.13.2021

sheet title:

SITE PLAN

SCALE:

SCALE AS NOTED

sheet number:

SP1.1

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: VARIANCE– 2021-0081

AGENDA ITEM	5(b)
APPLICANT	Rodney McDougal
OWNER	Vincent Seibold
LOCATION	3 Solano Avenue
REQUEST	**To exceed the maximum lot coverage for a 315 square foot residential addition.**
LAND USE	Residential Low Density
ZONING	Residential Single Family-one (RS-1)

LOT INFORMATION

Lot Width	±55 feet
Lot Area	5,972 square feet
This is a non-conforming RS-1 lot	
Building Area (Existing)	1,770 square feet
Building Area (Proposed)	2,085 square feet
Lot Coverage (Maximum Allowed)	29%
Lot Coverage (Existing)	29%
Lot Coverage (Proposed)	34.9%

The propose addition is approximately 315 square feet in size and it is a screened porch attached to the back of the house.

APPLICABLE CODES/ORDINANCES

Sec. 28-2. Definitions

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.

Within the historic preservation zoning districts 1, 2 and 3 and national register districts, the board may grant a request for variance for architectural or historic reasons, provided that the variance is necessary for the construction or reconstruction of buildings or structures in the appropriate historic architectural style or form, based upon review of the historic architectural review board's recommendations. The board shall find that granting the variance will not be contrary to the public interest; will not adversely affect other property and structures in the district; and will be in harmony with the spirit, intent and purpose of this section.

(2) Written application. All applications for variance from this chapter shall be in writing and in such form as may be determined by the board.

(3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider an application for a zoning variance within not more than thirty (30) days from the date of filing of the complete application. Notice of such public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.
(4) Violations of variances. The violation of the terms of a variance, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.

Sec. 28-160. Height restrictions and maximum lot coverage on non-conforming lots of record in single-family residential districts (RS-1 and RS-2).

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

Sec. 28-161. Residential, single-family-one: RS-1.
Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and uses compatible with low density single-family uses, so as to create and maintain a stable low intensity residential character.
(1) Permitted uses and structures. Single-family dwelling; home office, private.
(2) Permitted accessory uses and structures. See section 28-348.
(3) Permissible uses by exception. See section 28-347.
(4) Minimum lot requirements (width and area):
a. Minimum lot width, seventy-five (75) feet.
b. Minimum lot area, one-quarter acre (10,890 square feet).
(5) Maximum lot coverage by all buildings and structures. Twenty-five (25) percent.
(6) Minimum yard requirements:
a. Front, twenty (20) feet minimum.
b. Side, fifteen (15) feet minimum.
c. Rear, twenty (20) feet minimum.
(7) Maximum height of structures. Thirty-five (35) feet

STAFF SUMMARY AND ANALYSIS

This is an irregularly shaped, non-conforming RS-1 lot.
The minimum width for a RS-1 lot is 75 feet.
This lot is ±55 feet in width. The width of an irregularly shaped lot is measured at the front setback area.

The minimum area for a RS-1 lot is 10,890 square feet.
This lot is 5,972 square feet in area.

- If this property had the minimum required area (10,890 square feet), the additions proposed in this application would result in 19% lot coverage.

No variance shall be granted unless the applicant shall show and the board shall find that:
(Staff response in italics)

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

This is a small non-conforming lot of record. It also has an irregular shape, but the proposed addition in the rear does not encroach into the required building setbacks. Neighboring properties are of variable size, but most appear to be larger parcels containing multiple lots.

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

Because of the small size of this lot, the owner can not make any additions to the house without a variance to exceed the maximum lot coverage. The proposed 34.9% lot coverage is a reasonable request.

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

The owner did not create the non-conforming nature of this property.

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

Granting a variance based on non-conforming lot size is not contrary to the public interest. This variance will not adversely affect other property in the vicinity and is in harmony with the spirit, intent and purpose of this section.

STAFF RECOMMENDATION

Based on a review of Section 28-29(b), and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a variance to exceed the maximum lot coverage at **3 Solano Avenue** as submitted.

David Birchim

David Birchim, AICP
Director, Planning and Building Department

06/24/2021 08:33

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $350 (plus advertising costs) Project Number: 2021-0081

Receipt Number: 212682 Meeting Date: July 6, 2021

Advertising Costs: $ 66.40 Paid On: 6/16/21 Receipt Number: 2134102

1. NAME OF APPLICANT: Rodney McDougal Contact Number: 904-731-5580
   Business (*if applicable*): Lifetime Enclosures Inc
   Address: 5521 Chronicle ct City: Jacksonville State: FL Zip: 32256
   E-Mail Address: tclaar@lifetimeenclosures.com
2. NAME OF PROPERTY OWNER: Vincent Seibold Contact Number: 904-234-7865
   Business (*if applicable*):
   Address: 3 Solano Ave. City: St. Augustine State: FL Zip: 32080
   E-Mail Address: vincent.seibold89@gmail.com
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 2 Block: 49
   Subdivision: Davis Shores. Parcel Number: 2208800020
4. PROJECT STREET ADDRESS: 3 Solano Ave.
5. SPECIFIC PROPOSED USE: Outdoor space.
6. ACTION REQUESTED:
   - ☐ Conservation Zone Development
   - ☐ Appeal of Staff Determination
   - ☐ Exception
   - ☐ Land Use Plan Amendment
   - ☑ Variance
   - ☐ Rezoning
   - ☐ Other:
7. DESCRIPTION OF ACTION REQUESTED: Allow buildable coverage to increase from 29% to ≤ 35%
8. JUSTIFICATION FOR ACTION REQUESTED: To allow owner to create outdoor living and cooking space.

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. This lot is 42% smaller than the average surrounding lots. This lot is .13 Acres. The average is .31 Acres.

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: Yes. owner is unable to create outdoor Living and Cooking Space comparable to surrounding lots.

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: Yes. home was purchased already built on lot.

(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. No other properties will be affected and project is in harmony with this section. Composite decking will not affect drainage.

10. PREVIOUS APPPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

Signature of Applicant — Date: 5/1/21

Signature of Property Owner — Date: 5/1/2021

04/25/2019

CITY OF
ST AUGUSTINE.
EST. 1565

Owner's Authorization For Agent

Rodney McDougal is/are hereby authorized TO ACT ON BEHALF OF Vincent Seibold, 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: 3 Solano Ave

BY: [signature]
Signature of Owner

Vincent Seibold
Print Name of Owner

904-234-7865
Telephone Number

State of FL

County of St. Johns

Signed and sworn before me on this 1 day of May, 2021

By Vincent Seibold

Identification verified:

Oath sworn: ✓ Yes ___ No

Notary Signature: [signature]

My Commission expires:

NOTARY PUBLIC STATE OF FLORIDA
TONYA A. CLAAR
MY COMMISSION # GG 983437
EXPIRES: July 21, 2024
Bonded Thru Notary Public Underwriters

Rev:022117

CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER

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

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

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

Rodney McDougal
Print name of applicant

Signature of applicant

5/1/21
Date

St. Johns County, FL

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

Sales Questionnaire

Summary

Parcel ID	2208800020
Location Address	3 SOLANO AVE SAINT AUGUSTINE 32080-0000
Neighborhood	Davis Shores South (590)
Tax Description*	3-101 DAVIS SHORES LOT 2 BLK 49 OR4987/1774 *The Description above is not to be used on legal documents.
Property Use Code	Single Family (0100)
Subdivision	Davis Shores Ocean View Section
Sec/Twp/Rng	20-7-30
District	City of St Augustine (District 452)
Millage Rate	19.4926
Acreage	0.130
Homestead	Y

Owner Information

Owner Name	Seibold Vincent A Et AL 100% Romano Marie 100%
Mailing Address	3 SOLANO AVE SAINT AUGUSTINE, FL 32080-0000

Map

Valuation Information

	2021
Building Value	$279,464
Extra Features Value	$0
Total Land Value	$114,000
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$393,464**
Total Deferred	$86,852
Assessed Value	**$306,612**
Total Exemptions	$136,852
Taxable Value	**$256,612**

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
2020	$0	$0	$102,600	$0	$0	$102,600	$102,600	$0	$102,600
2019	$0	$0	$102,600	$0	$0	$102,600	$102,600	$0	$102,600

Exemption Information

Exemption Type	Amount
Homestead	$25,000
Homestead Band	$25,000

Building Information

Building	1	**Roof Structure**	Gable Hip
Actual Area	2716	**Roof Cover**	Composite Shingle
Conditioned Area	2142	**Interior Flooring**	Carpet, Ceramic Tile
Actual Year Built	2020	**Interior Wall**	Drywall
Use	Single Family Residence	**Heating Type**	Air Duct
Style	01	**Air Conditioning**	Central
Class	N	**Bedrooms**	4
Exterior Wall	Concrete Siding	**Baths**	2.5
Roof Structure	Gable Hip		

Category	Type	Pct
Foundation	Concrete Perimeter Footing	100%
Floor System	Concrete Slab	100%
Frame	Wood Frame	100%
Exterior Wall	Concrete Siding	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Composite Shingle	100%
Interior Flooring	Carpet	20%
Interior Flooring	Ceramic Tile	80%
Interior Walls	Drywall	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Electrical	Very Good	100%
Plumbing	11 Fixtures	100%
Wind	2 Story Frame	100%
Condition	Very Good	100%

Description	Conditioned Area	Actual Area
PATIO	0	150
FINISHED GARAGE	0	424
BASE AREA	1262	1262
FINISHED UPPER STORY - FORCED	880	880
Total SqFt	2142	2716

Land Information

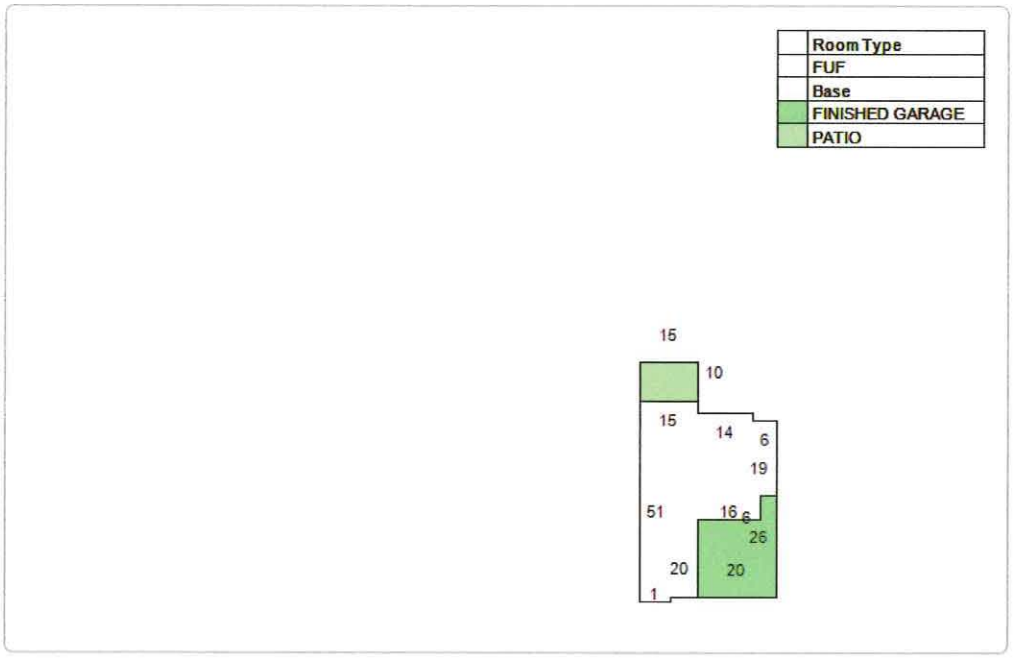
Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	60	110	60	EF	$114,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
7/13/2020	7/8/2020	$480,000.00	WARRANTY DEED	4987	1774	Q	I	SOLANO AVE LAND TRUST	SEIBOLD VINCENT A ET AL
9/25/2018	9/25/2018	$385,000.00	WARRANTY DEED	4616	1258	Q	V	NELSON JOHN W	SOLANO AVE LAND TRUST
7/14/2015	7/10/2015	$475,000.00	WARRANTY DEED	4056	1534	Q	I	STEWART LUTHER C III	NELSON JOHN W
2/5/2014	2/4/2014	$0.00	OTHER INSTRUMENT	3843	716	U	I	US BANK NA TRUSTEE FOR CERT HOLDERS OF BANC OF AMERICA FUNDING CORP 2008-FT1 TRUST	STEWART LUTHER C III

8/23/2012	8/16/2012	$0.00	LIS PENDENS	3605	229	U	I	US BANK NA TRUSTEE FOR CERT HOLDERS BANC OF AMERICA FUNDING CORP 2008-FT1 TRUST	STEWART LUTHER C III
6/5/2012	5/31/2012	$0.00	QUIT CLAIM DEED	3570	348	U	I	STEWART ERICA L	STEWART LUTHER C III
	4/3/2002	$20,000.00	QUIT CLAIM DEED	1741	523	U	I	STEWART LUTHER C III	STEWART LUTHER C III & ERICA L
	12/17/1999	$170,000.00	WARRANTY DEED	1462	906	Q	I	WARD GAIL S	STEWART LUTHER C III & ERICA L
	12/14/1999	$0.00	OTHER INSTRUMENT	1462	905	U	I	WARD GAIL S & ROBERT E JR(DECD 9/12/94)	WARD GAIL S (AFFIDAVIT OF DEATH)

Sketch Information



No data available for the following modules: Extra Feature Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.
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Version 2.3.122

PROPERTY APPRAISER
Eddie Creamer

St. Johns County, FL

Legend

☐ Parcels

Parcel ID	2208800020	**Physical Address**	3 SOLANO AVE SAINT AUGUSTINE	**Building Value**	$279,464	**Last 2 Sales**			
Property Class	0100 - Single Family	**Mailing Address**	SEIBOLD VINCENT A ET AL 3 SOLANO AVE SAINT AUGUSTINE FL 32080-0000	**Extra Feature Value**	N/A	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine			**Total Land Value**	$114,000	7/8/2020	$480000	01	Q
Acres	0.13			**Just Value**	$393,464	9/25/2018	$385000	05	Q
				Total Deferred	N/A				
				Assessed Value	$306,612				
				Total Exemptions	$136,852				
				Taxable Value	$256,612				

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible.
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St. Johns County, FL

Parcel ID	2208800020	**Physical Address**	3 SOLANO AVE SAINT AUGUSTINE	**Building Value**	$279,464	**Last 2 Sales**			
Property Class	0100 - Single Family	**Mailing Address**	SEIBOLD VINCENT A ET AL 3 SOLANO AVE SAINT AUGUSTINE FL 32080-0000	**Extra Feature Value**	N/A	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine			**Total Land Value**	$114,000	7/8/2020	$480000	01	Q
Acres	0.13			**Just Value**	$393,464	9/25/2018	$385000	05	Q
				Total Deferred	N/A				
				Assessed Value	$306,612				
				Total Exemptions	$136,852				
				Taxable Value	$256,612				

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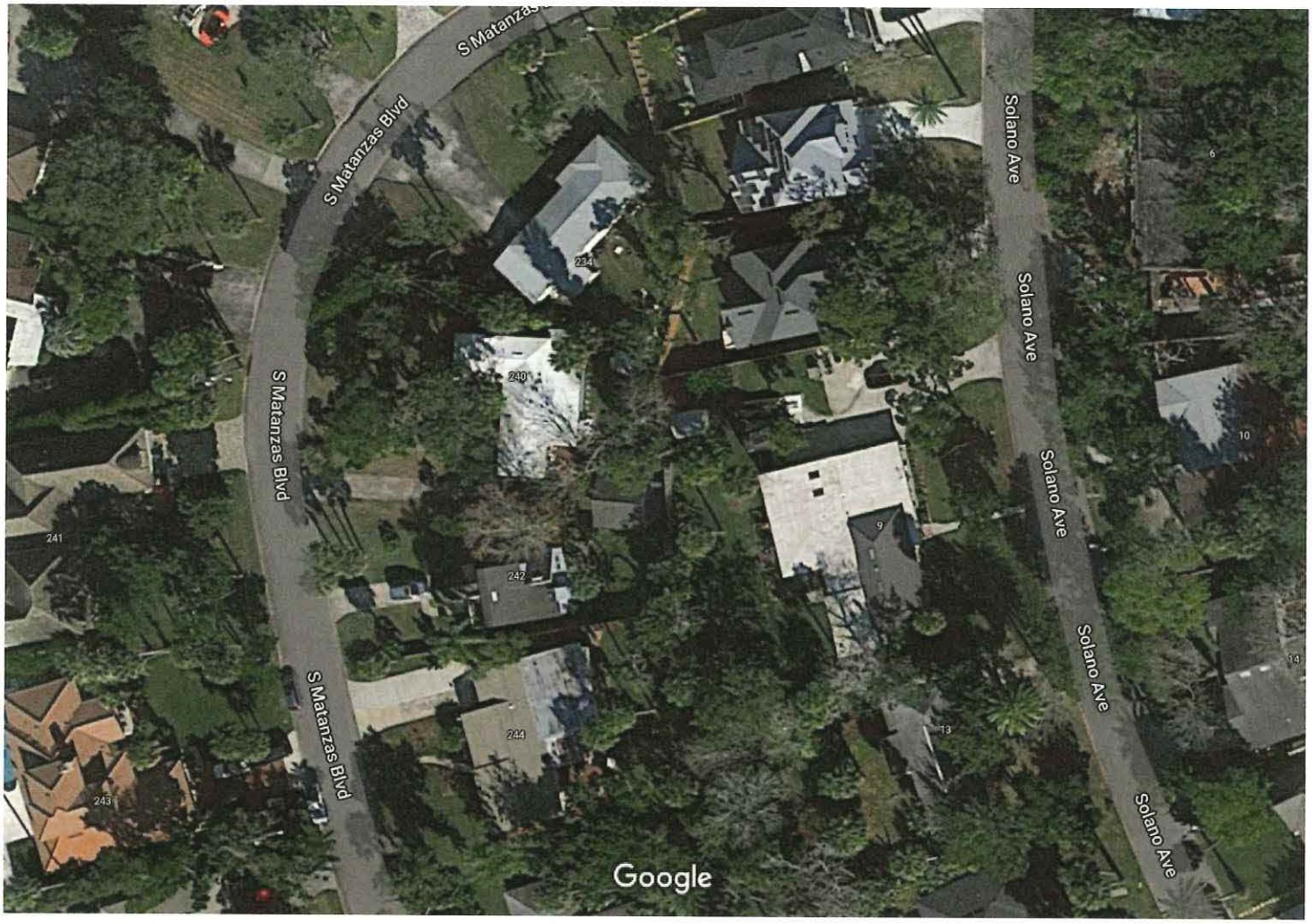
Google Maps 3 Solano Ave



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 20 ft

3 Solano Ave

Directions Save Nearby Send to your phone Share

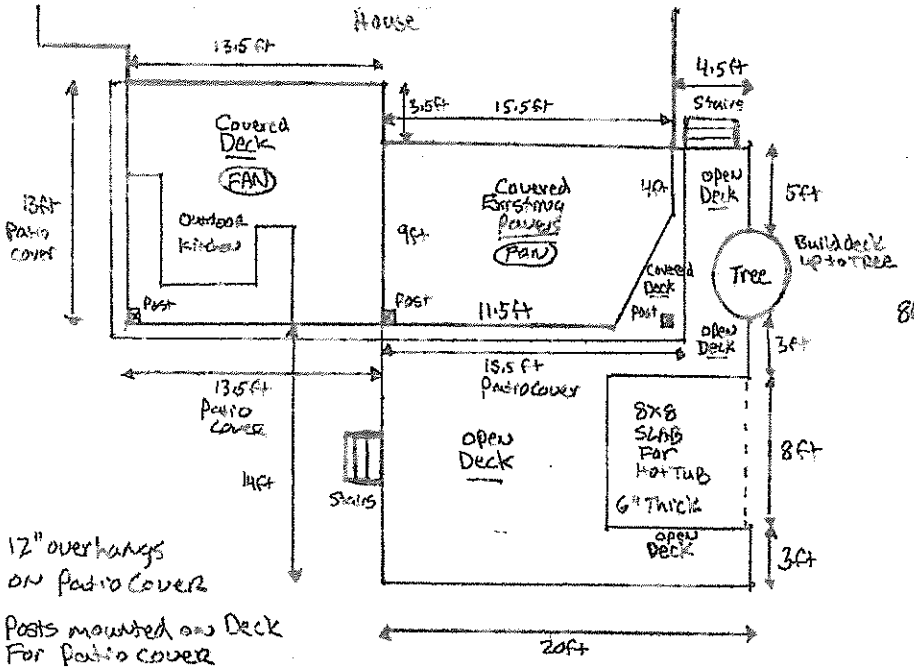
3 Solano Ave, St. Augustine, FL 32080

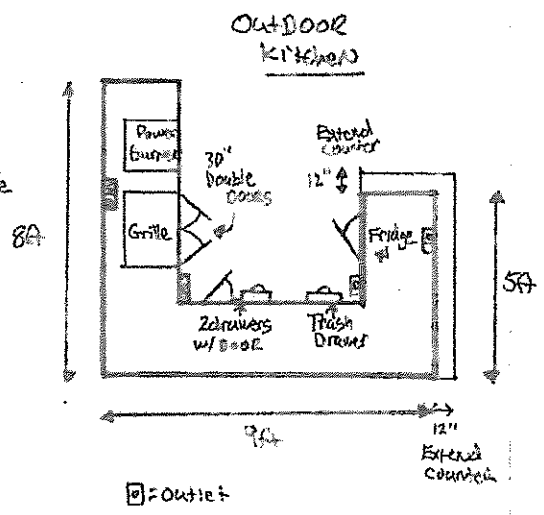
LIFETIME Enclosures

INSTALLATION WORKSHEET

5521 Chronicle Court • Jacksonville, FL 32256
(904) 731-5580 • Fax (904) 731-5750

Homeowner Vincent + Marie Seibold Job # _____





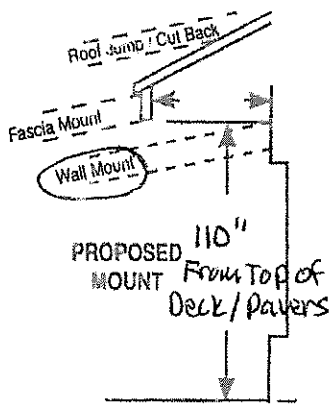
Basic Outline of New Concrete:

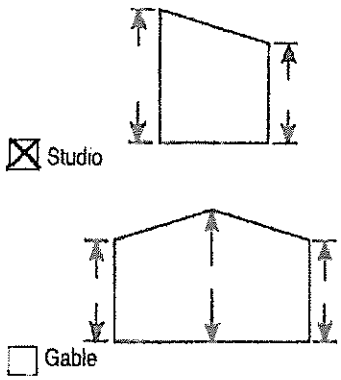
NOTES:

Renaissance Contempo Curved Patio Cover in Bronze
Composite Deck with posts IN Concrete, Railings + (2) sets of Steps
Remove existing Paver Steps

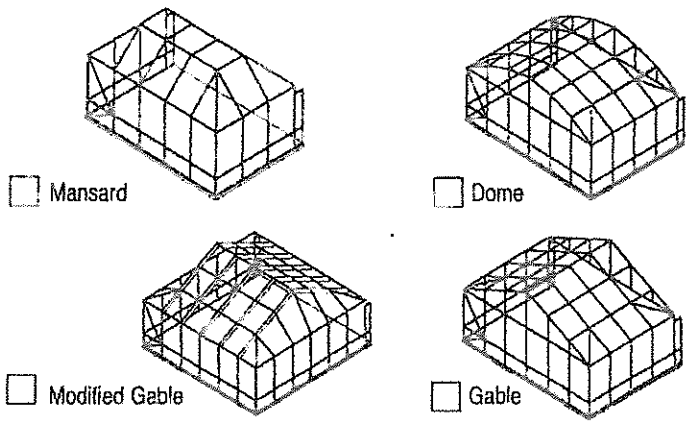
See Above

Scale: 5' = 1"





Scale: 10' = 1"



APPROXIMATE LEAD TIME FOR ALL PROJECTS

☐	Homeowners Assn Approvals	add 3-6 weeks
☒	Site Specific Engineering	add 3-6 weeks
☐	Zoning Variances	add 8-12 weeks
☐	Walls under existing	5-8 weeks
☐	Walls under w windows	10-12 weeks
☐	Basic screen encl - no conc.	8-10 weeks
☐	Basic screen encl - w conc.	10-12 weeks
☐	Sunrooms	12-14 weeks
☐	Pool enclosures / Screen roofs	12-14 weeks
☒	Outdoor Kitchen	10-12 weeks

Approximate total lead time for your project 13-20wks

Basic electrical package includes the following items: 3 Outlets, 1 GFI, 1 Outside Light (if applicable / owner supplied) and 1 Fan installation (if applicable / owner supplied). Only the outlets, fans, etc. indicated below will be installed. Any additional electrical work such as (outlets, light fixtures, or etc.) can be installed for an additional charge. Per code, fan blades must be over 84" from floor or fan will not be installed by LEI.

Total # of: 6 GFI outlets ____ outlets 2 fans ____ lights

0200609003131

Survey

File # 20-41420 / 55763086

Borrower/Client Vincent A. Siebold & Marie Romano

Property Address 3 Solano Ave

City Saint Augustine County St. Johns State FL Zip Code 32080

Lender Navy Federal Credit Union

Applicant's calculations

House: 1770

covered addition: 314.50

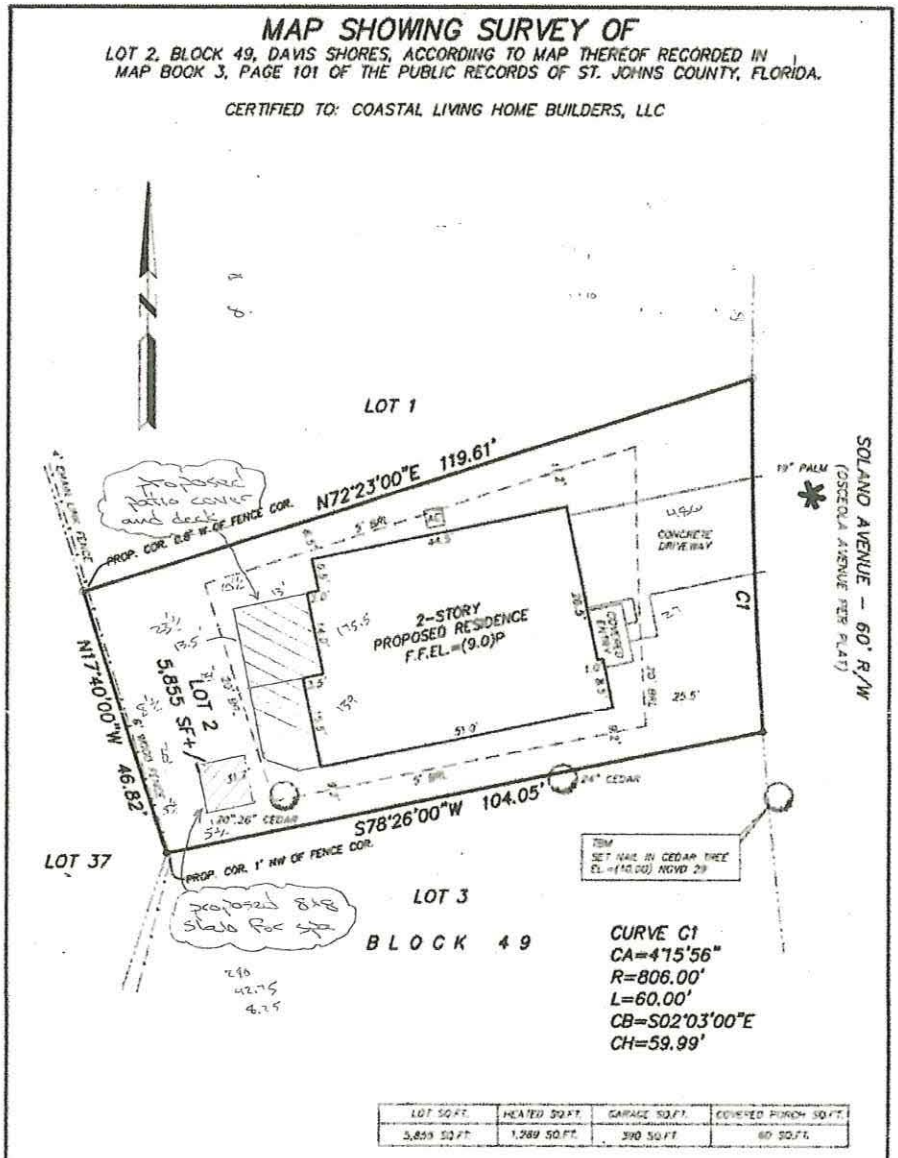
lot size: 5972

29% to 35%

MAP SHOWING SURVEY OF

LOT 2, BLOCK 49, DAVIS SHORES, ACCORDING TO MAP THEREOF RECORDED IN MAP BOOK 3, PAGE 101 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

CERTIFIED TO: COASTAL LIVING HOME BUILDERS, LLC



LOT SQ.FT.	HEATED SQ.FT.	GARAGE SQ.FT.	COVERED PORCH SQ.FT.
5,855 SQ.FT.	1,769 SQ.FT.	390 SQ.FT.	60 SQ.FT.

APRIL 19, 2019: REVISE SITE PLAN/FOUCH HOUSE & FFE (2018-341-4) W.M. 1410-37
FEBRUARY 19, 2019: LOT/HOUSE (2018-341-3) JCM 1404-42
JANUARY 22, 2019: PLOT PLAN (2018-341-2) S.L.A.

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY, AND IS NOT VALID.

NOTES

1. Bearings are based on the E'LY LINE OF LOT 37 BLOCK 49 AS S17°40'E (PER PLAT).
2. This is a BOUNDARY SURVEY.
3. Elevations shown thus (15.0) refer to National Geodetic Vertical Datum of 1929 (NGVD-29).
4. By Graphic plotting only, the property shown hereon lies within Zone "AE" (EL 7) - NAVD 88 as shown on the Federal Emergency Management Agency (F.E.M.A.) National Flood Insurance Program, Flood Insurance Rate Map (F.I.R.M.) Community-Panel Number 125148 0319 J Map Revised Date - 12-5-18
5. Unless otherwise noted, any portion of the parcel that may be deemed as Wetlands by State or Governmental Agencies, has not been determined and any liability resulting therefrom is still the responsibility of the undersigned.
6. There may be Restrictions or Easements of Record encumbered by title examination that have not been shown hereon.

LEGEND

- (●) DENOTES CONCRETE MONUMENT
- ⊂×× DENOTES 4' WOOD FENCE
- ○ DENOTES 1/2" IRON PIPE SET WITH CAP, R. MILLER & ASSOC.
- ■ DENOTES IRON PIPE FOUND (SIZE AS NOTED), UNLESS NOTED
- ✗ DENOTES CROSS CUT

Date: 8-29-18
Scale: 1"=30'
Job No: 2018-341
F.B. 1395
Page: 64
Comp. File: 18-340.dwg
Drawn By: MM

RICHARD A. MILLER & ASSOCIATES

PROFESSIONAL LAND SURVEYORS
8701 BEACH BLVD., SUITE #209
JACKSONVILLE, FLORIDA 32216
Fax (904) 721-6756
Tele. (904) 721-1228

THIS IS TO CERTIFY THAT THIS SURVEY IS A TRUE REPRESENTATION OF AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE MINIMUM STANDARDS, DESCRIBED AS DEFINED AND SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS, IN CHAPTER 5J-17 (formerly CHAPTER 61G17-6), FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BY: _____
WILLIAM J. WILDROSE, STATE OF FLORIDA, REGISTERED LAND SURVEYOR, CERTIFICATE No. 5843

ABBREVIATIONS THAT MAY BE USED IN THIS SURVEY

ABBREVIATION	DEFINITION	ABBREVIATION	DEFINITION
PCP	Permanent Control Point	LB	Licensed Business
PRM	Permanent Reference Monument	LS	Registered Land Surveyor
POB	Point of Beginning	FPL	Jacksonville Electric Authority
POC	Point of Commence	CLF	Chain Link Fence
POL	Point of Tangency	A/C	Air Conditioner
PRC	Point of Reverse Curvature	CATV	Cable Television
PCC	Point of Compound Curvature	(R)	Record Plat
R/W	Right of Way	(M)	Field Measured
OR	Official Records Book or Volume	R=	Radius (Delta)
PB	Plat Book	Arc	Arc Length (Delta)
PG	Page	CH=	Chord Bearing & Distance (Delta)
BRL	Building Restriction Line	Δ=	Delta or Central Angle (Delta)
ESMT	Easement	IP	Iron Pipe
(R)	Radial	CONC	Concrete

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: VARIANCE– 2021-0081

AGENDA ITEM	5(b)
APPLICANT	Rodney McDougal
OWNER	Vincent Seibold
LOCATION	3 Solano Avenue
REQUEST	**To exceed the maximum lot coverage for a 315 square foot residential addition.**
LAND USE	Residential Low Density
ZONING	Residential Single Family-one (RS-1)

LOT INFORMATION

Lot Width	±55 feet
Lot Area	5,972 square feet
This is a non-conforming RS-1 lot	
Building Area (Existing)	1,770 square feet
Building Area (Proposed)	2,085 square feet
Lot Coverage (Maximum Allowed)	29%
Lot Coverage (Existing)	29%
Lot Coverage (Proposed)	34.9%

The propose addition is approximately 315 square feet in size and it is a screened porch attached to the back of the house.

APPLICABLE CODES/ORDINANCES

Sec. 28-2. Definitions

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.

Within the historic preservation zoning districts 1, 2 and 3 and national register districts, the board may grant a request for variance for architectural or historic reasons, provided that the variance is necessary for the construction or reconstruction of buildings or structures in the appropriate historic architectural style or form, based upon review of the historic architectural review board's recommendations. The board shall find that granting the variance will not be contrary to the public interest; will not adversely affect other property and structures in the district; and will be in harmony with the spirit, intent and purpose of this section.

(2) Written application. All applications for variance from this chapter shall be in writing and in such form as may be determined by the board.

(3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider an application for a zoning variance within not more than thirty (30) days from the date of filing of the complete application. Notice of such public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.
(4) Violations of variances. The violation of the terms of a variance, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.

Sec. 28-160. Height restrictions and maximum lot coverage on non-conforming lots of record in single-family residential districts (RS-1 and RS-2).

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

Sec. 28-161. Residential, single-family-one: RS-1.
Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and uses compatible with low density single-family uses, so as to create and maintain a stable low intensity residential character.
(1) Permitted uses and structures. Single-family dwelling; home office, private.
(2) Permitted accessory uses and structures. See section 28-348.
(3) Permissible uses by exception. See section 28-347.
(4) Minimum lot requirements (width and area):
a. Minimum lot width, seventy-five (75) feet.
b. Minimum lot area, one-quarter acre (10,890 square feet).
(5) Maximum lot coverage by all buildings and structures. Twenty-five (25) percent.
(6) Minimum yard requirements:
a. Front, twenty (20) feet minimum.
b. Side, fifteen (15) feet minimum.
c. Rear, twenty (20) feet minimum.
(7) Maximum height of structures. Thirty-five (35) feet

STAFF SUMMARY AND ANALYSIS

This is an irregularly shaped, non-conforming RS-1 lot.
The minimum width for a RS-1 lot is 75 feet.
This lot is ±55 feet in width. The width of an irregularly shaped lot is measured at the front setback area.

The minimum area for a RS-1 lot is 10,890 square feet.
This lot is 5,972 square feet in area.

- If this property had the minimum required area (10,890 square feet), the additions proposed in this application would result in 19% lot coverage.

No variance shall be granted unless the applicant shall show and the board shall find that:
(Staff response in italics)

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

This is a small non-conforming lot of record. It also has an irregular shape, but the proposed addition in the rear does not encroach into the required building setbacks. Neighboring properties are of variable size, but most appear to be larger parcels containing multiple lots.

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

Because of the small size of this lot, the owner can not make any additions to the house without a variance to exceed the maximum lot coverage. The proposed 34.9% lot coverage is a reasonable request.

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

The owner did not create the non-conforming nature of this property.

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

Granting a variance based on non-conforming lot size is not contrary to the public interest. This variance will not adversely affect other property in the vicinity and is in harmony with the spirit, intent and purpose of this section.

STAFF RECOMMENDATION

Based on a review of Section 28-29(b), and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a variance to exceed the maximum lot coverage at **3 Solano Avenue** as submitted.

David Birchim

David Birchim, AICP
Director, Planning and Building Department

06/24/2021 08:33

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $350 (plus advertising costs) Project Number: 2021-0081

Receipt Number: 212682 Meeting Date: July 6, 2021

Advertising Costs: $ 66.40 Paid On: 6/16/21 Receipt Number: 2134102

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1. NAME OF APPLICANT: Rodney McDougal Contact Number: 904-731-5580
   Business (*if applicable*): Lifetime Enclosures Inc
   Address: 5521 Chronicle ct City: Jacksonville State: FL Zip: 32256
   E-Mail Address: tclaar@lifetimeenclosures.com
2. NAME OF PROPERTY OWNER: Vincent Seibold Contact Number: 904-234-7865
   Business (*if applicable*):
   Address: 3 Solano Ave. City: St. Augustine State: FL Zip: 32080
   E-Mail Address: vincent.seibold89@gmail.com
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 2 Block: 49
   Subdivision: Davis Shores. Parcel Number: 2208800020
4. PROJECT STREET ADDRESS: 3 Solano Ave.
5. SPECIFIC PROPOSED USE: Outdoor space.
6. ACTION REQUESTED:
   - ☐ Conservation Zone Development
   - ☐ Appeal of Staff Determination
   - ☐ Exception
   - ☐ Land Use Plan Amendment
   - ☑ Variance
   - ☐ Rezoning
   - ☐ Other:
7. DESCRIPTION OF ACTION REQUESTED: Allow buildable coverage to increase from 29% to ≤ 35%
8. JUSTIFICATION FOR ACTION REQUESTED: To allow owner to create outdoor living and cooking space.

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. This lot is 42% smaller than the average surrounding lots. This lot is .13 Acres. The average is .31 Acres.

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: Yes. owner is unable to create outdoor Living and Cooking Space comparable to surrounding lots.

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: Yes. home was purchased already built on lot.

(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. No other properties will be affected and project is in harmony with this section. Composite decking will not affect drainage.

10. PREVIOUS APPPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

Signature of Applicant — Date: 5/1/21

Signature of Property Owner — Date: 5/1/2021

04/25/2019

CITY OF
ST AUGUSTINE.
EST. 1565

Owner's Authorization For Agent

Rodney McDougal is/are hereby authorized TO ACT ON BEHALF OF Vincent Seibold, 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: 3 Solano Ave

BY: [signature]
Signature of Owner

Vincent Seibold
Print Name of Owner

904-234-7865
Telephone Number

State of FL

County of St. Johns

Signed and sworn before me on this 1 day of May, 2021

By Vincent Seibold

Identification verified:

Oath sworn: ✓ Yes ___ No

Notary Signature: [signature]

My Commission expires:

NOTARY PUBLIC STATE OF FLORIDA
TONYA A. CLAAR
MY COMMISSION # GG 983437
EXPIRES: July 21, 2024
Bonded Thru Notary Public Underwriters

Rev:022117

CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER

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

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

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

Rodney McDougal
Print name of applicant

Signature of applicant

5/1/21
Date

St. Johns County, FL

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

Sales Questionnaire

Summary

Parcel ID	2208800020
Location Address	3 SOLANO AVE SAINT AUGUSTINE 32080-0000
Neighborhood	Davis Shores South (590)
Tax Description*	3-101 DAVIS SHORES LOT 2 BLK 49 OR4987/1774 *The Description above is not to be used on legal documents.
Property Use Code	Single Family (0100)
Subdivision	Davis Shores Ocean View Section
Sec/Twp/Rng	20-7-30
District	City of St Augustine (District 452)
Millage Rate	19.4926
Acreage	0.130
Homestead	Y

Owner Information

Owner Name	Seibold Vincent A Et AL 100% Romano Marie 100%
Mailing Address	3 SOLANO AVE SAINT AUGUSTINE, FL 32080-0000

Map

Valuation Information

	2021
Building Value	$279,464
Extra Features Value	$0
Total Land Value	$114,000
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$393,464**
Total Deferred	$86,852
Assessed Value	**$306,612**
Total Exemptions	$136,852
Taxable Value	**$256,612**

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
2020	$0	$0	$102,600	$0	$0	$102,600	$102,600	$0	$102,600
2019	$0	$0	$102,600	$0	$0	$102,600	$102,600	$0	$102,600

Exemption Information

Exemption Type	Amount
Homestead	$25,000
Homestead Band	$25,000

Building Information

Building	1
Actual Area	2716
Conditioned Area	2142
Actual Year Built	2020
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Concrete Siding
Roof Structure	Gable Hip

Roof Structure	Gable Hip
Roof Cover	Composite Shingle
Interior Flooring	Carpet, Ceramic Tile
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	4
Baths	2.5

Category	Type	Pct
Foundation	Concrete Perimeter Footing	100%
Floor System	Concrete Slab	100%
Frame	Wood Frame	100%
Exterior Wall	Concrete Siding	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Composite Shingle	100%
Interior Flooring	Carpet	20%
Interior Flooring	Ceramic Tile	80%
Interior Walls	Drywall	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Electrical	Very Good	100%
Plumbing	11 Fixtures	100%
Wind	2 Story Frame	100%
Condition	Very Good	100%

Description	Conditioned Area	Actual Area
PATIO	0	150
FINISHED GARAGE	0	424
BASE AREA	1262	1262
FINISHED UPPER STORY - FORCED	880	880
Total SqFt	2142	2716

Land Information

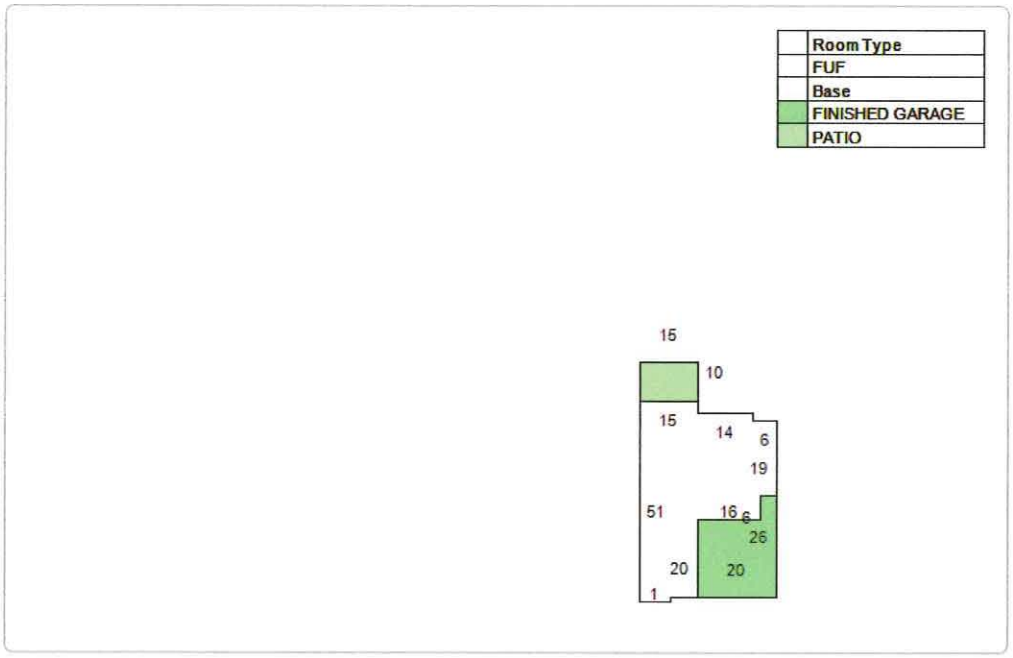
Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	60	110	60	EF	$114,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
7/13/2020	7/8/2020	$480,000.00	WARRANTY DEED	4987	1774	Q	I	SOLANO AVE LAND TRUST	SEIBOLD VINCENT A ET AL
9/25/2018	9/25/2018	$385,000.00	WARRANTY DEED	4616	1258	Q	V	NELSON JOHN W	SOLANO AVE LAND TRUST
7/14/2015	7/10/2015	$475,000.00	WARRANTY DEED	4056	1534	Q	I	STEWART LUTHER C III	NELSON JOHN W
2/5/2014	2/4/2014	$0.00	OTHER INSTRUMENT	3843	716	U	I	US BANK NA TRUSTEE FOR CERT HOLDERS OF BANC OF AMERICA FUNDING CORP 2008-FT1 TRUST	STEWART LUTHER C III

8/23/2012	8/16/2012	$0.00	LIS PENDENS	3605	229	U	I	US BANK NA TRUSTEE FOR CERT HOLDERS BANC OF AMERICA FUNDING CORP 2008-FT1 TRUST	STEWART LUTHER C III
6/5/2012	5/31/2012	$0.00	QUIT CLAIM DEED	3570	348	U	I	STEWART ERICA L	STEWART LUTHER C III
	4/3/2002	$20,000.00	QUIT CLAIM DEED	1741	523	U	I	STEWART LUTHER C III	STEWART LUTHER C III & ERICA L
	12/17/1999	$170,000.00	WARRANTY DEED	1462	906	Q	I	WARD GAIL S	STEWART LUTHER C III & ERICA L
	12/14/1999	$0.00	OTHER INSTRUMENT	1462	905	U	I	WARD GAIL S & ROBERT E JR(DECD 9/12/94)	WARD GAIL S (AFFIDAVIT OF DEATH)

Sketch Information



No data available for the following modules: Extra Feature Information.

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Version 2.3.122

PROPERTY APPRAISER
Eddie Creamer

St. Johns County, FL

Legend

Parcels

Parcel ID	2208800020	Physical Address	3 SOLANO AVE SAINT AUGUSTINE	Building Value	$279,464	Last 2 Sales			
Property Class	0100 - Single Family	Mailing Address	SEIBOLD VINCENT A ET AL 3 SOLANO AVE SAINT AUGUSTINE FL 32080-0000	Extra Feature Value	N/A	Date	Price	Reason	Qual
Taxing District	City of St Augustine			Total Land Value	$114,000	7/8/2020	$480000	01	Q
Acres	0.13			Just Value	$393,464	9/25/2018	$385000	05	Q
				Total Deferred	N/A				
				Assessed Value	$306,612				
				Total Exemptions	$136,852				
				Taxable Value	$256,612				

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St. Johns County, FL

Parcel ID	2208800020	**Physical Address**	3 SOLANO AVE SAINT AUGUSTINE	**Building Value**	$279,464	**Last 2 Sales**			
Property Class	0100 - Single Family	**Mailing Address**	SEIBOLD VINCENT A ET AL 3 SOLANO AVE SAINT AUGUSTINE FL 32080-0000	**Extra Feature Value**	N/A	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine			**Total Land Value**	$114,000	7/8/2020	$480000	01	Q
Acres	0.13			**Just Value**	$393,464	9/25/2018	$385000	05	Q
				Total Deferred	N/A				
				Assessed Value	$306,612				
				Total Exemptions	$136,852				
				Taxable Value	$256,612				

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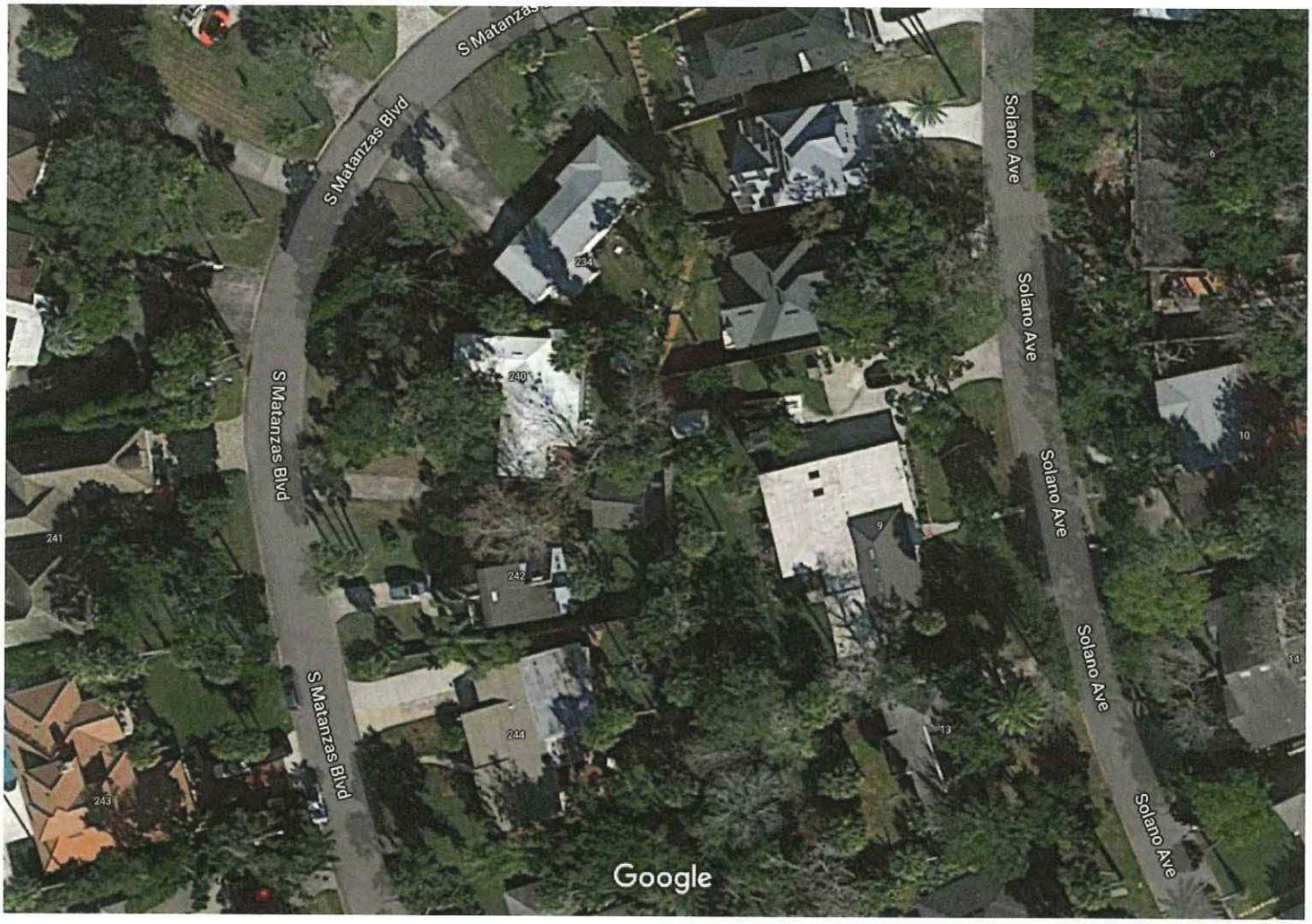
Google Maps 3 Solano Ave



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 20 ft

3 Solano Ave

Directions Save Nearby Send to your phone Share

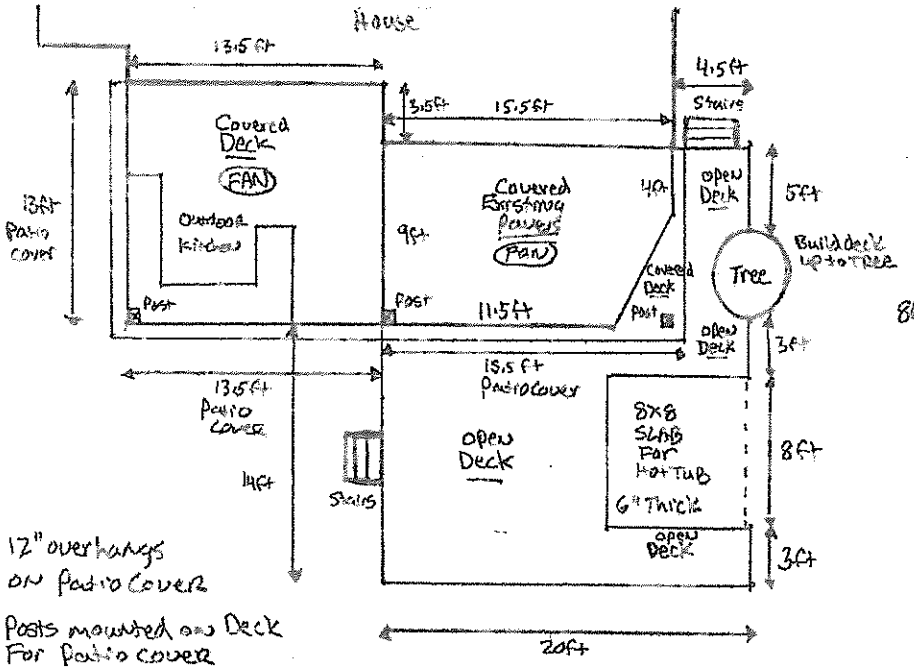
3 Solano Ave, St. Augustine, FL 32080

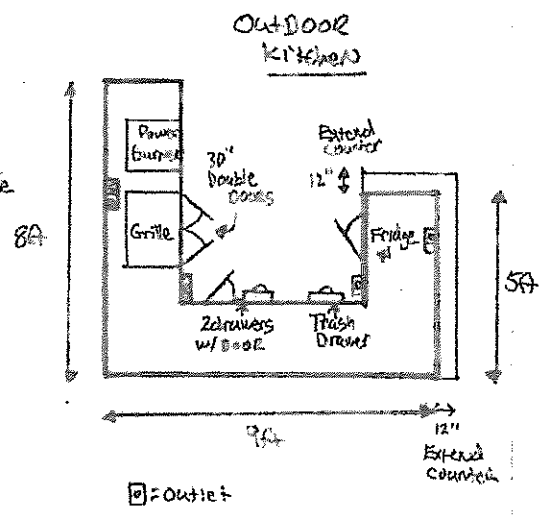
LIFETIME Enclosures

INSTALLATION WORKSHEET

5521 Chronicle Court • Jacksonville, FL 32256
(904) 731-5580 • Fax (904) 731-5750

Homeowner Vincent + Marie Seibold Job # _____





Basic Outline of New Concrete:

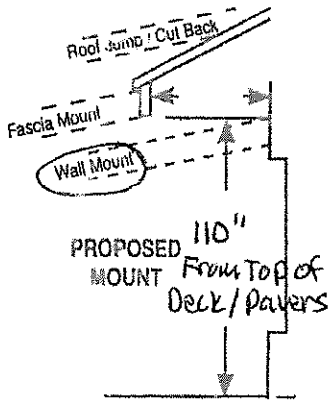
NOTES:

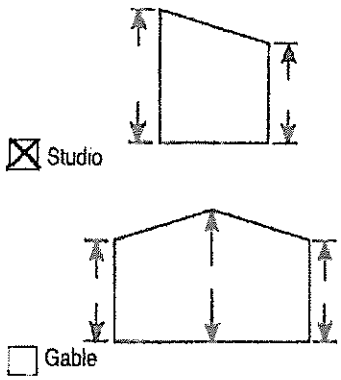
Renaissance Contempo Curved Patio Cover in Bronze
Composite Deck with posts IN Concrete, Railings + (2) sets of Steps
Remove existing Paver Steps

See Above

Scale: 5' = 1"

☐ Walls Under Existing Roof

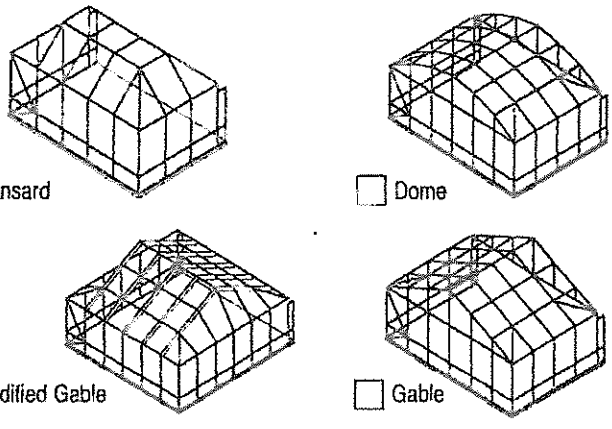




☒ Studio

☐ Gable

Scale: 10' = 1"



☐ Mansard ☐ Dome ☐ Modified Gable ☐ Gable

APPROXIMATE LEAD TIME FOR ALL PROJECTS

☐	Homeowners Assn Approvals	add 3-6 weeks
☒	Site Specific Engineering	add 3-6 weeks
☐	Zoning Variances	add 8-12 weeks
☐	Walls under existing	5-8 weeks
☐	Walls under w windows	10-12 weeks
☐	Basic screen encl - no conc.	8-10 weeks
☐	Basic screen encl - w conc.	10-12 weeks
☐	Sunrooms	12-14 weeks
☐	Pool enclosures / Screen roofs	12-14 weeks
☒	Outdoor Kitchen	10-12 weeks

Approximate total lead time for your project 13-20wks

Basic electrical package includes the following items: 3 Outlets, 1 GFI, 1 Outside Light (if applicable / owner supplied) and 1 Fan installation (if applicable / owner supplied). Only the outlets, fans, etc. indicated below will be installed. Any additional electrical work such as (outlets, light fixtures, or etc.) can be installed for an additional charge. Per code, fan blades must be over 84" from floor or fan will not be installed by LEI.

Total # of: 6 GFI outlets ____ outlets 2 + fans ____ ◇ lights

0200609003131

Survey

File # 20-41420 / 55763086

Borrower/Client Vincent A. Siebold & Marie Romano

Property Address 3 Solano Ave

City Saint Augustine County St. Johns State FL Zip Code 32080

Lender Navy Federal Credit Union

Applicant's calculations

House: 1770

covered addition: 314.50

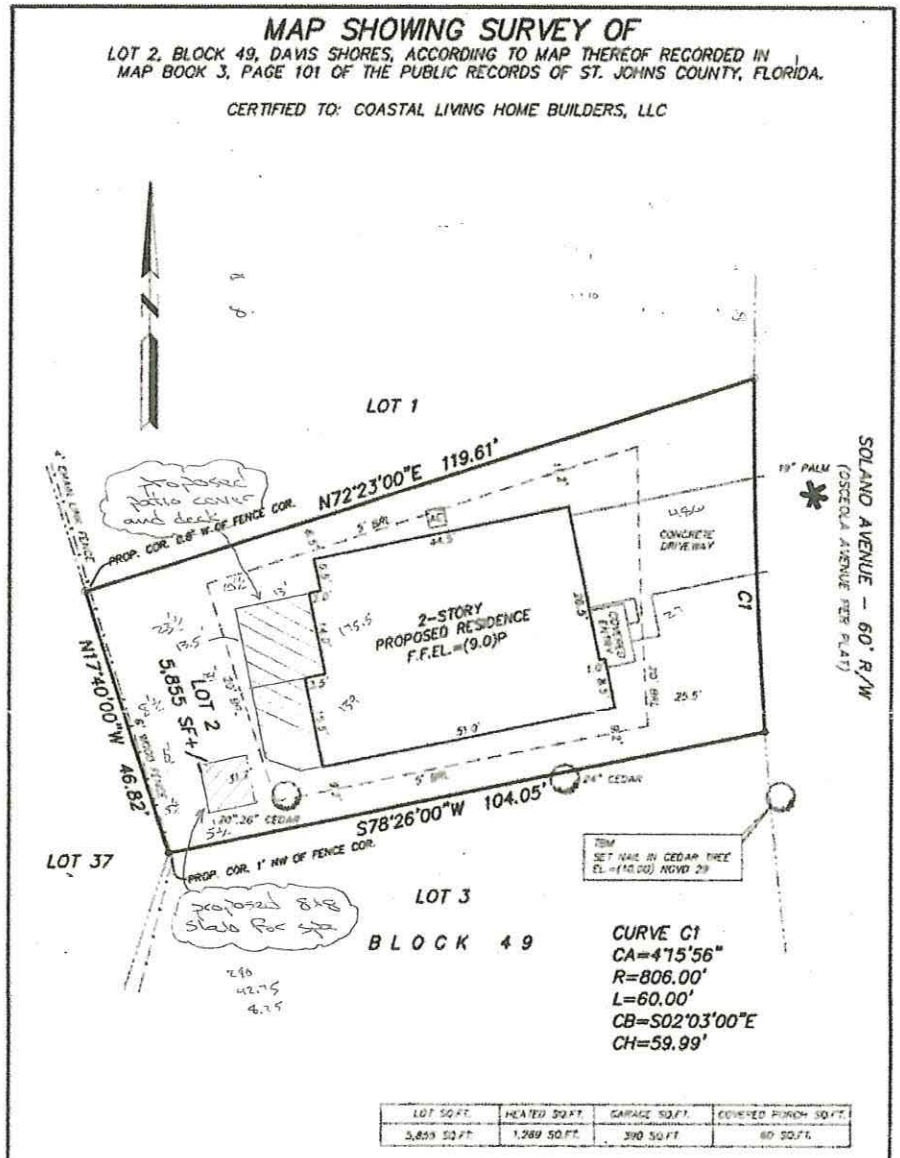
lot size: 5972

29% to 35%

MAP SHOWING SURVEY OF

LOT 2, BLOCK 49, DAVIS SHORES, ACCORDING TO MAP THEREOF RECORDED IN MAP BOOK 3, PAGE 101 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

CERTIFIED TO: COASTAL LIVING HOME BUILDERS, LLC



LOT SQ.FT.	HEATED SQ.FT.	GARAGE SQ.FT.	COVERED PORCH SQ.FT.
5,855 SQ.FT.	1,769 SQ.FT.	390 SQ.FT.	60 SQ.FT.

APRIL 19, 2019: REVISE SITE PLAN/FLOOR HOUSE & FFE (2018-341-4) B.M. 1410-37
FEBRUARY 19, 2019: LOT/HOUSE (2018-341-3) JCM 1404-42
JANUARY 22, 2019: PLOT PLAN (2018-341-2) B.L.M.
UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY, AND IS NOT VALID.

NOTES

1. Bearings are based on the E'LY LINE OF LOT 37 BLOCK 49 AS S17°40'E (PER PLAT).
2. This is a BOUNDARY SURVEY.
3. Elevations shown thus (15.0) refer to National Geodetic Vertical Datum of 1929 (NGVD-29).
4. By Graphic plotting only, the property shown hereon lies within Zone "AE" (EL 7) - NAVD 88 as shown on the Federal Emergency Management Agency (F.E.M.A.) National Flood Insurance Program, Flood Insurance Rate Map (F.I.R.M.) Community-Panel Number 125148 0319 J Map Revised Date - 12-5-18
5. Unless otherwise noted, any portion of the parcel that may be deemed as Wetlands by State or Governmental Agencies, has not been determined and any liability resulting therefrom is still the responsibility of the undersigned.
6. There may be Restrictions or Easements of Record encumbered by title examination that have not been shown hereon.

LEGEND

- (●) DENOTES CONCRETE MONUMENT
- DENOTES 4' WOOD FENCE
- DENOTES 1/2" IRON PIPE SET WITH CAP, R. MILLER & ASSOC.
- DENOTES IRON PIPE FOUND (NO CAP) UNLESS NOTED
- DENOTES FENCE CUT

Date 8-29-18
Scale 1"=30'
Job No 2018-341
F.B. 1395
Page 64
Comp. File 18-340.dwg
Drawn By MM

RICHARD A. MILLER & ASSOCIATES

PROFESSIONAL LAND SURVEYORS
8701 BEACH BLVD., SUITE #209
JACKSONVILLE, FLORIDA 32216
Fax (904) 721-6756
Tele. (904) 721-1228

SIGNED
WILLIAM J. WELBORN, STATE OF FLORIDA, REGISTERED LAND SURVEYOR, CERTIFICATE No. 5843

ABBREVIATIONS THAT MAY BE USED IN THIS SURVEY

ABBREVIATION	DEFINITION	ABBREVIATION	DEFINITION
PCP	Permanent Control Point	LB	Licensed Business
PRM	Permanent Reference Monument	LS	Registered Land Surveyor
POB	Point of Beginning	JEA	Jacksonville Electric Authority
POC	Point of Commence	CLF	Chain Link Fence
POL	Point of Tangency	A/C	Air Conditioner
PNC	Point of Nontangent Curvature	CATV	Cable Television
PCC	Point of Compound Curvature	(R)	Record Plat
R/W	Right of Way	(M)	Field Measured
OR	Official Records Book or Volume	R=	Radius Length
PB	Plat Book	Arc	Arc Length Measure
PG	Page	CH=	Chord Bearing & Distance Measure
BRL	Building Restriction Line	Δ=	Delta or Central Angle Measure
ESMT	Easement	IP	Iron Pipe
(R)	Radial	CONC	Concrete

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: VARIANCE– 2021-0083

AGENDA ITEM	5(c)
APPLICANT	Theresa M. Travis
OWNER	Theresa M. Travis
LOCATION	10 Tremerton Street
REQUEST	**To exceed the maximum lot coverage and to encroach into the required secondary front building setbacks for a residential addition.**
LAND USE	Residential Low Density
ZONING	Residential Single Family-one (RS-1)

LOT INFORMATION

Lot Width (deeded)	50 feet
Lot Area	5,354 square feet

This is a non-conforming RS-1 lot with frontage on Tremerton Street, South Street and Marine Street.

Building Area (Existing)	1,267 square feet
Building Area (Proposed)	1,761 square feet
Lot Coverage (Maximum Allowed)	29%
Lot Coverage (Existing)	30%
Lot Coverage (Proposed)	33%
Marine St. Building Setback (Required)	20 feet
Marine St. Building Setbacks (Existing)	15 foot 10 inches (15'10")
Marine St. Building Setbacks (Proposed)	6 foot 2 inches (6'2") (new carport)
South St. Building Setbacks (Required)	8 feet
South St. Building Setbacks (Existing)	6 inches (6")
South St. Building Setbacks (Proposed)	±1 foot (1')

APPLICABLE CODES/ORDINANCES

Sec. 28-2. Definitions

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.

Within the historic preservation zoning districts 1, 2 and 3 and national register districts, the board may grant a request for variance for architectural or historic reasons, provided that the variance is necessary for the construction or reconstruction of buildings or structures in the appropriate historic architectural style or form, based upon review of the historic architectural review board's recommendations. The board shall find that granting the variance will not be contrary to the public interest; will not adversely affect other property and structures in the district; and will be in harmony with the spirit, intent and purpose of this section.

(2) Written application. All applications for variance from this chapter shall be in writing and in such form as may be determined by the board.

(3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider an application for a zoning variance within not more than thirty (30) days from the date of filing of the complete application. Notice of such public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.
(4) Violations of variances. The violation of the terms of a variance, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.

Sec. 28-160. Height restrictions and maximum lot coverage on non-conforming lots of record in single-family residential districts (RS-1 and RS-2).

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

Sec. 28-119. Nonconforming lots of record.

Notwithstanding limitations imposed by the provisions of this chapter, any single lot or lots of record which were so recorded on or before the effective date of adoption of this chapter April 29, 1975 may be used in accordance with the following:
(6) The above uses are also subject to the following:
a. No side yard shall be less than ten (10) percent of the width of the lot.

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

Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and uses compatible with low density single-family uses, so as to create and maintain a stable low intensity residential character.
(1) Permitted uses and structures. Single-family dwelling; home office, private.
(2) Permitted accessory uses and structures. See section 28-348.
(3) Permissible uses by exception. See section 28-347.
(4) Minimum lot requirements (width and area):
a. Minimum lot width, seventy-five (75) feet.
b. Minimum lot area, one-quarter acre (10,890 square feet).
(5) Maximum lot coverage by all buildings and structures. Twenty-five (25) percent.
(6) Minimum yard requirements:
a. Front, twenty (20) feet minimum.
b. Side, fifteen (15) feet minimum.
c. Rear, twenty (20) feet minimum.
(7) Maximum height of structures. Thirty-five (35) feet.

STAFF SUMMARY AND ANALYSIS

This is a non-conforming RS-1 lot.
The minimum width for a RS-1 lot is 75 feet.
This lot is 50 feet in width.

The minimum area for a RS-1 lot is 10,890 square feet.
This lot is 5,354 square feet in area.

- If this property had the minimum required area (10,890 square feet), the additions proposed in this application would result in 16% lot coverage.

- This is a very unique lot in that it has three street frontages, Tremerton Street, South Street and Marine Street. The city code identifies Tremerton Street and Marine Street as dual frontages and South Street as a secondary front, which is also a unique feature of this lot.

No variance shall be granted unless the applicant shall show and the board shall find that:
(Staff response in italics)

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

This is a small non-conforming lot of record with a house built in 1910. The property has a unique orientation with 3 street frontages and it appears that many neighboring properties are larger.

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

Because of the small size of this lot, the owner can not make any additions to the house without a variance to exceed the maximum lot coverage. The proposed 33% lot coverage is a reasonable request. The building setbacks variance on the South Street side make the proposed addition in line with the existing house, which is a reasonable request. The building setback variance on the Marine Street side for a carport appears to be a reasonable request. The neighboring property to the north has a garage in approximately the same configuration as the proposed carport for this property.

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

The owner did not create the non-conforming nature of this property.

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

Granting a variance based on non-conforming lot width and area and the unique orientation is not contrary to the public interest. This variance will not adversely affect other property in the vicinity and is in harmony with the spirit, intent and purpose of this section.

STAFF RECOMMENDATION

Based on a review of Section 28-29(b), and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a variance to exceed the maximum lot coverage and encroach into the required secondary front yard building setbacks at **10 Tremerton Street** as submitted.

David Birchim

David Birchim, AICP
Director, Planning and Building Department

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED
JUN 07 2021
Planning/Building Dept.

Application Fee: $350 (plus advertising costs) Project Number: 2021-0083

Receipt Number: 2129562 Meeting Date: July 6, 2021

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

1. NAME OF APPLICANT: THERESA M. TRAVIS Contact Number: (727)239-5645
   Business *(if applicable)*:_____
   Address: 10 TREMERTON ST. City: ST. AUGUSTINE State: FL Zip: 32084
   E-Mail Address: t864@bellsouth.net

2. NAME OF PROPERTY OWNER: THERESA M. TRAVIS Contact Number:_____
   Business *(if applicable)*:_____
   Address:_____ City:_____ State:_____ Zip:_____
   E-Mail Address:_____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: SOUTH 1/2 OF LOT 3 Block: 44-B
   Subdivision: CITY OF ST. AUGUSTINE Parcel Number: 2013400000

4. PROJECT STREET ADDRESS: 10 TREMERTON ST.

5. SPECIFIC PROPOSED USE:_____

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

7. DESCRIPTION OF ACTION REQUESTED: VARIANCE TO EXCEED LOT COVERAGE TO ADD A CARPORT AND EXPAND KITCHEN. ALSO REQUESTING VARIANCE FOR 10 FT SETBACK AT MARINE ST. FOR CARPORT AND PERMISSION FOR KITCHEN ADDITION TO HAVE SAME SETBACK AS HOUSE FROM SOUTH ST. NEW LOT COVERAGE = 33%

8. JUSTIFICATION FOR ACTION REQUESTED: THE PROPERTY IS NON CONFORMING BY AREA. ADJACENT PROPERTIES TO THE NORTH ARE SIMILAR IN SIZE, BUT ADJACENT PROPERTIES ON THE EAST SIDE OF TREMERTON AND MARINE ST. ARE MUCH LARGER. BECAUSE OF THIS DISADVANTAGE, I AM UNABLE TO MAKE REASONABLE USE OF MY PROPERTY. BECAUSE OF THE SMALL LOT SIZE, I I CANNOT ADD A CARPORT OR ADD ON TO MY VERY SMALL KITCHEN. THIS DISADVANTAGE DOES NOT EXIST BECAUSE OF CONDITIONS CREATED BY ME.

9. IF APPLYING FOR A VARIANCE, PL SE COMPLETE THE FOLLOWING AND PLAIN 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, THIS PROPERTY IS NON CONFORMING. ADJACENT PROPERTIES TO THE NORTH ARE SIMILAR IN SIZE, BUT PROPERTIES TO EAST OF TREMERTON ST. AND MARINE ST. ARE MUCH LARGER.

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: BECAUSE OF THE SMALL SIZE OF THE PROPERTY, I CANNOT ADD A NEW CARPORT OR EXPAND MY VERY SMALL KITCHEN WITHOUT A VARIANCE.

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: I DID NOT CREATE THE SMALL SIZE LOT.

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: GRANTING THE VARIANCE IS IN HARMONY WITH SPIRIT AND INTENT OF THE CODE.

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.

Thurisa M. Travis — 7 JUNE 2021

Signature of Applicant — Date

Thurisa M. Travis — 7 JUNE 2021

Signature of Property Owner — Date

St. Johns County, FL

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

Sales Questionnaire

Summary

Clicking Image Opens Cyclomedia Viewer In a New Tab

Parcel ID	2013400000
Location Address	10 TREMERTON ST SAINT AUGUSTINE 32084-0000
Neighborhood	City of St Aug (east of lake) (SF) (612)
Tax Description*	CITY OF ST AUGUSTINE S1/2 OF LOT 3 BLK 44-B OR947/170(PR/D) & 1188/958 *The Description above is not to be used on legal documents.
Property Use Code	Single Family (0100)
Subdivision	City of St Augustine
Sec/Twp/Rng	20-7-30
District	City of St Augustine (District 452)
Millage Rate	19.4926
Acreage	0.150
Homestead	Y

Owner Information

Owner Name	Travis Theresa Marie 100%
Mailing Address	10 TREMERTON ST SAINT AUGUSTINE, FL 32084-5042

Map

Valuation Information

	2021
Building Value	$99,538
Extra Features Value	$0
Total Land Value	$237,500
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$337,038**
Total Deferred	$175,088
Assessed Value	**$161,950**
Total Exemptions	$50,000
Taxable Value	**$111,950**

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
2020	$110,527	$0	$182,875	$0	$0	$293,402	$159,714	$183,688	$109,714
2019	$99,259	$0	$182,875	$0	$0	$282,134	$156,123	$176,011	$106,123
2018	$89,165	$0	$182,875	$0	$0	$272,040	$153,212	$168,828	$103,212
2017	$94,488	$0	$182,875	$0	$0	$277,363	$150,061	$177,302	$100,061
2016	$97,923	$0	$166,250	$0	$0	$264,173	$146,975	$167,198	$96,975
2015	$91,221	$0	$128,250	$0	$0	$219,471	$145,953	$123,518	$95,953
2014	$69,521	$0	$115,425	$0	$0	$184,946	$144,795	$90,151	$94,795
2013	$71,838	$0	$115,425	$0	$0	$187,263	$142,655	$94,608	$92,655
2012	$72,997	$0	$115,425	$0	$0	$188,422	$140,270	$98,152	$90,270
2011	$75,314	$0	$128,250	$0	$0	$203,564	$136,184	$117,380	$86,184
2010	$76,473	$0	$142,500	$0	$0	$218,973	$134,171	$134,802	$84,171

Exemption Information

Exemption Type	Amount
Homestead	$25,000
Homestead Band	$25,000

Building Information

Building	1
Actual Area	1277
Conditioned Area	1382
Actual Year Built	1910
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Cement Fiber
Roof Structure	Gable Hip

Roof Structure	Gable Hip
Roof Cover	Metal
Interior Flooring	Carpet, Pine Wood
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	0
Baths	

Category	Type	Pct
Exterior Wall	Cement Fiber	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Metal	100%
Interior Walls	Drywall	100%
Interior Flooring	Carpet	50%
Interior Flooring	Pine Wood	50%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	8 Fixtures	100%
Electrical	Average	100%
Foundation	Piers and Posts	100%
Floor System	Wood Frame	100%

Description	Conditioned Area	Actual Area
1.5 STORY	1282	855
HALF SCREEN PORCH	0	322
BASE AREA	100	100
Total SqFt	1382	1277

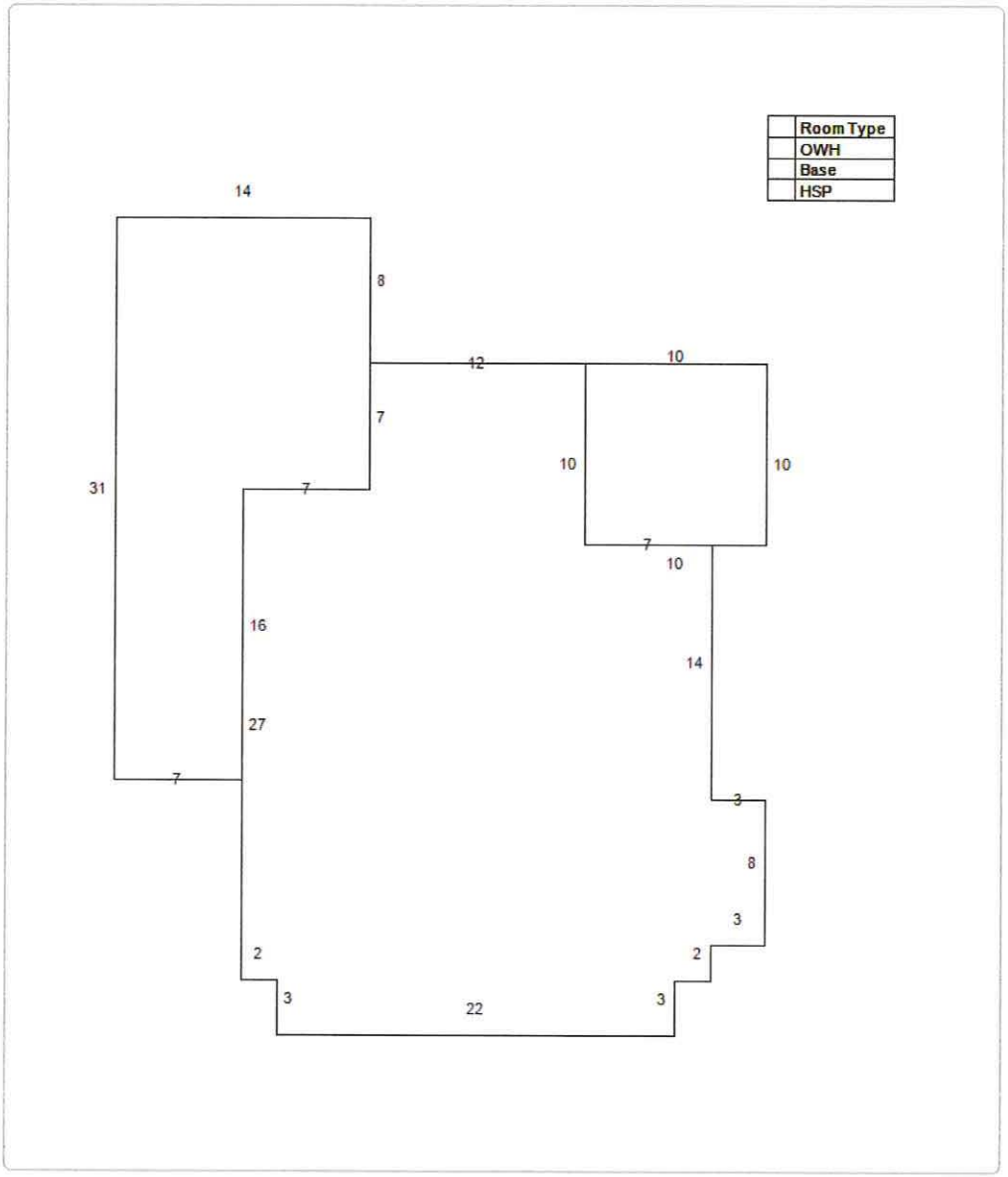
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	50	109	50	EF	$237,500

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	7/31/1996	$119,000.00	WARRANTY DEED	1188	958	U	I	ALLAN ALICIA GAIL	TRAVIS THERESA MARIE
	6/20/1992	$100.00	PERSONAL REP	947	170	U	I	LAWRENCE GLADYS	ALLAN ALICIA G
	6/1/1989	$0.00		824	641	U	I		LAWRENCE GLADYS
	1/1/1979	$40,000.00		436	660	U	I		

Sketch Information



No data available for the following modules: Extra Feature Information.

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Version 2.3.123

St. Johns County, FL

Parcel ID	2013400000	**Physical Address**	10 TREMERTON ST SAINT AUGUSTINE	**Building Value**	$99,538	**Last 2 Sales**			
Property Class	0100 - Single Family	**Mailing Address**	TRAVIS THERESA MARIE 10 TREMERTON ST SAINT AUGUSTINE FL 32084-5042	**Extra Feature Value**	N/A	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine			**Total Land Value**	$237,500	7/31/1996	$119000	11	U
Acres	0.15			**Just Value**	$337,038	1/1/1979	$40000	11	U
				Total Deferred	$175,088				
				Assessed Value	$161,950				
				Total Exemptions	$50,000				
				Taxable Value	$111,950				

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: 6/7/2021
Last Data Uploaded: 6/5/2021 12:45:33 AM

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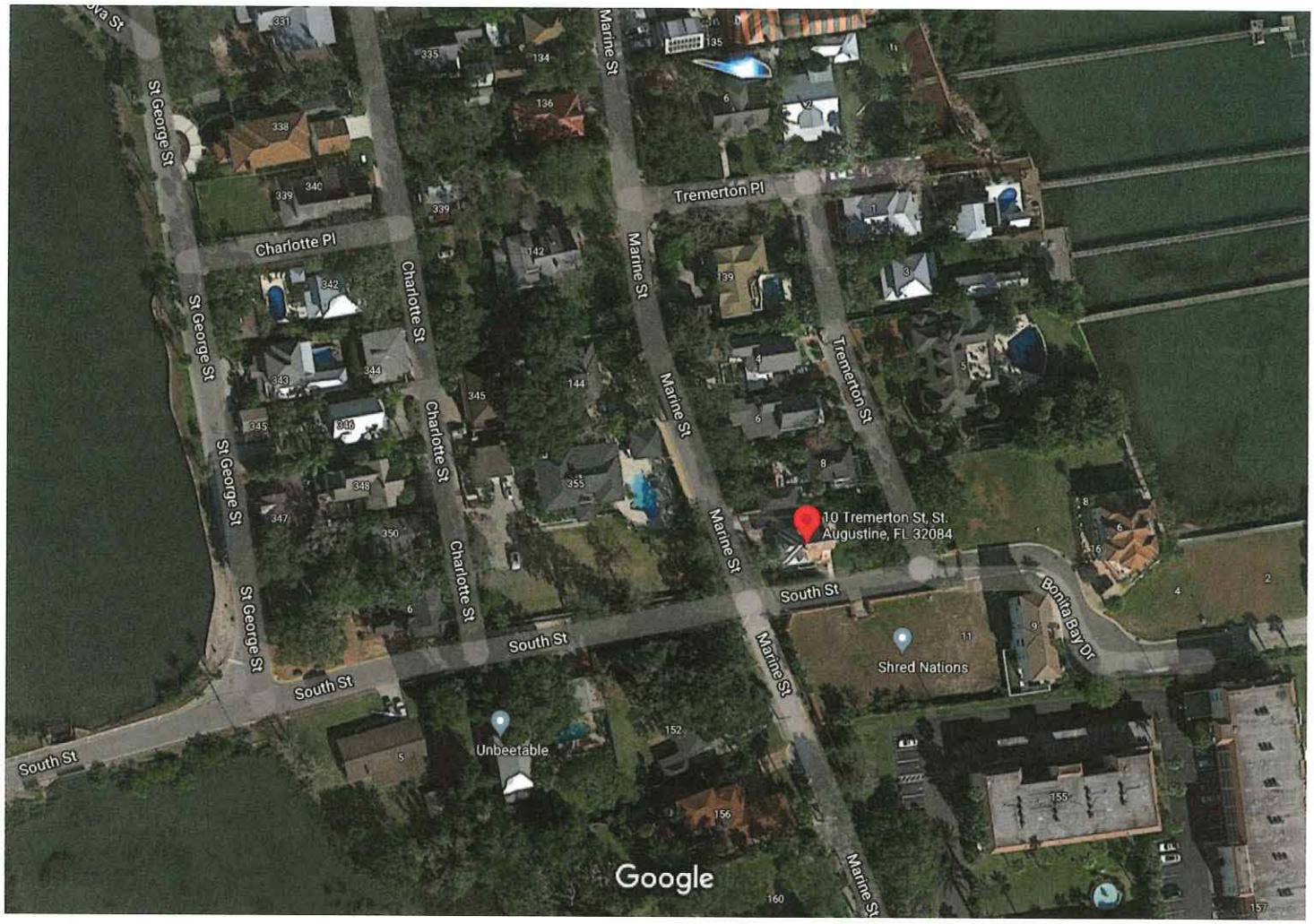
Google Maps 10 Tremerton St

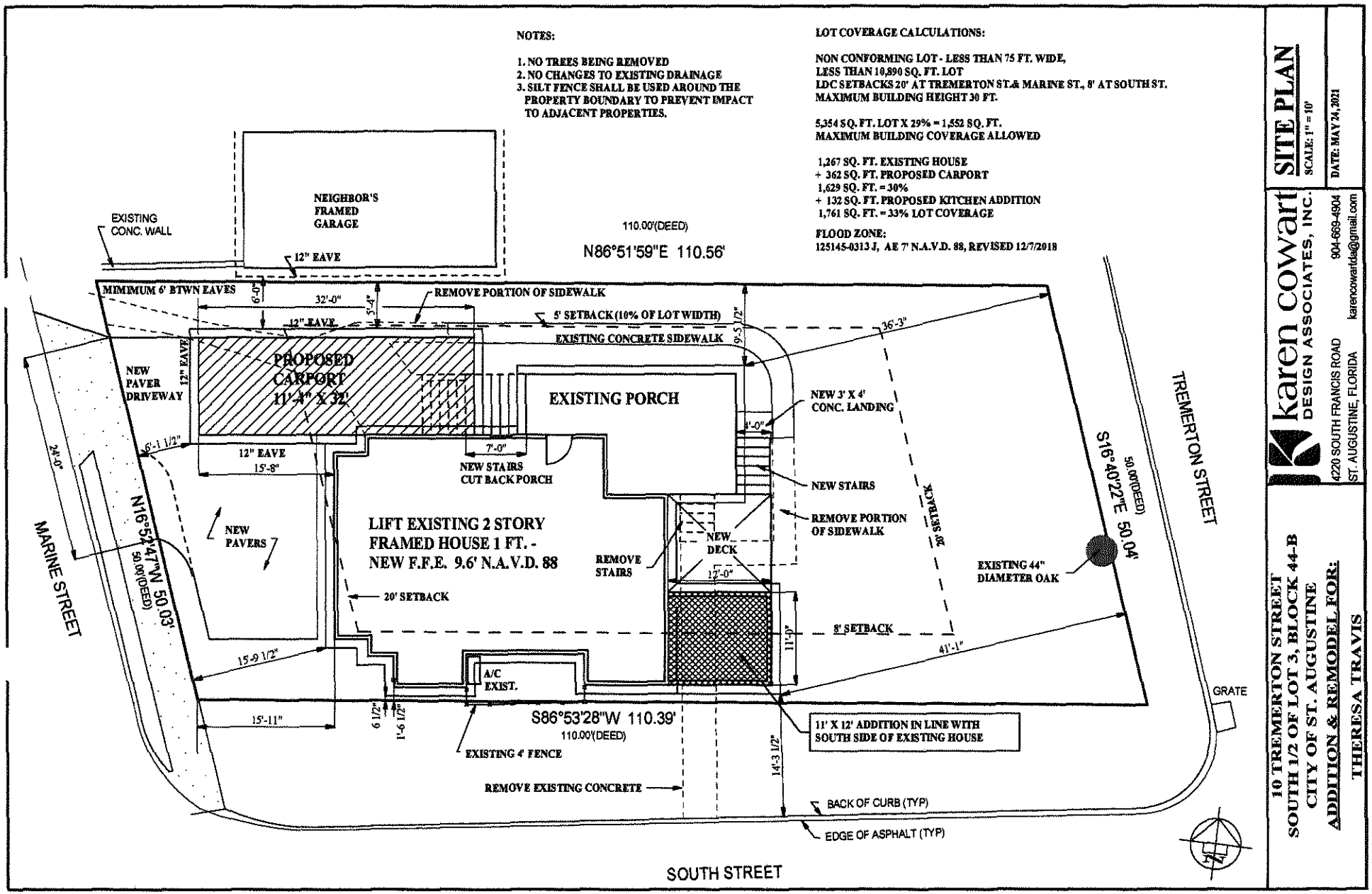


Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 50 ft

10 Tremerton St

Building

Directions Save Nearby Send to your phone Share


NOTES:
1. NO TREES BEING REMOVED
2. NO CHANGES TO EXISTING DRAINAGE
3. SILT FENCE SHALL BE USED AROUND THE PROPERTY BOUNDARY TO PREVENT IMPACT TO ADJACENT PROPERTIES.
LOT COVERAGE CALCULATIONS:
NON CONFORMING LOT - LESS THAN 75 FT. WIDE,
LESS THAN 10,890 SQ. FT. LOT
LDC SETBACKS 20' AT TREMERTON ST.& MARINE ST., 8' AT SOUTH ST.
MAXIMUM BUILDING HEIGHT 30 FT.
5,354 SQ. FT. LOT X 29% = 1,552 SQ. FT.
MAXIMUM BUILDING COVERAGE ALLOWED
1,267 SQ. FT. EXISTING HOUSE
+ 362 SQ. FT. PROPOSED CARPORT
1,629 SQ. FT. = 30%
+ 132 SQ. FT. PROPOSED KITCHEN ADDITION
1,761 SQ. FT. = 33% LOT COVERAGE
FLOOD ZONE:
125145-0313 J, AE 7' N.A.V.D. 88, REVISED 12/7/2018
EXISTING CONC. WALL
NEIGHBOR'S FRAMED GARAGE
12" EAVE
110.00'(DEED)
N86°51'59"E 110.56'
MIMIMUM 6' BTWN EAVES
6'-0"
32'-0"
5'-4"
12" EAVE
REMOVE PORTION OF SIDEWALK
5' SETBACK (10% OF LOT WIDTH)
EXISTING CONCRETE SIDEWALK
9'-5 1/2"
36'-3"
NEW PAVER DRIVEWAY
12" EAVE
PROPOSED CARPORT 11'-4" X 32'
EXISTING PORCH
NEW 3' X 4' CONC. LANDING
4'-0"
6'-1 1/2"
12" EAVE
15'-8"
7'-0"
NEW STAIRS CUT BACK PORCH
NEW STAIRS
24'-0"
NEW PAVERS
LIFT EXISTING 2 STORY FRAMED HOUSE 1 FT. - NEW F.F.E. 9.6' N.A.V.D. 88
REMOVE STAIRS
NEW DECK
REMOVE PORTION OF SIDEWALK
35' SETBACK
50.00'(DEED)
S16°40'22"E 50.04'
TREMERTON STREET
EXISTING 44" DIAMETER OAK
MARINE STREET
N16°54'47"W 50.03'
50.00'(DEED)
20' SETBACK
12'-0"
8' SETBACK
11'-0"
41'-1"
15'-9 1/2"
A/C EXIST.
GRATE
15'-11"
6 1/2"
1'-6 1/2"
S86°53'28"W 110.39'
110.00'(DEED)
EXISTING 4' FENCE
11' X 12' ADDITION IN LINE WITH SOUTH SIDE OF EXISTING HOUSE
14'-3 1/2"
REMOVE EXISTING CONCRETE
BACK OF CURB (TYP)
EDGE OF ASPHALT (TYP)
SOUTH STREET
SITE PLAN
SCALE: 1" = 10'
DATE: MAY 24, 2021
karen coward DESIGN ASSOCIATES, INC.
4220 SOUTH FRANCIS ROAD
ST. AUGUSTINE, FLORIDA
904-669-4904
karencowardda@gmail.com
10 TREMERTON STREET
SOUTH 1/2 OF LOT 3, BLOCK 44-B
CITY OF ST. AUGUSTINE
ADDITION & REMODEL FOR:
THERESA TRAVIS

06/24/2021 08:26

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: VARIANCE– 2021-0083

AGENDA ITEM	5(c)
APPLICANT	Theresa M. Travis
OWNER	Theresa M. Travis
LOCATION	10 Tremerton Street
REQUEST	**To exceed the maximum lot coverage and to encroach into the required secondary front building setbacks for a residential addition.**
LAND USE	Residential Low Density
ZONING	Residential Single Family-one (RS-1)

LOT INFORMATION

Lot Width (deeded)	50 feet
Lot Area	5,354 square feet

This is a non-conforming RS-1 lot with frontage on Tremerton Street, South Street and Marine Street.

Building Area (Existing)	1,267 square feet
Building Area (Proposed)	1,761 square feet
Lot Coverage (Maximum Allowed)	29%
Lot Coverage (Existing)	30%
Lot Coverage (Proposed)	33%
Marine St. Building Setback (Required)	20 feet
Marine St. Building Setbacks (Existing)	15 foot 10 inches (15'10")
Marine St. Building Setbacks (Proposed)	6 foot 2 inches (6'2") (new carport)
South St. Building Setbacks (Required)	8 feet
South St. Building Setbacks (Existing)	6 inches (6")
South St. Building Setbacks (Proposed)	±1 foot (1')

APPLICABLE CODES/ORDINANCES

Sec. 28-2. Definitions

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.

Within the historic preservation zoning districts 1, 2 and 3 and national register districts, the board may grant a request for variance for architectural or historic reasons, provided that the variance is necessary for the construction or reconstruction of buildings or structures in the appropriate historic architectural style or form, based upon review of the historic architectural review board's recommendations. The board shall find that granting the variance will not be contrary to the public interest; will not adversely affect other property and structures in the district; and will be in harmony with the spirit, intent and purpose of this section.

(2) Written application. All applications for variance from this chapter shall be in writing and in such form as may be determined by the board.

(3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider an application for a zoning variance within not more than thirty (30) days from the date of filing of the complete application. Notice of such public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.
(4) Violations of variances. The violation of the terms of a variance, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.

Sec. 28-160. Height restrictions and maximum lot coverage on non-conforming lots of record in single-family residential districts (RS-1 and RS-2).

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

Sec. 28-119. Nonconforming lots of record.

Notwithstanding limitations imposed by the provisions of this chapter, any single lot or lots of record which were so recorded on or before the effective date of adoption of this chapter April 29, 1975 may be used in accordance with the following:
(6) The above uses are also subject to the following:
a. No side yard shall be less than ten (10) percent of the width of the lot.

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

Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and uses compatible with low density single-family uses, so as to create and maintain a stable low intensity residential character.
(1) Permitted uses and structures. Single-family dwelling; home office, private.
(2) Permitted accessory uses and structures. See section 28-348.
(3) Permissible uses by exception. See section 28-347.
(4) Minimum lot requirements (width and area):
a. Minimum lot width, seventy-five (75) feet.
b. Minimum lot area, one-quarter acre (10,890 square feet).
(5) Maximum lot coverage by all buildings and structures. Twenty-five (25) percent.
(6) Minimum yard requirements:
a. Front, twenty (20) feet minimum.
b. Side, fifteen (15) feet minimum.
c. Rear, twenty (20) feet minimum.
(7) Maximum height of structures. Thirty-five (35) feet.

STAFF SUMMARY AND ANALYSIS

This is a non-conforming RS-1 lot.
The minimum width for a RS-1 lot is 75 feet.
This lot is 50 feet in width.

The minimum area for a RS-1 lot is 10,890 square feet.
This lot is 5,354 square feet in area.

- If this property had the minimum required area (10,890 square feet), the additions proposed in this application would result in 16% lot coverage.

- This is a very unique lot in that it has three street frontages, Tremerton Street, South Street and Marine Street. The city code identifies Tremerton Street and Marine Street as dual frontages and South Street as a secondary front, which is also a unique feature of this lot.

No variance shall be granted unless the applicant shall show and the board shall find that:
(Staff response in italics)

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

This is a small non-conforming lot of record with a house built in 1910. The property has a unique orientation with 3 street frontages and it appears that many neighboring properties are larger.

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

Because of the small size of this lot, the owner can not make any additions to the house without a variance to exceed the maximum lot coverage. The proposed 33% lot coverage is a reasonable request. The building setbacks variance on the South Street side make the proposed addition in line with the existing house, which is a reasonable request. The building setback variance on the Marine Street side for a carport appears to be a reasonable request. The neighboring property to the north has a garage in approximately the same configuration as the proposed carport for this property.

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

The owner did not create the non-conforming nature of this property.

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

Granting a variance based on non-conforming lot width and area and the unique orientation is not contrary to the public interest. This variance will not adversely affect other property in the vicinity and is in harmony with the spirit, intent and purpose of this section.

STAFF RECOMMENDATION

Based on a review of Section 28-29(b), and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a variance to exceed the maximum lot coverage and encroach into the required secondary front yard building setbacks at **10 Tremerton Street** as submitted.

David Birchim

David Birchim, AICP
Director, Planning and Building Department

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED
JUN 07 2021
Planning/Building Dept.

Application Fee: $350 (plus advertising costs) Project Number: 2021-0083

Receipt Number: 2129562 Meeting Date: July 6, 2021

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

1. NAME OF APPLICANT: THERESA M. TRAVIS Contact Number: (727)239-5645
   Business *(if applicable)*:_____
   Address: 10 TREMERTON ST. City: ST. AUGUSTINE State: FL Zip: 32084
   E-Mail Address: t864@bellsouth.net

2. NAME OF PROPERTY OWNER: THERESA M. TRAVIS Contact Number:_____
   Business *(if applicable)*:_____
   Address:_____ City:_____ State:_____ Zip:_____
   E-Mail Address:_____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: SOUTH 1/2 OF LOT 3 Block: 44-B
   Subdivision: CITY OF ST. AUGUSTINE Parcel Number: 2013400000

4. PROJECT STREET ADDRESS: 10 TREMERTON ST.

5. SPECIFIC PROPOSED USE:_____

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

7. DESCRIPTION OF ACTION REQUESTED: VARIANCE TO EXCEED LOT COVERAGE TO ADD A CARPORT AND EXPAND KITCHEN. ALSO REQUESTING VARIANCE FOR 10 FT SETBACK AT MARINE ST. FOR CARPORT AND PERMISSION FOR KITCHEN ADDITION TO HAVE SAME SETBACK AS HOUSE FROM SOUTH ST. NEW LOT COVERAGE = 33%

8. JUSTIFICATION FOR ACTION REQUESTED: THE PROPERTY IS NON CONFORMING BY AREA. ADJACENT PROPERTIES TO THE NORTH ARE SIMILAR IN SIZE, BUT ADJACENT PROPERTIES ON THE EAST SIDE OF TREMERTON AND MARINE ST. ARE MUCH LARGER. BECAUSE OF THIS DISADVANTAGE, I AM UNABLE TO MAKE REASONABLE USE OF MY PROPERTY. BECAUSE OF THE SMALL LOT SIZE, I I CANNOT ADD A CARPORT OR ADD ON TO MY VERY SMALL KITCHEN. THIS DISADVANTAGE DOES NOT EXIST BECAUSE OF CONDITIONS CREATED BY ME.

9. IF APPLYING FOR A VARIANCE, PL SE COMPLETE THE FOLLOWING AND PLAIN 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, THIS PROPERTY IS NON CONFORMING. ADJACENT PROPERTIES TO THE NORTH ARE SIMILAR IN SIZE, BUT PROPERTIES TO EAST OF TREMERTON ST. AND MARINE ST. ARE MUCH LARGER.

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: BECAUSE OF THE SMALL SIZE OF THE PROPERTY, I CANNOT ADD A NEW CARPORT OR EXPAND MY VERY SMALL KITCHEN WITHOUT A VARIANCE.

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: I DID NOT CREATE THE SMALL SIZE LOT.

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: GRANTING THE VARIANCE IS IN HARMONY WITH SPIRIT AND INTENT OF THE CODE.

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.

Thurisa M. Travis — 7 JUNE 2021

Signature of Applicant — Date

Thurisa M. Travis — 7 JUNE 2021

Signature of Property Owner — Date

St. Johns County, FL

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

Sales Questionnaire

Summary

Clicking Image Opens Cyclomedia Viewer In a New Tab

Parcel ID	2013400000
Location Address	10 TREMERTON ST SAINT AUGUSTINE 32084-0000
Neighborhood	City of St Aug (east of lake) (SF) (612)
Tax Description*	CITY OF ST AUGUSTINE S1/2 OF LOT 3 BLK 44-B OR947/170(PR/D) & 1188/958 *The Description above is not to be used on legal documents.
Property Use Code	Single Family (0100)
Subdivision	City of St Augustine
Sec/Twp/Rng	20-7-30
District	City of St Augustine (District 452)
Millage Rate	19.4926
Acreage	0.150
Homestead	Y

Owner Information

Owner Name	Travis Theresa Marie 100%
Mailing Address	10 TREMERTON ST SAINT AUGUSTINE, FL 32084-5042

Map

Valuation Information

	2021
Building Value	$99,538
Extra Features Value	$0
Total Land Value	$237,500
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$337,038**
Total Deferred	$175,088
Assessed Value	**$161,950**
Total Exemptions	$50,000
Taxable Value	**$111,950**

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
2020	$110,527	$0	$182,875	$0	$0	$293,402	$159,714	$183,688	$109,714
2019	$99,259	$0	$182,875	$0	$0	$282,134	$156,123	$176,011	$106,123
2018	$89,165	$0	$182,875	$0	$0	$272,040	$153,212	$168,828	$103,212
2017	$94,488	$0	$182,875	$0	$0	$277,363	$150,061	$177,302	$100,061
2016	$97,923	$0	$166,250	$0	$0	$264,173	$146,975	$167,198	$96,975
2015	$91,221	$0	$128,250	$0	$0	$219,471	$145,953	$123,518	$95,953
2014	$69,521	$0	$115,425	$0	$0	$184,946	$144,795	$90,151	$94,795
2013	$71,838	$0	$115,425	$0	$0	$187,263	$142,655	$94,608	$92,655
2012	$72,997	$0	$115,425	$0	$0	$188,422	$140,270	$98,152	$90,270
2011	$75,314	$0	$128,250	$0	$0	$203,564	$136,184	$117,380	$86,184
2010	$76,473	$0	$142,500	$0	$0	$218,973	$134,171	$134,802	$84,171

Exemption Information

Exemption Type	Amount
Homestead	$25,000
Homestead Band	$25,000

Building Information

Building	1
Actual Area	1277
Conditioned Area	1382
Actual Year Built	1910
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Cement Fiber
Roof Structure	Gable Hip

Roof Structure	Gable Hip
Roof Cover	Metal
Interior Flooring	Carpet, Pine Wood
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	0
Baths	

Category	Type	Pct
Exterior Wall	Cement Fiber	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Metal	100%
Interior Walls	Drywall	100%
Interior Flooring	Carpet	50%
Interior Flooring	Pine Wood	50%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	8 Fixtures	100%
Electrical	Average	100%
Foundation	Piers and Posts	100%
Floor System	Wood Frame	100%

Description	Conditioned Area	Actual Area
1.5 STORY	1282	855
HALF SCREEN PORCH	0	322
BASE AREA	100	100
Total SqFt	1382	1277

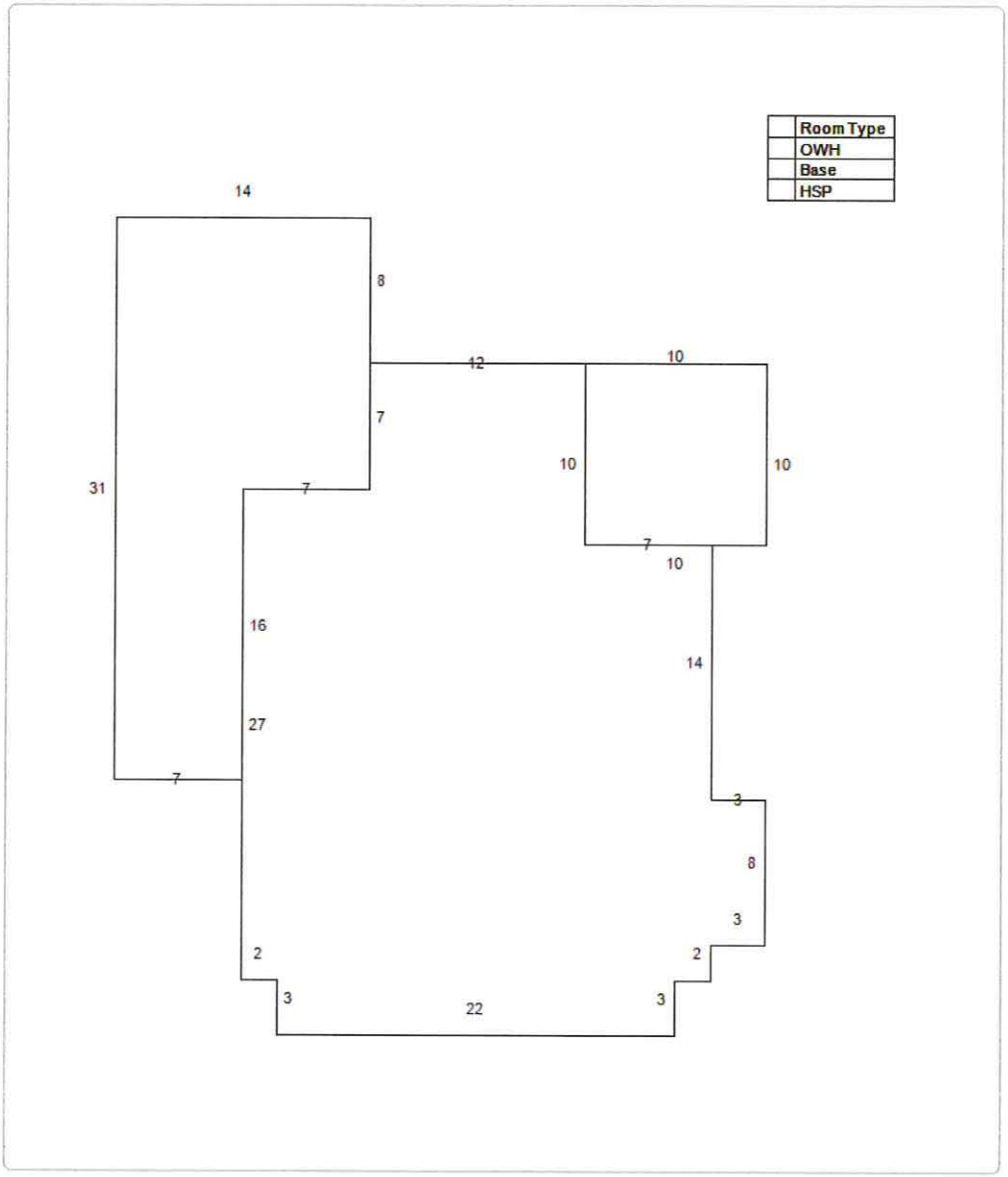
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	50	109	50	EF	$237,500

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	7/31/1996	$119,000.00	WARRANTY DEED	1188	958	U	I	ALLAN ALICIA GAIL	TRAVIS THERESA MARIE
	6/20/1992	$100.00	PERSONAL REP	947	170	U	I	LAWRENCE GLADYS	ALLAN ALICIA G
	6/1/1989	$0.00		824	641	U	I		LAWRENCE GLADYS
	1/1/1979	$40,000.00		436	660	U	I		

Sketch Information



No data available for the following modules: Extra Feature Information.

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Version 2.3.123

St. Johns County, FL

Legend

Parcels

Parcel ID	2013400000	**Physical Address**	10 TREMERTON ST SAINT AUGUSTINE	**Building Value**	$99,538	**Last 2 Sales**			
Property Class	0100 - Single Family	**Mailing Address**	TRAVIS THERESA MARIE 10 TREMERTON ST SAINT AUGUSTINE FL 32084-5042	**Extra Feature Value**	N/A	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine			**Total Land Value**	$237,500	7/31/1996	$119000	11	U
Acres	0.15			**Just Value**	$337,038	1/1/1979	$40000	11	U
				Total Deferred	$175,088				
				Assessed Value	$161,950				
				Total Exemptions	$50,000				
				Taxable Value	$111,950				

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: 6/7/2021
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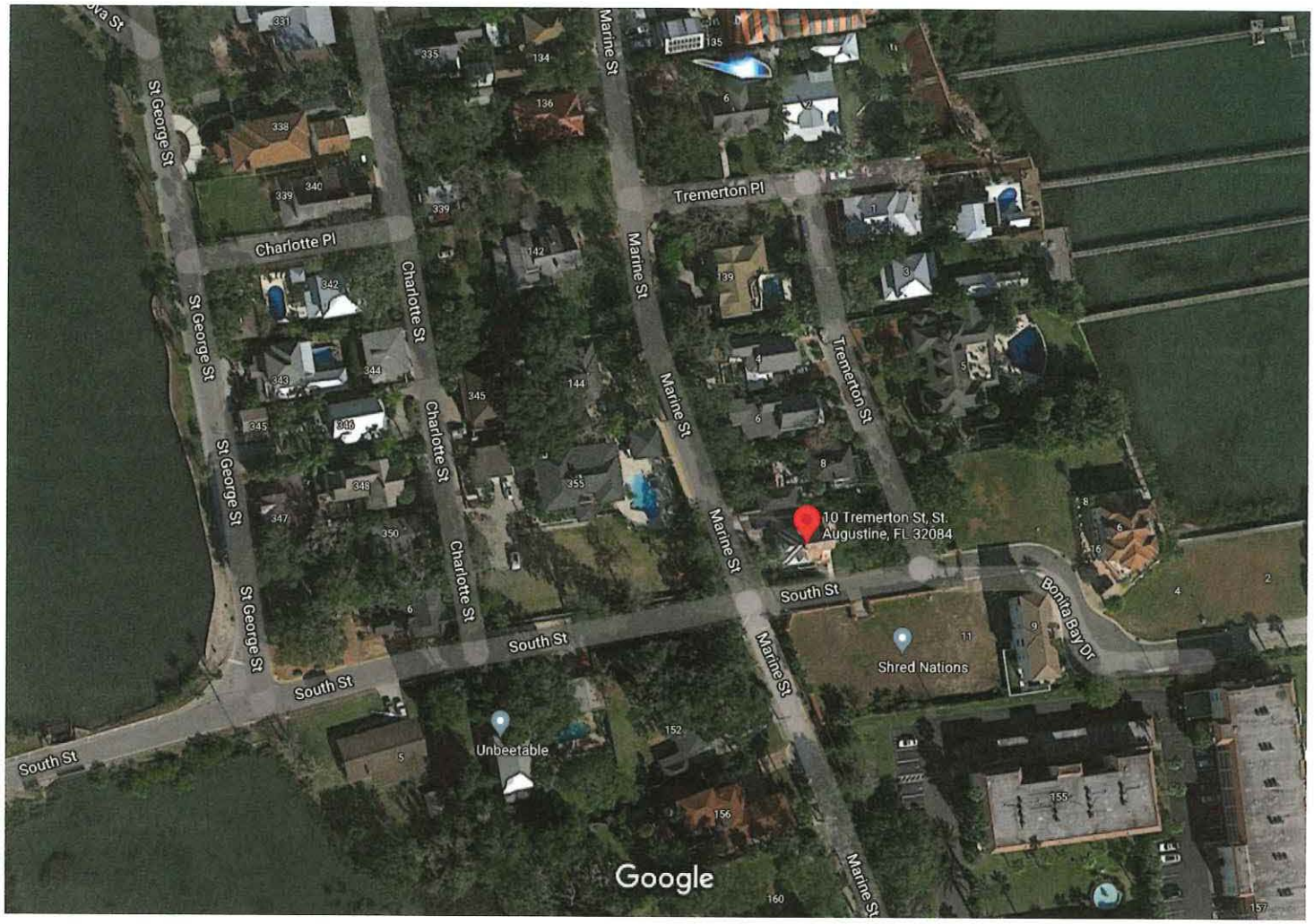
Google Maps 10 Tremerton St

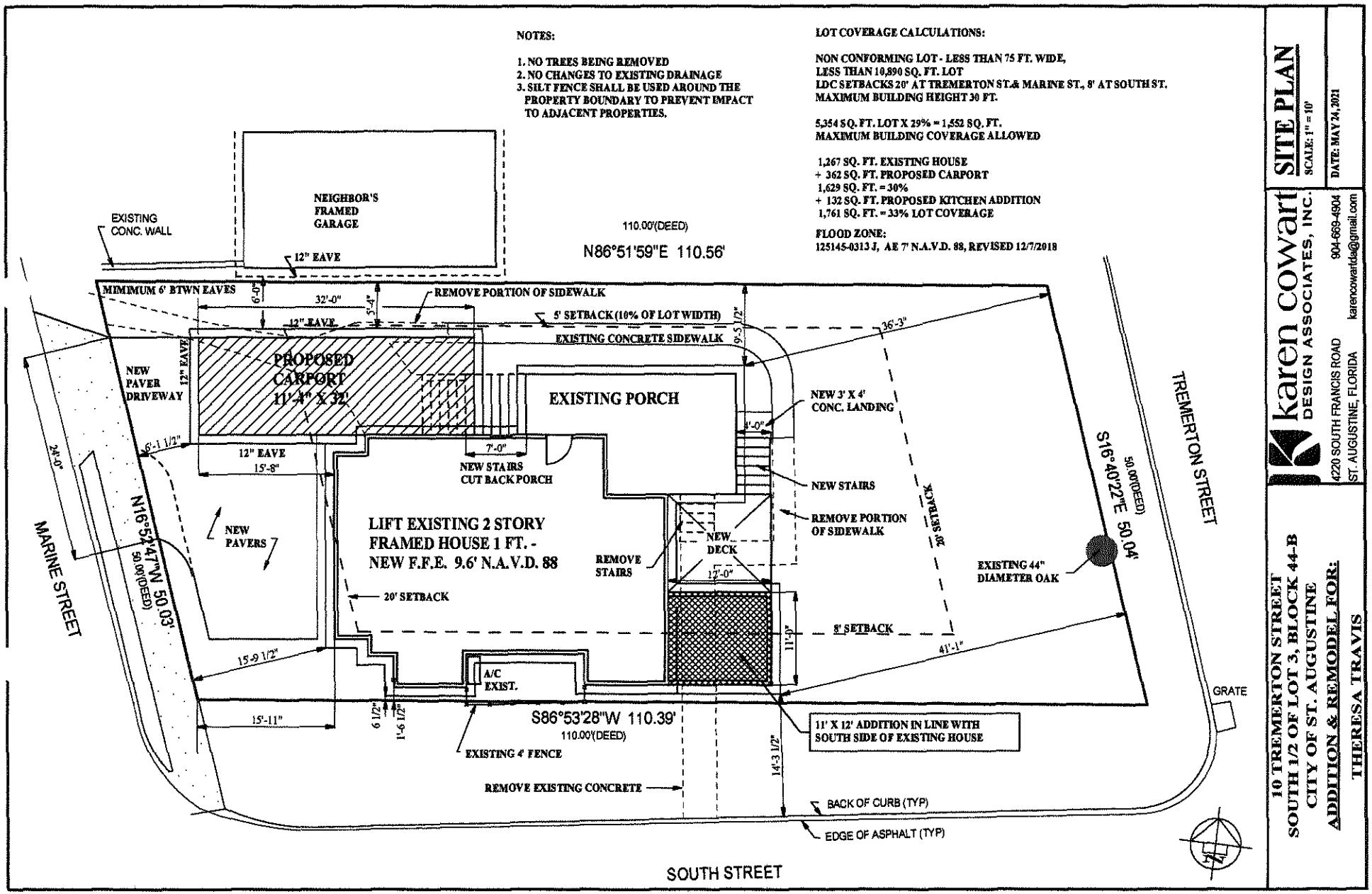


Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 50 ft

10 Tremerton St

Building

Directions Save Nearby Send to your phone Share


NOTES:
1. NO TREES BEING REMOVED
2. NO CHANGES TO EXISTING DRAINAGE
3. SILT FENCE SHALL BE USED AROUND THE PROPERTY BOUNDARY TO PREVENT IMPACT TO ADJACENT PROPERTIES.
LOT COVERAGE CALCULATIONS:
NON CONFORMING LOT - LESS THAN 75 FT. WIDE,
LESS THAN 10,890 SQ. FT. LOT
LDC SETBACKS 20' AT TREMERTON ST.& MARINE ST., 8' AT SOUTH ST.
MAXIMUM BUILDING HEIGHT 30 FT.
5,354 SQ. FT. LOT X 29% = 1,552 SQ. FT.
MAXIMUM BUILDING COVERAGE ALLOWED
1,267 SQ. FT. EXISTING HOUSE
+ 362 SQ. FT. PROPOSED CARPORT
1,629 SQ. FT. = 30%
+ 132 SQ. FT. PROPOSED KITCHEN ADDITION
1,761 SQ. FT. = 33% LOT COVERAGE
FLOOD ZONE:
125145-0313 J, AE 7' N.A.V.D. 88, REVISED 12/7/2018
EXISTING CONC. WALL
NEIGHBOR'S FRAMED GARAGE
12" EAVE
110.00'(DEED)
N86°51'59"E 110.56'
MIMIMUM 6' BTWN EAVES
6'-0"
32'-0"
5'-4"
REMOVE PORTION OF SIDEWALK
5' SETBACK (10% OF LOT WIDTH)
EXISTING CONCRETE SIDEWALK
9'-5 1/2"
36'-3"
12" EAVE
PROPOSED CARPORT 11'-4" X 32'
NEW PAVER DRIVEWAY
EXISTING PORCH
NEW 3' X 4' CONC. LANDING
4'-0"
6'-1 1/2"
12" EAVE
15'-8"
7'-0"
NEW STAIRS CUT BACK PORCH
NEW STAIRS
24'-0"
NEW PAVERS
LIFT EXISTING 2 STORY FRAMED HOUSE 1 FT. - NEW F.F.E. 9.6' N.A.V.D. 88
REMOVE STAIRS
NEW DECK
REMOVE PORTION OF SIDEWALK
8' SETBACK
S16°40'22"E 50.04'
50.00'(DEED)
TREMERTON STREET
EXISTING 44" DIAMETER OAK
MARINE STREET
N16°54'47"W 50.03'
50.00'(DEED)
20' SETBACK
12'-0"
11'-0"
8' SETBACK
41'-1"
15'-9 1/2"
A/C EXIST.
GRATE
15'-11"
6 1/2"
1'-6 1/2"
S86°53'28"W 110.39'
110.00'(DEED)
EXISTING 4' FENCE
11' X 12' ADDITION IN LINE WITH SOUTH SIDE OF EXISTING HOUSE
14'-3 1/2"
REMOVE EXISTING CONCRETE
BACK OF CURB (TYP)
EDGE OF ASPHALT (TYP)
SOUTH STREET
SITE PLAN
SCALE: 1" = 10'
DATE: MAY 24, 2021
karen cowart DESIGN ASSOCIATES, INC.
4220 SOUTH FRANCIS ROAD
ST. AUGUSTINE, FLORIDA
904-669-4904
karencowartda@gmail.com
10 TREMERTON STREET
SOUTH 1/2 OF LOT 3, BLOCK 44-B
CITY OF ST. AUGUSTINE
ADDITION & REMODEL FOR:
THERESA TRAVIS

06/24/2021 08:26

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: **CONSERVATION OVERLAY ZONE 2 DEVELOPMENT #2021-0040**

AGENDA ITEM	6(a)
APPLICANT	R. E. Chip Mitchell
OWNER	Eileen Alexon
LOCATION	70 Florida Ave / PIN 109290-0090
REQUEST	**To approve the construction of a retaining wall within Conservation Overlay Zone 2.**
LAND USE	Residential Medium Density
ZONING	Residential General-One (RG-1)

The board continued this case at the April 6, 2021 and June 1, 2021 meetings with a request for the following materials;

- A site plan with the wetlands delineation showing the jurisdictional wetlands line and the proposed retaining wall
- A topographic survey
- A drainage plan (pre and post development)
- Clarification of Sec. 11-29 (3) - Natural and proposed drainage patterns
- Clarification of Sec. 11-29(5) - Proposed soil stabilization and erosion control methods

As of the date of publication of this staff report, no new information has been submitted with this application.

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 2 includes all property one hundred (100) feet landward from the most restrictive boundary line establishing Conservation Overlay Zone 1. Zone 2 is the transition zone or buffer area between Zone 1 and Zone 3, and may include areas recognized as habitat for species considered endangered, threatened, of special concern, or unique by federal state and local agencies. The primary purpose of Zone 2 is to protect the functional integrity of Zone 1, and to protect Zone 3 from extreme high water conditions.

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 request is for a 150'-foot-long retaining wall along landward edge of the property line, moving inward to avoid marsh areas of the subject property. The existing right of way is unopened at the northern edge of the property See attachment 2 for the Conservation Overlay Zone graphics and response to the 16 criteria listed below. Attachment 3 contains photos of the site for context of the proposed retaining wall.

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

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

This property has an existing single family home.

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

This property is located along the San Sebastian River marshes and surrounded by single family residences.

(3) Natural and proposed drainage patterns.

Drainage on the lot sheet flows to the San Sebastian River. The proposed retaining wall will not alter this flow direction.

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

N/A

(5) Proposed soil stabilization and erosion control methods.

Silt fence will be installed landward of the wetland line to avoid impacts while constructing the proposed wall.

(6) Impact on floodplain.

N/A

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

It would be a minimal impact towards these communities as the wall will be placed on a single family lot located solely on the uplands.

(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, this wall will be placed on the upland portion of the property.

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

This project is meant as a measure to better control/reduce shoreline erosion.

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

Shoreline stabilization will affect 150 feet of shoreline along the lot, or 100% of the shoreline on the parcel.

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

100% of shoreline will have a retaining wall, 150 linear feet.

(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.)

Any temporarily disturbed earth will be surrounded by siltation fences to prevent turbid discharge. No long term water quality effects should be associated with the retaining wall.

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

N/A

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **DENY WITHOUT PREJUSTICE** the construction of a retaining wall within Conservation Overlay Zone 2 located at **70 Florida Ave / PIN 109290-0090.**

- If the property owner intends to pursue this project, a new application and fee for re-advertising the case is necessary as well as the board's approval to consider the case within one year of the board's denial of this application.

David Birchim

David Birchim, AICP
Director, Planning & Building Department

04/16/2021 09:13

RECEIVED
MAR 08 2021
Planning/Building Dept.

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $330 (plus advertising costs) Project Number: 2021-0040

Receipt Number: 2068092 Meeting Date: April 6, 2021

Advertising Costs: $ 44.55 Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: R. E. CHIP MITCHELL Contact Number: 904-993-2231
   Business (*if applicable*): DESIGNS FOR LIVING, LLC
   Address: 42287 MELROSE AVENUE City: JACKSONVILLE State: FL Zip: 32210
   E-Mail Address: customhomeplan@gmail.com

2. NAME OF PROPERTY OWNER: EILEEN ALEXON Contact Number: 904-233-3341
   Business (*if applicable*): CALIFORNIA TRENDS, LLC
   Address: 153 S ROSCOE BLVD City: PONTE VEDRA BEACH State: FL Zip: 32082
   E-Mail Address: ealexon@comcast.net

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 9, 10, 11, 12 Block: 36
   Subdivision: RAVENSWOOD Parcel Number: 109290-0090

4. PROJECT STREET ADDRESS: 70 FLORIDA AVENUE, ST. AUGUSTINE, FL

5. SPECIFIC PROPOSED USE: SINGLE FAMILY DWELLING

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

7. DESCRIPTION OF ACTION REQUESTED: THIS IS TO INSTALL A CMU RETAINING WALL USING TREMRON CONCRETE RETAINING WALL BLOCKS AND INSTALLING A SOIL BARRIER PER THE ATTACHED PLANS AND THUS ALLOWING THE SOIL TO BE RAISED TO HELP IN PROTECTION OF THE EXISTING PROPERTIES FROM MAJOR AND MINOR FLOODING EVENTS

8. JUSTIFICATION FOR ACTION REQUESTED: THIS PROPERTY HAS ALWAYS BEEN SUBJECT TO FLOODING DURING HIGH AND KING TIDE EVENTS AND ALSO TROPICAL STORM, NOREATER AND HURRICANE EVENTS. ALLOWING THIS RETAINING WALL WOULD PREVENT NITRATES AND HEAVY METALS FROM ENTERING THE MARSH AND CAUSING FURTHER ENVIRONMENTAL DAMAGE. THIS WOULD ALLOW THE PROPERTY TO BETTER WITHSTAND THESE FLOODING EVENTS IN THE FUTURE.

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:

NOT APPLICABLE

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

NOT APPLICABLE

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

NOT APPLICABLE

(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 APPLICABLE

10. PREVIOUS APPPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

Signature of Applicant — Date: 3-8-2021

Signature of Property Owner — Date: 3-8-2021

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.

R. E. CHIP MITCHELL

Print name of applicant

Signature of applicant

3/8/21

Date

10/31/17

CITY OF
ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

R. E. Chip Mitchell is/are hereby authorized TO ACT ON BEHALF OF California Trends, LLC, the owner(s) of those lands described within ☒ the attached application, or ☐ described within the previously filed Application number: _____, and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine's Planning & Zoning Board, located at: ALCAZAR ROOM, 75 KING ST., ST. AUGUSTINE, FL 32084

BY: _____
Signature of Owner

EILEEN ALEXON
Print Name of Owner

904-233-3341
Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 8th day of March, 2021.

By Eileen Alexon

Identification verified: FLDL

Oath sworn: X Yes ___ No

Notary Signature: _____ Brianna Singley

My Commission expires: 1/19/2025

BRIANNA SINGLEY
Notary Public
State of Florida
Comm# HH082342
Expires 1/19/2025

Rev:022117

St. Johns County, FL

Overview

Legend

☐ Parcels

Parcel ID	1092900090	**Physical Address**	70 FLORIDA AVE SAINT AUGUSTINE
Property Class	0100 - Single Family	**Mailing Address**	CALIFORNIA TRENDS LLC 153 S ROSCOE BLVD PONTE VEDRA BEACH FL 32082-0000
Taxing District	City of St Augustine		
Acres	0.72		

Building Value	$123,365
Extra Feature Value	N/A
Total Land Value	$126,956
Just Value	$250,321
Total Deferred	N/A
Assessed Value	$250,321
Total Exemptions	N/A
Taxable Value	$250,321

Last 2 Sales

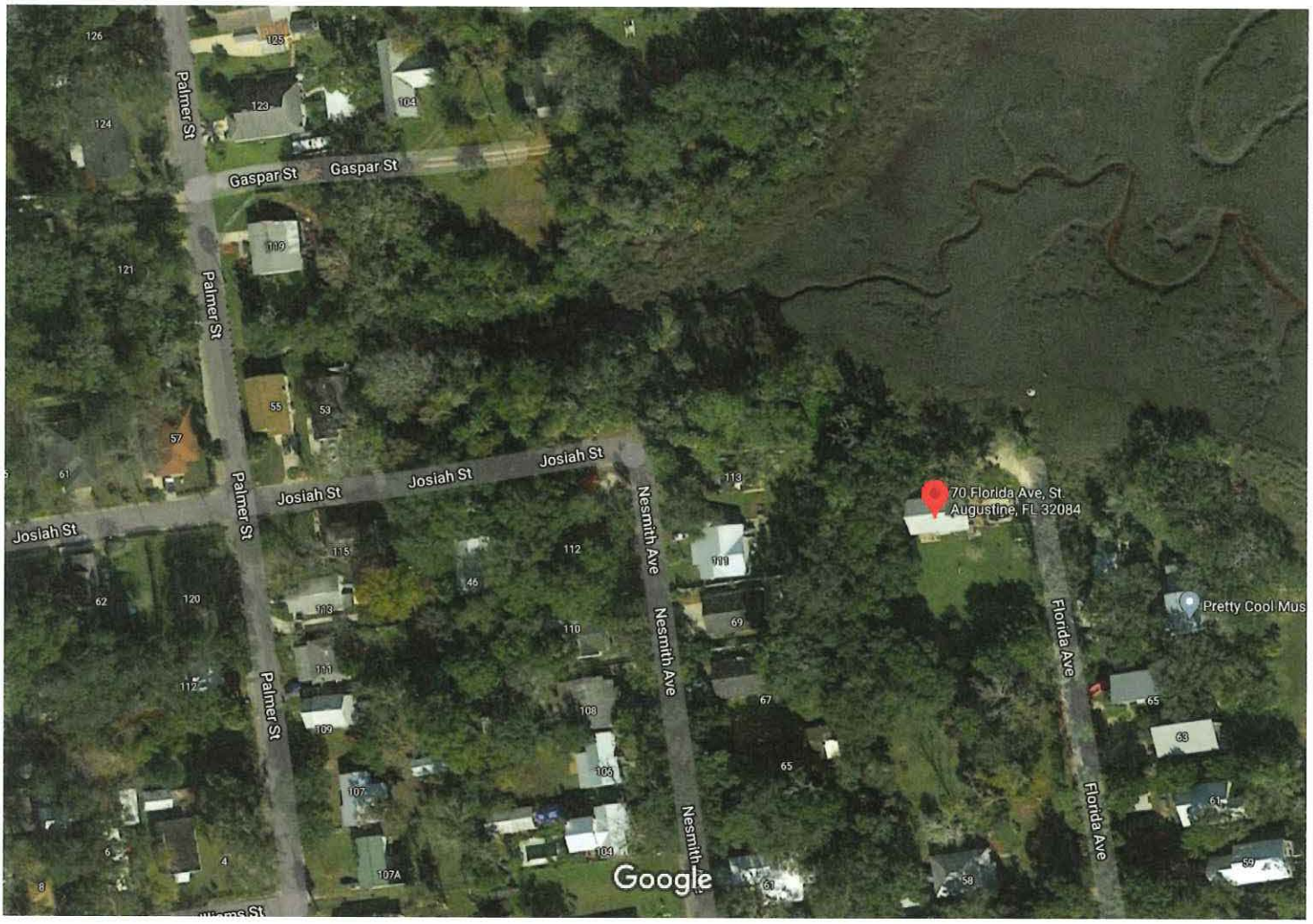
Date	Price	Reason	Qual
4/10/2020	$270000	37	U
n/a	0	n/a	n/a

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.

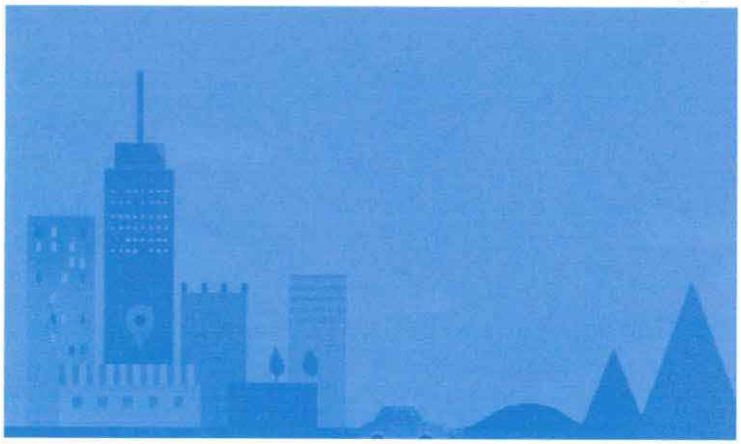
Date created: 3/8/2021
Last Data Uploaded: 3/6/2021 12:19:46 AM

Developed by Schneider GEOSPATIAL

Google Maps 70 Florida Ave



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 50 ft



70 Florida Ave

St. Augustine, FL 32084
Building

Directions Save Nearby Send to your phone Share

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: **CONSERVATION OVERLAY ZONE 2 DEVELOPMENT #2021-0040**

AGENDA ITEM	6(a)
APPLICANT	R. E. Chip Mitchell
OWNER	Eileen Alexon
LOCATION	70 Florida Ave / PIN 109290-0090
REQUEST	**To approve the construction of a retaining wall within Conservation Overlay Zone 2.**
LAND USE	Residential Medium Density
ZONING	Residential General-One (RG-1)

The board continued this case at the April 6, 2021 and June 1, 2021 meetings with a request for the following materials;

- A site plan with the wetlands delineation showing the jurisdictional wetlands line and the proposed retaining wall
- A topographic survey
- A drainage plan (pre and post development)
- Clarification of Sec. 11-29 (3) - Natural and proposed drainage patterns
- Clarification of Sec. 11-29(5) - Proposed soil stabilization and erosion control methods

As of the date of publication of this staff report, no new information has been submitted with this application.

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 2 includes all property one hundred (100) feet landward from the most restrictive boundary line establishing Conservation Overlay Zone 1. Zone 2 is the transition zone or buffer area between Zone 1 and Zone 3, and may include areas recognized as habitat for species considered endangered, threatened, of special concern, or unique by federal state and local agencies. The primary purpose of Zone 2 is to protect the functional integrity of Zone 1, and to protect Zone 3 from extreme high water conditions.

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 request is for a 150'-foot-long retaining wall along landward edge of the property line, moving inward to avoid marsh areas of the subject property. The existing right of way is unopened at the northern edge of the property See attachment 2 for the Conservation Overlay Zone graphics and response to the 16 criteria listed below. Attachment 3 contains photos of the site for context of the proposed retaining wall.

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

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

This property has an existing single family home.

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

This property is located along the San Sebastian River marshes and surrounded by single family residences.

(3) Natural and proposed drainage patterns.

Drainage on the lot sheet flows to the San Sebastian River. The proposed retaining wall will not alter this flow direction.

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

N/A

(5) Proposed soil stabilization and erosion control methods.

Silt fence will be installed landward of the wetland line to avoid impacts while constructing the proposed wall.

(6) Impact on floodplain.

N/A

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

It would be a minimal impact towards these communities as the wall will be placed on a single family lot located solely on the uplands.

(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, this wall will be placed on the upland portion of the property.

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

This project is meant as a measure to better control/reduce shoreline erosion.

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

Shoreline stabilization will affect 150 feet of shoreline along the lot, or 100% of the shoreline on the parcel.

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

100% of shoreline will have a retaining wall, 150 linear feet.

(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.)

Any temporarily disturbed earth will be surrounded by siltation fences to prevent turbid discharge. No long term water quality effects should be associated with the retaining wall.

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

N/A

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **DENY WITHOUT PREJUSTICE** the construction of a retaining wall within Conservation Overlay Zone 2 located at **70 Florida Ave / PIN 109290-0090.**

- If the property owner intends to pursue this project, a new application and fee for re-advertising the case is necessary as well as the board's approval to consider the case within one year of the board's denial of this application.

David Birchim

David Birchim, AICP
Director, Planning & Building Department

04/16/2021 09:13

RECEIVED
MAR 08 2021
Planning/Building Dept.

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $330 (plus advertising costs) Project Number: 2021-0040

Receipt Number: 2068092 Meeting Date: April 6, 2021

Advertising Costs: $ 44.55 Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: R. E. CHIP MITCHELL Contact Number: 904-993-2231
   Business (*if applicable*): DESIGNS FOR LIVING, LLC
   Address: 42287 MELROSE AVENUE City: JACKSONVILLE State: FL Zip: 32210
   E-Mail Address: customhomeplan@gmail.com

2. NAME OF PROPERTY OWNER: EILEEN ALEXON Contact Number: 904-233-3341
   Business (*if applicable*): CALIFORNIA TRENDS, LLC
   Address: 153 S ROSCOE BLVD City: PONTE VEDRA BEACH State: FL Zip: 32082
   E-Mail Address: ealexon@comcast.net

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 9, 10, 11, 12 Block: 36
   Subdivision: RAVENSWOOD Parcel Number: 109290-0090

4. PROJECT STREET ADDRESS: 70 FLORIDA AVENUE, ST. AUGUSTINE, FL

5. SPECIFIC PROPOSED USE: SINGLE FAMILY DWELLING

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

7. DESCRIPTION OF ACTION REQUESTED: THIS IS TO INSTALL A CMU RETAINING WALL USING TREMRON CONCRETE RETAINING WALL BLOCKS AND INSTALLING A SOIL BARRIER PER THE ATTACHED PLANS AND THUS ALLOWING THE SOIL TO BE RAISED TO HELP IN PROTECTION OF THE EXISTING PROPERTIES FROM MAJOR AND MINOR FLOODING EVENTS

8. JUSTIFICATION FOR ACTION REQUESTED: THIS PROPERTY HAS ALWAYS BEEN SUBJECT TO FLOODING DURING HIGH AND KING TIDE EVENTS AND ALSO TROPICAL STORM, NOREATER AND HURRICANE EVENTS. ALLOWING THIS RETAINING WALL WOULD PREVENT NITRATES AND HEAVY METALS FROM ENTERING THE MARSH AND CAUSING FURTHER ENVIRONMENTAL DAMAGE. THIS WOULD ALLOW THE PROPERTY TO BETTER WITHSTAND THESE FLOODING EVENTS IN THE FUTURE.

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:

NOT APPLICABLE

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

NOT APPLICABLE

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

NOT APPLICABLE

(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 APPLICABLE

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.

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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: 3-8-2021

Signature of Property Owner — Date: 3-8-2021

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.

R. E. CHIP MITCHELL

Print name of applicant

Signature of applicant

3/8/21

Date

CITY OF
ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

R. E. Chip Mitchell is/are hereby authorized TO ACT ON BEHALF OF California Trends, LLC, the owner(s) of those lands described within ☒ the attached application, or ☐ described within the previously filed Application number: _____, and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine's Planning & Zoning Board, located at: ALCAZAR ROOM, 75 KING ST., ST. AUGUSTINE, FL 32084

BY: _____
Signature of Owner

EILEEN ALEXON
Print Name of Owner

904-233-3341
Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 8th day of March, 2021.

By Eileen Alexon

Identification verified: FLDL

Oath sworn: X Yes ___ No

Notary Signature: _____ Brianna Singley

My Commission expires: 1/19/2025

BRIANNA SINGLEY
Notary Public
State of Florida
Comm# HH082342
Expires 1/19/2025

Rev:022117

St. Johns County, FL

Overview

Legend

☐ Parcels

Parcel ID	1092900090	**Physical Address**	70 FLORIDA AVE SAINT AUGUSTINE
Property Class	0100 - Single Family	**Mailing Address**	CALIFORNIA TRENDS LLC 153 S ROSCOE BLVD PONTE VEDRA BEACH FL 32082-0000
Taxing District	City of St Augustine		
Acres	0.72		

Building Value	$123,365
Extra Feature Value	N/A
Total Land Value	$126,956
Just Value	$250,321
Total Deferred	N/A
Assessed Value	$250,321
Total Exemptions	N/A
Taxable Value	$250,321

Last 2 Sales

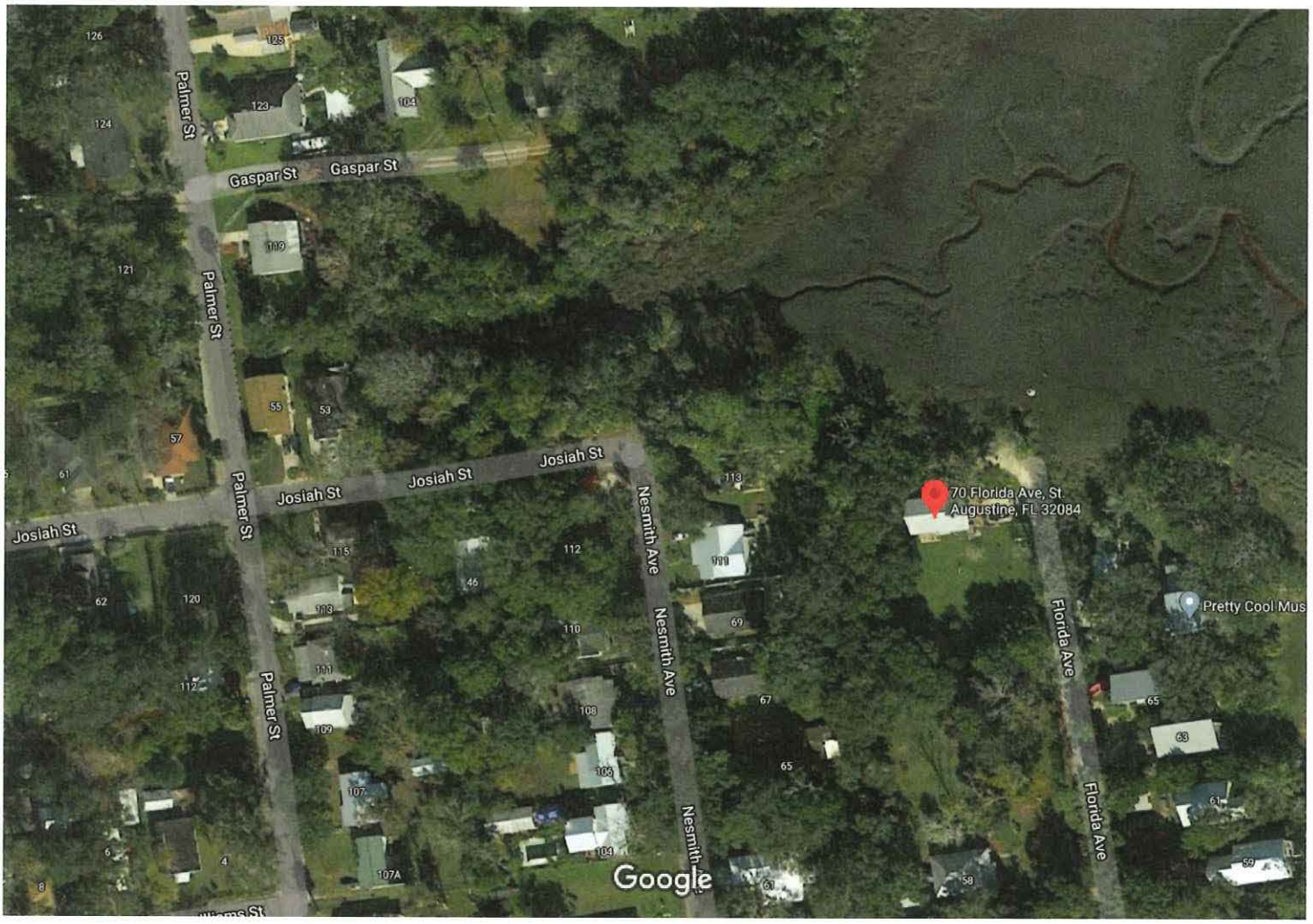
Date	Price	Reason	Qual
4/10/2020	$270000	37	U
n/a	0	n/a	n/a

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.

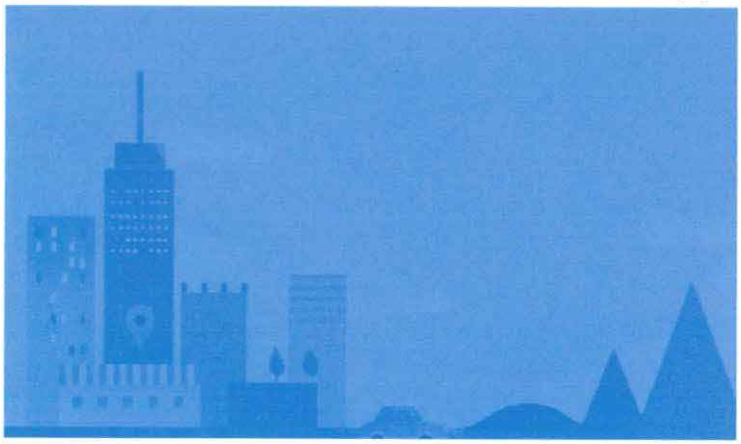
Date created: 3/8/2021
Last Data Uploaded: 3/6/2021 12:19:46 AM

Developed by Schneider GEOSPATIAL

Google Maps 70 Florida Ave



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 50 ft



70 Florida Ave

St. Augustine, FL 32084
Building

Directions Save Nearby Send to your phone Share

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: **CONSERVATION OVERLAY ZONE DEVELOPMENT #2021-0087**

AGENDA ITEM	6(b)
APPLICANT	Matt Lahti, PE Gulfstream Design Group, LLC
OWNER	St. Johns Housing Partnership, Inc.
LOCATION	111 Masters Drive
REQUEST	**To remove significant trees for the development of multi-family housing (affordable housing).**
PLANS DATED	June 4, 2021
LAND USE ZONING	Commercial Low Intensity Commercial Low-one (CL-1)

The applicant intends to remove 23 trees, 14 of which are pine or palm trees and 1 invasive camphor tree. Two (2) significant trees are to be removed as part of this project;

- a 28 inch (dbh) live oak tree identified as #8 on the site plan, this tree is located in the center of "Building 1"
- a 36 inch (dbh) laurel oak tree identified as #16 on the site plan, this tree is located in the parking lot, in front of "Building 2"

This tree removal may constitute the removal of more than 50% of the tree canopy.

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 of Review. *Staff review in Italics*

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

(1) Site specific conditions.
111 Masters Drive is a vacant lot on a commercial corridor that is adjacent to an established residential neighborhood.

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

(3) Natural and proposed drainage patterns.
The site has established drainage on site flows to city ROW.

(4) Effect of point and nonpoint discharge in the marine environment.
N/A

(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.
This request does impact existing, established vegetation on site. There are two (2) significant trees requested to be removed, there is a very large oak tree and a palm tree in the front yard that are not being removed. (see attached photo)

(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.

N/A

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

There are two (2) trees proposed for removal and there is a very large oak tree and a palm tree in the front yard that are being preserved.

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

The site and surrounding neighborhood are already developed and there will be no significant loss in habitat except from the removal of the trees on site.

(15) Impact of development on water quality.

N/A

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

N/A

(17) Specific conditions applicable to docks.

N/A

Conservation Overlay Zone 3 Development - To remove one (1) significant live oak (28" Live Oak) and 1 significant laurel oak (36" laurel oak).

(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.

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 report indicates live oak tree #8 *(28 inch dbh) is in good health and has a good structure with a codominant leader.*

   The arborist report indicates laural oak tree #16 *(36 inch dbh) is in poor health and has poor structure with "cavity/decay – Appears extensive"*

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

Tree #8 is located in the center of Building #1 and tree #16 is located in the parking lot infront of Building #2. This design can not avoid the removal of these two trees. Redesigning the site so that access is directly from Masters Drive may or may not be capable of saving tree #8, but it would result in an access point close to the intersection of Masters Drive and Theodore Street, which is not an ideal design alternative.

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.

The trees are located very close to existing homes and the removal of these two trees will not have any effect on erosion, soil moisture retention, diversion, surface waters or the city master drainage plan..

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 these two trees does not appear to significantly alter the area tree canopy.

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

These are two significant oak trees as identified in the tree survey and the arborist report.

Quercus hemisphaerica	oak, laurel	15 to 36
Quercus laurifolia	oak, laurel (swamp)	15 to 36
Quercus virginiana	oak, live (southern live oak)	18

f. Impact upon the urban and natural environment, including:
Ground and surface water stabilization. – *no impact*
Water quality and aquifer recharge. – *no impact*
Ecological impacts. – *The removal of the tree(s) will temporarily impact ecology.*
Noise pollution. – *The removal of the tree(s) should not increase noise pollution.*
Air movement. – *This project should not substantially impact air movement.*
Air quality. – *This project should not impact air quality.*
Wildlife habitat. – *The effect of tree (s) removal on wildlife habitat is marginal.*

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.

Tree #8 is located in the center of proposed Building #1 and tree #16 is located in the parking lot infront of proposed Building #2. This design can not avoid the removal of these two trees. Redesigning the site so that access is directly from Masters Drive may (or may not) be capable of saving tree #8, but it would result in an access point close to the intersection of Masters Drive and Theodore Street, which is not an ideal design alternative.

STAFF SUMMARY AND ANALYSIS

This application is for the removal of two (2) significant oak trees, a 28" (dbh) live oak tree and a 36" (dbh) laurel oak tree. According to the arborist report, the live oak tree is in good condition and the laurel oak tree is in poor condition.

A tree survey was submitted indicating the following;
The number of debits for tree removal is **– 29 debits.**
The number of credits for tree preservation is - **30 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** the removal of two (2) significant oak trees within Conservation Overlay Zone 3 located at **111 Masters Drive.**

David Birchim

David Birchim, AICP
Director, Planning & Building Department

06/24/2021 08:50

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $ 165 (plus advertising costs) Project Number: 2021-0087

Receipt Number: _____ Meeting Date: July 6, 2021

Advertising Costs: $ 29.05 Paid On: 6/11/21 Receipt Number: 2139104

---

1. NAME OF APPLICANT: Matt Lahti, P.E. Contact Number: 904-794-4231
   Business *(if applicable)*: Gulfstream Design Group, LLC
   Address: 906 Anastasia Blvd. Ste. A City: St. Augustine State: FL Zip: 32080
   E-Mail Address: matt@gulfstreamdesign.com

2. NAME OF PROPERTY OWNER: Bill Lazar Contact Number: 904-824-0902
   Business *(if applicable)*: St. Johns Housing Partnership Inc.
   Address: 525 W. KING STREET City: St. Augustine State: FL Zip: 32084
   E-Mail Address: Bill Lazar <blazar@sjhp.org>

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 103/105 Block: 59-F
   Subdivision: Ravenswood Parcel Number: 1101700000

4. PROJECT STREET ADDRESS: 111 MASTERS DR

5. SPECIFIC PROPOSED USE: Proposed Multi-Family Housing

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

7. DESCRIPTION OF ACTION REQUESTED: Removal of tree's consistent with the provided exhibit

8. JUSTIFICATION FOR ACTION REQUESTED:
   Property will be used to support affordable housing provided by a local business. Removal of tree's will allow for the most efficent use of the site. Other trees were preserved to the greatest possible extent.

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

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity:
The property is 0.36 acres, a small parcel with dense vegitation in the developable area, and is near the san sebastian river creating hardships on potential development in the area.

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property:
The owner has made reasonable use of the proposed site plan, avoiding significant trees where possible.

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant:
The owner has not created a site plan which would propose a large increase in density as compared to the surrounding area.

(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:
Application does not proposed variances to the proposed zoning, and the site plan is within the general charecter of the area, as is reflected by the plans.

10. PREVIOUS APPPLICATIONS:
Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?
☐ Yes ☐ No If yes, please give date and final disposition below.

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

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

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

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

Signature of Applicant — Date: 6/4/2021

Signature of Property Owner — Date: 6/4/21

CITY OF
STAUGUSTINE
EST. 1565

Owner's Authorization For Agent

Gulfstream Design Group is/are hereby authorized TO ACT ON BEHALF OF St Johns Housing Partnership, the owner(s) of those lands described within ☐ the attached application, or ☐ described within the previously filed Application number: PW 2021-1005, 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

Bill Lazar
Print Name of Owner

904-669-1069
Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 7th day of June, 2021

By Marissa D Vetter Marissa D. Vetter

Identification verified:

Oath sworn: ✓ Yes ____ No

MARISSA D. VETTER
Notary Public - State of Florida
Commission # HH 088952
My Comm. Expires Mar 10, 2025
Bonded through National Notary Assn.

Notary Signature: Marissa D Vetter

My Commission expires: March 10, 2025

Rev:022117

GULFSTREAM
DESIGN GROUP, LLC

LETTER OF AGENT AUTHORIZATION

Date: March 01, 2021
Project: 111 Masters Drive
GDG #: 20-028

To Whom It May Concern:

Please be advised that **Gulfstream Design Group, LLC** is hereby authorized to act on behalf of **St. Johns Housing Partnership, Inc.**, as the Civil Engineer for the above referenced project. In this regard, this letter authorizes, Gulfstream Design Group, LLC, to act as our agent for and with all regulatory agencies, including but not limited to: Florida Department of Environmental Protection, St. Johns River Water Management District, Florida Department of Transportation, as well as City of St. Augustine and St. Johns County departments and their respective personnel, in an effort to receive all governmental approvals and permits necessary for the construction and development of 111 Masters Drive project located in City of St. Augustine, Florida.

By: _____ Date: 3-3-21

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 3 day of March 2021 by Monika Steele. He/she is personally known to me or has produced DL # L260-934-56-106 as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 3 day of March, 2021.

Notary Public State of Florida
Monika Steele
My Commission HH 004851
Expires 05/28/2024

_____ My commission expires: 05-28-2024
Notary Public

St. Johns County, FL

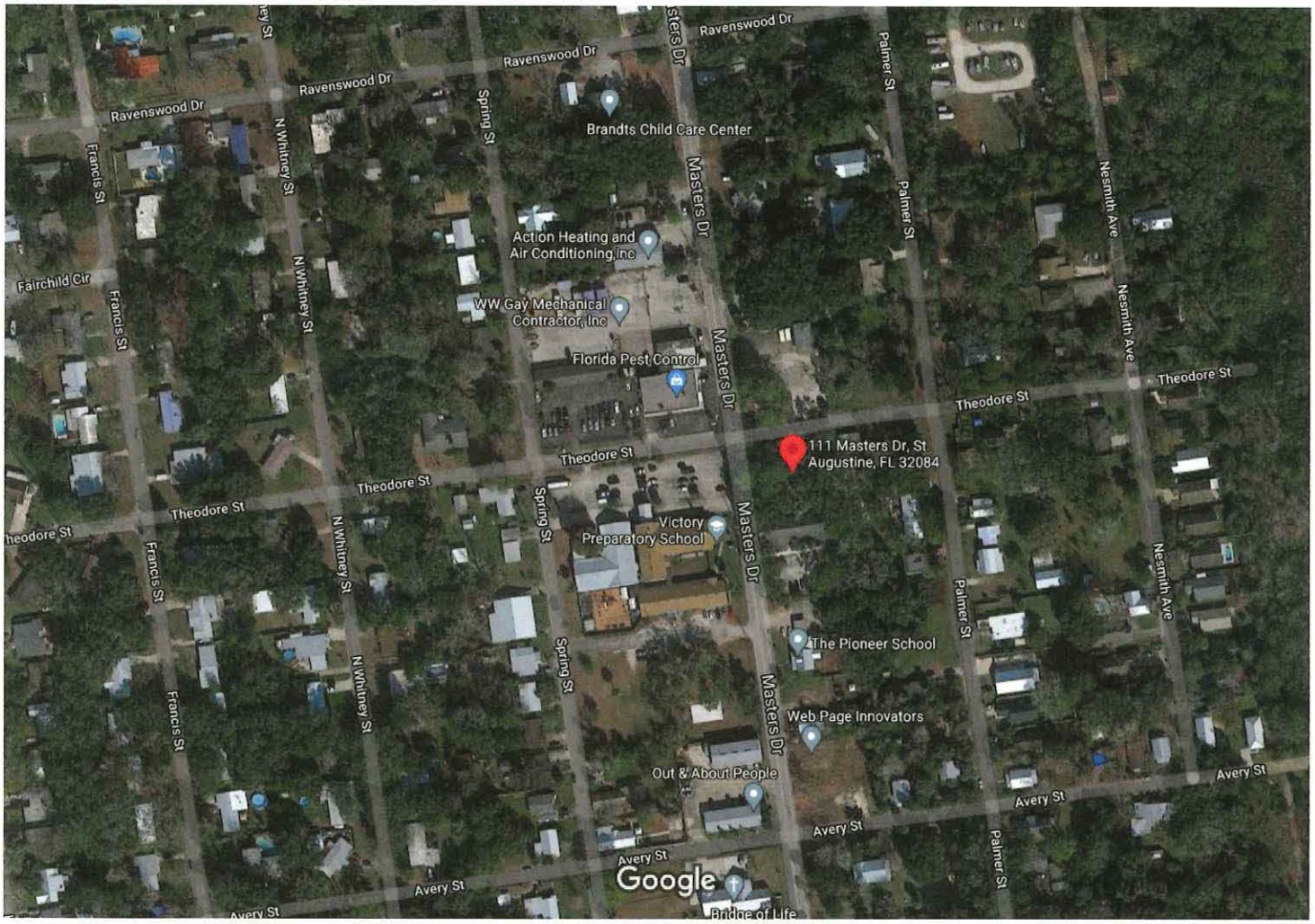
Parcel ID	1101700000	**Physical Address**	111 MASTERS DR SAINT AUGUSTINE	**Building Value**	$5,189	**Last 2 Sales**			
Property Class	0100 - Single Family		ST JOHNS HOUSING PARTNERSHIP INC	**Extra Feature Value**	N/A	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine	**Mailing Address**	PO BOX 1086 SAINT AUGUSTINE FL 32085-0000	**Total Land Value**	$110,250	9/16/2019	$110000	37	U
Acres	0.36			**Just Value**	$115,439	1/27/2006	$120000	01	Q
				Total Deferred	$37,441				
				Assessed Value	$77,998				
				Total Exemptions	$77,998				
				Taxable Value	N/A				

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: 6/8/2021
Last Data Uploaded: 6/8/2021 1:36:48 AM

Developed by Schneider GEOSPATIAL

Google Maps 111 Masters Dr

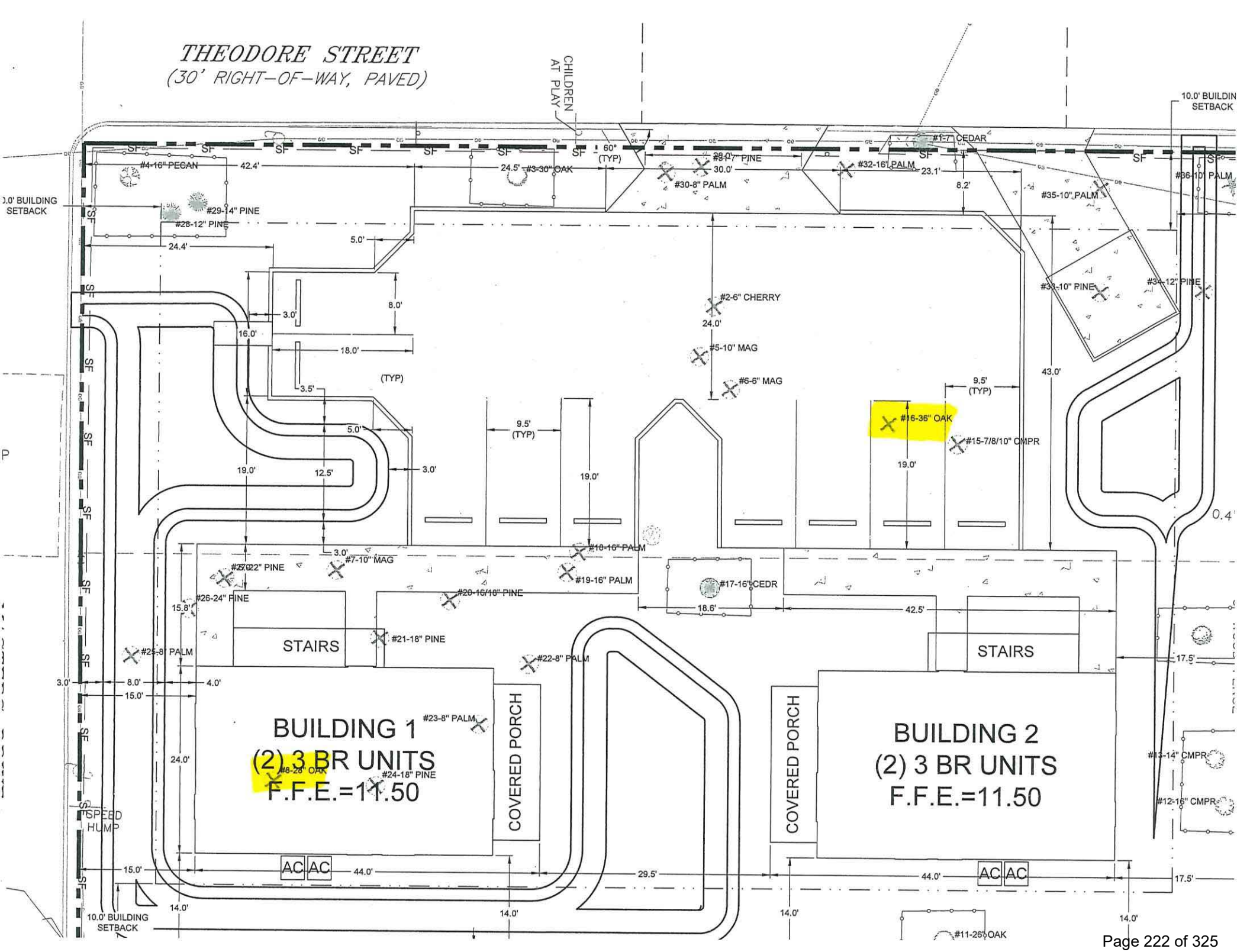


Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 100 ft

111 Masters Dr

Directions Save Nearby Send to your phone Share

111 Masters Dr, St. Augustine, FL 32084


THEODORE STREET
(30' RIGHT-OF-WAY, PAVED)
CHILDREN AT PLAY
10.0' BUILDING SETBACK
#1-7" CEDAR
#4-16" PECAN
#3-30" OAK
#31-7" PINE
#32-16" PALM
#30-8" PALM
#36-10" PALM
#35-10" PALM
#29-14" PINE
#28-12" PINE
#2-6" CHERRY
#33-10" PINE
#34-12" PINE
#5-10" MAG
#6-6" MAG
#16-36" OAK
#15-7/8/10" CMPR
#7-10" MAG
#10-16" PALM
#19-16" PALM
#17-16" CEDR
#26-16/18" PINE
#26-24" PINE
#25-8" PALM
STAIRS
#21-18" PINE
#22-8" PALM
#23-8" PALM
#8-28" OAK
#24-18" PINE
BUILDING 1
(2) 3 BR UNITS
F.F.E.=11.50
COVERED PORCH
BUILDING 2
(2) 3 BR UNITS
F.F.E.=11.50
#13-14" CMPR
#12-16" CMPR
#11-26" OAK
SPEED HUMP
AC
10.0' BUILDING SETBACK

EXISTING PROPERTY LINE

EXISTING R/W LINE

SF — SILT FENCE

EXISTING TREE TO BE REMOVED

TREE	SPECIES	DIAM	PRESERVED/ CREDIT	REMOVED/ DEBIT	NOTE
1	RED CEDAR	7			LOCATED OFFSITE
2	CHERRY LAUREL	6		0.5	SPECIES DISCREPANCY BETWEEN SURVEY & ARBORIST REPORT
3	LIVE OAK	30	4		
4	ELM	20	4		SPECIES DISCREPANCY BETWEEN SURVEY & ARBORIST REPORT
5	MAGNOLIA	10		1	
6	MAGNOLIA	10		1	
7	MAGNOLIA	10		1	
8	LIVE OAK	28		2	
9	LIVE OAK	15			LOCATED OFFSITE
10	MAGNOLIA	26			LOCATED OFFSITE
11	LIVE OAK	26	4		
12	CAMPHOR	16	3		
13	CAMPHOR	14	3		
14	MAGNOLIA	14	3		
15	CAMPHOR	15		0	INVASIVE, NO DEBIT ALLOCATED
16	LAUREL OAK	36		2	
17	RED CEDAR	17	1		
18	PALM	16		1.5	
19	PALM	16		1.5	
20	PINE	18		1.5	
21	PINE	18		1.5	
22	PALM	8		1	
23	PALM	8		1	
24	PINE	18		1.5	
25	PALM	8		1	
26	PINE	24		2	
27	PINE	22		2	
28	PINE	12	3		
29	PINE	14	3		
30	PALM	8		1	
31	PINE	7		1	
32	PALM	16		1.5	
33	PINE	10		1	
34	PINE	12		1.5	
35	PALM	10		1	
36	PALM	10	2		
	TOTAL		30	29	

TOTAL RETAINED CREDITS -REMOVED DEBITS = 1 EXCESS CREDITS

THEREFORE, NO TREE MITIGATION IS REQUIRED.

NO.	1	2	3	4	5	6	7	8	9

ENGINEERING PLANS FOR 111 MASTERS DRIVE SITE PLAN TREE EXHIBIT

ST. AUGUSTINE, FLORIDA

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

PERMIT REVIEW PLANS

GULFSTREAM DESIGN GROUP, LLC

CA #30431
906 ANASTASIA BLVD., STE. A
ST. AUGUSTINE, FLORIDA 32080
904.794.4231
matt@gulfstreamdesign.com

© GULFSTREAM DESIGN GROUP, LLC 2020

PROJECT NO:	20-026
ISSUE DATE:	06-25-21
DRAFTED BY:	JGD
DESIGNED BY:	TVB
CHECKED BY:	MHL

NOT VALID WITHOUT SEAL

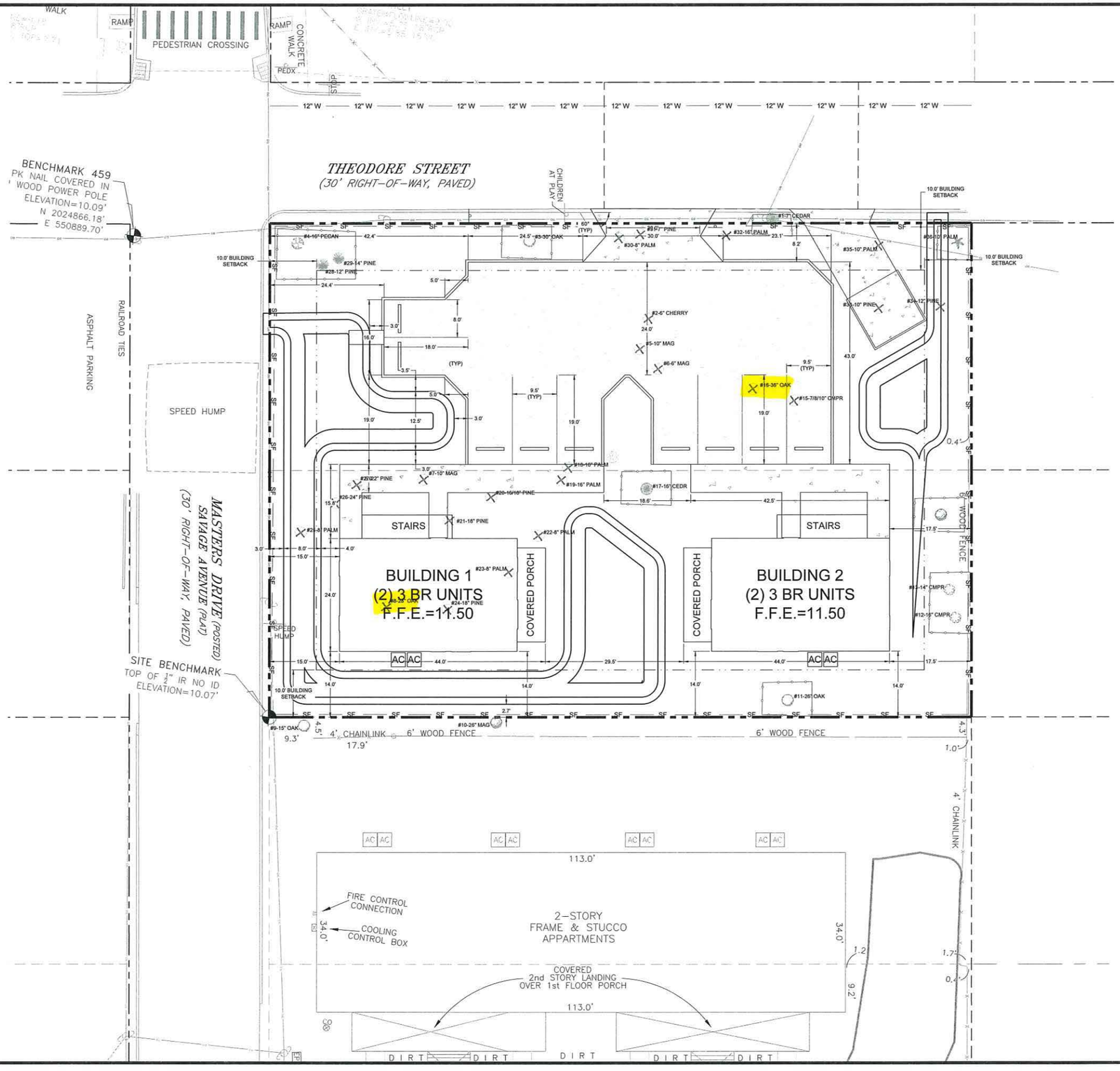
Bill Lazar
111 Masters Drive

March 12, 2020

Tree #	Species	DBH	Health	Structure	Conflicts	Root Treatment	Observations	Observations	Notes
1	Red cedar, Southern	7	Good	Fair	Adjacent to infrastructure - utility post				
2	Cherry Laurel	6	Fair	Fair			Crowded by nearby larger magnolia.	Sparse foliage	
3	Oak, Live	30	Good	Good		Geogrid-stone root protection			
4	Elm, American	20	Fair	Fair	Power line		Codominant Leaders w Included Bark		
5	Magnolia, Southern	10	Good	Good					
6	Magnolia, Southern	10	Poor	Fair			Small Crown to Trunk Ratio	Sparse foliage	
7	Magnolia, Southern	10	Good	Good					
8	Oak, Live	28	Good	Good			Codominant Leaders w/o Included Bark		
9	Oak, Live	15	Fair	Good			Crowded by adjacent trees	Dead Branches < 10%	
10	Magnolia, Southern	26	Good	Good					
11	Oak, Live	26	Good	Good					
12	Camphor	16	Good	Good			Invasive species		

Chuck Lippi
ISA Board Certified Master Arborist

Tree #	Species	DBH	Health	Structure	Conflicts	Root Treatment	Observations	Observations	Notes
13	Camphor	14	Good	Good			Invasive species		
14	Magnolia, Southern	14	Good	Good					
15	Camphor	15	Good	Good			Invasive species		
16	Oak, Laurel	36	Poor	Poor			Cavity/Decay - Appears Extensive		
17	Red cedar, Southern	17	Good	Good	Adjacent to building/infra structure footprint	Geogrid-stone root protection			Not on drawing



GRAPHIC SCALE

0 10 15 20

1"=10'

LEGEND

- EXISTING PROPERTY LINE
- EXISTING R/W LINE
- SF — SILT FENCE
- EXISTING TREE TO BE REMOVED

TREE	SPECIES	DIAM	PRESERVED/ CREDIT	REMOVED/ DEBIT	NOTE
1	RED CEDAR	7			LOCATED OFFSITE
2	CHERRY LAUREL	6		0.5	SPECIES DISCREPANCY BETWEEN SURVEY & ARBORIST REPORT
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11	LIVE OAK	26	4		
12	CAMPHOR	16	3		
13	CAMPHOR	14	3		
14	MAGNOLIA	14	3		
15	CAMPHOR	15		0	INVASIVE, NO DEBIT ALLOCATED
16	LAUREL OAK	36		2	
17	RED CEDAR	17	1		
18	PALM	16		1.5	
19	PALM	16		1.5	
20	PINE	18		1.5	
21	PINE	18		1.5	
22	PALM	8		1	
23	PALM	8		1	
24	PINE	18		1.5	
25	PALM	8		1	
26	PINE	24		2	
27	PINE	22		2	
28	PINE	12	3		
29	PINE	14	3		
30	PALM	8		1	
31	PINE	7		1	
32	PALM	16		1.5	
33	PINE	10		1	
34	PINE	12		1.5	
35	PALM	10		1	
36	PALM	10	2		
	TOTAL		30	29	

TOTAL RETAINED CREDITS -REMOVED DEBITS = 1 EXCESS CREDITS
THEREFORE, NO TREE MITIGATION IS REQUIRED.

REVISIONS

NO.	DATE	BY	DESCRIPTION
1	04/05/2021	TVB	PER CITY COMMENTS AND CLIENT REQUEST
2	05/05/2021	TVB	PER CITY COMMENTS
3	06/25/2021	TVB	TREE EXHIBIT
4			
5			
6			
7			
8			
9			

ENGINEERING PLANS
FOR
111 MASTERS DRIVE
SITE PLAN TREE EXHIBIT
ST. AUGUSTINE, FLORIDA

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

PERMIT REVIEW PLANS

GULFSTREAM DESIGN GROUP, LLC
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ST. AUGUSTINE, FLORIDA 32080
904.794.4231
matt@gulfstreamdesign.com
© GULFSTREAM DESIGN GROUP, LLC 2020

PROJECT NO:	20-028
ISSUE DATE:	06-25-21
DRAFTED BY:	JGD
DESIGNED BY:	TVB
CHECKED BY:	MHL

NOT VALID WITHOUT SEAL

1 OF 1

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: July 6, 2021

RE: **CONSERVATION OVERLAY ZONE DEVELOPMENT #2021-0087**

AGENDA ITEM	6(b)
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OWNER	St. Johns Housing Partnership, Inc.
LOCATION	111 Masters Drive
REQUEST	**To remove significant trees for the development of multi-family housing (affordable housing).**
PLANS DATED	June 4, 2021
LAND USE ZONING	Commercial Low Intensity Commercial Low-one (CL-1)

The applicant intends to remove 23 trees, 14 of which are pine or palm trees and 1 invasive camphor tree. Two (2) significant trees are to be removed as part of this project;

- a 28 inch (dbh) live oak tree identified as #8 on the site plan, this tree is located in the center of "Building 1"
- a 36 inch (dbh) laurel oak tree identified as #16 on the site plan, this tree is located in the parking lot, in front of "Building 2"

This tree removal may constitute the removal of more than 50% of the tree canopy.

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 of Review. *Staff review in Italics*

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

(1) Site specific conditions.
111 Masters Drive is a vacant lot on a commercial corridor that is adjacent to an established residential neighborhood.

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

(3) Natural and proposed drainage patterns.
The site has established drainage on site flows to city ROW.

(4) Effect of point and nonpoint discharge in the marine environment.
N/A

(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.
This request does impact existing, established vegetation on site. There are two (2) significant trees requested to be removed, there is a very large oak tree and a palm tree in the front yard that are not being removed. (see attached photo)

(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.

N/A

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

There are two (2) trees proposed for removal and there is a very large oak tree and a palm tree in the front yard that are being preserved.

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

The site and surrounding neighborhood are already developed and there will be no significant loss in habitat except from the removal of the trees on site.

(15) Impact of development on water quality.

N/A

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

N/A

(17) Specific conditions applicable to docks.

N/A

Conservation Overlay Zone 3 Development - To remove one (1) significant live oak (28" Live Oak) and 1 significant laurel oak (36" laurel oak).

(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.

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 report indicates live oak tree #8 *(28 inch dbh) is in good health and has a good structure with a codominant leader.*

   The arborist report indicates laural oak tree #16 *(36 inch dbh) is in poor health and has poor structure with "cavity/decay – Appears extensive"*

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

Tree #8 is located in the center of Building #1 and tree #16 is located in the parking lot infront of Building #2. This design can not avoid the removal of these two trees. Redesigning the site so that access is directly from Masters Drive may or may not be capable of saving tree #8, but it would result in an access point close to the intersection of Masters Drive and Theodore Street, which is not an ideal design alternative.

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.

The trees are located very close to existing homes and the removal of these two trees will not have any effect on erosion, soil moisture retention, diversion, surface waters or the city master drainage plan..

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 these two trees does not appear to significantly alter the area tree canopy.

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

These are two significant oak trees as identified in the tree survey and the arborist report.

Quercus hemisphaerica	oak, laurel	15 to 36
Quercus laurifolia	oak, laurel (swamp)	15 to 36
Quercus virginiana	oak, live (southern live oak)	18

f. Impact upon the urban and natural environment, including:
Ground and surface water stabilization. – *no impact*
Water quality and aquifer recharge. – *no impact*
Ecological impacts. – *The removal of the tree(s) will temporarily impact ecology.*
Noise pollution. – *The removal of the tree(s) should not increase noise pollution.*
Air movement. – *This project should not substantially impact air movement.*
Air quality. – *This project should not impact air quality.*
Wildlife habitat. – *The effect of tree (s) removal on wildlife habitat is marginal.*

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.

Tree #8 is located in the center of proposed Building #1 and tree #16 is located in the parking lot infront of proposed Building #2. This design can not avoid the removal of these two trees. Redesigning the site so that access is directly from Masters Drive may (or may not) be capable of saving tree #8, but it would result in an access point close to the intersection of Masters Drive and Theodore Street, which is not an ideal design alternative.

STAFF SUMMARY AND ANALYSIS

This application is for the removal of two (2) significant oak trees, a 28" (dbh) live oak tree and a 36" (dbh) laurel oak tree. According to the arborist report, the live oak tree is in good condition and the laurel oak tree is in poor condition.

A tree survey was submitted indicating the following;
The number of debits for tree removal is **– 29 debits.**
The number of credits for tree preservation is - **30 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** the removal of two (2) significant oak trees within Conservation Overlay Zone 3 located at **111 Masters Drive.**

David Birchim

David Birchim, AICP
Director, Planning & Building Department

06/24/2021 08:50

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $ 165 (plus advertising costs) Project Number: 2021-0087

Receipt Number: _____ Meeting Date: July 6, 2021

Advertising Costs: $ 29.05 Paid On: 6/11/21 Receipt Number: 2139104

---

1. NAME OF APPLICANT: Matt Lahti, P.E. Contact Number: 904-794-4231
   Business *(if applicable)*: Gulfstream Design Group, LLC
   Address: 906 Anastasia Blvd. Ste. A City: St. Augustine State: FL Zip: 32080
   E-Mail Address: matt@gulfstreamdesign.com

2. NAME OF PROPERTY OWNER: Bill Lazar Contact Number: 904-824-0902
   Business *(if applicable)*: St. Johns Housing Partnership Inc.
   Address: 525 W. KING STREET City: St. Augustine State: FL Zip: 32084
   E-Mail Address: Bill Lazar <blazar@sjhp.org>

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: 103/105 Block: 59-F
   Subdivision: Ravenswood Parcel Number: 1101700000

4. PROJECT STREET ADDRESS: 111 MASTERS DR

5. SPECIFIC PROPOSED USE: Proposed Multi-Family Housing

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

7. DESCRIPTION OF ACTION REQUESTED: Removal of tree's consistent with the provided exhibit

8. JUSTIFICATION FOR ACTION REQUESTED:
   Property will be used to support affordable housing provided by a local business. Removal of tree's will allow for the most efficent use of the site. Other trees were preserved to the greatest possible extent.

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

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity:
The property is 0.36 acres, a small parcel with dense vegitation in the developable area, and is near the san sebastian river creating hardships on potential development in the area.

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property:
The owner has made reasonable use of the proposed site plan, avoiding significant trees where possible.

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant:
The owner has not created a site plan which would propose a large increase in density as compared to the surrounding area.

(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:
Application does not proposed variances to the proposed zoning, and the site plan is within the general charecter of the area, as is reflected by the plans.

10. PREVIOUS APPPLICATIONS:
Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?
☐ Yes ☐ No If yes, please give date and final disposition below.

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

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

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

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

Signature of Applicant — Date: 6/4/2021

Signature of Property Owner — Date: 6/4/21

CITY OF
ST AUGUSTINE
EST. 1565

Owner's Authorization For Agent

Gulfstream Design Group is/are hereby authorized TO ACT ON BEHALF OF St Johns Housing Partnership, the owner(s) of those lands described within ☐ the attached application, or ☐ described within the previously filed Application number: PW 2021-1005, 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

Bill Lazar
Print Name of Owner

904-669-1069
Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 7th day of June, 2021

By Marissa D Vetter Marissa D. Vetter

Identification verified:

Oath sworn: ✓ Yes ____ No

MARISSA D. VETTER
Notary Public - State of Florida
Commission # HH 088952
My Comm. Expires Mar 10, 2025
Bonded through National Notary Assn.

Notary Signature: Marissa D Vetter

My Commission expires: March 10, 2025

Rev:022117

GULFSTREAM
DESIGN GROUP, LLC

LETTER OF AGENT AUTHORIZATION

Date: March 01, 2021
Project: 111 Masters Drive
GDG #: 20-028

To Whom It May Concern:

Please be advised that **Gulfstream Design Group, LLC** is hereby authorized to act on behalf of **St. Johns Housing Partnership, Inc.**, as the Civil Engineer for the above referenced project. In this regard, this letter authorizes, Gulfstream Design Group, LLC, to act as our agent for and with all regulatory agencies, including but not limited to: Florida Department of Environmental Protection, St. Johns River Water Management District, Florida Department of Transportation, as well as City of St. Augustine and St. Johns County departments and their respective personnel, in an effort to receive all governmental approvals and permits necessary for the construction and development of 111 Masters Drive project located in City of St. Augustine, Florida.

By: _____ Date: 3-3-21

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 3 day of March 2021 by Monika Steele. He/she is personally known to me or has produced DL # L260-934-56-106 as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 3 day of March, 2021.

Notary Public State of Florida
Monika Steele
My Commission HH 004851
Expires 05/28/2024

_____ My commission expires: 05-28-2024
Notary Public

St. Johns County, FL

Parcel ID	1101700000	**Physical Address**	111 MASTERS DR SAINT AUGUSTINE
Property Class	0100 - Single Family	**Mailing Address**	ST JOHNS HOUSING PARTNERSHIP INC PO BOX 1086 SAINT AUGUSTINE FL 32085-0000
Taxing District	City of St Augustine		
Acres	0.36		

Building Value	$5,189
Extra Feature Value	N/A
Total Land Value	$110,250
Just Value	$115,439
Total Deferred	$37,441
Assessed Value	$77,998
Total Exemptions	$77,998
Taxable Value	N/A

Last 2 Sales

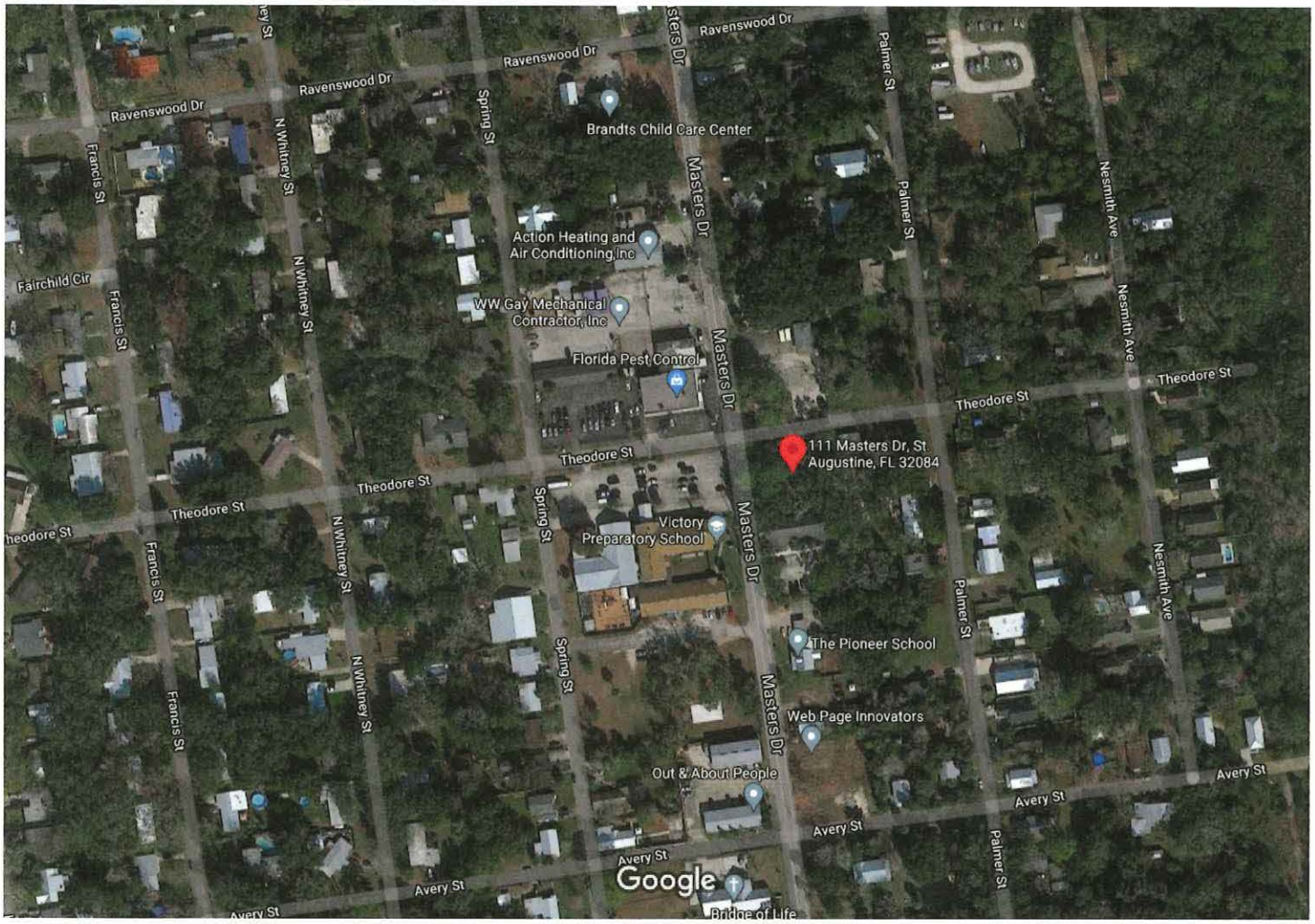
Date	Price	Reason	Qual
9/16/2019	$110000	37	U
1/27/2006	$120000	01	Q

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: 6/8/2021
Last Data Uploaded: 6/8/2021 1:36:48 AM

Developed by Schneider GEOSPATIAL

Google Maps 111 Masters Dr

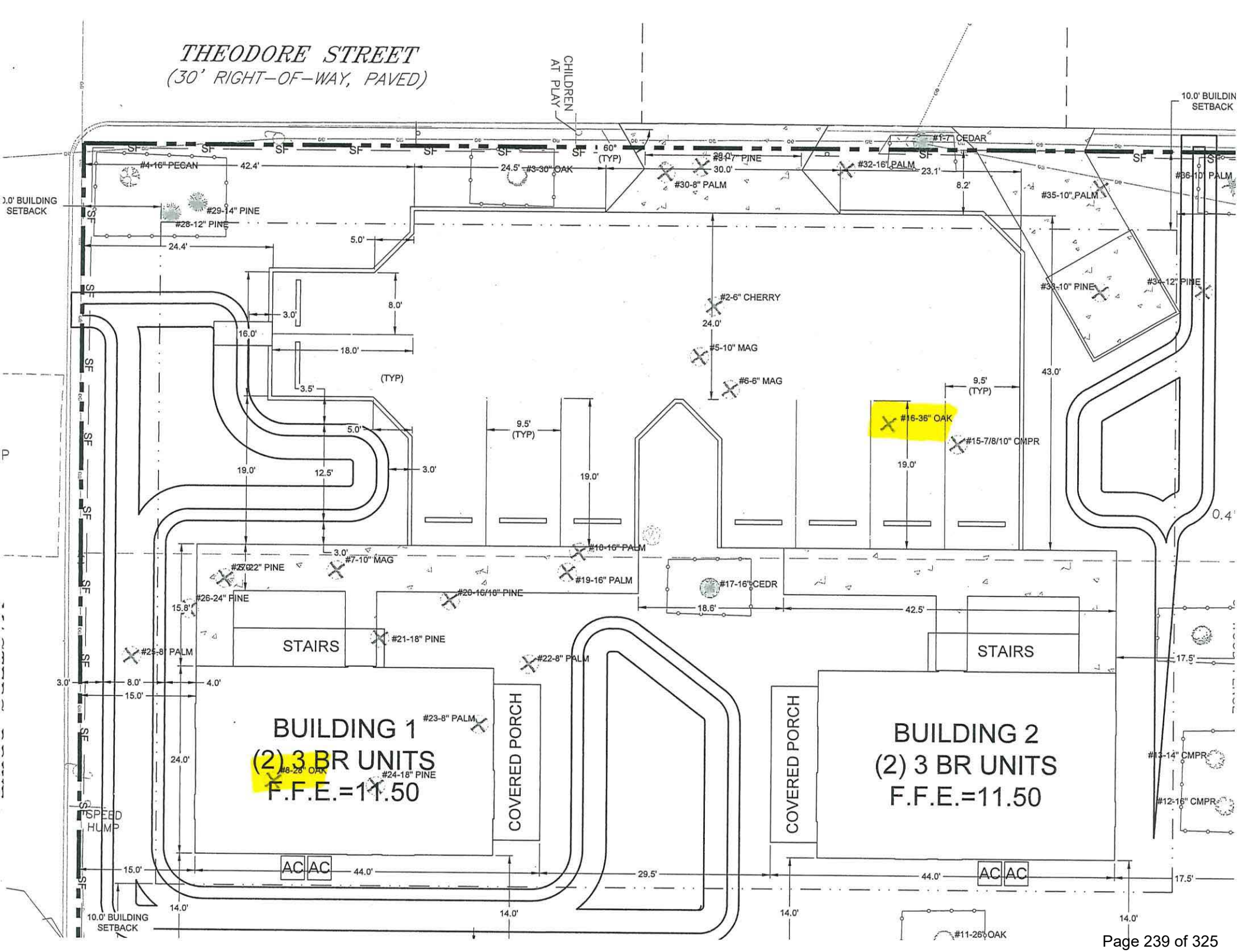


Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 100 ft

111 Masters Dr

Directions Save Nearby Send to your phone Share

111 Masters Dr, St. Augustine, FL 32084


THEODORE STREET
(30' RIGHT-OF-WAY, PAVED)
CHILDREN AT PLAY
10.0' BUILDING SETBACK
#1-7" CEDAR
#4-16" PECAN
#3-30" OAK
#8-17" PINE
#32-16" PALM
#30-8" PALM
#36-10" PALM
#35-10" PALM
#29-14" PINE
#28-12" PINE
#2-6" CHERRY
#33-10" PINE
#34-12" PINE
#5-10" MAG
#6-6" MAG
#16-36" OAK
#15-7/8/10" CMPR
#10-16" PALM
#7-10" MAG
#27-22" PINE
#19-16" PALM
#17-16" CEDR
#26-16/18" PINE
#26-24" PINE
#25-8" PALM
STAIRS
#21-18" PINE
#22-8" PALM
#23-8" PALM
#8-28" OAK
#24-18" PINE
BUILDING 1
(2) 3 BR UNITS
F.F.E.=11.50
COVERED PORCH
BUILDING 2
(2) 3 BR UNITS
F.F.E.=11.50
SPEED HUMP
AC
#13-14" CMPR
#12-16" CMPR
#11-26" OAK

EXISTING PROPERTY LINE

EXISTING R/W LINE

SF — SILT FENCE

EXISTING TREE TO BE REMOVED

TREE	SPECIES	DIAM	PRESERVED/ CREDIT	REMOVED/ DEBIT	NOTE
1	RED CEDAR	7			LOCATED OFFSITE
2	CHERRY LAUREL	6		0.5	SPECIES DISCREPANCY BETWEEN SURVEY & ARBORIST REPORT
3	LIVE OAK	30	4		
4	ELM	20	4		SPECIES DISCREPANCY BETWEEN SURVEY & ARBORIST REPORT
5	MAGNOLIA	10		1	
6	MAGNOLIA	10		1	
7	MAGNOLIA	10		1	
8	LIVE OAK	28		2	
9	LIVE OAK	15			LOCATED OFFSITE
10	MAGNOLIA	26			LOCATED OFFSITE
11	LIVE OAK	26	4		
12	CAMPHOR	16	3		
13	CAMPHOR	14	3		
14	MAGNOLIA	14	3		
15	CAMPHOR	15		0	INVASIVE, NO DEBIT ALLOCATED
16	LAUREL OAK	36		2	
17	RED CEDAR	17	1		
18	PALM	16		1.5	
19	PALM	16		1.5	
20	PINE	18		1.5	
21	PINE	18		1.5	
22	PALM	8		1	
23	PALM	8		1	
24	PINE	18		1.5	
25	PALM	8		1	
26	PINE	24		2	
27	PINE	22		2	
28	PINE	12	3		
29	PINE	14	3		
30	PALM	8		1	
31	PINE	7		1	
32	PALM	16		1.5	
33	PINE	10		1	
34	PINE	12		1.5	
35	PALM	10		1	
36	PALM	10	2		
	TOTAL		30	29	

TOTAL RETAINED CREDITS -REMOVED DEBITS = 1 EXCESS CREDITS

THEREFORE, NO TREE MITIGATION IS REQUIRED.

NO.								
	1	2	3	4	5	6	7	8

ENGINEERING PLANS FOR 111 MASTERS DRIVE SITE PLAN TREE EXHIBIT

ST. AUGUSTINE, FLORIDA

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

PERMIT REVIEW PLANS

GULFSTREAM DESIGN GROUP, LLC

CA #30431
906 ANASTASIA BLVD., STE. A
ST. AUGUSTINE, FLORIDA 32080
904.794.4231
matt@gulfstreamdesign.com

© GULFSTREAM DESIGN GROUP, LLC 2020

PROJECT NO:	20-026
ISSUE DATE:	06-25-21
DRAFTED BY:	JGD
DESIGNED BY:	TVB
CHECKED BY:	MHL

NOT VALID WITHOUT SEAL

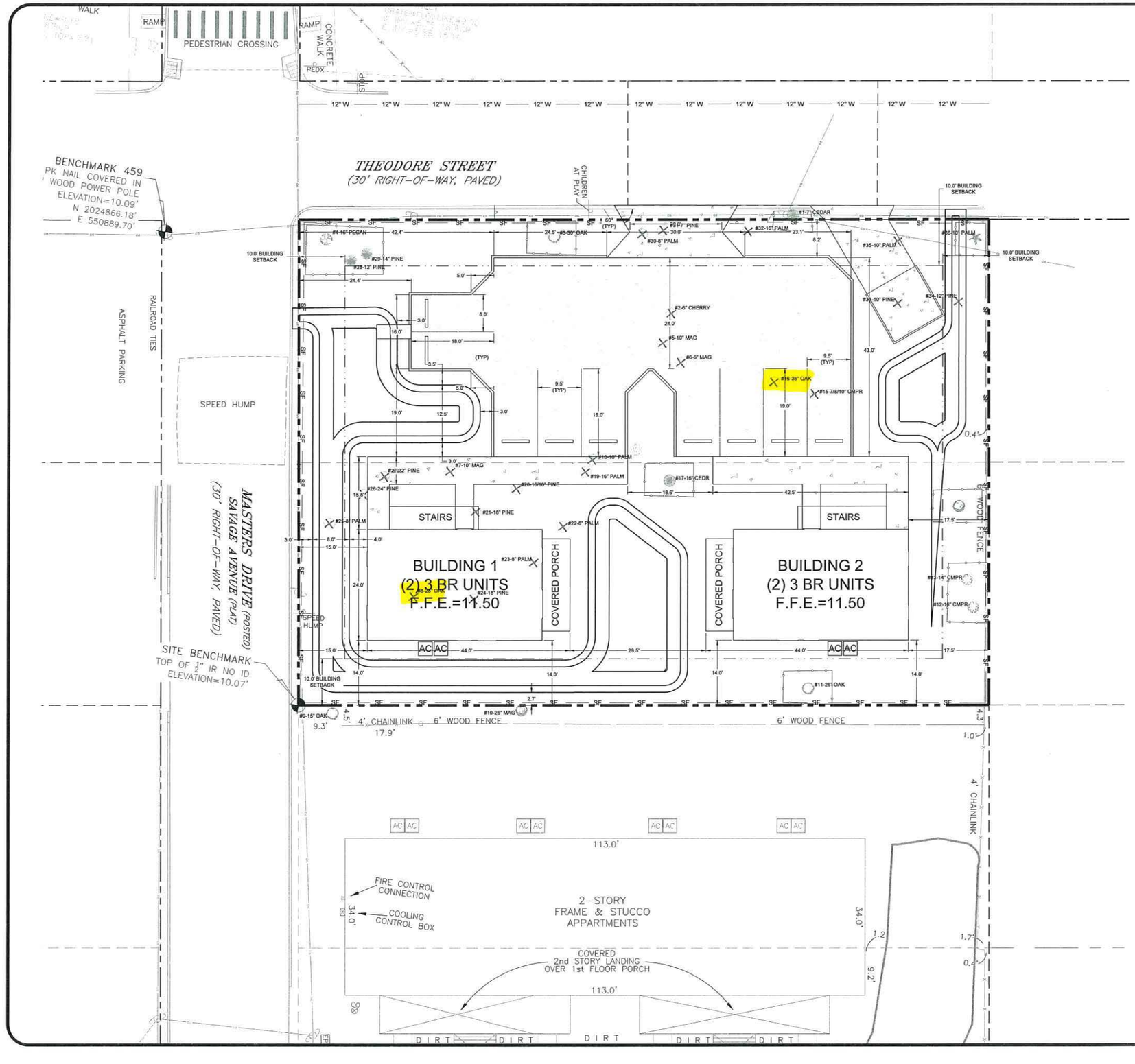
Bill Lazar
111 Masters Drive

March 12, 2020

Tree #	Species	DBH	Health	Structure	Conflicts	Root Treatment	Observations	Observations	Notes
1	Red cedar, Southern	7	Good	Fair	Adjacent to infrastructure - utility post				
2	Cherry Laurel	6	Fair	Fair			Crowded by nearby larger magnolia.	Sparse foliage	
3	Oak, Live	30	Good	Good		Geogrid-stone root protection			
4	Elm, American	20	Fair	Fair	Power line		Codominant Leaders w Included Bark		
5	Magnolia, Southern	10	Good	Good					
6	Magnolia, Southern	10	Poor	Fair			Small Crown to Trunk Ratio	Sparse foliage	
7	Magnolia, Southern	10	Good	Good					
8	Oak, Live	28	Good	Good			Codominant Leaders w/o Included Bark		
9	Oak, Live	15	Fair	Good			Crowded by adjacent trees	Dead Branches < 10%	
10	Magnolia, Southern	26	Good	Good					
11	Oak, Live	26	Good	Good					
12	Camphor	16	Good	Good			Invasive species		

Chuck Lippi
ISA Board Certified Master Arborist

Tree #	Species	DBH	Health	Structure	Conflicts	Root Treatment	Observations	Observations	Notes
13	Camphor	14	Good	Good			Invasive species		
14	Magnolia, Southern	14	Good	Good					
15	Camphor	15	Good	Good			Invasive species		
16	Oak, Laurel	36	Poor	Poor			Cavity/Decay - Appears Extensive		
17	Red cedar, Southern	17	Good	Good	Adjacent to building/infra structure footprint	Geogrid-stone root protection			Not on drawing



GRAPHIC SCALE

0 10 15 20

1"=10'

LEGEND

- EXISTING PROPERTY LINE
- EXISTING R/W LINE
- SF — SILT FENCE
- EXISTING TREE TO BE REMOVED

TREE	SPECIES	DIAM	PRESERVED/ CREDIT	REMOVED/ DEBIT	NOTE
1	RED CEDAR	7			LOCATED OFFSITE
2	CHERRY LAUREL	6		0.5	SPECIES DISCREPANCY BETWEEN SURVEY & ARBORIST REPORT
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13	CAMPHOR	14	3		
14	MAGNOLIA	14	3		
15	CAMPHOR	15		0	INVASIVE, NO DEBIT ALLOCATED
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18	PALM	16		1.5	
19	PALM	16		1.5	
20	PINE	18		1.5	
21	PINE	18		1.5	
22	PALM	8		1	
23	PALM	8		1	
24	PINE	18		1.5	
25	PALM	8		1	
26	PINE	24		2	
27	PINE	22		2	
28	PINE	12	3		
29	PINE	14	3		
30	PALM	8		1	
31	PINE	7		1	
32	PALM	16		1.5	
33	PINE	10		1	
34	PINE	12		1.5	
35	PALM	10		1	
36	PALM	10	2		
	TOTAL		30	29	

TOTAL RETAINED CREDITS -REMOVED DEBITS = 1 EXCESS CREDITS
THEREFORE, NO TREE MITIGATION IS REQUIRED.

REVISIONS

NO.	DATE	BY	DESCRIPTION
1	04/05/2021	TVB	PER CITY COMMENTS AND CLIENT REQUEST
2	05/05/2021	TVB	PER CITY COMMENTS
3	06/25/2021	TVB	TREE EXHIBIT
4			
5			
6			
7			
8			
9			

ENGINEERING PLANS
FOR
111 MASTERS DRIVE
SITE PLAN TREE EXHIBIT
ST. AUGUSTINE, FLORIDA

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

PERMIT REVIEW PLANS

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matt@gulfstreamdesign.com
© GULFSTREAM DESIGN GROUP, LLC 2020

PROJECT NO:	20-028
ISSUE DATE:	06-25-21
DRAFTED BY:	JGD
DESIGNED BY:	TVB
CHECKED BY:	MHL

NOT VALID WITHOUT SEAL

1 OF 1

6(c)

David Birchim

From: Scott Patrou <spatrou@ginnpatrou.com>
Sent: Monday, June 28, 2021 4:29 PM
To: David Birchim
Subject: 435 Flagler Blvd

David,

I would like to request a continuance to the August PZB meeting for our application regarding 435 Flagler Blvd/ 27 Comares. I will be out of town the day of the July hearing and and thought I would be able to make it back but I won't.

Please let me know if you need anything further from me to effectuate this.

Thank you and I apologize for the late notice.

Truly,

Scott Patrou

Get Outlook for iOS

6(c)

David Birchim

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Sent: Monday, June 28, 2021 4:29 PM
To: David Birchim
Subject: 435 Flagler Blvd

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Truly,

Scott Patrou

Get Outlook for iOS

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO:	Planning and Zoning Board
DATE:	July 6, 2021
RE:	**REZONING #2021-0085**
AGENDA ITEM	7(a)
APPLICANT	Gary Davenport, PA
OWNER	36 Granada Street, LLC
LOCATION	**36 Granada Street**
REQUEST	To rezone the property from Commercial Low-one (CL-1) to Planned Unit Development (PUD).
LAND USE	Commercial Low Intensity
ZONING (Existing) ZONING (Proposed)	Commercial Low-one (CL-1) Planned Unit Development (PUD)
SURROUNDING USES	Restaurant, Short term rental, Museum, Government Offices, Parking lots

APPLICABLE CODES/ORDINANCES

Sec. 28-30. Comprehensive plan amendments, rezonings and amendment of chapter.

(a) General. This chapter may from time to time be amended, supplemented or changed; the land use plan and land use map established by the comprehensive plan may also be amended and the zoning atlas may from time to time be revised by the rezoning of land as provided in this section.

(b) Initiation of proposals. An ordinance for the rezoning of land may be proposed only by the city commission or any member thereof, by the planning and zoning board or by the owner of subject property, its attorney or duly authorized agent. An amendment to this chapter may be proposed for adoption only by the city commission or any member thereof, or by the planning and zoning board. Proposals to amend this chapter shall be submitted in writing, accompanied by all pertinent information which may be required for proper consideration of the matter.

(c) Nature and requirements of board report. The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:

(1) The need and justification for the change.

(2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.

(3) Consistency with the Comprehensive Plan.

(d) Board report to commission. If the board recommends approval of the amendment or rezoning, the board shall forward its recommendation and report to the city commission.

The report and recommendation of the board shall be advisory only and shall not be construed to be binding upon the city commission. If the board recommends denial of the amendment or rezoning, the property owner or other person aggrieved may proceed with an appeal to the city commission pursuant to section 28-29(g) of the City Code.

(e) Limitations on rezoning of land:

(1) No ordinance to rezone land shall contain conditions, limitations or requirements not applicable to all other land in the zoning district to which the particular land is rezoned, except as provided in article III, division 8.

(2) Whenever the city commission has, by ordinance, changed the zoning classification of land, the board shall not then consider any application for rezoning of any part or all of the same land for a period of one (1) year from the effective date of such ordinance.

(3) Whenever the city commission has denied an application for the rezoning of land, no further application shall be filed for the same rezoning of any part or all of the same land for a period of six (6) months from the date of such action. In the event that two (2) or more applications for the same rezoning for any part or all of the same land has been denied, no further application shall be filed for the same rezoning or any part or all of the same land for a period of one (1) year from the date of such action denying the last application filed.

(4) Land use plan amendments shall be made consistent with the State of Florida's Community Planning Act F.S. ch. 163, as may be amended from time to time.

(f) Waiver of time limits. The time limits of subsection (e) may be waived by three (3) affirmative votes of the city commission when such action is deemed necessary to prevent injustice or to facilitate proper development of the city.

(g) City commission action. Upon receipt of a favorable report of the board as required by subsection (d) hereof, the city manager shall set the date for a public hearing before the city commission. The date of such public hearing to be set by the city manager shall be the first regular meeting of the city commission after ten (10) days following receipt of a report. At the conclusion of the public hearing, the city commission shall either deny the proposed amendment or rezoning or by ordinance adopt such amendment or rezoning.

(h) Process, public hearings and notification for amendments to this chapter or rezoning of land (city commission public hearing). The amendment process, including public hearings and notification regarding amendments to this chapter which change the actual list of permitted, conditional or prohibited uses within a zoning category or which change the actual zoning map designation of land in the city shall be as required by F.S. [chapter] 166. Public hearings for ordinances initiated by other than the city that change the actual zoning map designation of a parcel or parcels of land, required to be enacted pursuant to F.S. 166.041(3)(a) shall be noticed in accordance with section 28-59(a) of the City Code.

(i) Process, public hearings and notification for comprehensive plan amendments (city commission pubic hearing). The amendment process, including public hearings and notification for comprehensive plan amendments, shall be consistent with the State of Florida's Community Planning Act, F.S. ch. 163, as may be amended from time to time.

ZONING DISTRICTS

Existing

Sec. 28-206. Commercial low-one: CL-1.

Intent. 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 CL-1 district is not intended for use by medium intensity commercial uses such as service stations, vehicle repair and sales, etc. However, professional and business offices and similar uses are encouraged.

(1) Permitted uses and structures:

a. Retail outlets such as specialty food stores and drugs (but not supermarkets); clothing, hardware, toy and hobby shops; pet shops (but not kennel or veterinarian); bookstore and newsstand; stationery and card shops; leather goods and luggage; jewelry (including repair but not pawn shops); art and photographic supplies; TV and stereo equipment (including incidental repairs); florist or gift shop; bake shop (but not wholesale bakery); sporting goods; sundries and notions; business office supplies; musical instruments, records and tapes; and similar products.

b. Service establishments such as hair salons, shoe repair shop, restaurant (up to one hundred (100) seats, but not drive-in or fast food), interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal senses from off the premises and similar activities.

c. Tourist homes and bed and breakfast inns.

d. All types of professional and business offices.

e. Churches (except temporary revival establishments).

f. Libraries and museums.

g. Single-family dwellings as for RG-1 (section 28-163).

h. Multiple-family housing.

i. Rooming and boarding houses.

j. Housing for the elderly.

k. Home office, private.

l. Antique shops.

m. Stables, provided, however, that property shall have been utilized as of the date of the adoption of this subsection [December 23, 1991,] as a stable for more than two (2) years preceding such adoption, and no other.

n. Tattoo parlor

o. The above uses are subject to the following limitations:

1. Sale, display, preparation and storage to be conducted within a completely enclosed building, and no more than twenty (20) percent of floor space to be devoted to storage.

2. Products to be sold only at retail.

3. No sale, display or storage of secondhand merchandise except as incidental to sale of new merchandise.

(2) Permitted accessory uses and structures:
a. See section 28-348.
b. Parking lots complying with section 28-347(3).
(3) Permissible uses by exception:
a. Hotel/motel, maximum of thirty (30) units.
b. Plant nursery.
c. Sale of alcoholic beverages with alcoholic content not more than fourteen (14) percent for consumption, either on the premises or off the premises.
d. Wholesaling from sample stocks only, provided no manufacturing or storage for distribution is permitted on the premises.
e. Medical/dental clinic, intermediate care facility.
f. Uses and structures as for RG-1 (section 28-163).
g. Indoor movie theatres.
h. Commercial recreational or entertainment facilities in completely enclosed building such as billiard parlor, bowling alley, swimming pool, skating rink, dance hall and similar uses.
i. 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.
j. Micropigmentation clinic.
(4) Minimum lot requirements (area and width). None, except as needed to meet other requirements specified herein.
(5) Maximum lot coverage by all buildings. Fifty (50) percent.
(6) Minimum yard requirements. All uses, except single-family dwellings:
a. Front. Ten (10) feet minimum, fifteen (15) feet maximum; except where lot width is less than one hundred (100) feet and buildings (if any) on adjacent lots have provided a lesser front yard, front yard shall be average of buildings on adjacent lots. 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. Ten (10) feet.
c. Rear. Ten (10) feet.
(7) Maximum height of structures. Thirty-five (35) feet.

Consistency with the Comprehensive Plan

The proposed PUD is consistent with the city's Comprehensive Plan 2040. The following Goals, Objectives and Policies illustrate the Comprehensive Plan's support for infill redevelopment.

This category is described in part in **FLUE Policy 6.5.1** as:

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 intended for low traffic generating commercial uses including general retail sales and service-related uses intended to serve the local neighborhoods. In addition, professional and business offices, compatible tourist accommodations and similar uses are encouraged. Appropriate uses may include recreation, public and institutional uses, Open Land (Conservation), multi-family, and residential or non-residential mixed uses....

FLUE Objective 3.2

The City shall encourage redevelopment and renewal of areas that are exhibiting evidence of decline (i.e., disproportionate number of vacant, dilapidated and/or substandard structures) or blight through redevelopment programs and through maintaining land development codes that contain standards and procedures to encourage redevelopment where desirable,

FLUE Goal 5 Urban Sprawl

Discourage urban sprawl by encouraging innovative strategies to promote infill and compact development or redevelopment and establishing energy efficient land use patterns.

FLUE Policy 5.1.2

The City shall encourage infill and redevelopment through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

FLUE Goal 9 Economic Development

Promote economic development in an effort to provide a variety of employment opportunities, create a sustainable future, and encourage a positive business climate.

FLUE Policy 9.1.2

The City shall work towards a variety of policies within the Comprehensive Plan and land development code that support and encourage commercial and industrial development within the City and surrounding area.

- This includes encouraging a mix of uses in the city to promote accessibility to a variety of uses.
- This includes strengthening and diversifying the local economy.

- This includes redevelopment and revitalization efforts, including aesthetic improvements to encourage commercial and industrial investment within the City of St. Augustine.
- This includes the promotion of uses that are commercial or industrial that support, promote or are compatible with the urban character of the city.

STAFF SUMMARY AND ANALYSIS

A rezoning application for this property from CL-1 to CL-2 was denied by the Board on May 4, 2021. At that time, there was discussion about approaching this rezoning with a Planned Unit Development.

The following are 5 aspects of the 36 Granada Planned Unit Development that may require further examination.

1. LOCATION

- The property sought to be rezoned is identified on page 3, Sec.(B)(1) *Location*, as 36 Granada Street, St. Johns County Property Appraiser Parcel Identification No. 203240 0000 (the "**Property**"), which is 36 Granada Street, the former Corazon Theater.
- The PUD text does not include the parking lot at 8 De Soto Place, (PID#203230 0000) in the rezoning request. This property is the parking lot directly adjacent to 36 Granada Street the west, but it is identified on the PUD site plan as "parcel 2".
- The legal description in the PUD narrative, entitled "EXHIBIT A", includes "parcel 1" and "parcel 2". It is not clear if the legal description in "EXHIIT A" describes only 36 Granada Street or if it describes 36 Granada Street and 8 De Soto Place. If there is an inconsistency between the PUD text and the PUD legal description, this must be corrected to identify which property is the subject of this rezoning request.

2. USES

- The 36 Granada PUD Project Text identifies the uses of this property as "all uses within CL-1 zoning category in addition to allowing alcoholic beverages to be served on-site", it then goes into more specific details about the use of the property as a restaurant.

3. PARKING

- The parking associated with this PUD is identified in the PUD test as, "Parking will be provided onsite and on the immediately adjacent lot pursuant to a lease agreement".
- The lot identified on the site plan as "lot 2"is the presumed "immediately adjacent lot", and this is reinforced in Sec.7(g) *Parking*, when is identifies the parking "as depicted on attached Exhibit "B" Site Plan, but there are city and private parking lots that are also immediately adjacent to this property, so the specific location of the offsite parking lot identified in the PUD text should be clarified as the parking lot at 8 De Soto Place (PID # 203230 0000).
- The PUD text also allows for further offsite parking in Sec.(B)(4) *Summary of Proposed Development*, "If the Owners find it desirable to acquire future additional appropriate parking, the combined total number of seats…" This allows for additional offsite parking

to be assigned to the PUD, but only for increasing the number of seats in a proposed restaurant development from 204 to 250. The use of offsite parking is a use by exception in the city code but it is provided for in this PUD as a matter of right.

- The PUD Project Text describes in some detail the "project" or "proposed development" and on in Sec.7(g), last sentence, it says, "The minimum number of parking spaces that will be provided per individual land use are set forth in the table above. The table above only identifies restaurant parking, which is the "project" or "proposed development". However, the PUD allows for all the uses in CL-1 which include retail, offices, residential, special events venues, etc. If the restaurant use of the property changes to any other use allowed in CL-1, the applicable parking requirements should be assigned to that new use.

4. CONCURRENCY AND LAND DEVELOPMENT CODE EXEMPTION

- Sec. (B)(4) *Summary of Proposed Development*, page 4, provides language which exempts "the project", which is defined as restaurant use of the property, with up to 250 seats, from the requirements of the Concurrency Management Ordinance and Land Development Code, because "there is no change of use for the existing property". The property is currently vacant and the previous use of the property was a movie theater and sandwich shop. The city does not have any records of a 250 seat restaurant at 36 Granada Street.

5. HARB REVIEW AUTHORITY ON PARTIAL DEMOLITION

- Sec. (D)(3) *Redevelopment and infill projects.* The PUD text provides an exemption from HARB review of an partial demolition.

STAFF RECOMMENDATION

Staff does not make recommendations concerning the rezoning of land.
The Board is responsible for making a recommendation based on the following;

(1) The need and justification for the change.

(2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.

(3) Consistency with the Comprehensive Plan.

David Birchim

David Birchim, AICP
Director Planning and Building Department

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $400.00 (plus advertising costs) Project Number: 2021-0085

Receipt Number: 2189757 Meeting Date: July 6, 2021

Advertising Costs: $ 33.20 Paid On: 6/11/21 Receipt Number: 2134106

1. NAME OF APPLICANT: Gary B Davenport Contact Number: 904 669 3186
   Business *(if applicable)*: Gary B Davenport PA
   Address: 212 S Shadowwood Dr City: St Augustine State: FL Zip: 32086
   E-Mail Address: garybdavenport@gmail.com

2. NAME OF PROPERTY OWNER: 36 Granada LLC Contact Number: 904 535 9759
   Business *(if applicable)*: c/o Alsop Properties
   Address: 77 almeria St City: St Augustine State: FL Zip: 32084
   E-Mail Address: an@alsopcompanies.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: Parts of Lots 8 & 9 Block: 46J
   Subdivision: Parcel Number: 2032400000

4. PROJECT STREET ADDRESS: 36 Granada St

5. SPECIFIC PROPOSED USE: Restaurants, premium coffee shop, artisan bakery

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

7. DESCRIPTION OF ACTION REQUESTED: Rezone to PUD. See attached Narrative

8. JUSTIFICATION FOR ACTION REQUESTED: To allow adequate seating capacity for 3 restaurants
   CL1 has a cap on restaurant seating not suitable for the size of the building. Also CL1 restricts alcahol to beer and wine not suitable for a high end restaurant. PUD allows flexibility so that this building that is over 140 years old can now become compliant with its new zoning.

9. IF APPLYING FOR A VAR.. ..NCE, PLEASE COMPLETE THE FOLLOW.. .. 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.

Zoning to OL2, denied by PZB. Not appealed

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 6/4/21

Signature of Property Owner — Date 6/4/21

CITY OF
ST AUGUSTINE.
EST. 1666

Owner's Authorization For Agent

Gary Davenport is/are hereby authorized TO ACT ON BEHALF OF 36 Granada, LLC, the owner(s) of those lands described within ☒ the attached application, or ☐ described within the previously filed Application number: _____, and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine's Planning & Zoning Board, located at: 36 Granada Street, St. Augustine, FL 32084.

BY: _____
Signature of Owner

Andrew T. Norgaut
Print Name of Owner

904-647-2619
Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 4th day of June, 2021.

By Andrew Norgaut

Identification verified: known

Oath sworn: _____ Yes ✓ No

Notary Signature: _____

My Commission expires: April 11, 2022

AMANDA SPETTEL
Notary Public - State of Florida
Commission # GG 206357
My Comm. Expires Apr 11, 2022
Bonded through National Notary Assn.

Rev:022117

36 Granada Planned Unit Development

City of St. Augustine, Florida

June 3, 2021

Team Roster

Owners/Applicants:

36 Granada, LLC
77 Almeria St.
St. Augustine, FL 32084

Architect:

Cronk Duch Architects
124 Diego Island Ct.
St. Augustine, FL 32095
(904) 626-3452

Legal/Authorized Agent for Owners:

Gary B Davenport, P.A.
212 S Shadowwood Dr.
St. Augustine, Florida 32086
(904) 669-3186

Exhibit List:

Exhibit "A" – Legal Description of the Property
Exhibit "B" – Site Plan with Elevations / Landscape Plan

36 GRANADA PLANNED UNITDEVELOPMENT PROJECT TEXT

A. Purpose and Intent.

Pursuant to Section 28-286 of the City of St. Augustine Code (the "**Code**"), the purpose of a planned unit development ("**PUD**") zoning district is to provide an option and process for the provision of unique, individually planned developments that are consistent with the City's Comprehensive Plan and the categories outlined in the Comprehensive Plan, but may allow for more creative, flexible and innovative designs for projects than the regular zoning districts allow. The intent of a PUD is to permit this flexibility from the strict application of traditional zoning district regulations by identifying each waiver, variance or exception to such regulation and providing an alternative development condition for that specific PUD.

This 36 Granada PUD text includes site-specific regulations to address the development of the Property. The PUD, including all exhibits hereto, complies with all applicable provisions of City Code Chapter 28.

B. Site Information.

1. Location

The property subject to this PUD ordinance is located at 36 Granada St. The property has St. Johns County Parcel Identification No. 203240-0000 (the "**Property**"). A legal description of the Property is attached as **Exhibit "A"**. The Property includes approximately .34 acres, owned by 36 Granada, LLC ("**36 Granada LLC**").

2. Owners and Agent

The owner of the Property is 36 Granada, LLC ("**Owner**"). The agent for the Owner is Gary B. Davenport, P.A. (the "**Agent**"). Addresses for the Owner and Agent are in the Team Roster on page 2.

3. History, Existing Approvals

The Future Land Use Map ("**FLUM**") designation of the Property is Commercial Low Intensity. The Property is zoned Commercial Low-One (CL-1). The existing building has been in place in some form since at least 1880 and has had many uses including a theater, restaurant, bar and feed store.

4. Summary of Proposed Development

The Owners are proposing a development plan for the Property to include a maximum of 7,000 square feet of retail/commercial space including all uses allowed within CL1 zoning category in addition to allowing all alcoholic beverages to be served on-site. With the current available parking (see section 7.g) there will be a maximum 204 seat limit for all restaurants on the Property (combined). If the Owners find it desirable to acquire future additional appropriate parking, the combined total number of seats for all combined restaurants on the Property will not

exceed 250 (section 7.g) A master development plan depicting the locations of the proposed land uses is attached as **Exhibit "B"** (the "**Master Development Plan**"). City staff shall be permitted to approve minor deviations from the Master Development Plan.

The Property includes approximately .34 acres of uplands. There are no wetlands on the Property.

The project is exempt from the requirements of the Concurrency Management Ordinance and Land Development Code regulations because there is no change of use for the existing facilities. The Property historically has be used for bars and a restaurant as well as a theater and feed store.

Proposed Development (Code Section 28-289 provisions in BOLD).

5. **Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future Land Use Map category for the property.**

As set forth in Section B.3 above, the Property has a FLUM designation of Commercial Low Intensity.

City Comprehensive Plan Future Land Use Element ("FLUE") states that Commercial Low Intensity (CLI) is intended to apply to those areas where small groups of low intensity commercial uses may be appropriately located to serve within convenient traveling distance from one (1) or serval neighborhoods. The district is intended for low traffic generating commercial uses including general retail sales, and service-related uses intended to serve local neighborhoods. In addition, professional and business offices, compatible tourist accommodations and similar uses are encouraged. Appropriate uses may include recreation, public and institutional uses, Open Land (Conservation), multi-family, and residential or non-residential mixed uses.

Future Land Use Element Objective 4 encourages the use of innovative and sustainable land development practices that maximize the use of existing services and facilities, such as planned unit developments. The 36 Granada project is a single use redevelopment PUD and will connect to existing utilities and other infrastructure, which have capacity to serve the Property. The Property is located on the corner of Granada Street and Desoto Place which are public roads. The project will provide ample parking.

The Transportation Element Goal emphasizes the maintenance of a coordinated multimodal transportation system which provides for the safe, efficient and economical movement of people, goods and services and protects the City's natural, cultural and historical resources. The project is located in downtown St. Augustine, within walking distance of most destinations. Many customers will either be staying in local hotels or living or working in the local area. Many of these visitors will either walk or bike to the Property. Ample parking will also be available at the Property.

Transportation Element Objective 1.5 requires the City to identify and pursue strategies to reduce the vehicle miles traveled by establishing locations for compact, mixed-use development, increasing opportunities for job creation proximate to higher density residential, facilitating future opportunities for transit-oriented development and encouraging new developments to be connected

by roadways, bikeways and pedestrian systems that encourage travel between neighborhoods and access to transit without requiring use of the major thoroughfare system. The 36 Granada PUD meets most of these objectives by providing redevelopment of an existing building, central to downtown and creating jobs within the area where people live and work. The Property is connected to downtown St. Augustine and Lincolnville by roadways, bikeways and pedestrian systems. The Property is already on trolley and other transit routes.

Recreation and Open Space Element Policy 4.1 requires certain residential developments to provide parks and recreational facilities, based on the number of proposed units. For development of 100 or more units, this parkland or open space must provide at least one (1) active recreational facility and one (1) passive recreational facility per 100 units. The 36 Granada PUD does not include residential development.

The Conservation and Coastal Management Element Goal is to protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources. The Property does not contain any environmentally sensitive lands, vegetative communities or wildlife habitats.

Conservation and Coastal Management Policy 2.1.1 requires the City to maintain three (3) Conservation Overlay Zones ("**COZs**"). Conservation Overlay Zone 1 allows passive recreation, wildlife preservation and conservation areas, green space, and fishing piers, boat docks, and other water dependent uses, including boat ramps and marinas. Conservation Overlay Zone 2 allows for all of the uses within Zone 1, as well as specialized, scenic or linear parks and boardwalks, off-street parking areas; and residential development, provided that they are (1) located so as to minimize impacts to Conservation Overlay Zone 1 vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category. Conservation Overlay Zone 3 allows a variety of land uses and development subject to performance standard requirements governed by the City's Comprehensive Plan, including the underlying Future Land Use Category, and the City's land development regulations. The 36 Granada project is not subject to the Conservation Overlay zones.

The Infrastructure Element requires the provision of sanitary sewer, potable water and solid waste services to support intended development. The 36 Granada project is already connected to the City's existing sanitary sewer and potable water systems, and any modification to such connections will be at the expense of the Owners (in compliance with Capital Improvement Objectives 4 and 5), and the Owner will make improvements to the extent required solely for the project. The project will use water-wise landscaping where practicable. The project will also utilize City solid waste services. The Stormwater Management Sub-Element requires developments to provide their own stormwater management systems. As an existing facility the project is exempt from this provision.

Capital Improvement Element Objective 6 and Public School Facilities Element Goal 2 require the City to ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standards for public schools. This is not applicable to this project as there is no residential element.

6. For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts.

Not applicable.

7. The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception.

The Owners desire to rezone the Property to PUD in order to provide a development plan that meets current and future needs of the City for redevelopment in this area. The following development standards shall apply to the Property:

a. Allowable uses: Allowable uses within the Property on Parcel 1 shall be a maximum of 7,000 square feet of any of the uses permitted in CL1, with the addition of all alcohol sales (limited to service and consumption on premises) allowed and a current limitation of 204 (and up to 250 seats in the future with appropriate additional parking (see section 7.g)) for all the restaurants combined.

The locations of the proposed uses are depicted on the Master Development Plan, **Exhibit "B"**. Parking shall be as provided in Section C.3.g hereof.

b. Setbacks: The minimum building setbacks are as follows:

1. A minimum of zero (0) feet from each property line along Granada St. and Desoto Place.(existing setback)

2. The north side and rear (west) setbacks shall be ten (10) feet from the building to the adjacent property line. The parking in the rear of the building shall not require a setback or landscaping buffer as it is adjacent to the offsite parking.

c. Maximum building height: Buildings shall not exceed 35 feet in height.

d. Minimum lot size: None.

e. Minimum lot width: None.

f. Maximum lot coverage: 75 percent for the Property.(existing)

g. Parking: Parking will be provided onsite and on the immediately adjacent lot pursuant to a lease agreement and will meet the requirements of the City's 2020 Land Development Regulations, as depicted on attached Exhibit "B" Site Plan. The current Site Plan shows 10 parking spaces onsite and 51 on the offsite parking area. With 2,000 square feet of non-patron area proposed, seating would be limited to 204 sets. If additional parking is provided offsite and approved by the City (if required), seating could be expanded (subject only to Fire Code) but would be

capped at 250.

Land Use	2020 City Code Requirement
Restaurant	1 space per 4 patrons and 1 space per 200 sq. ft. of non-patron area

Parking among the various land uses within the PUD will be shared. The leased parking area has traditionally been used for offsite parking and will be permitted to remain as a gravel lot to minimize stormwater impacts.

Parking may be provided in the existing surface lots on the Property. The project is intended for a coffee shop, artisan bakery and upscale restaurant. Those uses have parking requirements that vary depending on time of day and day of the week. Thus, the Owners will provide parking that meets the needs of the Project without overparking the site. The minimum number of parking spaces that will be provided per individual land use are set forth in the table above.

h. Signage: Project signage will be categorized as Commercial Zone 1, the requirements for which are set forth in Section 3-66(c) of the Code. Notwithstanding, the Owner may paint the historic sign shown on the attached elevations anywhere on the north side of the building which shall not be counted against the maximum number or square feet of signage permitted under the Code because it is for historical and decorative purposes and does not advertise any business located in the building.

i. Roads: No internal roads are being provided in the PUD.

j. Sidewalks: No internal sidewalks are being provided in the PUD.

k. Stormwater: The project is exempt from stormwater requirements as an existing facility with no use changes proposed.

l. Lighting. Project lighting shall comply with applicable Code provisions.

n. Accessory Uses. Project accessory uses shall comply with applicable Code provisions.

o. Temporary Uses. Project temporary uses shall comply with applicable Code provisions. Temporary offices and construction trailers shall be allowed on the Property during construction of any building and may be moved throughout the site if necessary but shall be removed within 30 days of issuance of a final Certificate of Occupancy by the City for the final building within the Property. Parking may be provided for the temporary offices and trailers in a temporary defined, but unpaved, area which meets applicable Code provisions.

p. Utilities: Project will utilize existing utility connections to the extent permitted.

q. Landscaping: A landscape plan is attached as a part of **Exhibit "B"**.

r. Tree Mitigation: Project tree removal and replacement will comply with applicable provisions of Code Chapter 25, Article III.

s. Conservation Overlay Zone Development: None of the Property is within the Conservation Overlay Zone.

8. **Compliance with the purpose and intent and criteria in Code Section 28-286.**

The 36 Granada PUD complies with Code Section 28-286 by:

a. Promoting more efficient and economic use of land by offering redevelopment of an infill site with an existing building that is progressively deteriorating.

b. Encouraging a more compatible and harmonious development of contiguous lands by creating uses that will enhance the sense of community/

c. Providing flexibility to meet changing needs, technologies, economics and consumer preferences in the Master Development Plan and this text;

d. Providing a process to assess a development's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole;

e. Demonstrating the coordinating of architectural styles, building forms, and building relationships within a planned development, as well as, the planned development's relationship with the existing and preferred architectural context surrounding the project;

f. Providing an environment of consistent character compatible with the surrounding areas; and

g. Permitting specific limitations and requirements in excess of those included in other zoning districts, based on the unique characteristics of the individual site, where necessary to the public health, safety or welfare, or for the protection or preservation of lands, neighborhoods or areas of the city deemed unique or historic based on the proposed location of the planned development.

9. **Compliance with Code Section 28-288 and justification for any zoning uses.**

As stated in Section C.4 hereof, the allowable uses within the Property shall be a maximum of 7,000 square feet of retail/commercial space including all uses allowed within CL1 zoning category in addition to allowing all alcoholic beverages to be served on-site and a current maximum 204 seats (250 seat limit with appropriate additional parking, see section 7.g) for all restaurants on the Property (combined). A master development plan depicting the locations of the proposed land uses is attached as **Exhibit "B", Master Development Plan**. The proposed uses are permitted in the FLUM

designation for the Property.

Development standards for the Property are set forth in Section C.3 hereof. These standards will mitigate for any negative impacts of the development on surrounding lands.

Benefits to the community from the 36 Granada project include:

a. Improvements to the streetscape of Granada St. See **Exhibit "B"** for a proposed plan for the improvement.

b. Providing a redevelopment infill project of a deteriorating facility.

c. Utilizing existing infrastructure, at no cost to the City.

d. Increasing the number of jobs available to City residents, thus allowing them to work locally, even within walking and biking distance from their homes.

10. The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance or other related permit.

The 36 Granada project will be developed in one (1), three-year phase. Construction shall commence within three (3) years of the City Commission's adoption of this PUD ordinance and shall be completed within six (6) years of commencement. For purposes of this PUD, "commencement" shall be defined as the City's approval of building permits, and "completion" shall be defined as the City's approval of a certificate of occupancy.

11. **Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement.**

The Owners will record one or more access and utility easement and maintenance agreements against title to their respective lands to ensure for the continuing operation and maintenance of project infrastructure.

12. A termination date after which the PZB shall be required to evaluate whether all or part of the PUD has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) or other circumstances have contributed to the development delay, if so, one (1) year extension(s) may be granted by the PZB at an advertised public hearing, after two (2) such extensions if no activity has been initiated the city commission shall deem the PUD abandoned which shall act as a reversion of the zoning to its pre-PUD zoning district forthe areas not in compliance with the phasing schedule.

This PUD shall terminate 6 years from its adoption by the City Commission unless otherwise extended or amended pursuant to the Code or Florida law.

13. **If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted.**

The proposed PUD is consistent with the underlying future land use designation of the Property.

14. **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 proposed PUD will not significantly impact public facilities. By redevelopment of an existing building the proposed uses will maintain existing connections to city infrastructure and will not affect circulation patterns or transportation networks. Therefore an impact analysis is not required for this project.

15. **A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made intheir application and at hearing relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing, termination and reversion clauses.**

See Section E hereof.

C. Performance Standards (Code Section 28-291).

The Performance Standards of Code Section 28-291 only apply to residential and mixed use developments. The 36 Granada PUD does not include residential development.

D. Performance Standards (Code Section 28-292).

Standards and criteria for redevelopment and infill PUD developments

1. General development patterns. The proposed PUD will maintain the existing building while enhancing the streetscape and architectural appeal of the building. In doing so it shall respect the existing development patterns and provide for compatibility within the existing area. The architectural and landscape enhancements will contribute significantly to the area and increase the value of the surrounding area.

2. Contributions to existing community. The proposed PUD will demonstrate consideration for the existing neighborhoods and street patterns by not changing or impacting either. The building shall remain substantially as it has for over 100 years, but with aesthetic and architectural improvements. Parking will be provided in the rear of the building (in an leased area already used for parking) to limit impact on pedestrian access and remain consistent with other commercial uses along Granada St. The PUD will be consistent with the character and history of this area. The uses proposed will be designed to create a unique sense of place with appropriate design, massing, screening and architectural techniques as demonstrated on the attached renderings.

3. Redevelopment and infill projects. The existing building, while old, is structural sound and does not warrant demolition. Significant exterior improvements will be made, primarily for aesthetic purposes. Further, significant interior improvements will be made to maximize use and aesthetic value and to bring the existing facility up to current code and health standards. Detailed drawings of the existing and new streetscape are attached. By placing the parking in the rear off of Granada St., impacts to the pedestrian nature of Granada St. will be minimized. The site is already cleared and tree removal is not required. The PUD shall be exempt from any HARB review should a certificate of partial demolition be required consistent with the attached elevations.

E. Ownership Agreement.

The Owners, on behalf of themselves and their successors and assigns, hereby agree and stipulate to proceed with the proposed development in accordance with the PUD ordinance for this application as adopted by the City of St. Augustine City Commission. The Owners also agree to comply with all conditions and safeguards established by the St. Augustine City Commission with respect to this Planned Unit Development application.

36 Granada LLC,
a Florida limited liability company

By: _____
Name: Andrew T. Nugent
Title: Manager
Date: 6/3/21

Exhibit "A"

Legal Description of the Property

EXHIBIT "A"

PARCEL 1:

BEGINNING AT A POINT ON THE NORTH LINE OF DESOTO PLACE, 135 FEET WEST OF THE WEST LINE OF GRANADA STREET, SAID POINT OF BEGINNING BEING THE SOUTHWEST CORNER OF PROPERTY OF PARRISH; RUN THENCE WEST ALONG THE NORTH LINE OF DESOTO PLACE 7 FEET TO A POINT, RUN THENCE NORTH AND PARALLEL TO THE EAST LINE OF PROPERTY DESCRIBED IN DEED BOOK 228, PAGE 200 AND AT ALL TIMES 7 FEET WEST THEREOF, A DISTANCE OF 124.7 FEET MORE OR LESS TO A FENCE, WHICH FENCE IS THE NORTH LINE OF PROPERTY DESCRIBED IN DEED BOOK 228, PAGE 200; RUN THENCE EAST ALONG SAID FENCE LINE 7 FEET TO THE NORTHEAST CORNER OF SAID PROPERTY DESCRIBED IN DEED BOOK 228, PAGE 200; RUN THENCE SOUTH AND ALONG EAST LINE OF SAID PROPERTY DESCRIBED IN DEED BOOK 228, PAGE 200, 124.7 FEET TO POINT OF BEGINNING; SAID PROPERTY BEING A PORTION OF BLOCK 46-J, CITY OF ST. AUGUSTINE, FLORIDA.

COPY

PARCEL 2:

BEGINNING AT THE NORTH CORNER OF GRANADA STREET AND PLAZA DE SOTO PLACE, IN THE CITY OF ST. AUGUSTINE, RUNNING THENCE NORTHERLY ON THE WEST LINE OF GRANADA STREET, 123 FEET, MORE OR LESS, TO LAND OF FULLER; THENCE WESTERLY ON FULLERS SOUTH LINE 127 FEET; THENCE SOUTHERLY PARALLEL WITH THE WEST LINE OF THIS TRACT, KNOWN AS THE "BRAINARD TRACT", 123 FEET MORE OR LESS, TO THE NORTH LINE OF PLAZA DE SOTO PLACE; THENCE EASTERLY ON THE NORTH LINE OF PLAZA DE SOTO PLACE 133 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING. EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND: A STRIP OF LAND BEGINNING 113 FEET NORTH FROM THE SOUTHEAST CORNER OF BUILDING OF BARTOLO GENOVAR ON WEST SIDE OF GRANADA STREET, SAID BUILDING BEING LOCATED ON NORTHWEST CORNER OF GRANADA STREET AND DESOTO PLACE, THENCE WEST 127 FEET.

Instr #2021018822 BK: 5184 PG: 843, Filed & Recorded: 2/19/2021 1:27 PM #Pgs:3
Brandon J. Patty,Clerk of the Circuit Court and Comptroller St. Johns County FL Recording $27.00 Doc. D $10,500.00

PREPARED BY AND RETURN TO:

Repass Law
111 Solana Road, Suite B
Ponte Vedra Beach, FL 32082

File: 20-4164

WARRANTY DEED

THIS WARRANTY DEED is executed as of February 16, 2021, by **Kabo Investments, LLC, a Florida limited liability company** whose address is **323 St. George Street, St Augustine, Florida 32084** hereinafter called the "Grantor"), in favor of **36 Granada, LLC, a Florida limited liability company** whose address is: **77 Almeria Street, St. Augustine, Florida 32084** (hereinafter called the "Grantee).

Wherever used herein, the terms "grantor" and "grantee" shall include the singular and plural, heirs, legal representatives, successors and assigns of individuals, and the successors and assigns of corporations, as the context requires.

W I T N E S S E T H:

Grantor, for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, all that certain land situated in **St. Johns** County, Florida (the "Property"), as more particularly described in the attached Exhibit "A".

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, Grantor hereby covenants with Grantee that it is lawfully seized of the Property in fee simple; that it has good right and lawful authority to sell and convey the Property; and that Grantor fully warrants the title to the Property, and will defend the same against the lawful claims of all persons whomsoever.

The Property is subject to future taxes, easements, encumbrances and matters of record; however, this reference shall not serve to reimpose same.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed the day and year first above written.

Signed, sealed and delivered
in the presence of:

Sign: _____
Witness #1
Print: Curtis Hardy

Sign: D. R. Penn
Witness #2
Print: D. R. Penn

Kabo Investments, LLC, a Florida limited liability company

R. F. Wagner
Robert F. Wagner, Manager

Karla A. Wagner
Karla A. Wagner, Manager

COPY

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I hereby certify that the foregoing instrument was acknowledged before me by means of physical presence or __ online notarization, this 12 day of February,2021 by Robert F. Wagner and Karla A. Wagner, Managers of Kabo Investments, LLC, a Florida limited liability company They [ ] are personally known to me or [ ] have produced Drivers License as identification.

Affix Notary Stamp or Seal Below:

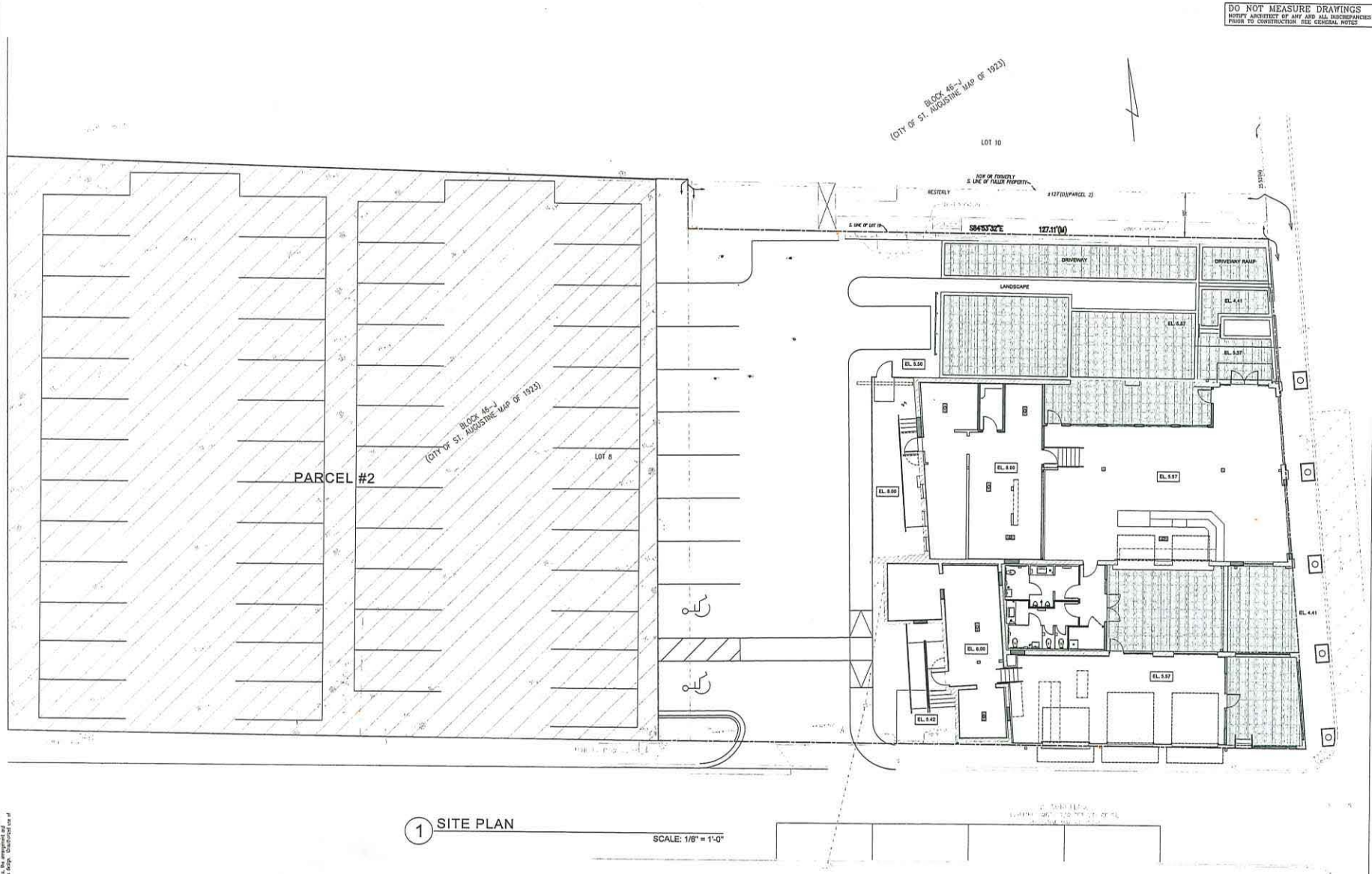
CURTIS KEITH HARDY
MY COMMISSION # GG 354080
EXPIRES: July 11, 2023
Bonded Thru Notary Public Underwriters

_____
NOTARY PUBLIC – signature above

Printed Name:_____

EXHIBIT B

Site Plan with Elevations



1 SITE PLAN

SCALE: 1/8" = 1'-0"

CRONK DUCH ARCHITECTURE

SOUTHERN GROUNDS GATHER TOGETHER

REVISION DATE

ARCHITECT'S SEAL

CARD DWG. FILE NO.

SCALE:

CARD USER ID:
1105

LEGAL DESCRIPTION:

PROJECT PHASE:
DESIGN DEVELOPMENT PHASE II

PROJECT NUMBER

SOUTHERN GROUNDS
ALDER & OAK
ST. AUGUSTINE

NEW CONSTRUCTION

ST. AUGUSTINE
FLORIDA

SITE PLAN

AS1.1

DD I Review Set - 05.20.2021

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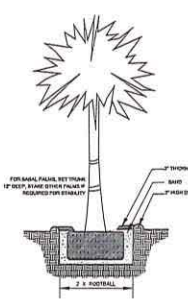
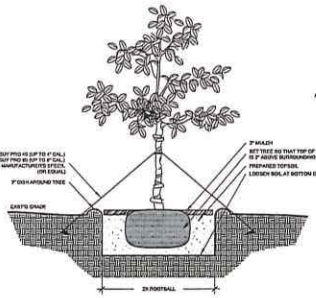
DO NOT MEASURE DRAWINGS
NOTIFY ARCHITECT OF ANY AND ALL DISCREPANCIES PRIOR TO CONSTRUCTION. SEE GENERAL NOTES

NOT-FOR-CONSTRUCTION



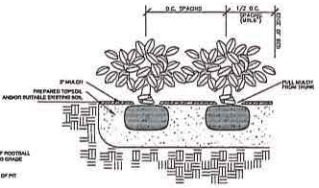
PALM PLANTING DETAIL



TREE PLANTING DETAIL

ALL TREES ARE TO BE PLANTED VERTICALLY REGARDLESS OF THE SLOPE OF THE GROUND IN WHICH THEY ARE PLANTED. WATER RINGS ARE TO BE CONSTRUCTED AT RIGHT ANGLES TO THE TREE OR SHRUB OR IN A MANNER IN WHICH THEY WILL MOST EFFECTIVELY SERVE THE PURPOSE OF RETAINING WATER AT THE BASE OF THE PLANT.

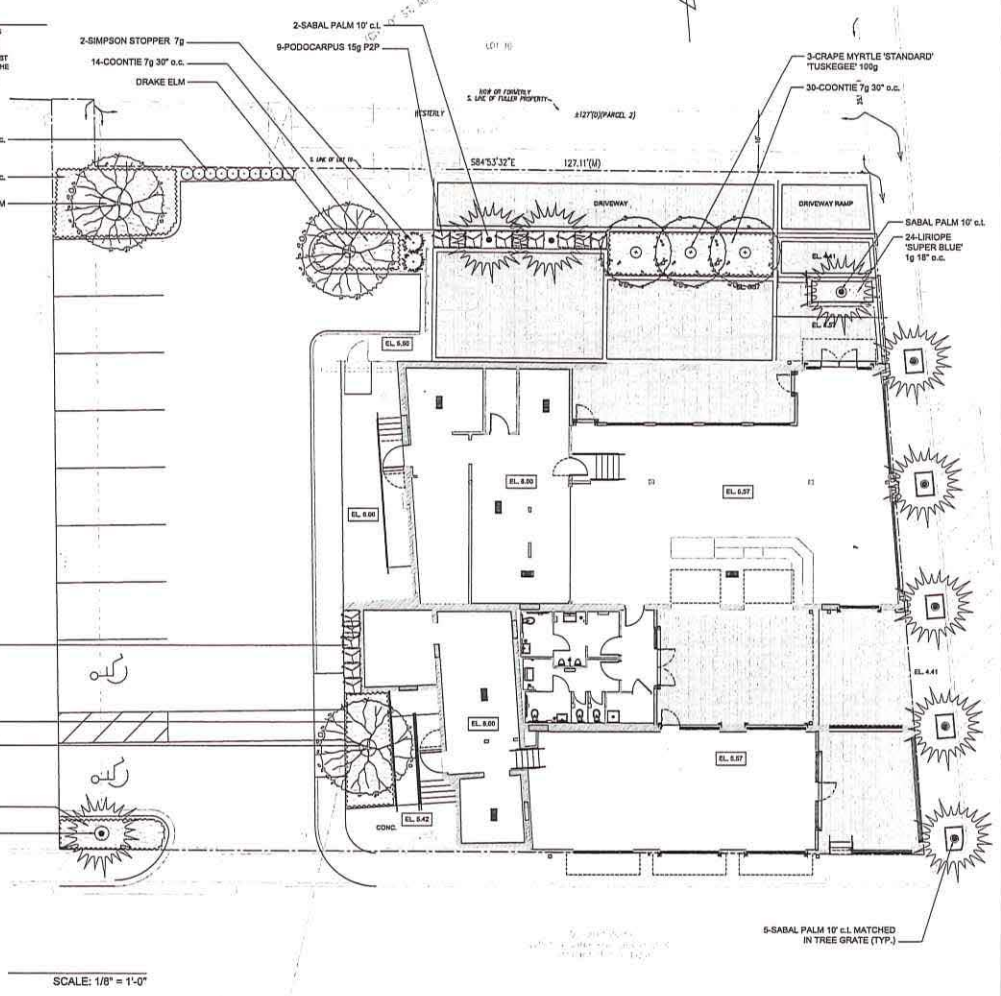
THE ROOTBALL OF THE TREE SHOULD BE POSITIONED IN THE HOLE SO THAT THE FINISHED GRADE OF THE BACKFILL SOIL AND LANDSCAPE SOIL IS FLUSH/1 INCH THAN THE TOP OF THE ROOTBALL. MULCH SHOULD COVER THE EDGE OF THE ROOTBALL, DO NOT MULCH ON TOP OF ROOTBALL.



SHRUB PLANTING DETAIL

ALL SHRUBS ARE TO BE POSITIONED VERTICALLY REGARDLESS OF THE SLOPE OF THE GROUND IN WHICH THEY ARE PLANTED. WATER RINGS ARE TO BE CONSTRUCTED AT RIGHT ANGLES TO THE TREE OR SHRUB OR IN A MANNER IN WHICH THEY WILL MOST EFFECTIVELY SERVE THE PURPOSE OF RETAINING WATER AT THE

TOP OF ROOT BALL TO BE 2" ABOVE FINISH SOIL GRADE (FBG).



SCALE: 1/8" = 1'-0"

BLOCK 66-F
(CITY OF ST. AUGUSTINE, MAP OF 1923)

NOT-FOR-CONSTRUCTION

GENERAL NOTES AND SPECIFICATIONS:

1. The LANDSCAPE CONTRACTOR is responsible for verifying project site conditions and all quantities indicated on these plans before pricing work.
2. All plant material shall be Florida Grade No. 1 or better – nursery grown in accordance to Florida Grades and Standards Handbook.
3. Plants shall be sound, healthy, and vigorous well branched and densely foliated when in leaf. They shall be free of disease, insects, eggs, or larvae and shall have healthy, well developed root systems. They shall be free from physical damage or adverse conditions that would prevent thriving growth.
4. All plants shall be container grown, balled and burlapped, wire backeted or tree spaded.
5. All plants shall conform to the varieties indicated in the plant list.
6. Substitution of plant materials will not be permitted unless authorized in writing by Landscape Architect. If proof is submitted that any plant specified is not obtainable, a proposal will be considered for use of the nearest equivalent size or variety with corresponding adjustment of contract price.
7. The CONTRACTOR shall excavate plant pits according to the drawings, unless otherwise directed.
8. All backfill around plant material shall be worked firmly, tamped, and watered in under and around the rootball to fill all voids.
9. The GENERAL CONTRACTOR shall bear final responsibility for proper surface drainage.
10. Planting beds shall be cut or edged to form a uniform clean line between beds and lawn areas.
11. After all plant material in a plant bed area has been installed, the areas between plants shall be raked to an even grade to conform to pre-existing finish grades. All planting beds and plant saucers shall then be uniformly covered with a minimum three inch layer of approved mulch.
12. All trees are to be staked unless otherwise directed by LANDSCAPE ARCHITECT, owner or owner's representative. Refer to staking and planting details on the drawings.
13. The LANDSCAPE CONTRACTOR is responsible for all fine grading preparation for planting.
14. Rough grades will be established by the owner's general contractor at approximately 3 low curbs, sidewalks, hardscape amenities, mowing strips, and abutments.
15. CONTRACTOR shall coordinate construction of planting areas with installation of irrigation system.
16. Sod areas shall be St. Augustine grass "Captiva", "Sapphaire" or "Classic" (for shaded areas). Grass for sodding shall be freshly cut in squares one foot wide by two feet long. Sod shall be healthy, free of insects, and in naturally flourishing condition. Dry, brown, and unlivesh sod will be rejected.
17. Sod shall be laid end-to-end in a staggered line to form a uniform layer. All uneven edges shall be squarely trimmed to allow close and firm fitting of each piece.
18. After sodding is completed, the entire sod areas shall be watered by hand or irrigation system in accordance with Best Management Practices.
19. The LANDSCAPE CONTRACTOR is responsible for fully maintaining all plant material on site during and before planting until the work is accepted by the owner or owner's representative.
20. All plants shall be guaranteed by LANDSCAPE CONTRACTOR to be healthy plants and in flourishing condition of active growth for ninety (90) days from final inspection and acceptance. All trees shall be guaranteed an additional one year from final inspection and acceptance.
21. The owner, or owner's representative shall have the right to reject any and all work which in his opinion does not meet with the requirements of the specifications at any stage of the project operation.
22. In general, the work shall proceed as rapidly as the site becomes available. Keep all areas of work clean, neat, and orderly at all times.
23. The site shall be graded to maintain positive surface drainage.
24. Planting areas lacked in by hardscape shall be drained with a minimum 4 inch ADS pipe to catch basin, dry well, or approved out-fall area.
25. No fill over the root systems of trees shall occur and construction equipment shall avoid their roots to prevent compaction.
26. Irrigation system shall be fully automatic and provide 100% coverage of all landscape and sod areas within the property.
27. A back flow prevention assembly (DCA 100 or equal) shall be installed on the service side of the meter. Locate the double check valved back flow preventer near the side of the house and at least 12" above the ground. Cover exposed piping with weatherproofing.

MINIMUM IRRIGATION DESIGN REQUIREMENTS:

1. Irrigation plans should be designed by a qualified irrigation designer or registered landscape architect.
2. Right of ways shall be irrigated from back of curb to the property line.
3. A moisture sensing device is superior to a conventional rain switch and shall be used in all landscapes to reduce water usage as required by state law.
4. It is recommended that zones for low, medium and high water use shall be established.
5. A back flow prevention assembly (DCA 100 or equal) shall be specified and installed on the service side of the meter. Locate the double check valved back flow preventer near the side of the house and at least 12" above the ground. Cover exposed piping with weatherproofing. Covers such as the "Hot Rock" (a plastic cover used to disguise and protect the SPP) are encouraged. Note location on the plan.
6. Drip irrigation is encouraged at the base of trees to reduce water usage. Follow manufacturer's recommendations for emitters, drip lines and distribution hubs.
7. Irrigation controllers shall be weatherproof and mounted in the exterior service court. All controllers shall be out of view.
8. Irrigation systems shall be fully automatic and provide 100% coverage of all landscape and sod areas; exclusive of natural areas to remain.
9. It is recommended that automatic control valves be placed in valve boxes along the water main. Valve boxes shall not be covered over with sod or mulch or placed within a bed line.

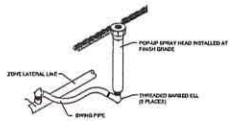
100% IRRIGATION COVERAGE SHALL BE PROVIDED TO ALL LANDSCAPE AREAS.

WATER SOURCE: WATER FROM METER. ANTICIPATED 40-50 PSI.

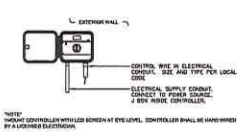
RAIN SENSOR: SYSTEM SHALL BE PROIVDED WITH A RAIN SENSOR.

PLANT SCHEDULE

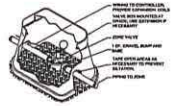
QTY.	COMMON NAME	BOTANICAL NAME	SIZE	NOTE
PALMS				
CANOPY AND UNDERSTORY				
QTY.				
9	SABAL PALM	Sabal palmetto	10' cl, skinny trunks, not-bootad	FL #1 (Skinny, Stick)
TREES				
3	DRAKE ELM	Ulmus parvifolia	100 gal., 3"-4" cal., 16'-24' oh, 8' sprd.	FL #1
3	CRAPE MYRTLE	Ligustrosmia indica 'Tuskegee'	100 gal., STANDARD, 16'-24' oh, 8' sprd.	FL #1
SHRUBS				
15	PODOCARPUS	Podocarpus macrophylla	15 gal., 5'-6' o.h., 24"x24", pol-to-pol	FL #1
118	MEXICAN COONTIE	Zamia furfuracea	5 gal., 30"x30"	FL #1 - Magnolia Co.
24	LIRIOPE SUPER BLUE	Liriope muscari 'super blue'	1 gal., full	FL #1
2	SIMPSON STOPPER	Myrtanthes fragrans 'simpsonii'	7 gal., 4'-5' o.h.	FL #1
10	MUHLEY GRASS	Muhlenbergia capillaris	3 gal., full	FL #1



SPRAY HEAD INSTALLATION DETAIL



CONTROLLER INSTALLATION DETAIL



ZONE VALVE INSTALLATION DETAIL

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These materials are copyrighted and protected under Section 102 of the Architectural Works Copyright Protection Act of 1990. The copyright protection applies to the overall form of the structure, the arrangement and composition of spaces and elements in the design, and to plans and drawings. Unauthorized use of these materials can result in substantial criminal and civil liability.

LANDWISE DESIGN
1934 Kane Boulevard, Suite 100 Jacksonville, Florida 32207
Office: 904.343.5144

SOUTHERN GROUNDS GATHER TOGETHER

REVISION:	DATE

ARCHITECT'S SEAL

CADD DWG. FILE NO.

SCALE:

CADD USER ID:
BRIAN

LEGAL DESCRIPTION:

PROJECT PHASE:
DISSION DEVELOPMENT PHASE II

PROJECT NUMBER

SOUTHERN GROUNDS
ALDER & OAK
ST. AUGUSTINE

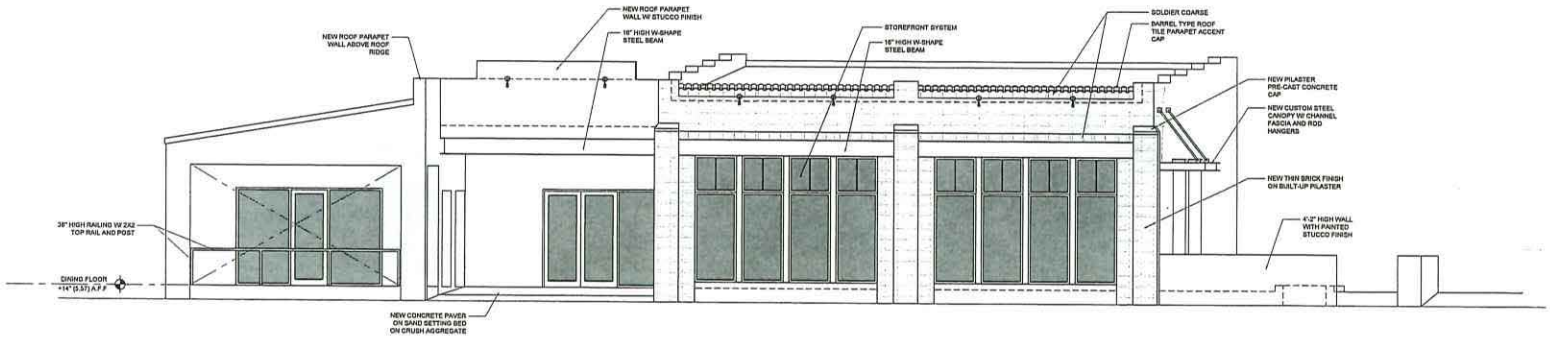
NEW CONSTRUCTION

ST. AUGUSTINE
FLORIDA

LANDSCAPE PLAN

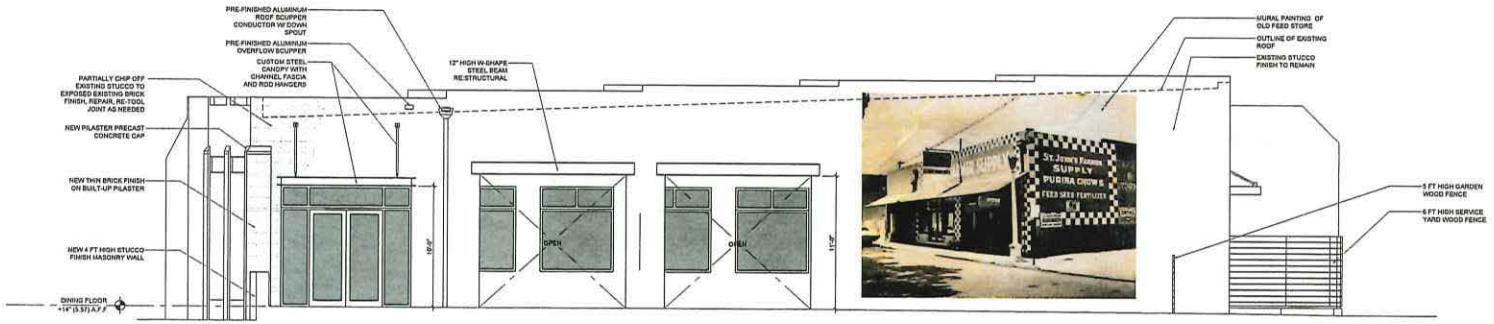
L-1

75% Issue - CD Phase 1 - 06.01.2021



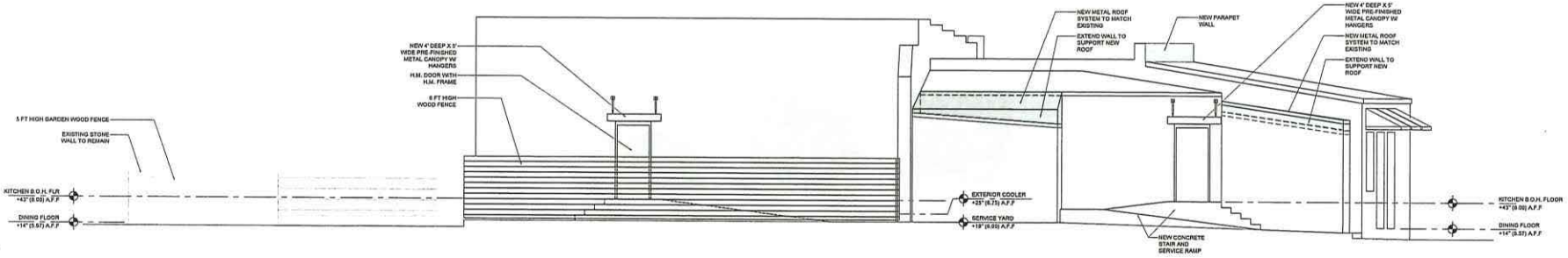
1 GRANADA STREET ELEVATION

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



2 GARDEN VIEW ELEVATION

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



3 PARKING VIEW ELEVATION

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

DO NOT MEASURE DRAWINGS
NOTIFY ARCHITECT OF ANY AND ALL DISCREPANCIES PRIOR TO CONSTRUCTION SEE GENERAL NOTES

CRONK DUCH ARCHITECTURE

1536 San Marco Boulevard, Suite 102 Jacksonville, Florida 32207
(904) 398-8900 Fax (904) 398-8901
240 North Ave. Suite 201, Palm Beach, Florida 33480
Office: 561.310.0262

SOUTHERN GROUNDS GATHER TOGETHER

REVISION	DATE

ARCHITECT'S SEAL

CARD, DWG., FILE NO.

SCALE:

CARD, USER ID:

LEGAL DESCRIPTION:

PROJECT PHASE:
DESIGN DEVELOPMENT PHASE II

PROJECT NUMBER

SOUTHERN GROUNDS
ALDER & OAK
ST. AUGUSTINE

NEW CONSTRUCTION

ST. AUGUSTINE
FLORIDA

ELEVATIONS

A2.1

DD I Review Set - 05.20.2021

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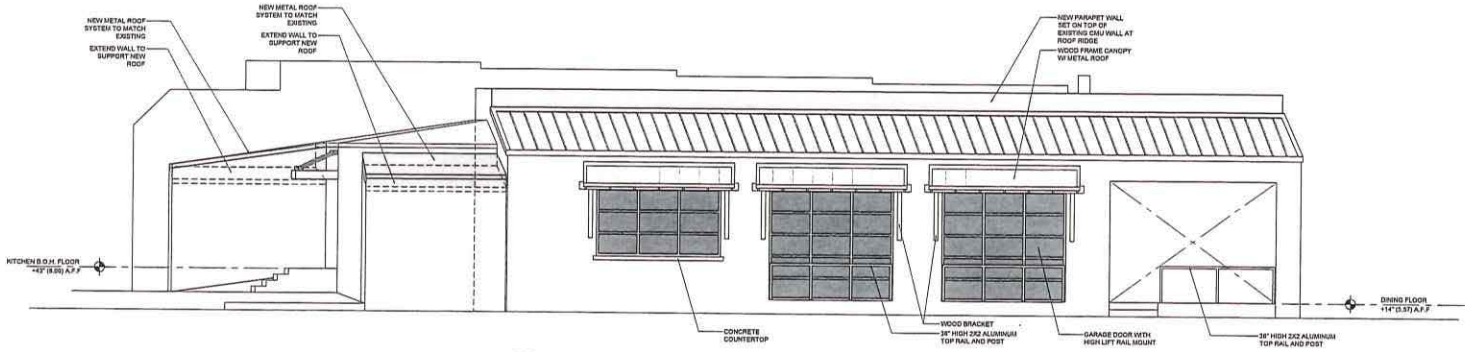
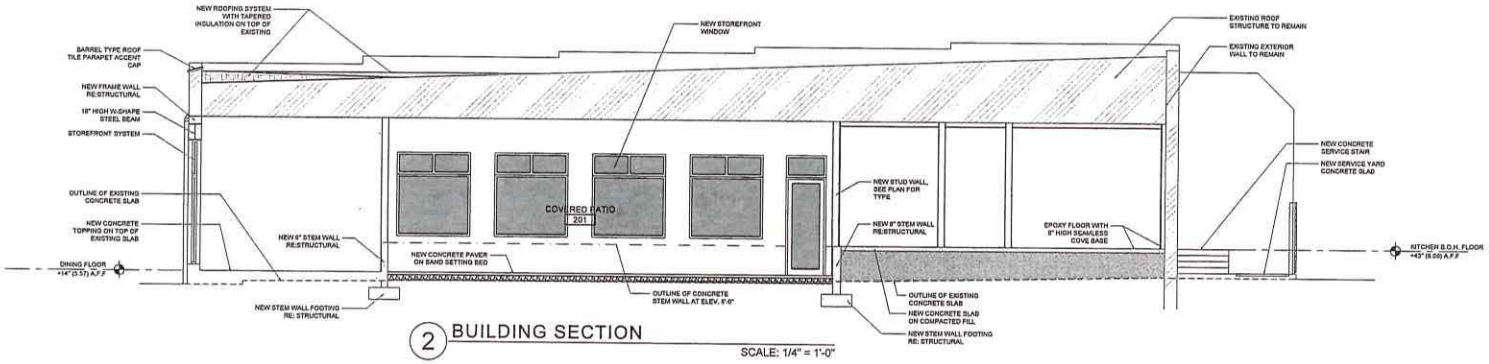


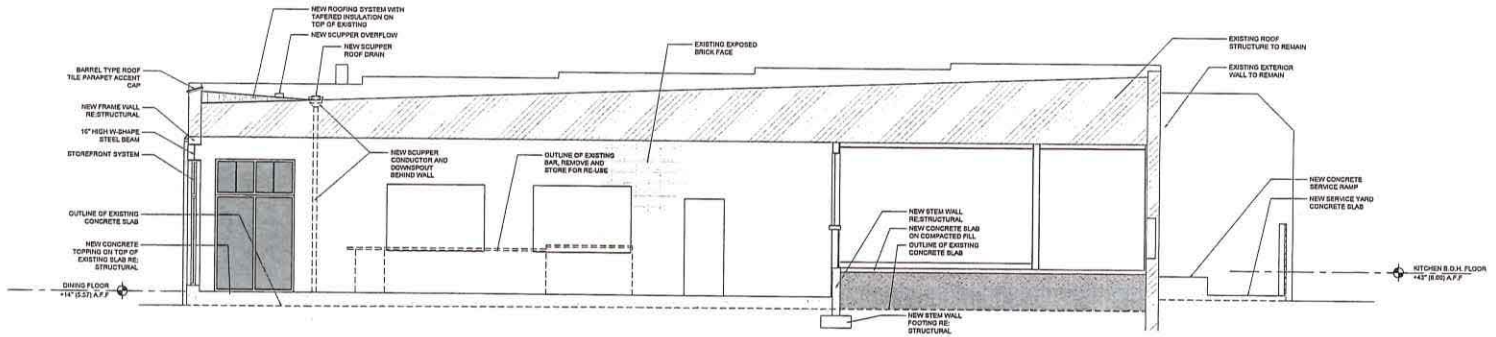
1 DE SOTO PLACE ELEVATION

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



2 BUILDING SECTION

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



3 BUILDING SECTION

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

DO NOT MEASURE DRAWINGS
NOTIFY ARCHITECT OF ANY AND ALL DISCREPANCIES PRIOR TO CONSTRUCTION. SEE GENERAL NOTES

CRONK DUCH ARCHITECTURE
1935 San Marco Boulevard, Suite 103 Jacksonville, Florida 32207
Office: 904.262.1644 Fax: 904.515.1629
210 North 4th St, Studio 202, Fernandina Beach, Florida 32034
Mobile: 904.557.0824

SOUTHERN GROUNDS GATHER TOGETHER

REVISION	DATE

ARCHITECT'S SEAL

CARD_RMD_FILE_NO.

SCALE:

CARD_USER_ID:
HBS

LEGAL_DESCRIPTION:

PROJECT_PHASE:
DESIGN DEVELOPMENT PHASE II

PROJECT_NUMBER

SOUTHERN GROUNDS
ALDER & OAK
ST. AUGUSTINE

NEW CONSTRUCTION

ST. AUGUSTINE
FLORIDA

BUILDING ELEVATIONS SECTIONS

A2.2

DD I Review Set - 05.20.2021

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McGarvey Residential Communities
1102 A1A North, Ste. 102
Ponte Vedra Beach, Florida 32082
904.247.9160

June 2, 2021

VIA U.S. MAIL

Neighborhood Council of St. Augustine, Inc.

P.O. Box 658

St. Augustine, Florida 32085-0658

Re: Developer Neighborhood Notice-36 Grenada Planned Unit Development

To Whom It May Concern:

This Developer Neighborhood Notice is submitted on behalf of 36 Granada, LLC. (the "Owner/Applicant"), the owner of property located at 36 Granada Street (the "Property"). The Property includes St. Johns County Parcel Identification Nos. 203240-0000

The Property is zoned Commercial Low - One ("CL-1"). The Owner is applying for a Planned Unit Development ("PUD") rezoning. The Property is improved with an existing building (over 6,000 square feet) that has been in place in some form since at least 1880 and has had many uses including a theater, restaurant, bar and feed store. The Owners are proposing a development plan for the Property to include a maximum of 7,000 square feet of retail/commercial space including all uses allowed within CL1 zoning category in addition to allowing all alcoholic beverages to be served on-site and a maximum 250 seat limit on all restaurants on the Property (combined). It is the applicants intent to have a gourmet coffee shop, artisan bakery and upscale restaurant in the building.

The Owners are proposing a PUD development plan for the Property, which includes only commercial uses, consistent with the site's future land use designation Commercial Low Intensity ("CLI").

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

Please contact me with any questions regarding the PUD application and any community meeting you may request.

Sincerely yours,

James N. McGarvey, Jr.

St. Johns County, FL

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

Sales Questionnaire

Summary

Clicking Image Opens Cyclomedia Viewer In a New Tab

Parcel ID	2032400000
Location Address	36 GRANADA ST SAINT AUGUSTINE 32084-0000
Neighborhood	Theatre COSA (COM) (610.26)
Tax Description*	CITY OF ST AUGUSTINE BLK 46-J E7FT OF LOT 8 & S113FT OF LOT 9 - 113FT ON GRANADA ST OR5184/843 *The Description above is not to be used on legal documents.
Property Use Code	Theaters (Owner Occupied) (3205)
Subdivision	City of St Augustine
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	19.4926
Acreage	0.340
Homestead	N

Owner Information

Owner Name	36 Granada LLC 100%
Mailing Address	77 ALMERIA ST SAINT AUGUSTINE, FL 32084-0000

Map

Valuation Information

	2021
Building Value	$505,169
Extra Features Value	$406
Total Land Value	$450,660
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	$956,235
Total Deferred	$0
Assessed Value	$956,235
Total Exemptions	$0
Taxable Value	$956,235

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
2020	$410,028	$406	$300,440	$0	$0	$710,874	$710,874	$0	$710,874
2019	$407,259	$406	$300,440	$0	$0	$708,105	$708,105	$0	$708,105
2018	$439,689	$446	$300,440	$0	$0	$740,575	$740,575	$0	$740,575
2017	$439,689	$446	$300,440	$0	$0	$740,575	$740,575	$0	$740,575
2016	$451,735	$446	$300,440	$0	$0	$752,621	$752,621	$0	$752,621
2015	$490,176	$446	$300,440	$0	$0	$791,062	$791,062	$0	$791,062
2014	$449,360	$0	$300,440	$0	$0	$749,800	$319,541	$430,259	$319,541
2013	$93,704	$0	$196,788	$0	$0	$290,492	$290,492	$0	$290,492
2012	$89,630	$4,693	$207,242	$0	$0	$301,565	$301,565	$0	$301,565
2011	$89,630	$4,693	$229,390	$0	$0	$323,713	$323,713	$0	$323,713
2010	$96,800	$4,693	$253,120	$0	$0	$354,613	$354,613	$0	$354,613

Building Information

Building	1
Actual Area	6578
Conditioned Area	6534
Actual Year Built	1880
Use	Theater
Style	04
Class	N
Exterior Wall	Concrete Stucco
Roof Structure	Rigid Frame

Roof Structure	Rigid Frame
Roof Cover	Modular Metal, Roll Composite
Interior Flooring	Concrete Finish, Vinyl Tile
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	
Baths	

Category	Type	Pct
Exterior Wall	Concrete Stucco	100%
Roofing Structure	Rigid Frame	100%
Roofing Cover	Modular Metal	30%
Roofing Cover	Roll Composite	70%
Interior Walls	Drywall	100%
Interior Flooring	Concrete Finish	60%
Interior Flooring	Vinyl Tile	40%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	12 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Slab	100%
Condition	Good	100%
Floor System	Concrete Slab	100%

Description	Conditioned Area	Actual Area
BASE AREA	6534	6534
CANOPY (COMMERCIAL)	0	9
CANOPY (COMMERCIAL)	0	35
Total SqFt	6534	6578

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Concrete Paving	0	10	10	0	100
Concrete Paving	0	15	12	0	180

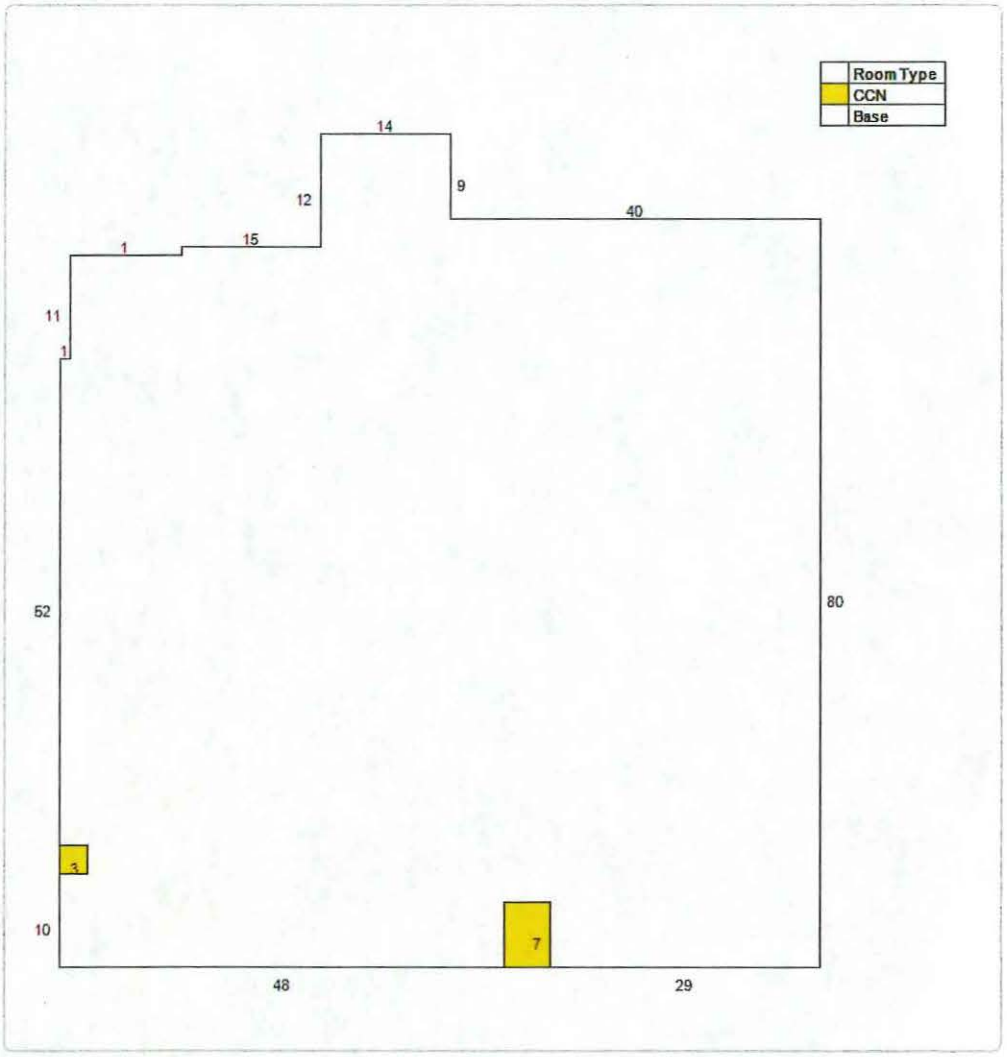
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Enclosed Theaters & Auditoriums	113	140	15022	SF	$450,660

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
2/19/2021	2/16/2021	$1,500,000.00	WARRANTY DEED	5184	843	Q	I	KABO INVESTMENTS LLC	36 GRANADA LLC
5/27/2014	5/23/2014	$1,000,000.00	TRUSTEES DEED	3883	507	Q	I	BABY'S FAMILY TRUST D: 1-1-05 BY PIERCE RENEE L TRUSTEES	KABO INVESTMENTS LLC
	2/3/2005	$100.00	WARRANTY DEED	2377	1238	U	I	PIERCE KENNETH L & EUNICE B	NEYBERT KENNETH G & PIERCE RENEE L TRUSTEES
	12/1/1982	$100,000.00		565	766	U	I		PIERCE KENNETH L,EUNICE B
	1/1/1977	$0.00		325	349	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: 6/5/2021, 12:45:33 AM

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04/16/2021 09:37

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO:	Planning and Zoning Board
DATE:	July 6, 2021
RE:	**REZONING #2021-0085**
AGENDA ITEM	7(a)
APPLICANT	Gary Davenport, PA
OWNER	36 Granada Street, LLC
LOCATION	**36 Granada Street**
REQUEST	To rezone the property from Commercial Low-one (CL-1) to Planned Unit Development (PUD).
LAND USE	Commercial Low Intensity
ZONING (Existing) ZONING (Proposed)	Commercial Low-one (CL-1) Planned Unit Development (PUD)
SURROUNDING USES	Restaurant, Short term rental, Museum, Government Offices, Parking lots

APPLICABLE CODES/ORDINANCES

Sec. 28-30. Comprehensive plan amendments, rezonings and amendment of chapter.

(a) General. This chapter may from time to time be amended, supplemented or changed; the land use plan and land use map established by the comprehensive plan may also be amended and the zoning atlas may from time to time be revised by the rezoning of land as provided in this section.

(b) Initiation of proposals. An ordinance for the rezoning of land may be proposed only by the city commission or any member thereof, by the planning and zoning board or by the owner of subject property, its attorney or duly authorized agent. An amendment to this chapter may be proposed for adoption only by the city commission or any member thereof, or by the planning and zoning board. Proposals to amend this chapter shall be submitted in writing, accompanied by all pertinent information which may be required for proper consideration of the matter.

(c) Nature and requirements of board report. The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:

(1) The need and justification for the change.

(2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.

(3) Consistency with the Comprehensive Plan.

(d) Board report to commission. If the board recommends approval of the amendment or rezoning, the board shall forward its recommendation and report to the city commission.

The report and recommendation of the board shall be advisory only and shall not be construed to be binding upon the city commission. If the board recommends denial of the amendment or rezoning, the property owner or other person aggrieved may proceed with an appeal to the city commission pursuant to section 28-29(g) of the City Code.

(e) Limitations on rezoning of land:

(1) No ordinance to rezone land shall contain conditions, limitations or requirements not applicable to all other land in the zoning district to which the particular land is rezoned, except as provided in article III, division 8.

(2) Whenever the city commission has, by ordinance, changed the zoning classification of land, the board shall not then consider any application for rezoning of any part or all of the same land for a period of one (1) year from the effective date of such ordinance.

(3) Whenever the city commission has denied an application for the rezoning of land, no further application shall be filed for the same rezoning of any part or all of the same land for a period of six (6) months from the date of such action. In the event that two (2) or more applications for the same rezoning for any part or all of the same land has been denied, no further application shall be filed for the same rezoning or any part or all of the same land for a period of one (1) year from the date of such action denying the last application filed.

(4) Land use plan amendments shall be made consistent with the State of Florida's Community Planning Act F.S. ch. 163, as may be amended from time to time.

(f) Waiver of time limits. The time limits of subsection (e) may be waived by three (3) affirmative votes of the city commission when such action is deemed necessary to prevent injustice or to facilitate proper development of the city.

(g) City commission action. Upon receipt of a favorable report of the board as required by subsection (d) hereof, the city manager shall set the date for a public hearing before the city commission. The date of such public hearing to be set by the city manager shall be the first regular meeting of the city commission after ten (10) days following receipt of a report. At the conclusion of the public hearing, the city commission shall either deny the proposed amendment or rezoning or by ordinance adopt such amendment or rezoning.

(h) Process, public hearings and notification for amendments to this chapter or rezoning of land (city commission public hearing). The amendment process, including public hearings and notification regarding amendments to this chapter which change the actual list of permitted, conditional or prohibited uses within a zoning category or which change the actual zoning map designation of land in the city shall be as required by F.S. [chapter] 166. Public hearings for ordinances initiated by other than the city that change the actual zoning map designation of a parcel or parcels of land, required to be enacted pursuant to F.S. 166.041(3)(a) shall be noticed in accordance with section 28-59(a) of the City Code.

(i) Process, public hearings and notification for comprehensive plan amendments (city commission pubic hearing). The amendment process, including public hearings and notification for comprehensive plan amendments, shall be consistent with the State of Florida's Community Planning Act, F.S. ch. 163, as may be amended from time to time.

ZONING DISTRICTS

Existing

Sec. 28-206. Commercial low-one: CL-1.

Intent. 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 CL-1 district is not intended for use by medium intensity commercial uses such as service stations, vehicle repair and sales, etc. However, professional and business offices and similar uses are encouraged.

(1) Permitted uses and structures:

a. Retail outlets such as specialty food stores and drugs (but not supermarkets); clothing, hardware, toy and hobby shops; pet shops (but not kennel or veterinarian); bookstore and newsstand; stationery and card shops; leather goods and luggage; jewelry (including repair but not pawn shops); art and photographic supplies; TV and stereo equipment (including incidental repairs); florist or gift shop; bake shop (but not wholesale bakery); sporting goods; sundries and notions; business office supplies; musical instruments, records and tapes; and similar products.

b. Service establishments such as hair salons, shoe repair shop, restaurant (up to one hundred (100) seats, but not drive-in or fast food), interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal senses from off the premises and similar activities.

c. Tourist homes and bed and breakfast inns.

d. All types of professional and business offices.

e. Churches (except temporary revival establishments).

f. Libraries and museums.

g. Single-family dwellings as for RG-1 (section 28-163).

h. Multiple-family housing.

i. Rooming and boarding houses.

j. Housing for the elderly.

k. Home office, private.

l. Antique shops.

m. Stables, provided, however, that property shall have been utilized as of the date of the adoption of this subsection [December 23, 1991,] as a stable for more than two (2) years preceding such adoption, and no other.

n. Tattoo parlor

o. The above uses are subject to the following limitations:

1. Sale, display, preparation and storage to be conducted within a completely enclosed building, and no more than twenty (20) percent of floor space to be devoted to storage.

2. Products to be sold only at retail.

3. No sale, display or storage of secondhand merchandise except as incidental to sale of new merchandise.

(2) Permitted accessory uses and structures:
a. See section 28-348.
b. Parking lots complying with section 28-347(3).
(3) Permissible uses by exception:
a. Hotel/motel, maximum of thirty (30) units.
b. Plant nursery.
c. Sale of alcoholic beverages with alcoholic content not more than fourteen (14) percent for consumption, either on the premises or off the premises.
d. Wholesaling from sample stocks only, provided no manufacturing or storage for distribution is permitted on the premises.
e. Medical/dental clinic, intermediate care facility.
f. Uses and structures as for RG-1 (section 28-163).
g. Indoor movie theatres.
h. Commercial recreational or entertainment facilities in completely enclosed building such as billiard parlor, bowling alley, swimming pool, skating rink, dance hall and similar uses.
i. 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.
j. Micropigmentation clinic.
(4) Minimum lot requirements (area and width). None, except as needed to meet other requirements specified herein.
(5) Maximum lot coverage by all buildings. Fifty (50) percent.
(6) Minimum yard requirements. All uses, except single-family dwellings:
a. Front. Ten (10) feet minimum, fifteen (15) feet maximum; except where lot width is less than one hundred (100) feet and buildings (if any) on adjacent lots have provided a lesser front yard, front yard shall be average of buildings on adjacent lots. 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. Ten (10) feet.
c. Rear. Ten (10) feet.
(7) Maximum height of structures. Thirty-five (35) feet.

Consistency with the Comprehensive Plan

The proposed PUD is consistent with the city's Comprehensive Plan 2040. The following Goals, Objectives and Policies illustrate the Comprehensive Plan's support for infill redevelopment.

This category is described in part in **FLUE Policy 6.5.1** as:

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 intended for low traffic generating commercial uses including general retail sales and service-related uses intended to serve the local neighborhoods. In addition, professional and business offices, compatible tourist accommodations and similar uses are encouraged. Appropriate uses may include recreation, public and institutional uses, Open Land (Conservation), multi-family, and residential or non-residential mixed uses....

FLUE Objective 3.2

The City shall encourage redevelopment and renewal of areas that are exhibiting evidence of decline (i.e., disproportionate number of vacant, dilapidated and/or substandard structures) or blight through redevelopment programs and through maintaining land development codes that contain standards and procedures to encourage redevelopment where desirable,

FLUE Goal 5 Urban Sprawl

Discourage urban sprawl by encouraging innovative strategies to promote infill and compact development or redevelopment and establishing energy efficient land use patterns.

FLUE Policy 5.1.2

The City shall encourage infill and redevelopment through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

FLUE Goal 9 Economic Development

Promote economic development in an effort to provide a variety of employment opportunities, create a sustainable future, and encourage a positive business climate.

FLUE Policy 9.1.2

The City shall work towards a variety of policies within the Comprehensive Plan and land development code that support and encourage commercial and industrial development within the City and surrounding area.

- This includes encouraging a mix of uses in the city to promote accessibility to a variety of uses.
- This includes strengthening and diversifying the local economy.

- This includes redevelopment and revitalization efforts, including aesthetic improvements to encourage commercial and industrial investment within the City of St. Augustine.
- This includes the promotion of uses that are commercial or industrial that support, promote or are compatible with the urban character of the city.

STAFF SUMMARY AND ANALYSIS

A rezoning application for this property from CL-1 to CL-2 was denied by the Board on May 4, 2021. At that time, there was discussion about approaching this rezoning with a Planned Unit Development.

The following are 5 aspects of the 36 Granada Planned Unit Development that may require further examination.

1. LOCATION

- The property sought to be rezoned is identified on page 3, Sec.(B)(1) *Location*, as 36 Granada Street, St. Johns County Property Appraiser Parcel Identification No. 203240 0000 (the "**Property**"), which is 36 Granada Street, the former Corazon Theater.
- The PUD text does not include the parking lot at 8 De Soto Place, (PID#203230 0000) in the rezoning request. This property is the parking lot directly adjacent to 36 Granada Street the west, but it is identified on the PUD site plan as "parcel 2".
- The legal description in the PUD narrative, entitled "EXHIBIT A", includes "parcel 1" and "parcel 2". It is not clear if the legal description in "EXHIIT A" describes only 36 Granada Street or if it describes 36 Granada Street and 8 De Soto Place. If there is an inconsistency between the PUD text and the PUD legal description, this must be corrected to identify which property is the subject of this rezoning request.

2. USES

- The 36 Granada PUD Project Text identifies the uses of this property as "all uses within CL-1 zoning category in addition to allowing alcoholic beverages to be served on-site", it then goes into more specific details about the use of the property as a restaurant.

3. PARKING

- The parking associated with this PUD is identified in the PUD test as, "Parking will be provided onsite and on the immediately adjacent lot pursuant to a lease agreement".
- The lot identified on the site plan as "lot 2"is the presumed "immediately adjacent lot", and this is reinforced in Sec.7(g) *Parking*, when is identifies the parking "as depicted on attached Exhibit "B" Site Plan, but there are city and private parking lots that are also immediately adjacent to this property, so the specific location of the offsite parking lot identified in the PUD text should be clarified as the parking lot at 8 De Soto Place (PID # 203230 0000).
- The PUD text also allows for further offsite parking in Sec.(B)(4) *Summary of Proposed Development*, "If the Owners find it desirable to acquire future additional appropriate parking, the combined total number of seats…" This allows for additional offsite parking

to be assigned to the PUD, but only for increasing the number of seats in a proposed restaurant development from 204 to 250. The use of offsite parking is a use by exception in the city code but it is provided for in this PUD as a matter of right.

- The PUD Project Text describes in some detail the "project" or "proposed development" and on in Sec.7(g), last sentence, it says, "The minimum number of parking spaces that will be provided per individual land use are set forth in the table above. The table above only identifies restaurant parking, which is the "project" or "proposed development". However, the PUD allows for all the uses in CL-1 which include retail, offices, residential, special events venues, etc. If the restaurant use of the property changes to any other use allowed in CL-1, the applicable parking requirements should be assigned to that new use.

4. CONCURRENCY AND LAND DEVELOPMENT CODE EXEMPTION

- Sec. (B)(4) *Summary of Proposed Development*, page 4, provides language which exempts "the project", which is defined as restaurant use of the property, with up to 250 seats, from the requirements of the Concurrency Management Ordinance and Land Development Code, because "there is no change of use for the existing property". The property is currently vacant and the previous use of the property was a movie theater and sandwich shop. The city does not have any records of a 250 seat restaurant at 36 Granada Street.

5. HARB REVIEW AUTHORITY ON PARTIAL DEMOLITION

- Sec. (D)(3) *Redevelopment and infill projects.* The PUD text provides an exemption from HARB review of an partial demolition.

STAFF RECOMMENDATION

Staff does not make recommendations concerning the rezoning of land.
The Board is responsible for making a recommendation based on the following;

(1) The need and justification for the change.

(2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.

(3) Consistency with the Comprehensive Plan.

David Birchim

David Birchim, AICP
Director Planning and Building Department

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: $400.00 (plus advertising costs) Project Number: 2021-0085

Receipt Number: 2189757 Meeting Date: July 6, 2021

Advertising Costs: $ 33.20 Paid On: 6/11/21 Receipt Number: 2134106

1. NAME OF APPLICANT: Gary B Davenport Contact Number: 904 669 3186
   Business *(if applicable)*: Gary B Davenport PA
   Address: 212 S Shadowwood Dr City: St Augustine State: FL Zip: 32086
   E-Mail Address: garybdavenport@gmail.com

2. NAME OF PROPERTY OWNER: 36 Granada LLC Contact Number: 904 535 9759
   Business *(if applicable)*: c/o Alsop Properties
   Address: 77 almeria St City: St Augustine State: FL Zip: 32084
   E-Mail Address: an@alsopcompanies.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: Parts of Lots 8 & 9 Block: 46J
   Subdivision: Parcel Number: 2032400000

4. PROJECT STREET ADDRESS: 36 Granada St

5. SPECIFIC PROPOSED USE: Restaurants, premium coffee shop, artisan bakery

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

7. DESCRIPTION OF ACTION REQUESTED: Rezone to PUD. See attached Narrative

8. JUSTIFICATION FOR ACTION REQUESTED: To allow adequate seating capacity for 3 restaurants
   CL1 has a cap on restaurant seating not suitable for the size of the building. Also CL1 restricts alcahol to beer and wine not suitable for a high end restaurant. PUD allows flexibility so that this building that is over 140 years old can now become compliant with its new zoning.

9. IF APPLYING FOR A VAR.. ..NCE, PLEASE COMPLETE THE FOLLOW.. .. 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.

Zoning to OL2, denied by PZB. Not appealed

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 6/4/21

Signature of Property Owner — Date 6/4/21

CITY OF
ST AUGUSTINE
EST. 1666

Owner's Authorization For Agent

Gary Davenport is/are hereby authorized TO ACT ON BEHALF OF 36 Granada, LLC, the owner(s) of those lands described within ☒ the attached application, or ☐ described within the previously filed Application number: _____, and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine's Planning & Zoning Board, located at: 36 Granada Street, St. Augustine, FL 32084.

BY: _____
Signature of Owner

Andrew T. Norgaut
Print Name of Owner

904-647-2619
Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 4th day of June, 2021.

By Andrew Norgaut

Identification verified: known

Oath sworn: _____ Yes ✓ No

Notary Signature: _____

My Commission expires: April 11, 2022

AMANDA SPETTEL
Notary Public - State of Florida
Commission # GG 206357
My Comm. Expires Apr 11, 2022
Bonded through National Notary Assn.

Rev:022117

36 Granada Planned Unit Development

City of St. Augustine, Florida

June 3, 2021

Team Roster

Owners/Applicants:

36 Granada, LLC
77 Almeria St.
St. Augustine, FL 32084

Architect:

Cronk Duch Architects
124 Diego Island Ct.
St. Augustine, FL 32095
(904) 626-3452

Legal/Authorized Agent for Owners:

Gary B Davenport, P.A.
212 S Shadowwood Dr.
St. Augustine, Florida 32086
(904) 669-3186

Exhibit List:

Exhibit "A" – Legal Description of the Property
Exhibit "B" – Site Plan with Elevations / Landscape Plan

36 GRANADA PLANNED UNITDEVELOPMENT PROJECT TEXT

A. Purpose and Intent.

Pursuant to Section 28-286 of the City of St. Augustine Code (the "**Code**"), the purpose of a planned unit development ("**PUD**") zoning district is to provide an option and process for the provision of unique, individually planned developments that are consistent with the City's Comprehensive Plan and the categories outlined in the Comprehensive Plan, but may allow for more creative, flexible and innovative designs for projects than the regular zoning districts allow. The intent of a PUD is to permit this flexibility from the strict application of traditional zoning district regulations by identifying each waiver, variance or exception to such regulation and providing an alternative development condition for that specific PUD.

This 36 Granada PUD text includes site-specific regulations to address the development of the Property. The PUD, including all exhibits hereto, complies with all applicable provisions of City Code Chapter 28.

B. Site Information.

1. Location

The property subject to this PUD ordinance is located at 36 Granada St. The property has St. Johns County Parcel Identification No. 203240-0000 (the "**Property**"). A legal description of the Property is attached as **Exhibit "A"**. The Property includes approximately .34 acres, owned by 36 Granada, LLC ("**36 Granada LLC**").

2. Owners and Agent

The owner of the Property is 36 Granada, LLC ("**Owner**"). The agent for the Owner is Gary B. Davenport, P.A. (the "**Agent**"). Addresses for the Owner and Agent are in the Team Roster on page 2.

3. History, Existing Approvals

The Future Land Use Map ("**FLUM**") designation of the Property is Commercial Low Intensity. The Property is zoned Commercial Low-One (CL-1). The existing building has been in place in some form since at least 1880 and has had many uses including a theater, restaurant, bar and feed store.

4. Summary of Proposed Development

The Owners are proposing a development plan for the Property to include a maximum of 7,000 square feet of retail/commercial space including all uses allowed within CL1 zoning category in addition to allowing all alcoholic beverages to be served on-site. With the current available parking (see section 7.g) there will be a maximum 204 seat limit for all restaurants on the Property (combined). If the Owners find it desirable to acquire future additional appropriate parking, the combined total number of seats for all combined restaurants on the Property will not

exceed 250 (section 7.g) A master development plan depicting the locations of the proposed land uses is attached as **Exhibit "B"** (the "**Master Development Plan**"). City staff shall be permitted to approve minor deviations from the Master Development Plan.

The Property includes approximately .34 acres of uplands. There are no wetlands on the Property.

The project is exempt from the requirements of the Concurrency Management Ordinance and Land Development Code regulations because there is no change of use for the existing facilities. The Property historically has be used for bars and a restaurant as well as a theater and feed store.

Proposed Development (Code Section 28-289 provisions in BOLD).

5. **Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future Land Use Map category for the property.**

As set forth in Section B.3 above, the Property has a FLUM designation of Commercial Low Intensity.

City Comprehensive Plan Future Land Use Element ("FLUE") states that Commercial Low Intensity (CLI) is intended to apply to those areas where small groups of low intensity commercial uses may be appropriately located to serve within convenient traveling distance from one (1) or serval neighborhoods. The district is intended for low traffic generating commercial uses including general retail sales, and service-related uses intended to serve local neighborhoods. In addition, professional and business offices, compatible tourist accommodations and similar uses are encouraged. Appropriate uses may include recreation, public and institutional uses, Open Land (Conservation), multi-family, and residential or non-residential mixed uses.

Future Land Use Element Objective 4 encourages the use of innovative and sustainable land development practices that maximize the use of existing services and facilities, such as planned unit developments. The 36 Granada project is a single use redevelopment PUD and will connect to existing utilities and other infrastructure, which have capacity to serve the Property. The Property is located on the corner of Granada Street and Desoto Place which are public roads. The project will provide ample parking.

The Transportation Element Goal emphasizes the maintenance of a coordinated multimodal transportation system which provides for the safe, efficient and economical movement of people, goods and services and protects the City's natural, cultural and historical resources. The project is located in downtown St. Augustine, within walking distance of most destinations. Many customers will either be staying in local hotels or living or working in the local area. Many of these visitors will either walk or bike to the Property. Ample parking will also be available at the Property.

Transportation Element Objective 1.5 requires the City to identify and pursue strategies to reduce the vehicle miles traveled by establishing locations for compact, mixed-use development, increasing opportunities for job creation proximate to higher density residential, facilitating future opportunities for transit-oriented development and encouraging new developments to be connected

by roadways, bikeways and pedestrian systems that encourage travel between neighborhoods and access to transit without requiring use of the major thoroughfare system. The 36 Granada PUD meets most of these objectives by providing redevelopment of an existing building, central to downtown and creating jobs within the area where people live and work. The Property is connected to downtown St. Augustine and Lincolnville by roadways, bikeways and pedestrian systems. The Property is already on trolley and other transit routes.

Recreation and Open Space Element Policy 4.1 requires certain residential developments to provide parks and recreational facilities, based on the number of proposed units. For development of 100 or more units, this parkland or open space must provide at least one (1) active recreational facility and one (1) passive recreational facility per 100 units. The 36 Granada PUD does not include residential development.

The Conservation and Coastal Management Element Goal is to protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources. The Property does not contain any environmentally sensitive lands, vegetative communities or wildlife habitats.

Conservation and Coastal Management Policy 2.1.1 requires the City to maintain three (3) Conservation Overlay Zones ("**COZs**"). Conservation Overlay Zone 1 allows passive recreation, wildlife preservation and conservation areas, green space, and fishing piers, boat docks, and other water dependent uses, including boat ramps and marinas. Conservation Overlay Zone 2 allows for all of the uses within Zone 1, as well as specialized, scenic or linear parks and boardwalks, off-street parking areas; and residential development, provided that they are (1) located so as to minimize impacts to Conservation Overlay Zone 1 vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category. Conservation Overlay Zone 3 allows a variety of land uses and development subject to performance standard requirements governed by the City's Comprehensive Plan, including the underlying Future Land Use Category, and the City's land development regulations. The 36 Granada project is not subject to the Conservation Overlay zones.

The Infrastructure Element requires the provision of sanitary sewer, potable water and solid waste services to support intended development. The 36 Granada project is already connected to the City's existing sanitary sewer and potable water systems, and any modification to such connections will be at the expense of the Owners (in compliance with Capital Improvement Objectives 4 and 5), and the Owner will make improvements to the extent required solely for the project. The project will use water-wise landscaping where practicable. The project will also utilize City solid waste services. The Stormwater Management Sub-Element requires developments to provide their own stormwater management systems. As an existing facility the project is exempt from this provision.

Capital Improvement Element Objective 6 and Public School Facilities Element Goal 2 require the City to ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standards for public schools. This is not applicable to this project as there is no residential element.

6. For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts.

Not applicable.

7. The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception.

The Owners desire to rezone the Property to PUD in order to provide a development plan that meets current and future needs of the City for redevelopment in this area. The following development standards shall apply to the Property:

a. Allowable uses: Allowable uses within the Property on Parcel 1 shall be a maximum of 7,000 square feet of any of the uses permitted in CL1, with the addition of all alcohol sales (limited to service and consumption on premises) allowed and a current limitation of 204 (and up to 250 seats in the future with appropriate additional parking (see section 7.g)) for all the restaurants combined.

The locations of the proposed uses are depicted on the Master Development Plan, **Exhibit "B"**. Parking shall be as provided in Section C.3.g hereof.

b. Setbacks: The minimum building setbacks are as follows:

1. A minimum of zero (0) feet from each property line along Granada St. and Desoto Place.(existing setback)

2. The north side and rear (west) setbacks shall be ten (10) feet from the building to the adjacent property line. The parking in the rear of the building shall not require a setback or landscaping buffer as it is adjacent to the offsite parking.

c. Maximum building height: Buildings shall not exceed 35 feet in height.

d. Minimum lot size: None.

e. Minimum lot width: None.

f. Maximum lot coverage: 75 percent for the Property.(existing)

g. Parking: Parking will be provided onsite and on the immediately adjacent lot pursuant to a lease agreement and will meet the requirements of the City's 2020 Land Development Regulations, as depicted on attached Exhibit "B" Site Plan. The current Site Plan shows 10 parking spaces onsite and 51 on the offsite parking area. With 2,000 square feet of non-patron area proposed, seating would be limited to 204 sets. If additional parking is provided offsite and approved by the City (if required), seating could be expanded (subject only to Fire Code) but would be

capped at 250.

Land Use	2020 City Code Requirement
Restaurant	1 space per 4 patrons and 1 space per 200 sq. ft. of non-patron area

Parking among the various land uses within the PUD will be shared. The leased parking area has traditionally been used for offsite parking and will be permitted to remain as a gravel lot to minimize stormwater impacts.

Parking may be provided in the existing surface lots on the Property. The project is intended for a coffee shop, artisan bakery and upscale restaurant. Those uses have parking requirements that vary depending on time of day and day of the week. Thus, the Owners will provide parking that meets the needs of the Project without overparking the site. The minimum number of parking spaces that will be provided per individual land use are set forth in the table above.

h. Signage: Project signage will be categorized as Commercial Zone 1, the requirements for which are set forth in Section 3-66(c) of the Code. Notwithstanding, the Owner may paint the historic sign shown on the attached elevations anywhere on the north side of the building which shall not be counted against the maximum number or square feet of signage permitted under the Code because it is for historical and decorative purposes and does not advertise any business located in the building.

i. Roads: No internal roads are being provided in the PUD.

j. Sidewalks: No internal sidewalks are being provided in the PUD.

k. Stormwater: The project is exempt from stormwater requirements as an existing facility with no use changes proposed.

l. Lighting. Project lighting shall comply with applicable Code provisions.

n. Accessory Uses. Project accessory uses shall comply with applicable Code provisions.

o. Temporary Uses. Project temporary uses shall comply with applicable Code provisions. Temporary offices and construction trailers shall be allowed on the Property during construction of any building and may be moved throughout the site if necessary but shall be removed within 30 days of issuance of a final Certificate of Occupancy by the City for the final building within the Property. Parking may be provided for the temporary offices and trailers in a temporary defined, but unpaved, area which meets applicable Code provisions.

p. Utilities: Project will utilize existing utility connections to the extent permitted.

q. Landscaping: A landscape plan is attached as a part of **Exhibit "B"**.

r. Tree Mitigation: Project tree removal and replacement will comply with applicable provisions of Code Chapter 25, Article III.

s. Conservation Overlay Zone Development: None of the Property is within the Conservation Overlay Zone.

8. **Compliance with the purpose and intent and criteria in Code Section 28-286.**

The 36 Granada PUD complies with Code Section 28-286 by:

a. Promoting more efficient and economic use of land by offering redevelopment of an infill site with an existing building that is progressively deteriorating.

b. Encouraging a more compatible and harmonious development of contiguous lands by creating uses that will enhance the sense of community/

c. Providing flexibility to meet changing needs, technologies, economics and consumer preferences in the Master Development Plan and this text;

d. Providing a process to assess a development's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole;

e. Demonstrating the coordinating of architectural styles, building forms, and building relationships within a planned development, as well as, the planned development's relationship with the existing and preferred architectural context surrounding the project;

f. Providing an environment of consistent character compatible with the surrounding areas; and

g. Permitting specific limitations and requirements in excess of those included in other zoning districts, based on the unique characteristics of the individual site, where necessary to the public health, safety or welfare, or for the protection or preservation of lands, neighborhoods or areas of the city deemed unique or historic based on the proposed location of the planned development.

9. **Compliance with Code Section 28-288 and justification for any zoning uses.**

As stated in Section C.4 hereof, the allowable uses within the Property shall be a maximum of 7,000 square feet of retail/commercial space including all uses allowed within CL1 zoning category in addition to allowing all alcoholic beverages to be served on-site and a current maximum 204 seats (250 seat limit with appropriate additional parking, see section 7.g) for all restaurants on the Property (combined). A master development plan depicting the locations of the proposed land uses is attached as **Exhibit "B", Master Development Plan**. The proposed uses are permitted in the FLUM

designation for the Property.

Development standards for the Property are set forth in Section C.3 hereof. These standards will mitigate for any negative impacts of the development on surrounding lands.

Benefits to the community from the 36 Granada project include:

a. Improvements to the streetscape of Granada St. See **Exhibit "B"** for a proposed plan for the improvement.

b. Providing a redevelopment infill project of a deteriorating facility.

c. Utilizing existing infrastructure, at no cost to the City.

d. Increasing the number of jobs available to City residents, thus allowing them to work locally, even within walking and biking distance from their homes.

10. The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance or other related permit.

The 36 Granada project will be developed in one (1), three-year phase. Construction shall commence within three (3) years of the City Commission's adoption of this PUD ordinance and shall be completed within six (6) years of commencement. For purposes of this PUD, "commencement" shall be defined as the City's approval of building permits, and "completion" shall be defined as the City's approval of a certificate of occupancy.

11. **Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement.**

The Owners will record one or more access and utility easement and maintenance agreements against title to their respective lands to ensure for the continuing operation and maintenance of project infrastructure.

12. A termination date after which the PZB shall be required to evaluate whether all or part of the PUD has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) or other circumstances have contributed to the development delay, if so, one (1) year extension(s) may be granted by the PZB at an advertised public hearing, after two (2) such extensions if no activity has been initiated the city commission shall deem the PUD abandoned which shall act as a reversion of the zoning to its pre-PUD zoning district forthe areas not in compliance with the phasing schedule.

This PUD shall terminate 6 years from its adoption by the City Commission unless otherwise extended or amended pursuant to the Code or Florida law.

13. **If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted.**

The proposed PUD is consistent with the underlying future land use designation of the Property.

14. **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 proposed PUD will not significantly impact public facilities. By redevelopment of an existing building the proposed uses will maintain existing connections to city infrastructure and will not affect circulation patterns or transportation networks. Therefore an impact analysis is not required for this project.

15. **A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made intheir application and at hearing relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing, termination and reversion clauses.**

See Section E hereof.

C. Performance Standards (Code Section 28-291).

The Performance Standards of Code Section 28-291 only apply to residential and mixed use developments. The 36 Granada PUD does not include residential development.

D. Performance Standards (Code Section 28-292).

Standards and criteria for redevelopment and infill PUD developments

1. General development patterns. The proposed PUD will maintain the existing building while enhancing the streetscape and architectural appeal of the building. In doing so it shall respect the existing development patterns and provide for compatibility within the existing area. The architectural and landscape enhancements will contribute significantly to the area and increase the value of the surrounding area.

2. Contributions to existing community. The proposed PUD will demonstrate consideration for the existing neighborhoods and street patterns by not changing or impacting either. The building shall remain substantially as it has for over 100 years, but with aesthetic and architectural improvements. Parking will be provided in the rear of the building (in an leased area already used for parking) to limit impact on pedestrian access and remain consistent with other commercial uses along Granada St. The PUD will be consistent with the character and history of this area. The uses proposed will be designed to create a unique sense of place with appropriate design, massing, screening and architectural techniques as demonstrated on the attached renderings.

3. Redevelopment and infill projects. The existing building, while old, is structural sound and does not warrant demolition. Significant exterior improvements will be made, primarily for aesthetic purposes. Further, significant interior improvements will be made to maximize use and aesthetic value and to bring the existing facility up to current code and health standards. Detailed drawings of the existing and new streetscape are attached. By placing the parking in the rear off of Granada St., impacts to the pedestrian nature of Granada St. will be minimized. The site is already cleared and tree removal is not required. The PUD shall be exempt from any HARB review should a certificate of partial demolition be required consistent with the attached elevations.

E. Ownership Agreement.

The Owners, on behalf of themselves and their successors and assigns, hereby agree and stipulate to proceed with the proposed development in accordance with the PUD ordinance for this application as adopted by the City of St. Augustine City Commission. The Owners also agree to comply with all conditions and safeguards established by the St. Augustine City Commission with respect to this Planned Unit Development application.

36 Granada LLC,
a Florida limited liability company

By: _____
Name: Andrew T. Nugent
Title: Manager
Date: 6/3/21

Exhibit "A"

Legal Description of the Property

EXHIBIT "A"

PARCEL 1:

BEGINNING AT A POINT ON THE NORTH LINE OF DESOTO PLACE, 135 FEET WEST OF THE WEST LINE OF GRANADA STREET, SAID POINT OF BEGINNING BEING THE SOUTHWEST CORNER OF PROPERTY OF PARRISH; RUN THENCE WEST ALONG THE NORTH LINE OF DESOTO PLACE 7 FEET TO A POINT, RUN THENCE NORTH AND PARALLEL TO THE EAST LINE OF PROPERTY DESCRIBED IN DEED BOOK 228, PAGE 200 AND AT ALL TIMES 7 FEET WEST THEREOF, A DISTANCE OF 124.7 FEET MORE OR LESS TO A FENCE, WHICH FENCE IS THE NORTH LINE OF PROPERTY DESCRIBED IN DEED BOOK 228, PAGE 200; RUN THENCE EAST ALONG SAID FENCE LINE 7 FEET TO THE NORTHEAST CORNER OF SAID PROPERTY DESCRIBED IN DEED BOOK 228, PAGE 200; RUN THENCE SOUTH AND ALONG EAST LINE OF SAID PROPERTY DESCRIBED IN DEED BOOK 228, PAGE 200, 124.7 FEET TO POINT OF BEGINNING; SAID PROPERTY BEING A PORTION OF BLOCK 46-J, CITY OF ST. AUGUSTINE, FLORIDA.

COPY

PARCEL 2:

BEGINNING AT THE NORTH CORNER OF GRANADA STREET AND PLAZA DE SOTO PLACE, IN THE CITY OF ST. AUGUSTINE, RUNNING THENCE NORTHERLY ON THE WEST LINE OF GRANADA STREET, 123 FEET, MORE OR LESS, TO LAND OF FULLER; THENCE WESTERLY ON FULLERS SOUTH LINE 127 FEET; THENCE SOUTHERLY PARALLEL WITH THE WEST LINE OF THIS TRACT, KNOWN AS THE "BRAINARD TRACT", 123 FEET MORE OR LESS, TO THE NORTH LINE OF PLAZA DE SOTO PLACE; THENCE EASTERLY ON THE NORTH LINE OF PLAZA DE SOTO PLACE 133 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING. EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND: A STRIP OF LAND BEGINNING 113 FEET NORTH FROM THE SOUTHEAST CORNER OF BUILDING OF BARTOLO GENOVAR ON WEST SIDE OF GRANADA STREET, SAID BUILDING BEING LOCATED ON NORTHWEST CORNER OF GRANADA STREET AND DESOTO PLACE, THENCE WEST 127 FEET.

Instr #2021018822 BK: 5184 PG: 843, Filed & Recorded: 2/19/2021 1:27 PM #Pgs:3
Brandon J. Patty,Clerk of the Circuit Court and Comptroller St. Johns County FL Recording $27.00 Doc. D $10,500.00

PREPARED BY AND RETURN TO:

Repass Law
111 Solana Road, Suite B
Ponte Vedra Beach, FL 32082

File: 20-4164

WARRANTY DEED

THIS WARRANTY DEED is executed as of February 16, 2021, by **Kabo Investments, LLC, a Florida limited liability company** whose address is **323 St. George Street, St Augustine, Florida 32084** hereinafter called the "Grantor"), in favor of **36 Granada, LLC, a Florida limited liability company** whose address is: **77 Almeria Street, St. Augustine, Florida 32084** (hereinafter called the "Grantee).

Wherever used herein, the terms "grantor" and "grantee" shall include the singular and plural, heirs, legal representatives, successors and assigns of individuals, and the successors and assigns of corporations, as the context requires.

W I T N E S S E T H:

Grantor, for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, all that certain land situated in **St. Johns** County, Florida (the "Property"), as more particularly described in the attached Exhibit "A".

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, Grantor hereby covenants with Grantee that it is lawfully seized of the Property in fee simple; that it has good right and lawful authority to sell and convey the Property; and that Grantor fully warrants the title to the Property, and will defend the same against the lawful claims of all persons whomsoever.

The Property is subject to future taxes, easements, encumbrances and matters of record; however, this reference shall not serve to reimpose same.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed the day and year first above written.

Signed, sealed and delivered
in the presence of:

Sign: _____
Witness #1
Print: Curtis Hardy

Sign: D. R. Penn
Witness #2
Print: D. R. Penn

Kabo Investments, LLC, a Florida limited liability company

R. F. Wagner
Robert F. Wagner, Manager

Karla A. Wagner
Karla A. Wagner, Manager

COPY

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I hereby certify that the foregoing instrument was acknowledged before me by means of physical presence or __ online notarization, this 12 day of February,2021 by Robert F. Wagner and Karla A. Wagner, Managers of Kabo Investments, LLC, a Florida limited liability company They [ ] are personally known to me or [ ] have produced Drivers License as identification.

Affix Notary Stamp or Seal Below:

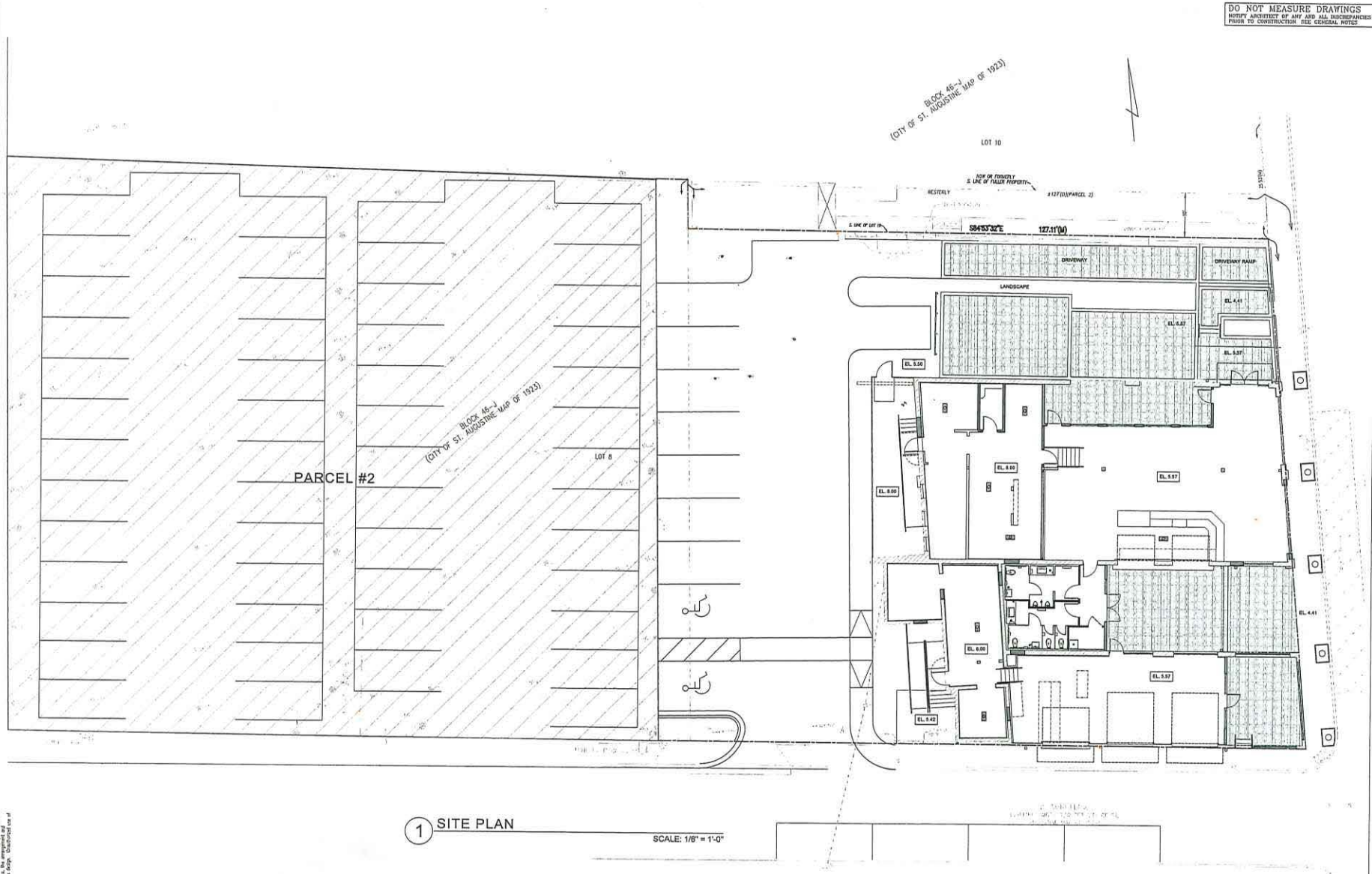
CURTIS KEITH HARDY
MY COMMISSION # GG 354080
EXPIRES: July 11, 2023
Bonded Thru Notary Public Underwriters

_____
NOTARY PUBLIC – signature above

Printed Name:_____

EXHIBIT B

Site Plan with Elevations



1 SITE PLAN

SCALE: 1/8" = 1'-0"

CRONK DUCH ARCHITECTURE

SOUTHERN GROUNDS GATHER TOGETHER

REVISION DATE

ARCHITECT'S SEAL

CARD DWG. FILE NO.

SCALE:

CARD USER ID:
DDS

LEGAL DESCRIPTION:

PROJECT PHASE:
DESIGN DEVELOPMENT PHASE II

PROJECT NUMBER

SOUTHERN GROUNDS
ALDER & OAK
ST. AUGUSTINE

NEW CONSTRUCTION

ST. AUGUSTINE
FLORIDA

SITE PLAN

AS1.1

DD I Review Set - 05.20.2021

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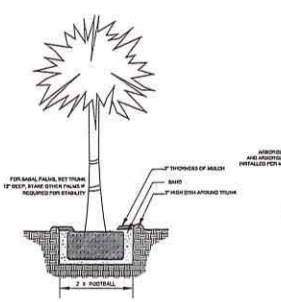
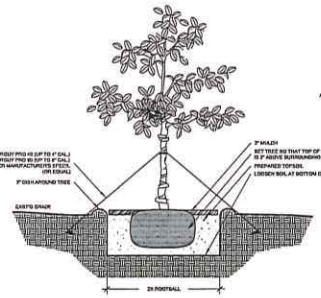
DO NOT MEASURE DRAWINGS
NOTIFY ARCHITECT OF ANY AND ALL DISCREPANCIES PRIOR TO CONSTRUCTION. SEE GENERAL NOTES

NOT-FOR-CONSTRUCTION



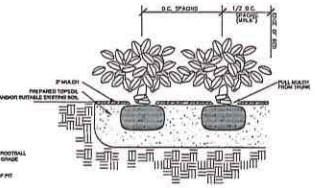
PALM PLANTING DETAIL



TREE PLANTING DETAIL

ALL TREES ARE TO BE POSITIONED VERTICALLY REGARDLESS OF THE SLOPE OF THE GROUND IN WHICH THEY ARE PLANTED. WATER RINGS ARE TO BE CONSTRUCTED AT RIGHT ANGLES TO THE TREE OR SHRUB OR IN A MANNER IN WHICH THEY WILL MOST EFFECTIVELY SERVE THE PURPOSE OF RETAINING WATER AT THE BASE OF THE PLANT.

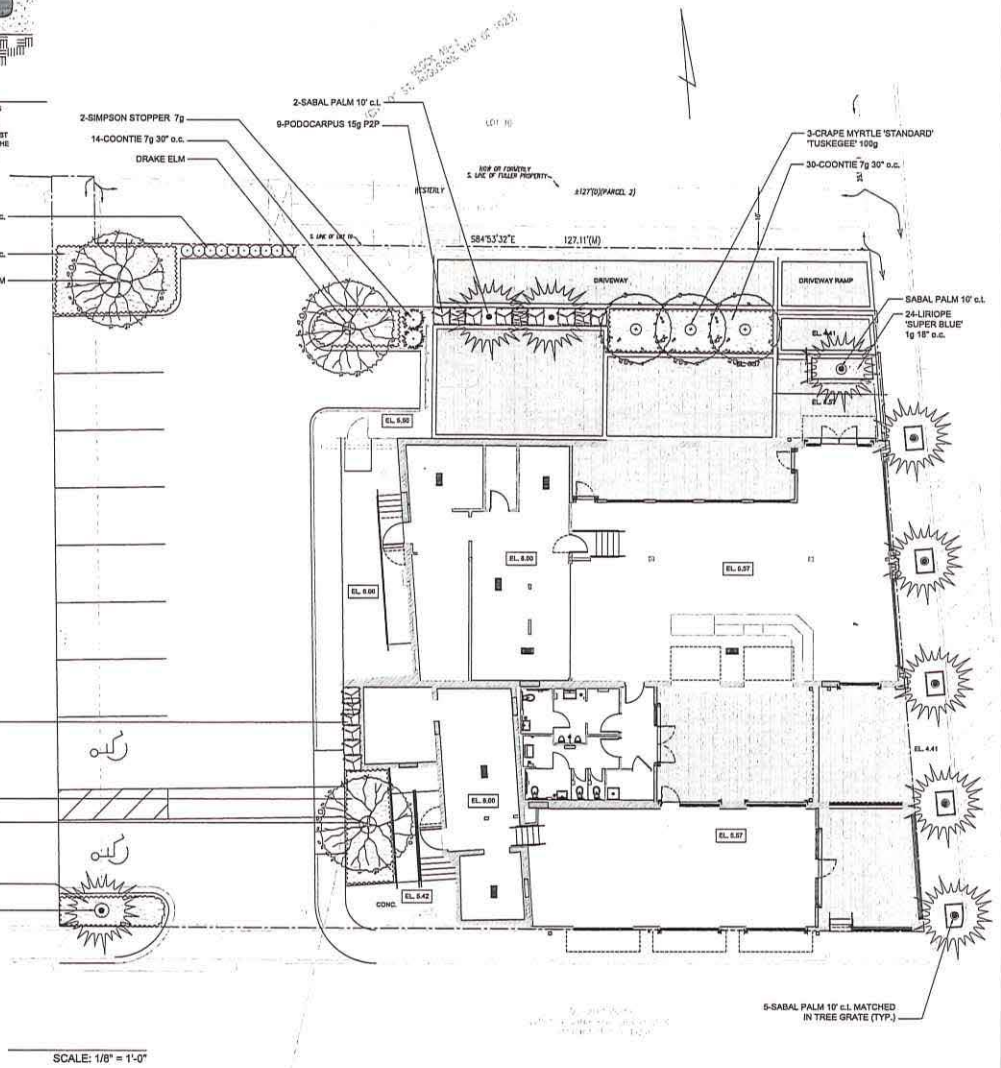
THE ROOTBALL OF THE TREE SHOULD BE POSITIONED IN THE HOLE SO THAT THE FINISHED GRADE OF THE BACKFILL SOIL AND LANDSCAPE SOIL IS FLUSH/1 INCH THE TOP OF THE ROOTBALL. MULCH SHOULD COVER THE EDGE OF THE ROOTBALL, DO NOT MULCH ON TOP OF ROOTBALL.



SHRUB PLANTING DETAIL

ALL SHRUBS ARE TO BE POSITIONED VERTICALLY REGARDLESS OF THE SLOPE OF THE GROUND IN WHICH THEY ARE PLANTED. WATER RINGS ARE TO BE CONSTRUCTED AT RIGHT ANGLES TO THE TREE OR SHRUB OR IN A MANNER IN WHICH THEY WILL MOST EFFECTIVELY SERVE THE PURPOSE OF RETAINING WATER AT THE

TOP OF ROOT BALL TO BE 2" ABOVE FINISH SOIL GRADE (FBG).



SCALE: 1/8" = 1'-0"

BLOCK 66-F
(CITY OF ST. AUGUSTINE, MAP OF 1923)

NOT-FOR-CONSTRUCTION

GENERAL NOTES AND SPECIFICATIONS:

1. The LANDSCAPE CONTRACTOR is responsible for verifying project site conditions and all quantities indicated on these plans before pricing work.
2. All plant material shall be Florida Grade No. 1 or better – nursery grown in accordance to Florida Grades and Standards Handbook.
3. Plants shall be sound, healthy, and vigorous well branched and densely foliated when in leaf. They shall be free of disease, insects, eggs, or larvae and shall have healthy, well developed root systems. They shall be free from physical damage or adverse conditions that would prevent thriving growth.
4. All plants shall be container grown, balled and burlapped, wire backeted or tree spaded.
5. All plants shall conform to the varieties indicated in the plant list.
6. Substitution of plant materials will not be permitted unless authorized in writing by Landscape Architect. If proof is submitted that any plant specified is not obtainable, a proposal will be considered for use of the nearest equivalent size or variety with corresponding adjustment of contract price.
7. The CONTRACTOR shall excavate plant pits according to the drawings, unless otherwise directed.
8. All backfill around plant material shall be worked firmly, tamped, and watered in under and around the rootball to fill all voids.
9. The GENERAL CONTRACTOR shall bear final responsibility for proper surface drainage.
10. Planting beds shall be cut or edged to form a uniform clean line between beds and lawn areas.
11. After all plant material in a plant bed area has been installed, the areas between plants shall be raked to an even grade to conform to pre-existing finish grades. All planting beds and plant saucers shall then be uniformly covered with a minimum three inch layer of approved mulch.
12. All trees are to be staked unless otherwise directed by LANDSCAPE ARCHITECT, owner or owner's representative. Refer to staking and planting details on the drawings.
13. The LANDSCAPE CONTRACTOR is responsible for all fine grading preparation for planting.
14. Rough grades will be established by the owner's general contractor at approximately 3 low curbs, sidewalks, hardscape amenities, mowing strips, and abutments.
15. CONTRACTOR shall coordinate construction of planting areas with installation of irrigation system.
16. Sod areas shall be St. Augustine grass "Captiva", "Sapphaire" or "Classic" (for shaded areas). Grass for sodding shall be freshly cut in squares one foot wide by two feet long. Sod shall be healthy, free of insects, and in naturally flourishing condition. Dry, brown, and unlivesh sod will be rejected.
17. Sod shall be laid end-to-end in a staggered line to form a uniform layer. All uneven edges shall be squarely trimmed to allow close and firm fitting of each piece.
18. After sodding is completed, the entire sod areas shall be watered by hand or irrigation system in accordance with Best Management Practices.
19. The LANDSCAPE CONTRACTOR is responsible for fully maintaining all plant material on site during and before planting until the work is accepted by the owner or owner's representative.
20. All plants shall be guaranteed by LANDSCAPE CONTRACTOR to be healthy plants and in flourishing condition of active growth for ninety (90) days from final inspection and acceptance. All trees shall be guaranteed an additional one year from final inspection and acceptance.
21. The owner, or owner's representative shall have the right to reject any and all work which in his opinion does not meet with the requirements of the specifications at any stage of the project operation.
22. In general, the work shall proceed as rapidly as the site becomes available. Keep all areas of work clean, neat, and orderly at all times.
23. The site shall be graded to maintain positive surface drainage.
24. Planting areas lacked in by hardscape shall be drained with a minimum 4 inch ADS pipe to catch basin, dry well, or approved out-fall area.
25. No fill over the root systems of trees shall occur and construction equipment shall avoid their roots to prevent compaction.
26. Irrigation system shall be fully automatic and provide 100% coverage of all landscape and sod areas within the property.
27. A back flow prevention assembly (DCA 100 or equal) shall be installed on the service side of the meter. Locate the double check valved back flow preventer near the side of the house and at least 12" above the ground. Cover exposed piping with weatherproofing.

MINIMUM IRRIGATION DESIGN REQUIREMENTS:

1. Irrigation plans should be designed by a qualified irrigation designer or registered landscape architect.
2. Right of ways shall be irrigated from back of curb to the property line.
3. A moisture sensing device is superior to a conventional rain switch and shall be used in all landscapes to reduce water usage as required by state law.
4. It is recommended that zones for low, medium and high water use shall be established.
5. A back flow prevention assembly (DCA 100 or equal) shall be specified and installed on the service side of the meter. Locate the double check valved back flow preventer near the side of the house and at least 12" above the ground. Cover exposed piping with weatherproofing. Covers such as the "Hot Rock" (a plastic cover used to disguise and protect the SPP) are encouraged. Note location on the plan.
6. Drip irrigation is encouraged at the base of trees to reduce water usage. Follow manufacturer's recommendations for emitters, drip lines and distribution hubs.
7. Irrigation controllers shall be weatherproof and mounted in the exterior service court. All controllers shall be out of view.
8. Irrigation systems shall be fully automatic and provide 100% coverage of all landscape and sod areas; exclusive of natural areas to remain.
9. It is recommended that automatic control valves be placed in valve boxes along the water main. Valve boxes shall not be covered over with sod or mulch or placed within a bed line.

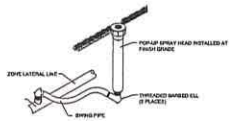
100% IRRIGATION COVERAGE SHALL BE PROVIDED TO ALL LANDSCAPE AREAS.

WATER SOURCE: WATER FROM METER. ANTICIPATED 40-50 PSI.

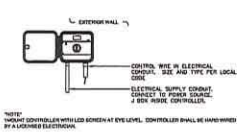
RAIN SENSOR: SYSTEM SHALL BE PROIVDED WITH A RAIN SENSOR.

PLANT SCHEDULE

QTY.	COMMON NAME	BOTANICAL NAME	SIZE	NOTE
PALMS				
CANOPY AND UNDERSTORY				
QTY.				
9	SABAL PALM	Sabal palmetto	10' cl, skinny trunks, not-boxtad	FL #1 (Skinny, Stick)
TREES				
3	DRAKE ELM	Ulmus parvifolia	100 gal., 3"-4" cal., 16'-24' ch, 6' sprd.	FL #1
3	CRAPE MYRTLE	Ligustrosmia indica 'Tuskegee'	100 gal., STANDARD, 16'-24' ch, 8' sprd.	FL #1
SHRUBS				
15	PODOCARPUS	Podocarpus macrophylla	15 gal., 5'-6' o.h., 24"x24", pot-to-pot	FL #1
118	MEXICAN COONTIE	Zamia furfuracea	5 gal., 30"x30"	FL #1 - Magnolia Co.
24	LIRIOPE SUPER BLUE	Liriope muscari 'super blue'	1 gal., full	FL #1
2	SIMPSON STOPPER	Myrtanthes fragrans 'simpsonii'	7 gal., 4'-5' o.h.	FL #1
10	MUHLEY GRASS	Muhlenbergia capillaris	3 gal., full	FL #1

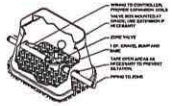


SPRAY HEAD INSTALLATION DETAIL



"NOTE"
MOUNT CONTROLLER WITH LCD SCREEN AT EYE LEVEL. CONTROLLER SHALL BE HARD WIRED BY A LICENSED ELECTRICIAN.

CONTROLLER INSTALLATION DETAIL



ZONE VALVE INSTALLATION DETAIL

75% Issue - CD Phase 1 - 06.01.2021

LANDWISE DESIGN
1934 Kane Boulevard, Suite 101 Jacksonville, Florida 32207
Office: 904.343.5144

SOUTHERN GROUNDS GATHER TOGETHER

REVISION: DATE

ARCHITECT'S SEAL

CADD DWG. FILE NO.

SCALE:

CADD USER ID:
BBS

LEGAL DESCRIPTION:

PROJECT PHASE:
DISSION DEVELOPMENT PHASE II

PROJECT NUMBER

SOUTHERN GROUNDS
ALDER & OAK
ST. AUGUSTINE

NEW CONSTRUCTION

ST. AUGUSTINE
FLORIDA

LANDSCAPE PLAN

L-1

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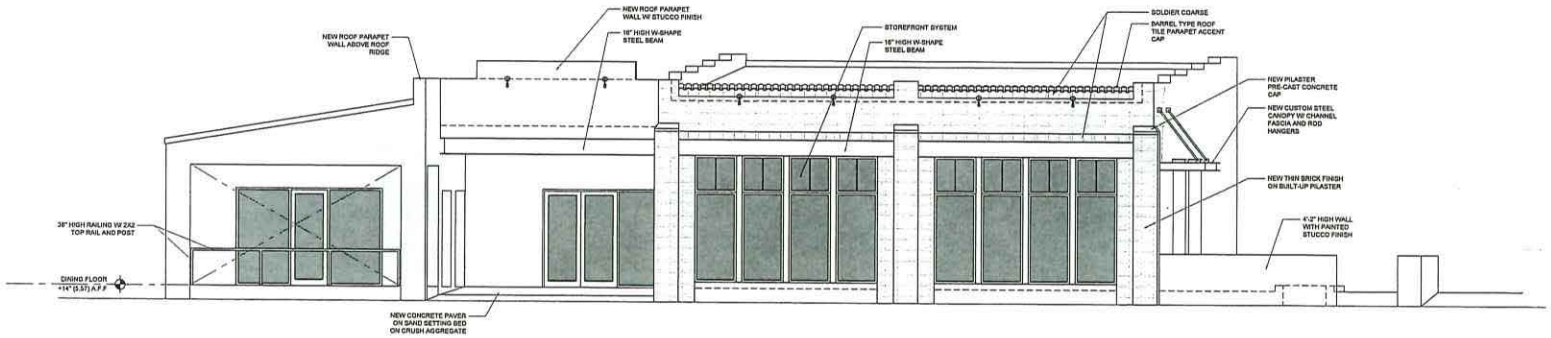
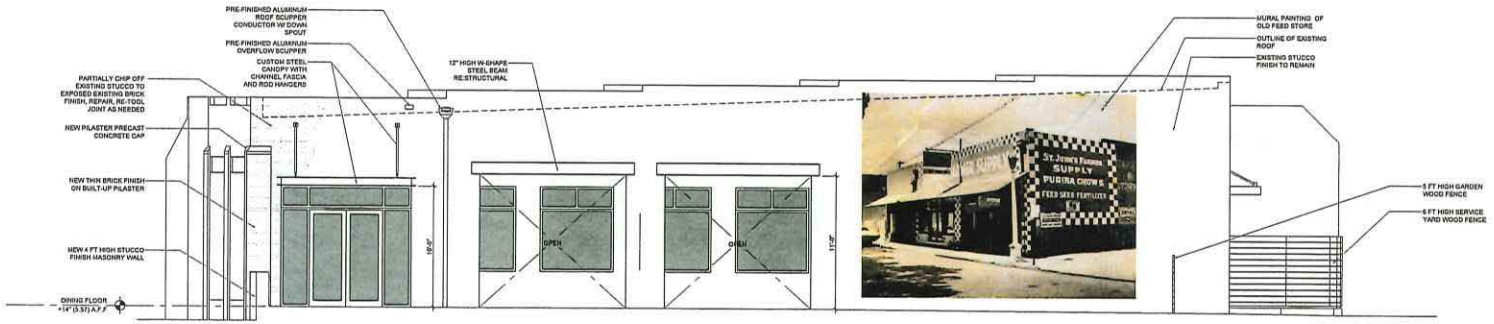


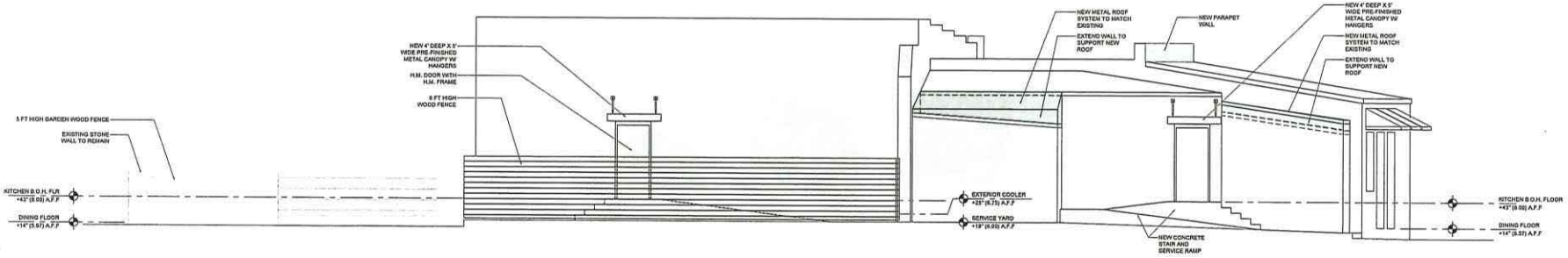
1 GRANADA STREET ELEVATION

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



2 GARDEN VIEW ELEVATION

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



3 PARKING VIEW ELEVATION

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

DO NOT MEASURE DRAWINGS
NOTIFY ARCHITECT OF ANY AND ALL DISCREPANCIES PRIOR TO CONSTRUCTION SEE GENERAL NOTES

CRONK DUCH ARCHITECTURE

1536 San Marco Boulevard, Suite 102 Jacksonville, Florida 32207
Phone: 904.399.1536 Fax: 904.399.1537
240 North Ave. Suite 201, Palm Beach, Florida 33480
Office: 561.310.0262

SOUTHERN GROUNDS GATHER TOGETHER

REVISION	DATE

ARCHITECT'S SEAL

CARD, DWG., FILE NO.

SCALE:

CARD, USER ID:

LEGAL DESCRIPTION:

PROJECT PHASE:
DESIGN DEVELOPMENT PHASE II

PROJECT NUMBER

SOUTHERN GROUNDS
ALDER & OAK
ST. AUGUSTINE

NEW CONSTRUCTION

ST. AUGUSTINE
FLORIDA

ELEVATIONS

A2.1

DD I Review Set - 05.20.2021

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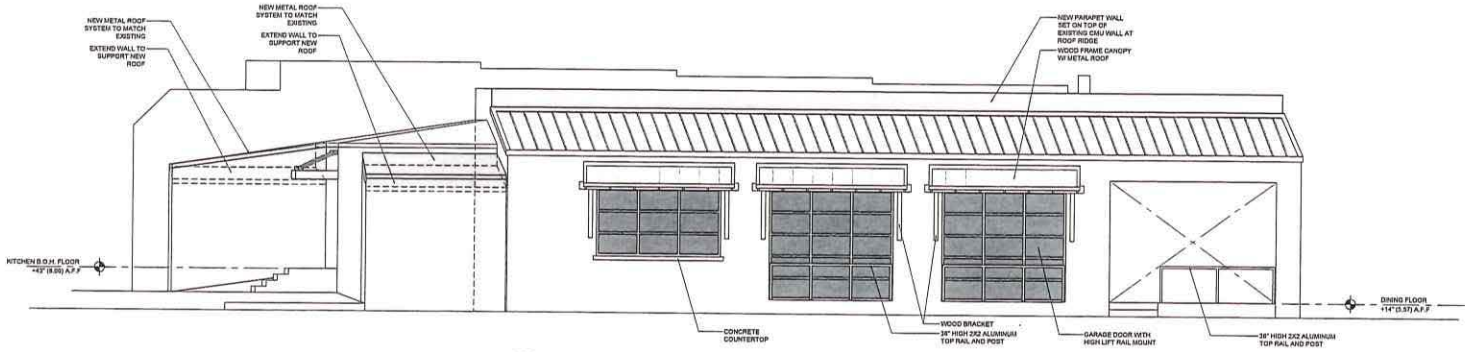
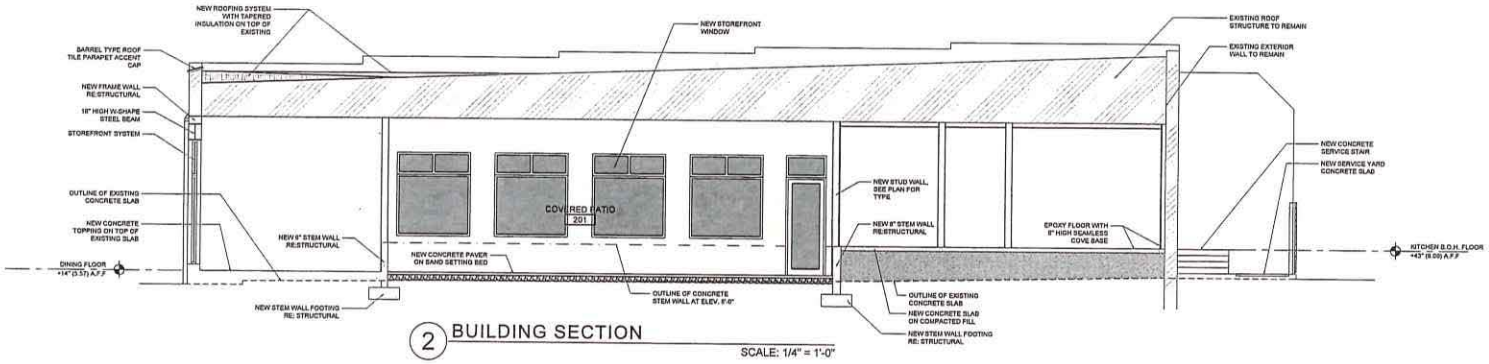


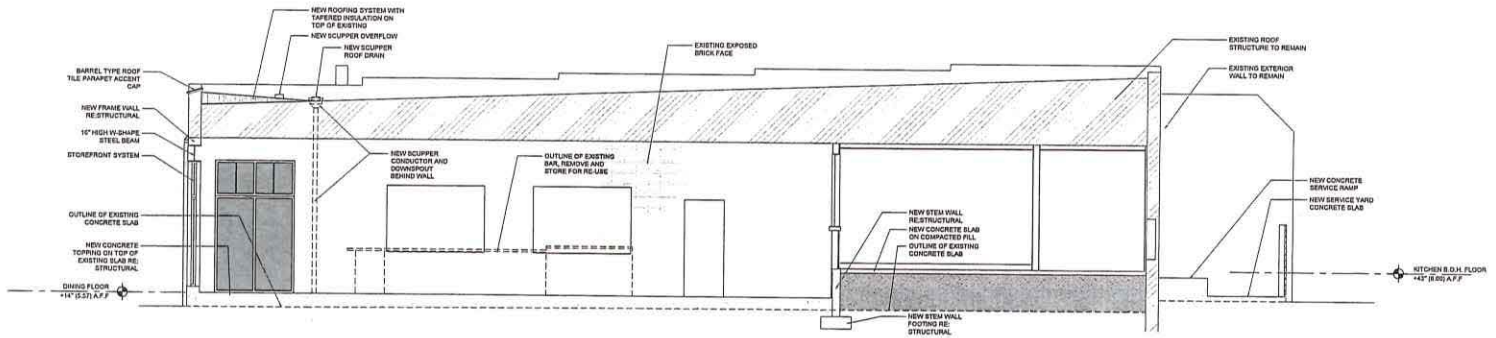
1 DE SOTO PLACE ELEVATION

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



2 BUILDING SECTION

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



3 BUILDING SECTION

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

DO NOT MEASURE DRAWINGS
NOTIFY ARCHITECT OF ANY AND ALL DISCREPANCIES PRIOR TO CONSTRUCTION. SEE GENERAL NOTES

CRONK DUCH ARCHITECTURE
1935 San Marco Boulevard, Suite 103 Jacksonville, Florida 32207
Office: 904.262.1648 Fax: 904.515.1629
210 North 4th St, Studio 202, Fernandina Beach, Florida 32034
Mobile: 904.557.0824

SOUTHERN GROUNDS GATHER TOGETHER

REVISION	DATE

ARCHITECT'S SEAL

CARD_RMD_FILE_NO.

SCALE

CARD_USER_ID:
HBS

LEGAL_DESCRIPTION

PROJECT_PHASE:
DESIGN DEVELOPMENT PHASE II

PROJECT_NUMBER

SOUTHERN GROUNDS
ALDER & OAK
ST. AUGUSTINE

NEW CONSTRUCTION

ST. AUGUSTINE
FLORIDA

BUILDING ELEVATIONS SECTIONS

A2.2

DD I Review Set - 05.20.2021

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McGarvey Residential Communities
1102 A1A North, Ste. 102
Ponte Vedra Beach, Florida 32082
904.247.9160

June 2, 2021

VIA U.S. MAIL

Neighborhood Council of St. Augustine, Inc.

P.O. Box 658

St. Augustine, Florida 32085-0658

Re: Developer Neighborhood Notice-36 Grenada Planned Unit Development

To Whom It May Concern:

This Developer Neighborhood Notice is submitted on behalf of 36 Granada, LLC. (the "Owner/Applicant"), the owner of property located at 36 Granada Street (the "Property"). The Property includes St. Johns County Parcel Identification Nos. 203240-0000

The Property is zoned Commercial Low - One ("CL-1"). The Owner is applying for a Planned Unit Development ("PUD") rezoning. The Property is improved with an existing building (over 6,000 square feet) that has been in place in some form since at least 1880 and has had many uses including a theater, restaurant, bar and feed store. The Owners are proposing a development plan for the Property to include a maximum of 7,000 square feet of retail/commercial space including all uses allowed within CL1 zoning category in addition to allowing all alcoholic beverages to be served on-site and a maximum 250 seat limit on all restaurants on the Property (combined). It is the applicants intent to have a gourmet coffee shop, artisan bakery and upscale restaurant in the building.

The Owners are proposing a PUD development plan for the Property, which includes only commercial uses, consistent with the site's future land use designation Commercial Low Intensity ("CLI").

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

Please contact me with any questions regarding the PUD application and any community meeting you may request.

Sincerely yours,

James N. McGarvey, Jr.

St. Johns County, FL

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

Sales Questionnaire

Summary

Clicking Image Opens Cyclomedia Viewer In a New Tab

Parcel ID	2032400000
Location Address	36 GRANADA ST SAINT AUGUSTINE 32084-0000
Neighborhood	Theatre COSA (COM) (610.26)
Tax Description*	CITY OF ST AUGUSTINE BLK 46-J E7FT OF LOT 8 & S113FT OF LOT 9 - 113FT ON GRANADA ST OR5184/843 *The Description above is not to be used on legal documents.
Property Use Code	Theaters (Owner Occupied) (3205)
Subdivision	City of St Augustine
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	19.4926
Acreage	0.340
Homestead	N

Owner Information

Owner Name	36 Granada LLC 100%
Mailing Address	77 ALMERIA ST SAINT AUGUSTINE, FL 32084-0000

Map

Valuation Information

	2021
Building Value	$505,169
Extra Features Value	$406
Total Land Value	$450,660
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	$956,235
Total Deferred	$0
Assessed Value	$956,235
Total Exemptions	$0
Taxable Value	$956,235

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
2020	$410,028	$406	$300,440	$0	$0	$710,874	$710,874	$0	$710,874
2019	$407,259	$406	$300,440	$0	$0	$708,105	$708,105	$0	$708,105
2018	$439,689	$446	$300,440	$0	$0	$740,575	$740,575	$0	$740,575
2017	$439,689	$446	$300,440	$0	$0	$740,575	$740,575	$0	$740,575
2016	$451,735	$446	$300,440	$0	$0	$752,621	$752,621	$0	$752,621
2015	$490,176	$446	$300,440	$0	$0	$791,062	$791,062	$0	$791,062
2014	$449,360	$0	$300,440	$0	$0	$749,800	$319,541	$430,259	$319,541
2013	$93,704	$0	$196,788	$0	$0	$290,492	$290,492	$0	$290,492
2012	$89,630	$4,693	$207,242	$0	$0	$301,565	$301,565	$0	$301,565
2011	$89,630	$4,693	$229,390	$0	$0	$323,713	$323,713	$0	$323,713
2010	$96,800	$4,693	$253,120	$0	$0	$354,613	$354,613	$0	$354,613

Building Information

Building	1
Actual Area	6578
Conditioned Area	6534
Actual Year Built	1880
Use	Theater
Style	04
Class	N
Exterior Wall	Concrete Stucco
Roof Structure	Rigid Frame

Roof Structure	Rigid Frame
Roof Cover	Modular Metal, Roll Composite
Interior Flooring	Concrete Finish, Vinyl Tile
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	
Baths	

Category	Type	Pct
Exterior Wall	Concrete Stucco	100%
Roofing Structure	Rigid Frame	100%
Roofing Cover	Modular Metal	30%
Roofing Cover	Roll Composite	70%
Interior Walls	Drywall	100%
Interior Flooring	Concrete Finish	60%
Interior Flooring	Vinyl Tile	40%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	12 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Slab	100%
Condition	Good	100%
Floor System	Concrete Slab	100%

Description	Conditioned Area	Actual Area
BASE AREA	6534	6534
CANOPY (COMMERCIAL)	0	9
CANOPY (COMMERCIAL)	0	35
Total SqFt	6534	6578

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Concrete Paving	0	10	10	0	100
Concrete Paving	0	15	12	0	180

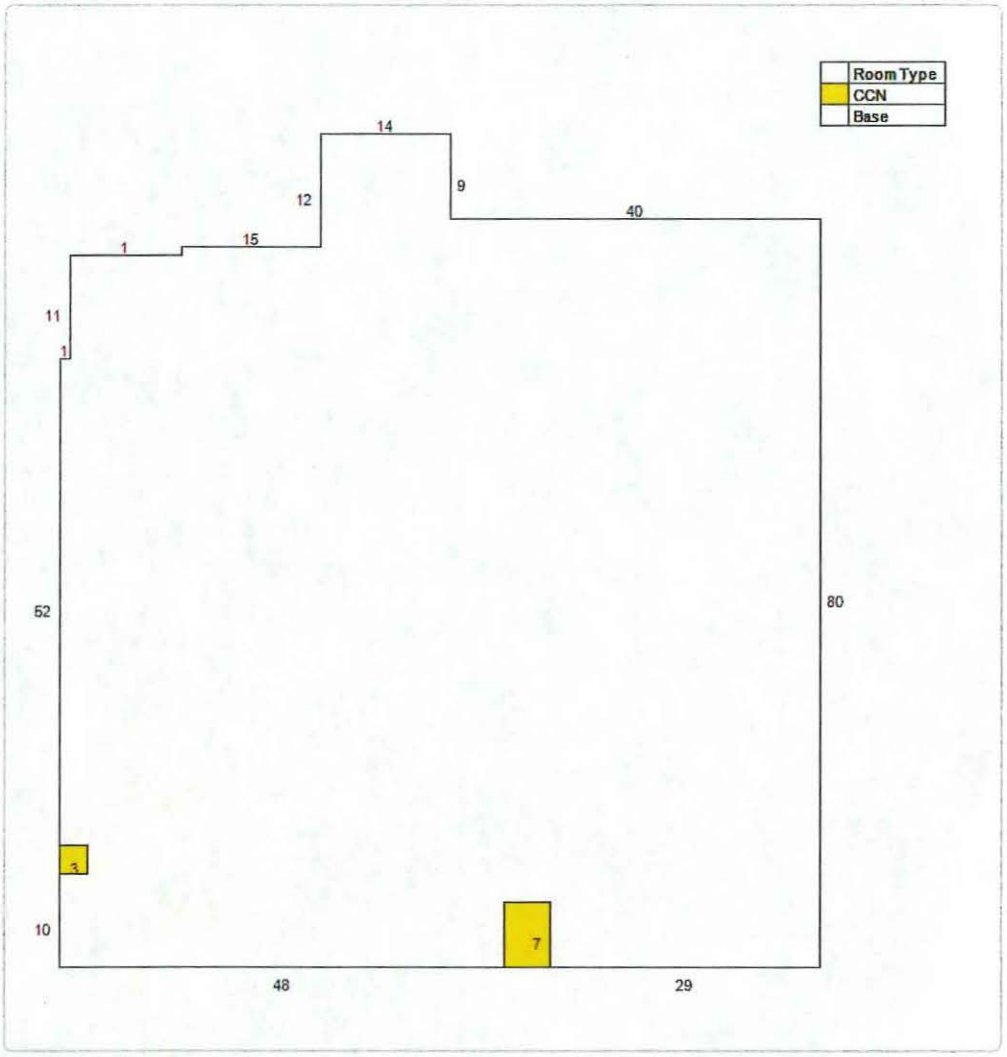
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Enclosed Theaters & Auditoriums	113	140	15022	SF	$450,660

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
2/19/2021	2/16/2021	$1,500,000.00	WARRANTY DEED	5184	843	Q	I	KABO INVESTMENTS LLC	36 GRANADA LLC
5/27/2014	5/23/2014	$1,000,000.00	TRUSTEES DEED	3883	507	Q	I	BABY'S FAMILY TRUST D: 1-1-05 BY PIERCE RENEE L TRUSTEES	KABO INVESTMENTS LLC
	2/3/2005	$100.00	WARRANTY DEED	2377	1238	U	I	PIERCE KENNETH L & EUNICE B	NEYBERT KENNETH G & PIERCE RENEE L TRUSTEES
	12/1/1982	$100,000.00		565	766	U	I		PIERCE KENNETH L,EUNICE B
	1/1/1977	$0.00		325	349	U	I		

Sketch Information



No data available for the following modules: Exemption Information.

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04/16/2021 09:37

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Chair, Vice Chair, and Members of the Planning and Zoning Board

DATE: June 8, 2021

RE: **AMENDMENTS TO CHAPTER 11, SECTION 11-29, STANDARDS OF REVIEW FOR CONSERVATION OVERLAY ZONE 2**

Recent correspondence from a citizen highlighted some inconsistencies within Section 11-29(b) regarding permitted structures within Conservation Overlay Zone 2. Specifically, the language regarding "[t]he first (landward of the most restrictive jurisdictional line) twenty-five (25) feet in Conservation Overlay Zone 2 shall remain undeveloped" appears to prohibit structures such as bulkheads, seawalls, or even walkways to permitted docks in Conservation Overlay Zone 1.

The City Commission noted this discrepancy and directed staff to update the City Code to provide for that consistency in regard to the permitted structures. In addition, the City Commission has directed the city take a holistic view of overall consistency with the Conservation and Coastal Management Goals of the Comprehensive Plan. These more in-depth changes will begin in the coming fiscal year as they require the services of an environmental consultant.

The amendments to address consistency for review of Conservation Overlay Zone 2 include:

- Addition of language to ensure consistency with the definition of Conservation Overlay Zone 2 to protect Zone 3 from extreme high-water conditions.
- Addition of language to clarify that the items provided in subsections (1) – (4) are permitted structures.
- Addition of language to clarify that bulkheads, seawalls, and retaining walls are permitted structures.

Thank you for your consideration of this matter. Please contact me if you have any questions or comments.

Thank you.

Denise C. May
Assistant City Attorney

xc: David Birchim, Planning & Building Director
Isabelle Lopez, City Attorney

ORDINANCE NO. 2021-13

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING CHAPTER 11, ARTICLE II, SECTION 11-29 PROVIDING CLARIFICATION AND CONSISTENCY OF PERMITTED STRUCTURES; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

WHEREAS, Chapter 11, Article II, Section 11-27 of the City of St. Augustine code defines Conservation Overlay Zone 2 and provides that a primary purpose of Zone 2 is to protect Conservation Overlay Zone 3 from extreme high water conditions; and

WHEREAS, certain language contained within Section 11-29(b) providing for standards of review for Conservation Overlay Zone 2 appears to conflict with the defined purpose of Zone 2 and with the permitted activities as identified in subsections (1) – (4); and

WHEREAS, amendment is necessary to provide clarification and consistency internally; and

WHEREAS, after review, the Planning and Zoning Board recommended approval of the amendments at its July 6, 2021 regular meeting: and

WHEREAS, the City Commission for the City of St. Augustine finds that it is in the best interest of public health, safety and general welfare that the following amendments be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Amending Chapter 11, Article II, Section 11-29. Chapter 11, Article II, Section 11-29 of the Code of the City of St. Augustine, is hereby amended as follows:

"**Sec. 11-29 – Standards for review.**

...

(b) Permits for structures and uses located within Conservation Overlay Zone 2 shall be issued only for those structures and related uses which are determined as having no significant negative impact on adjacent natural systems by either individual or cumulative effect~~.~~ and consistent with the purpose of Conservation Overlay Zone 2 to protect Zone 3 from extreme high-water conditions. At no time

shall the impervious area in Conservation Overlay Zone 2 exceed twenty-five (25) percent without that area receiving treatment equivalent to the St. Johns River Water Management District water quality treatment provisions required when new development is proposed along an unaltered shoreline. The first (landward of the most restrictive jurisdictional line) twenty-five (25) feet in Conservation Overlay Zone 2 shall remain undeveloped except as provided in (1) – (4) of this subsection. ~~or, i~~If the area is already disturbed, a restoration plan is required. The planning and zoning board is authorized to impose limitations in the following manner so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to any animal, fish or shellfish life contained therein, to avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole. Rear or side lot drainage from grassed or altered areas of new development along an altered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland; however, the area not treated must be compensated elsewhere in the system. This may be accomplished by providing additional water quality treatment in the system equivalent to that which will be discharged untreated. Water discharged shall be at non-erosive velocities. Rear or side lot drainage from grassed or altered areas of new development along an unaltered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland through the twenty-five (25) feet buffer (water discharged shall be at non-erosive velocities), with the following permitted activities:

...

(4) Reasonably sized bridges, paths, walkways, gazebos, docks and decks, bulkheads, seawalls, and retaining walls, and accessways to such amenities are permitted across the buffer provided such activities have minimal impact to the wetlands and are scaled to preserve the integrity of the buffer (less than ten (10) percent of the buffer).

..."

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 re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. 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 upon passage.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____day of _____, 2021.

ATTEST:

_____
Tracy Upchurch, Mayor-Commissioner

_____
Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Chair, Vice Chair, and Members of the Planning and Zoning Board

DATE: June 8, 2021

RE: **AMENDMENTS TO CHAPTER 11, SECTION 11-29, STANDARDS OF REVIEW FOR CONSERVATION OVERLAY ZONE 2**

Recent correspondence from a citizen highlighted some inconsistencies within Section 11-29(b) regarding permitted structures within Conservation Overlay Zone 2. Specifically, the language regarding "[t]he first (landward of the most restrictive jurisdictional line) twenty-five (25) feet in Conservation Overlay Zone 2 shall remain undeveloped" appears to prohibit structures such as bulkheads, seawalls, or even walkways to permitted docks in Conservation Overlay Zone 1.

The City Commission noted this discrepancy and directed staff to update the City Code to provide for that consistency in regard to the permitted structures. In addition, the City Commission has directed the city take a holistic view of overall consistency with the Conservation and Coastal Management Goals of the Comprehensive Plan. These more in-depth changes will begin in the coming fiscal year as they require the services of an environmental consultant.

The amendments to address consistency for review of Conservation Overlay Zone 2 include:

- Addition of language to ensure consistency with the definition of Conservation Overlay Zone 2 to protect Zone 3 from extreme high-water conditions.
- Addition of language to clarify that the items provided in subsections (1) – (4) are permitted structures.
- Addition of language to clarify that bulkheads, seawalls, and retaining walls are permitted structures.

Thank you for your consideration of this matter. Please contact me if you have any questions or comments.

Thank you.

Denise C. May
Assistant City Attorney

xc: David Birchim, Planning & Building Director
Isabelle Lopez, City Attorney

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PASSED by the City Commission of the City of St. Augustine, Florida, this _____day of _____, 2021.

ATTEST:

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Tracy Upchurch, Mayor-Commissioner

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Darlene Galambos, City Clerk
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