

AGENDA
COMPREHENSIVE PLANNING AND ZONING BOARD
OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA
REGULAR MONTHLY MEETING
TUESDAY, MAY 21, 2013, 7:00 P.M.
CITY HALL, 2200 STATE ROAD A1A SOUTH
ST. AUGUSTINE BEACH, FLORIDA 32080

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPROVAL OF MINUTES OF TUESDAY, APRIL 16, 2013
REGULAR MONTHLY MEETING

V. PUBLIC COMMENT

VI. NEW BUSINESS

1. MIXED USE DISTRICT FILE NO. 2013-01

Applicant seeks an economic hardship variance using mixed use district allowances for a rear yard setback reduction from 20 feet to 0 (zero) feet for proposed new construction of a two-story, 1,026-square-foot addition to The Pit Surf Shop, on Lots 13 and 15, Block 11, Chautauqua Beach Subdivision, at 18 A Street.

Clint C. Richardson, Applicant
18 A Street
St. Augustine Beach, Florida 32080

2. MIXED USE DISTRICT FILE NO. 2013-02

Applicant seeks an economic hardship variance using mixed use district allowances for a front yard setback reduction from 25 feet to 18 (eighteen) feet for proposed new construction of a 315-square-foot breakfast room addition to the existing Super 8 hotel lobby, at 311 A1A Beach Boulevard.

David Grande, Agent for Rajendra
Patel, Jay Hotel Investments LLC,
Applicant
311 A1A Beach Boulevard
St. Augustine Beach, Florida 32080

3. MIXED USE DISTRICT FILE NO. 2013-03

Applicant seeks an economic hardship variance using mixed use district allowances for a front yard setback reduction from 25 feet to 15 feet for proposed new construction of an 800-square-foot heated-and-cooled second-story dining area addition and a 775-square-foot second-story covered front deck addition to the Sunset Grille Restaurant, on Lots 104 and 105, Atlantic Beach Subdivision, at 421 A1A Beach Boulevard.

Michael Stauffer, Agent for Michael Rosa, Parrot Heads Inc., Applicant
421 A1A Beach Boulevard
St. Augustine Beach, Florida 32080

VII. OLD BUSINESS

1. CONSIDERATION OF CRITERIA FOR DETERMINATION OF HISTORIC BUILDINGS/SITES IN THE CITY

Continued from the Board's regular monthly meeting held on Tuesday, April 16, 2013, the Board shall consider and discuss developing criteria to define and preserve historic buildings and sites within the City.

VIII. BOARD COMMENT AND DISCUSSION

IX. ADJOURNMENT

For more information on any of the above agenda items, please call the City of St. Augustine Beach Building & Zoning Department at 904-471-8758. Persons requiring special assistance should call this number at least 24 hours in advance of the meeting date and time.

Memorandum

TO: Members of the Comprehensive Planning and Zoning Board

FROM: Gary R. Larson, Director of Building and Zoning

DATE: May 9, 2013

RE: May 21, 2013 Meeting

Please be advised that I will not be attending the May meeting. The three mixed use applications being placed before you have been reviewed and are in compliance with the adopted mixed use ordinances, Ordinance Nos. 07-13 and 08-09, which are included in the packet information. The mixed use ordinances have been reviewed and it is staff opinion that they can be applied to properties along A1A Beach Boulevard. All three applications are using the economic variance provision in Ordinance No. 08-09, which states in its title that it provides for setbacks and heights within mixed use districts upon a showing of economic hardship. Please review Section 3.02.02.01.L, Compliance Requirements, on the second page of Ordinance No. 08-09, which addresses economic hardship demonstration and allows the Comprehensive Planning and Zoning Board to grant a variance with or without conditions from the strict provisions of this section.

Staff will have the assistance of our new attorney, Mr. Jim Whitehouse, former legal counsel to St. Johns County and St. Augustine, who is now with the City's legal firm, St. Johns Law Group. All applications will be reviewed with Mr. Whitehouse so proper guidance can be provided to the Board for the Board's decision on each application. The three applications before the Board are from the Pit Surf Shop, Super 8 Hotel and Sunset Grille. There is a memo provided with each application.

The Pit Surf Shop is requesting an addition linking the current structure to the garage used for storage at the rear of the property. The owner has two lots east of the City plaza, one occupied by the Pit Surf Shop and Stir-It-Up, and the other for parking. The parking was completed with a sand base and pavers. There will be a slight increase in impervious surface coverage but this will not exceed the 70% allowed for commercial use. Concerns from staff are addressed in the memo provided for this application. Staff recommends approval for this application since it falls within the visioning plan for A Street and there have been no negative responses from surrounding neighbors.

The Super 8 Hotel is requesting an addition on an existing impervious parking lot area to allow guest seating for the breakfast that is provided with their stay. This addition will not affect parking, impervious surface coverage, or landscaping. Staff recommends

approval.

The Sunset Grille is proposing a second level modification to a previously approved first floor raw bar. There will be no increase in impervious surface coverage. The addition will result in two parking spaces being lost but Sunset Grille has sufficient parking with their leased space east of the Boulevard. Mr. Mike Stauffer will present the application. Staff recommends approval.

The meeting packets are being delivered this week for the May 21, 2013 meeting, to give everyone time to review the three mixed use applications that will be presented to the Board and contact me with questions or clarification issues. I will be in the office at the Building & Zoning Department between 8 a.m. and 3 p.m. through next Friday, May 17, 2013, or you can contact me by telephone at 471-8758 or via email at glarson@cityofsab.org.

MINUTES OF THE REGULAR MONTHLY MEETING OF THE COMPREHENSIVE PLANNING AND ZONING BOARD of the City of St. Augustine Beach, Florida, held Tuesday, April 16, 2013, at 7:00 p.m. in the City Commission Meeting Room, City Hall, 2200 State Road A1A South, St. Augustine Beach, Florida, 32080.

I. CALL TO ORDER

Chairman Greg Crum called the meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

BOARD MEMBERS PRESENT: Chairman Greg Crum, Vice-Chairman Alfred Guido, Patricia Gill, Steve Mitherz, Daniel Stewart, Senior Alternate David Bradfield, Junior Alternate Elise Sloan.

BOARD MEMBERS ABSENT: Michael Hale, Roberta Odom.

STAFF PRESENT: Gary Larson, Building Official; Doug Burnett, City Attorney; Max Royle, City Manager; Bonnie Miller, Recording Secretary.

IV. APPROVAL OF MINUTES OF TUESDAY, MARCH 19, 2013 REGULAR MONTHLY MEETING

Mr. Stewart **MADE A MOTION TO APPROVE THE MINUTES OF THE REGULAR MONTHLY MEETING OF TUESDAY, MARCH 19, 2013.** The motion was seconded by Mr. Mitherz and passed 7-0 by unanimous voice-vote.

V. PUBLIC COMMENT AND DISCUSSION

Mr. Crum asked for public comment on any issue not on the agenda. There was none.

VI. NEW BUSINESS

1. ORDINANCE NO. 2013-05, passed on first reading by the City Commission at its regular monthly meeting held on Monday, April 1, 2013, this proposed ordinance amends Section 3.02.03.A.11 of the City of St. Augustine Beach Land Development Regulations, to add additional restrictions on the location of wireless communication towers to protect the vision and scenic beauty of A1A Beach Boulevard.

Ms. Gill said there was some discussion at the City Commission meeting about putting a wireless communication tower on property owned by the City right here at City Hall.

Since the City has a 35-foot height limit on houses, she asked if a 35-foot height limit could be applied to anything in St. Augustine Beach. This would take care of the issue of wireless communication towers without specifically identifying them.

Mr. Burnett said federal law prohibits a limitation on the height of communication towers. Radio frequency (RF) studies generally regulate the height of such towers, as these studies substantiate the height needed for a tower to provide service capacity for a specific area. Wireless communication towers are generally prohibited in the City unless an applicant can provide an RF study which indicates there is a deficient area at the beach and no site outside the corporate limits of the City which will provide wireless telephone signals to the deficient area. The problem with the current restrictions is that if someone can provide an RF study which substantiates a deficient area and shows that wireless telephone signals will not otherwise be adequately available within the corporate limits of the City from a site outside the City limits, a tower may be allowed as a conditional use in commercial land use districts at locations more than 300 feet from any residential uses. This could result in a tower being built on a commercial piece of property on the east side of A1A Beach Boulevard, which would visually impact the scenic beauty of the Boulevard and the beach, so the purpose of the proposed ordinance is to add language to the current ordinance to prohibit towers east of the Boulevard and allow no towers greater than 40 feet in height within 300 feet of the western boundary of the Boulevard. Aside from this is the issue of whether a communication tower should be allowed on City property, which is a completely different issue from the ordinance before the Board tonight. If someone can justify putting up a tower in the City limits, the City may consider putting it on City property as an alternative to having it anywhere else, as there is an argument that a 150-foot-high monopole tower with a flag on it on City property is a better alternative to having a tower that doesn't have a flag on it at another location.

Mr. Crum said it's also a revenue stream.

Mr. Burnett said yes, it's a large revenue stream, anywhere from \$5,000-\$15,000 a month.

Ms. Gill said if she owned a piece of commercial property, had the necessary research study done, met all the guidelines for having a communication tower, and had a chance of getting \$12,000-\$15,000 a month, she'd be very unhappy if the City took this away from her. She's not for having towers at the beach or in the City at all, but she'd like to state for the record that she thinks they have to be very careful about commercial properties that comply with the guidelines for having a communication tower.

Mr. Crum asked for public comment. There was none.

Mr. Bradfield asked if any research has been done as to how other similar beach or coastal communities have dealt with this situation.

Mr. Burnett said the Federal Communications Commission (FCC) says communication towers can't be eliminated altogether but zones can be created designating where they can go, and they can be regulated. The City's regulations only allow them by conditional use,

so in reality, only one tower, if any, would ever be put up within the City limits. As conditions can be put on conditional uses, one of the main conditions would be to require co-location on the tower. Generally, six different cellular companies are co-located on one tower, so this would eliminate tower wars between cellular companies, along with the need for more than one tower. Another advantage to requiring co-location is that it increases the revenue stream to the property owner, as each cellular company pays a fee.

Mr. Guido **MADE A MOTION TO RECOMMEND THE CITY COMMISSION PASS ORDINANCE NO. 2013-05 ON SECOND AND FINAL READING.** The motion was seconded by Ms. Gill and passed 7-0 by unanimous voice-vote.

1. CONSIDERATION OF CRITERIA FOR DETERMINATION OF HISTORIC BUILDINGS/SITES IN THE CITY, continued from the Board's regular monthly meeting held on Tuesday, March 19, 2013, for the Board's discussion and consideration of criteria to define and preserve historic buildings and sites within the City limits.

Ms. Gill said she now has the assistance of a Flagler College professor who has moved to the beach and has participated in this kind of study, and she's also working with Robin Moore, historic research coordinator for St. Johns County, and David Nolan, local author and historian. They've got a lot of research done, but there's still a lot more to do. She'd appreciate any help she could get, and asked everybody to share any articles they've read about historic criteria and structures and pass on any ideas they may have to her.

VIII. BOARD COMMENT AND DISCUSSION

Mr. Mitherz said last month, he asked about the bollards that were supposed to be put up between the parking and the outside seating at Ripe Bistro in Anastasia Plaza, and Mr. Larson said he'd try to contact the owners to find out what's going on with this. He also asked about the pump house that was supposed to be taken down, but is still there, on the oceanfront property on 9th Street, which Mr. Larson said was a code enforcement issue.

Mr. Larson said the bollards are an issue between the owner of Ripe Bistro and Regency Centers, the owners of Anastasia Plaza, as to whether Regency Centers wants to put up the bollards in their parking lot. It may be a hazard to Regency Centers' insurance policy if somebody hits the bollards and damages their vehicle. He hasn't gotten a final answer on this yet, but Anastasia Plaza is private property. As to the pump house on 9th Street, he'll look into this and have more information for the Board at next month's meeting.

IX. ADJOURNMENT

The meeting was adjourned at 7:25 p.m.

Chairman

Recording Secretary

Memorandum

TO: Members of the Comprehensive Planning and Zoning Board

FROM: Gary R. Larson, Director of Building and Zoning

DATE: May 9, 2013

RE: Pit Surf Shop

Records reflect the Pit Surf Shop building was built in 1922. At the site, there is the Stir-It-Up food facility, the Pit Surf Shop retail space and a rental on the upper level. The property consists of two lots, one used for parking, the other for the retail site. There is also an existing garage on 1st Lane, used for storage of surfboards. Date of construction is unknown but it was built with 0-foot rear and side setbacks.

The application before the Board requests the allowance for an economic hardship variance, with the justification on page two that the addition will be used for additional storage and retail sales space.

The east side setback will be roughly five feet for the first level exterior wall, and the second level exterior wall will align with the existing garage wall and have a 0-foot setback. The second level will also cantilever over an existing shed that will remain on the east side. This shed structure is currently marked as storage.

The adjacent property is a single family residence which has previously been approved for a setback variance for outside decks. It is also a non-conforming structure as are most of the structures on that section of A Street. Mango Mangos was provided a 0-foot setback for the new seating area, and Jack's was provided a 0-foot setback for the enclosed structure on that property. This part of A Street was also recommended to be the commercial hub for the City under the visioning plan.

The existing garage has gutters and drains for discharge of water onto 1st Lane which drains into a catch basin at the Boulevard. Staff recommends, if approval is given for this application, that a collection system for roof run-off to protect the adjacent property shall be required. Recommendation from staff is approval should be provided for the requested addition to further enhance an existing business. There are no documents or correspondence received by this office to date in protest of this addition by those individuals directly affected by it.

Concern from staff is water run-off to the east side property owner. Gutters could possibly prevent this but staff feels that if the roof line was modified to direct the roof discharge to the west, this would negate the possibility of water intrusion onto the residence to the east. It would change the proposed roof tie-in to the existing garage but would prevent possible property damage in the future. Another option would be to approve the proposed roof lines as submitted subject to the design of a water discharge system that will prevent roof run-off onto the adjacent property.

Please review the first sheet in the application packet which reflects a copy of the survey for the property. You will note that the site consists of two lots, one for the structure, the other for the parking area. The parking area is brick pavers on a sand sub-base. The addition will not allow for impervious surface coverage exceeding 70% of the lots.

APPLICATION FOR MIXED USE
CITY OF ST. AUGUSTINE BEACH, FLORIDA

This application is used for a consideration of a new structure or a modification to an existing structure using the allowances as outlined in the Mixed Use Ordinances, Ordinance Nos. 07-13 and 08-09. The following is the documentation required to allow consideration of the request by the Comprehensive Planning and Zoning Board for the City of St. Augustine Beach. Failure by the applicant to provide the required information will result in the request being continued for an additional month or such time that the information is provided.

DESCRIPTION OF PROPOSED MIXED USE ALLOWANCE:

Two-story retail and storage addition for The Pit Surf Shop

1. Survey of the property--See attached
 - a. Draw to scale the proposed addition to the existing structure or a site plan for a new structure. Show all setbacks for the requested addition or either the new one-story or multi-story structure. Reflect site requirements as directed by the ordinance or other applicable City ordinances.

2. Elevation plans--See attached--Finished Floor Elevation at 12.81 feet
 - a. Reflect the architectural details as directed by the ordinance if applicable.

3. Landscaping plan (new)--N/A--landscaping existing, nothing new
 - a. List all plants to be used and their respective locations.

Owner/Applicant: Clint C. Richardson

Address: 18 A Street, St. Augustine Beach, Florida 32080

Lot(s): 13 and 15 Block(s): 11 Subdivision: Chautauqua Beach

Property Parcel Identification Number(s) (PIN): 169050-0000

APPLICATION FOR AN ECONOMIC HARDSHIP VARIANCE

DESCRIPTION OF WORK:

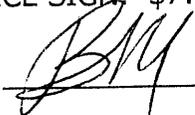
New addtion/remodel--two-story, wood-framed, for new retail area and storage extension for The Pit Surf Shop. Finished floor elevation of 12.81 feet.

JUSTIFICATION FOR AN ECONOMIC VARIANCE:

Due to the cost of doing business increasing on so many different levels and areas, the business is in need of a larger display area to increase revenues and employees as well as keeping our existing customers happy with a better selection of merchandise.

APPLICATION FEE: \$150.00 Acct. #34120 Date Paid: April 12, 2013

LEGAL NOTICE SIGN: \$7.50 Acct. #50471.515 Date Paid: April 12, 2013

Received by:  Check # 1131

Receipt #: 21005 Date: April 12, 2013

PLEASE CHECK THAT THE FOLLOWING INFORMATION IS INCLUDED WITH THIS APPLICATION:

LEGAL DESCRIPTION AND SURVEY OF PROPERTY

WARRANTY DEED

N/A OWNER PERMISSION LETTER FOR AGENT IF APPLICABLE

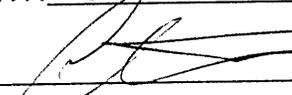
LIST OF PROPERTY OWNERS WITHIN 300 FEET OF PROPERTY WHICH THIS MIXED USE DISTRICT APPLICATION IS SUBMITTED (List may be obtained from the St. Johns County Real Estate/Survey Department, telephone number 904-209-0760). *Harley*

STAMPED AND ADDRESSED LEGAL SIZE ENVELOPES WITH NAMES AND ADDRESSES OF PROPERTY OWNERS WITHIN THE 300-FOOT RADIUS LIST (Note: Do not put a return address on the envelopes. The Building and Zoning Department will stamp the return address with the City's address and mail the notice of the meeting date and time of the public hearing for the application to the property owners within 300 feet).

IN FILING THIS APPLICATION FOR A MIXED USE DISTRICT ALLOWANCE, THE PROPERTY OWNER ACKNOWLEDGES THAT IT SHALL BECOME PART OF THE PERMANENT RECORD OF THE COMPREHENSIVE PLANNING AND ZONING BOARD AND DOES HEREBY CERTIFY THAT ALL OF THE INFORMATION CONTAINED HEREIN IS TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE.

IF APPROVED, THE ORDER GRANTING THE MIXED USE DISTRICT ALLOWANCE WILL BE EFFECTIVE FOR A PERIOD OF TWO (2) YEARS, AT THE END OF WHICH TIME, APPLICANT SHALL BE REQUIRED TO COMMENCE CONSTRUCTION OF THE MIXED USE APPROVAL. SUCH ORDER GRANTING THE MIXED USE DISTRICT ALLOWANCE SHALL BE TRANSFERABLE WITH THE PROPERTY BASED ON THE SUBMITTAL TO THE PLANNING AND ZONING BOARD. ANY MODIFICATION OF THAT APPROVED BY THE PLANNING AND ZONING BOARD SHALL BE SUBJECT TO REAPPLICATION TO THE BOARD. ALL AGENTS MUST HAVE AND INCLUDE NOTARIZED WRITTEN AUTHORIZATION OR A NOTARIZED OWNER PERMISSION LETTER WITH THIS APPLICATION.

PRINTED NAME OF OWNER/APPLICANT: CLINT C. Richardson

SIGNATURE OF OWNER/APPLICANT: 

ADDRESS: 18 A Street, St. Augustine Beach FL 32080

PHONE: 904-806-7005 DATE: 4-2-13

MIXED USE CHECKLIST

TO MIXED US APPLICANTS, PLEASE PROVIDE THE FOLLLOWING FOR REVIEW BY THE PLANNING AND ZONING BOARD WHEN APPLICATION IS MADE TO THE CITY.

- 1. FORMAL SITE PLAN: Lot size, setbacks, proposed structure size, parking including one handicap space, 17-feeet-by-20-feet.

Lot size: 9,263 square feet
(less than 8,500-square-feet requires variance by Planning and Zoning Board)

Floor area for structure: New addition: First floor = 448 square feet; Second floor = 578 square feet. Total for new addition = 1,026 square feet. Existing retail = 1,463 square feet/existing storage area = 427 square feet.

- 2. USE REQUESTED:

Commercial: _____ Business Use: Retail space and storage

Residential: _____ Single or multi-family: _____

Commerical and Residential: _____

Business Use: Retail

- 3. STRUCTURE HEIGHT: Twenty-three (23) feet

Number of floors: Two (2)

- 4. LANDSCAPE PLAN: N/A--Existing landscaping, nothing new, removing one palm tree

- 5. PROPOSED SIGNAGE (SIZE AND LOCATIONS): N/A, existing signage, nothing new

| Property Information | | | |
|---|--------------|---------------------------------|----------------------------|
| STRAP | 169050 0000 | Tax District | 551 |
| Mailing Address | | Neighborhood Code | 717.02 |
| 18 A ST SAINT AUGUSTINE, FL 32080-6902 | | Use Code/Description | 1100/Stores |
| Site Address | | Sec-Town-Range | 34 - 7 - 30 |
| 18 A ST , SAINT AUGUSTINE 32080-0000 | | | |
| Total Land Value | \$239,476.00 | Total Building Value | \$28,380.00 |
| Total Extra Features | \$15,634.00 | Total Market(Just) Value | \$283,490.00 |
| Assessed Value | \$283,490.00 | Taxable Value | \$233,490.00 |
| Homestead Exempt | \$50,000.00 | Property Map | click here |

| | |
|----------------------|--|
| Owner Name(s) | Legal Description |
| RICHARDSON CLINT | 2-5 CHATAUQUA BEACH LOTS 13 & 15 BLK 11 OR2363/1804 |
| Exemption(s) | |
| HB Homestead Band | |
| HX Homestead | |

| Sales Information | | | | | | |
|-------------------|----------------|-------------|-----------------|-----------|--------------------|-------------|
| Sale Date | Adjusted Price | Book&Page | Instrument Code | Qualified | Vacant or Improved | Reason Code |
| 01/06/2005 | \$630,000.00 | 2363 & 1804 | WD | Q | I | 03 |
| 10/01/1989 | \$35,000.00 | 833 & 1816 | | Q | V | 01 |
| 10/01/1983 | \$59,000.00 | 608 & 519 | | Q | I | 01 |
| 01/01/1980 | \$36,500.00 | 461 & 797 | | U | I | 11 |

| Building Number 1 | | | |
|----------------------------|------------------------------------|---------------------------------------|--|
| Site Address: | 18 A ST SAINT AUGUSTINE 32080-0000 | | |
| Building Type/Desc: | 1101/Stores (Retail) | Building Model/Desc: | 01 /RESIDENTIAL |
| Year Built: | 1922 | Heated/Cooled Area: | 1994 |
| Gross Area: | 3140 | Building Sketch (Descriptions) | click here to see sketch |
| Building Value: | \$20,222.00 | | |

| Building Number 2 | | | |
|----------------------------|------------------------------------|---------------------------------------|--|
| Site Address: | 18 A ST SAINT AUGUSTINE 32080-0000 | | |
| Building Type/Desc: | 1101/Stores (Retail) | Building Model/Desc: | 04 /COMMERCIAL BLDGS |
| Year Built: | 1954 | Heated/Cooled Area: | 420 |
| Gross Area: | 420 | Building Sketch (Descriptions) | click here to see sketch |
| Building Value: | \$8,158.00 | | |

| Structural Elements (Descriptions) | | | | |
|------------------------------------|--------------|---------------------|-----------|----------------------------|
| Building Number | Element Code | Element Description | Type Code | Type Description |
| 1 | HT | Heating Type | 1 | Air Duct |
| 2 | HT | Heating Type | 1 | Air Duct |
| 2 | FN | Foundation | 5 | Concrete Perimeter Footing |
| 2 | PL | Plumbing | 0 | 0 FIXTURES |
| 2 | RS | Roofing Structure | 13 | Wood Truss |
| 2 | EW | Exterior Wall | 11 | Concrete Block |
| 1 | FN | Foundation | 7 | Piers and Posts |
| 1 | FS | Floor System | 3 | Wood Frame |
| 2 | FS | Floor System | 1 | Concrete Slab |

PREPARED BY & AFTER RECORDING, PLEASE MAIL TO:
This instrument was prepared without opinion as to title by:
Robert L. McLeod II, Esquire
the mcleod firm
1200 Plantation Island Drive South
Suite 140
St. Augustine, FL 32080

Public Records of
St. Johns County, FL
Clerk # 2005006925,
O.R. 2363 PG 1804-1804
01/27/2005 at 08:33 AM,
REC. \$5.00 SUR. \$5.00
Doc. D \$4410.00

[Space Above this Line for Recording Data]

THIS WARRANTY DEED

Made this January 6, 2005 A.D. By
Matthew Braly and Laura Braly, husband and wife hereinafter called the
grantor,
to Clint Richardson, A SINGLE MAN, whose post office address is: 18 A
Street, St. Augustine, FL 32080, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of
individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and
other valu-able considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises,
releases, conveys and confirms unto the grantee, all that certain land situate in St. Johns County, Florida, viz:

Lot 13 and Lot 15, Block 11, Chautauqua Beach, Subdivision of the Anastasia Methodist Assembly, according to plat recorded in
Plat Book 2, page 5, public records of St. Johns County, Florida.

Parcel ID Number: 169050-0000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

SUBJECT TO covenants, restrictions, easements, limitations and reservations of record, if any. However, this
reference does not reimpose same. Subject to all applicable zoning ordinances and/or restrictions and prohibitions imposed
by governmental authorities, if any. Subject to taxes and assessments for the current year.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple;
that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the
title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of
all encumbrances except taxes accruing subsequent to December 31, 2004

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

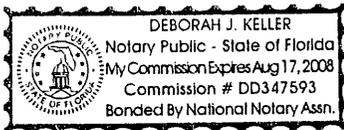
**TWO (2) SEPARATE WITNESSES ARE REQUIRED TO SIGN
AND PRINT NAMES!**

(1) Deborah J. Keller Matthew C. Braly (Seal)
Witness Printed Name Deborah J. Keller Address: Matthew Braly

(2) Kimberly S. Keller Laura Braly (Seal)
Witness Printed Name Kimberly S. Keller Address: Laura Braly

State of FLORIDA
County of ST. JOHNS

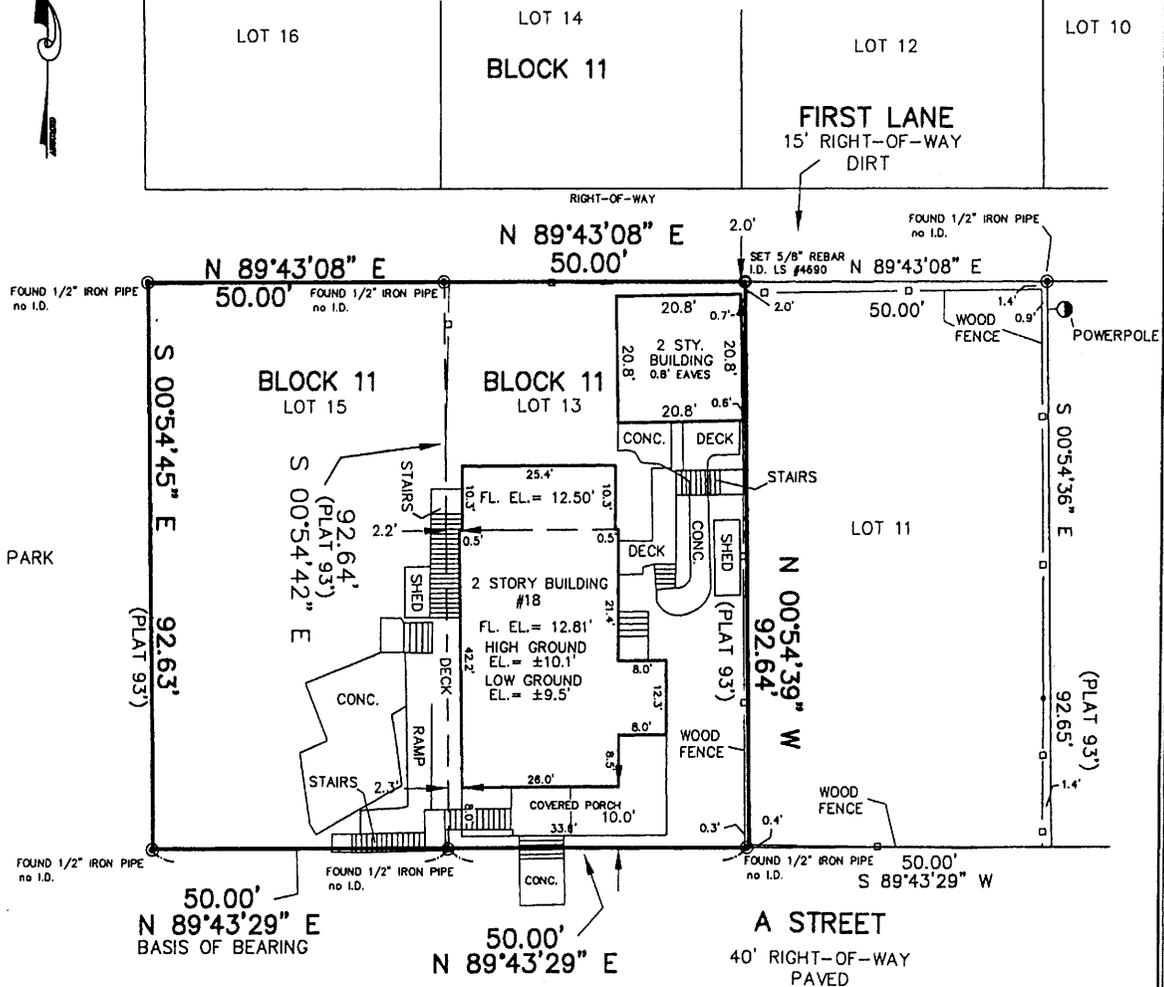
The foregoing instrument was acknowledged before me this January 06, 2005, by Matthew Braly and Laura Braly, husband and
wife, who is/are personally known to me or who has produced A VALID DRIVER'S LICENSE(S) as identification and who has
taken an oath.



Deborah J. Keller
Notary Public
Print Name: Deborah J. Keller
My Commission Expires: _____
[NOTARY SEAL]

MAP SHOWING SURVEY OF
LOT 13 & 15, BLOCK 11,
CHATAUQUA BEACH
 AS RECORDED IN MAP BOOK 2, PAGE 5,
 PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA

OFFICE COPY



FIELD DATE: 8/27/05
 I HEREBY CERTIFY THIS SURVEY EXCLUSIVELY TO:
 CLINT RICHARDSON, FIRST FEDERAL BANK OF NORTH FLORIDA,
 SCOTT & SHEPPARD, P.A., ATTORNEYS AT LAW,
 & ATTORNEYS' TITLE INSURANCE FUND, INC..

FLOOD ELEVATION CERTIFICATE:
 THIS PROPERTY LIES IN FLOOD ZONE AE(EL9),
 AS SHOWN ON THE FLOOD INSURANCE RATE
 MAP (F.I.R.M.), COMMUNITY PANEL NO.
 125146 12109C0382H, MAP DATED 9/2/04,
 FOR ST. JOHNS COUNTY, FLORIDA.

NOTES:
 THIS IS A BOUNDARY AND LOCATION SURVEY, CORNERS AS NOTED.
 NO UNDERGROUND STRUCTURES OR UTILITIES, LOCATED OR SHOWN.
 THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE
 OPINION, LEGAL DESCRIPTION WAS PROVIDED BY CLIENT. NO RECORD
 OF EASEMENTS WERE PROVIDED TO SURVEYOR, EXCEPT AS SHOWN.
 ELEVATIONS ARE BASED ON UNITED STATES COASTAL & GEODETIC
 SURVEY (U.S.C. & G.S.) N.G.V.D. 1929.
 NORTH IS ASSUMED, BASED ON THE R\W OF A STREET,
 REFERENCE BEARING AS SHOWN.

LEGEND:
 Δ - DENOTES CENTRAL ANGLE
 R - DENOTES RADIUS
 T - DENOTES TANGENT DISTANCE
 L - DENOTES LENGTH OF ARC

Fire Marshall Review & Approval
 Page Signed Off
P. Webb
 Reviewer

CERTIFICATION: I HEREBY CERTIFY, that the survey shown hereon was made
 under my direction and supervision and is correct to the best of my
 knowledge and belief and that it meets minimum technical standards
 as set forth in Chapter 61G17-6, Florida Administrative Code, pursuant
 to section 472.027, Florida Statutes.

R. Brandt Wilson
 R. BRANDT WILSON, P.L.S., FL. CERT# LS4690
 Not valid without the signature and the original raised
 seal of a florida licensed surveyor and mapper

BRANDT WILSON & ASSOCIATES
 PROFESSIONAL LAND SURVEYOR
 5991 A-1-A South,
 St. Augustine, FL 32080
 1-(904)471-7512

| | | | | |
|-----------|----------|----------|-----------|-------------|
| DRAWN BY: | BW | JOB NO.: | 05-397 | F.B. 216-11 |
| SCALE: | 1" = 20' | | SHEET NO. | 1 OF 1 |

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA RELATING TO THE LAND DEVELOPMENT REGULATIONS; AMENDING SECTION 3.02.02 OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY BY THE ADDITION OF A NEW SUBSECTION TO BE KNOWN AS SECTION 3.02.02.01 PROVIDING FOR MIXED USE ZONING REQUIREMENTS; PROVIDING FOR COMPLIANCE WITH THE CITY'S COMMUNITY APPEARANCE STANDARDS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA:

Section 1. Section 3.02.02 of the Land Development Regulations for the City of St. Augustine Beach, Florida, be, and the same is hereby amended by the addition of a new subsection, to read as follows:

Section 3.02.02.01. Mixed Use Districts.

A. Purpose. The purpose of a mixed use district is:

- ✓ 1. To accommodate a mixture of retail, service, residential, and other uses.
- ✓ 2. Encourage development that exhibits the physical design characteristics of pedestrian orientated, store front shopping streets; and
- ✓ 3. Promote the health and well being of residents by encouraging physical activity, alternative transportation and greater social interaction.
- ✓ 4. To site structures so their siting is compatible with the future Vision of the City as well as City Codes.
- ✓ 5. Ensure that the massing of the structure/structures are compatible with surrounding buildings.
- ✓ 6. Ensure that the proposed projects do not exceed the size and scale of other buildings in the vicinity and that a proportionate scale is maintained between height and width of structures.
- ✓ 7. Ensure that roof forms, detailing, textures, colors, and the rhythm of a structure, wall space and doors and windows are compatible with City Codes and the future vision for the City.

B. Definitions

Floor Area Ratio: The ratio of the building gross floor area to the square footage of each lot a structure is located on.

Gross Floor Area: The sum of all horizontal floor areas for a structure measured from the outside faces of the exterior walls. Not included are second or third level balconies and porches and attic space. Where parking is provided under a structure, the footprint of the parking will be considered as the Gross Floor Area.

Mixed Use Building: A structure containing a mix of commercial and residential uses, one floor devoted for commercial use, the other floor devoted to residential use.

Commercial Use: A structure used only for a commercial operation that is allowed by the Land Development Regulations.

Residential Use: A structure used solely for a single-family residence.

Horizontal/Vertical Articulation: Architectural features that break the flat surface off a building wall. Minimum distance between any horizontal or vertical feature is ten (10) feet in any direction.

Horizontal and vertical articulation to the building facade is required for structures fronting AlA Beach Boulevard. The vertical articulation features shall be within the allowed setback areas dependant on the proposed use of the structure, the horizontal features ten (10) feet above finished grade will be allowed to encroach into the setback area no more than twelve (12) inches.

C. Table of Allowed Uses:

P - Permitted C - Conditional Use N - Not Allowed

Household Living

| | | |
|---|---|---|
| Business live/work above the ground floor | P | |
| Business live/work on ground floor | | C |
| Dwellings above ground floor | | C |
| Detached house | P | |
| Multi family residential | | C |
| Townhouse | | C |

Group Living

| | | |
|-----------------|---|---|
| Assisted living | | C |
| Group home | P | |
| Nursing home | | C |

Public and Civic

| | | |
|-----------------------|---|---|
| School | | N |
| Parks and recreation | P | |
| Postal Service | P | |
| Religious Assembly | P | |
| Lodge or private club | | N |
| Day Care | P | |

Commercial

| | | |
|---------------------------------|---|---|
| Retail/office | P | |
| Restaurant -sit down / take-out | P | |
| Fast Food Drive Thru | | N |
| Vehicle service facilities | | N |
| Hotel / motel | P | |
| Parking for Commercial Uses | P | |

Manufacturing /Industrial

Other

| | | |
|---|---|---|
| Wireless-towers,-freestanding | | N |
| Architectural tower co-locate design on structure | P | |

This use table should be refined to reflect local characteristics and planning objectives. The range of uses should be as broad as possible fitting the character of the City and the locations. There may be instances where a drive thru facility is needed due to the type of business such as a bank or pharmacies. Also, buildings with residential units, commercial uses, will be self-policing because possible owner associations may ensure that commercial uses within buildings will be comparable with upper story residential uses.

D. Mixed Use Size Limits The minimum lot area for mixed use is 8,500 square feet unless approved by variance after application to the City of St Augustine Beach Planning and Zoning Board. The minimum floor area for a mixed use structure is 800 square feet or 25% of the lot area (whichever is greater) for lots with street frontage of 50 feet width or more. For 50 feet or less, street frontage, the minimum floor area is 20% of the lot area.

The gross first floor area for any Commercial establishment shall not exceed 15,000 square feet.

For separate commercial or residential use, the minimum first floor area shall be 1,000 square

feet.

E. Structure Height for 25 foot setbacks

35 feet to the roof ridge is the allowable height and an allowance is made for architectural detail to the 40 foot height is allowed. The 40 foot height shall not exceed 40% of the Building perimeter on any side.

F. Setbacks and height restrictions for mixed use

Setbacks for mixed use are variable dependant on the type of commercial use is projected for the lot/lots and the projected structure height.

Retail Shops: Allowable setbacks are from 0 to 25 feet or more. The minimum setback for a two story structure with a 2nd level porch/balcony, is 5 feet. Maximum height allowed is 27 feet within the setback area from 0 to 15 feet. Between 15 feet to 25 feet or more, the allowable height is 35 feet.

Business Use: Same allowance as Retail Use.

Restaurant Use: Minimum setback allowed is 10 feet if outside seating is proposed. A second level deck will be allowed a 0 foot setback for the front setback and a 5 foot side setback.

Hotel/Motel Use Minimum allowed setback is 25 feet for those building facades exceeding 27 feet. The portion of a hotel/motel having a single story section, mainly a porte cochere, fronting a street will be allowed a 5 foot front setback for that section providing the roof ridge does not exceed 18 feet.

Residential Use: All stand alone residential uses are subject to approval by Planning and Zoning Board for the City of St. Augustine Beach.

G. Construction Materials, Exterior Colors

The roof and exterior finishes are those materials reflected in the Catalog of recommended Architectural and site features.

Exterior finishes for any structure fronting A1A Beach Boulevard shall be approved by the City of St. Augustine Beach in accordance with approved color palates maintained in the Building Department. These color finishes established by Community Appearance Standards as established by Ordinance.

H. Mechanical and Utility Equipment Location and Screening

Single or dual mechanical equipment (ac compressors) shall be located in the side or rear setback area. Multiple units, three or more, shall be placed on roof tops and screened by architectural details to the roof line. Ground located equipment shall be screened by walls constructed from the same materials as the main structure exterior finish, then accented by landscaping.

Utility services shall be placed underground for all new construction and for any structure subject to re-model work. All structures located within the mixed use zoning classification shall be required to hook up to water and sewer from St. Johns County utility Services.

I. Catalog of Recommended Architectural and Site Features

Recommended Architectural design:

Key West Style, Florida Vernacular, Cracker Design, Spanish Mediterranean Design Stepped Parapet Storefront, Classical Gable House, Classical Double Gallery House.

Recommended Architectural Features:

Accents to all structures by vertical and horizontal articulation.

Exterior finish materials shall be limited to masonry finishes, rock, brick, wood siding, concrete composite siding materials.

Roofing materials are limited to architectural grade shingles, metal roofing, and concrete composite roofing products.

Shutters, Dormers, in scale with the structure's design, Porches with gingerbread effects, Patios with decorative fencing or guardrails, open soffits, cupolas.

Recommended Site Features:

Xeriscape landscaping for decorative gardens in place of grasses, use of stone or mulch for ground cover, Brick pavers for drives, sidewalks, parking areas.

J. Parking Requirements

All parking for retail, business, restaurant uses and garage openings for residential use shall be placed in the rear or at the side. Parking located at the side of a structure shall be required to have landscape buffers, 5 feet in width between the edge of the parking area and the right of way of the adjacent street. All plant materials used shall be 3 gallon minimum container size. Landscape plans shall also be subject to approval by the St. Augustine Beach beautification Committee. Access to the parking shall be from the numbered or lettered streets perpendicular to A1A Beach Boulevard. Hotel / Motel parking can be placed in the front of the structure.

Curb cuts from A1A Beach Boulevard shall be allowed where a platted alleyway whether the alleyway is open or not opened.

Shared parking and shared access to parking is encouraged.

K. Signage

All signage, ground and wall signs shall be subject to approval from the Planning and Zoning Board within the Mixed Use Districts. Ground signs shall have ground lighting illumination or back lit illumination, wall signs will be allowed to be back lit with the proposed intensity of the illumination being subject to approval by the Planning and Zoning Board. No exposed neon shall be allowed. The use of metal supports is discouraged with wood or masonry products being encouraged.

The maximum size for a ground sign shall be determined by the frontage on the AIA Beach Boulevard. For those lots with 50 foot frontage or less, the maximum sign face shall be thirty-two (32) square feet; 50 to 150 foot frontage shall be allowed forty-eight (48) square feet; greater than 150 foot frontage shall be allowed seventy (70) square feet sign face. This allowance does not include the sign supports, which size and material shall be subject to Planning and Zoning Board approvals.

The allowable heights are also dependant upon the frontage. 50 foot or less are allowed seven (7) foot height; 50 to 150 foot frontage are allowed eight (8) feet height; greater than 150 foot frontage are allowed nine (9) feet height. This measurement taken from the existing finished grade to the top edge of the sign..

A seven (7) year amortization period is provided for those signs located along AIA Beach Boulevard that will be deemed as non-conforming by the requirements of this ordinance. All such signs shall either be brought into conformity or removed seven (7) years following the adoption of this Section. All non-conforming signs as a result of ordinances passed prior to the passage of this section shall be brought into conformity or removed as provided in the respective ordinances rendering such signs as non-conforming or seven years from the date of this ordinance, whichever is the earlier.

L. Compliance Requirements

The Comprehensive Planning and Zoning Board shall review and either approve or deny any proposed development within the mixed use zoning.

Section 2. Section 3.02.02 of the Land Development Regulations of the City be, and the same is, amended to read:

Sec. 3.02.02. Uses.

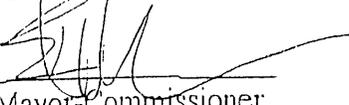
1. The permitted and conditional uses for all land use districts except Mixed Use Districts are listed in Table 3.02.02. Uses for Mixed Use Districts are listed in Section 3.02.02.01. The list of uses contained in said table are exclusive, and any use not included under permitted or conditional uses shall be prohibited in such districts.

Section 3. This ordinance shall take effect upon passage.

PASSED by the City Commission of the City of St. Augustine Beach, Florida, upon second reading this 2nd day of July, 2007.

CITY COMMISSION OF THE CITY OF ST.
AUGUSTINE BEACH, FLORIDA

ATTEST: 
City Manager

BY: 
Mayor-Commissioner

First reading: June 4, 2007

Second reading: July 2, 2007

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA RELATING TO THE LAND DEVELOPMENT REGULATIONS; AMENDING SECTIONS 3.02.02.01. E., F. AND L TO PROVIDE FOR SETBACKS AND HEIGHTS WITHIN MIXED USE DISTRICTS AND FOR VARIANCES IN SUCH MIXED USE DISTRICTS UPON A SHOWING OF ECONOMIC HARDSHIP; AMENDING SECTION 3.02.02 OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY TO CLARIFY THAT THE REQUIREMENTS FOR MIXED USE DISTRICTS ARE ESTABLISHED IN SECTION 3.02.02.01.; AMENDING SECTION 13.00.00 TO PROVIDE FOR FEES FOR MIXED USE DEVELOPMENT REVIEW; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA:

Section 1. Sections 3.02.02.01. E., F., and L. of the Land Development Regulations for the City of St. Augustine Beach, Florida, be, and the same, are hereby amended to read as follows:

Section 3.02.02.01. Mixed Use Districts.

* * * *

E. Structure Height for 25 feet setbacks

35 feet to the roof ridge is the allowable height and an allowance ~~is made~~ for architectural detail to the 40 foot height is allowed. The 40 foot height shall not exceed 40% of the Building perimeter on any side. This additional height allowance is allowed when being utilized for screening roof top mounted equipment.

F. Setbacks and height restrictions for mixed use

Setbacks for mixed use are variable dependant on the type of commercial use sought in the application and ~~is projected for the lot/lots and~~ the projected structure height.

Shops: Allowable setbacks are from 0 to 25 feet or more. The minimum setback for a two story structure with a 2nd level porch/balcony, is 5 feet, the porch not exceeding five (5) feet in depth. Maximum height allowed to the roof ridge is 27 feet within the setback area is from 0 to 15 feet. Between 15 feet to 25 feet or more, the allowable height is 35 feet to the roof ridge.

Retail business Use: Same allowance as Retail Use.

Restaurant Use: Minimum setback allowed is 10 feet if outside seating is proposed. A second level deck will be allowed a 0 foot setback for the front setback and a 5 foot side setback. Restaurants having A1A Beach Boulevard and side street frontage, shall have an option for placing decks for outside seating facing either street meeting the following setback requirements. Fronting the Boulevard, a three (3) foot landscaped setback will be required. Side street setbacks for a wood deck shall be five (5) feet. Landscaping will be optional dependant upon existing site conditions. Decorative structural posts may be used for support elements for existing construction or porches may be cantilevered or supported by diagonal bracing.

Motel Use: Minimum allowed setback is 25 feet for those building facades exceeding 27 feet. The portion of a hotel/motel having a single story section, mainly a porte cochere, fronting a street will be allowed a 5 foot front setback for that section providing the roof ridge does not exceed 18 feet.

Residential Use: All stand alone residential uses are subject to approval by Planning and Zoning Board for the City of St. Augustine Beach.

* * * *

L. Compliance Requirements

The Comprehensive Planning and Zoning Board shall review and either approve or deny any proposed development within the mixed use zoning. Upon a showing of economic hardship demonstrating a substantial reduction in value of the property subject to the application for review based on a reasonable investment-backed expectation the Comprehensive Planning and Zoning Board may grant a variance with or without conditions from the strict provisions of this Section. Review by the City Commission of a determination by the Comprehensive Planning and Zoning Board shall be in the same manner as other appeals from the Comprehensive Planning and Zoning Board.

Section 2. Section 3.02.02 of the Land Development Regulations of the City be, and the same is, amended to read:

Sec. 3.02.02. Uses.

1. The permitted and conditional uses for all land use districts except Mixed Use Districts are listed in Table 3.02.02. Uses for Mixed Use Districts are listed in Section 3.02.02.01. The list of uses contained in said table are exclusive, and any use not included under permitted or conditional uses shall be prohibited in such districts.

Section 3. Section 13.00.00 of the Land Development Regulations be, and the same are, hereby

amended by the addition of a new subsection to be known as Section 13.00.00 T. to read as follows:

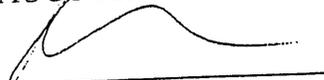
T. Mixed Use Development Review. The application fee for a mixed use development review is \$157.50.
The application fee for an appeal to the City Commission is \$100.00.

Section 4. This ordinance shall take effect upon passage.

PASSED by the City Commission of the City of St. Augustine Beach, Florida, upon second reading this 7th day of July, 2008.

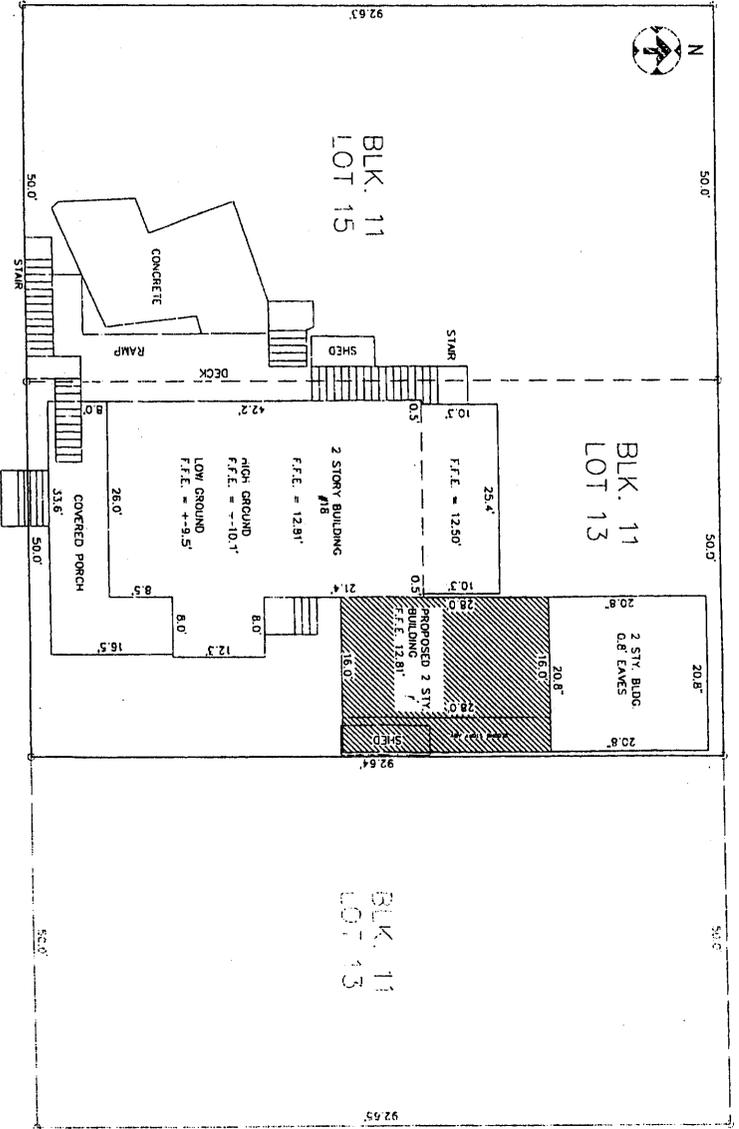
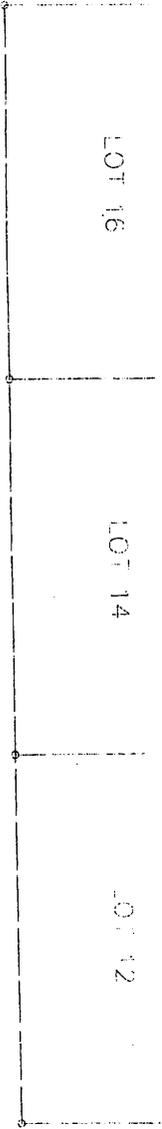
ATTEST: 
City Manager

CITY COMMISSION OF THE CITY OF
ST. AUGUSTINE BEACH, FLORIDA

BY: 
Mayor-Commissioner

First reading: June 2, 2008

Second reading: July 7, 2008



PROPOSAL FOR 2 STORY ADDITION, PIT SURF SHOP

LOT 13 & 15, BLOCK 11,

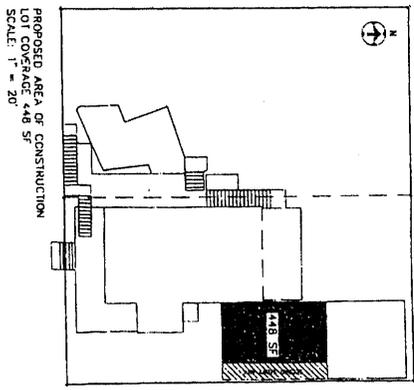
CHATAUQUA BEACH

MAP BOOK 2, PAGE 5, S.J.C. FL.

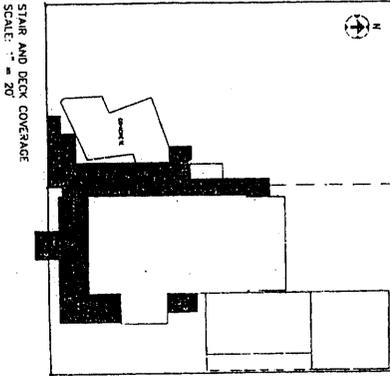
OWNER: CLINT RICHARDSON

SITE PLAN: 1" = 10'

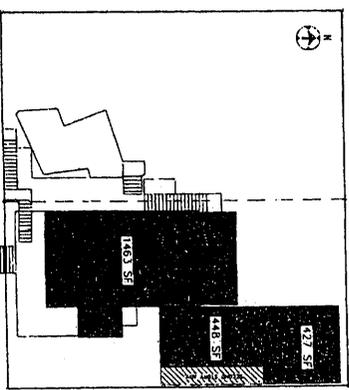
DRAWN BY: WALTER CISEN, MARCO



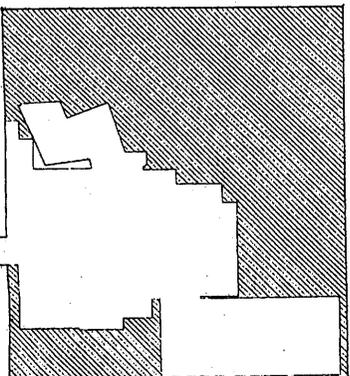
PROPOSED AREA OF CONSTRUCTION
LOT COVERAGE 448 SF
SCALE: 1" = 20'



STAIR AND DECK COVERAGE
SCALE: 1" = 20'

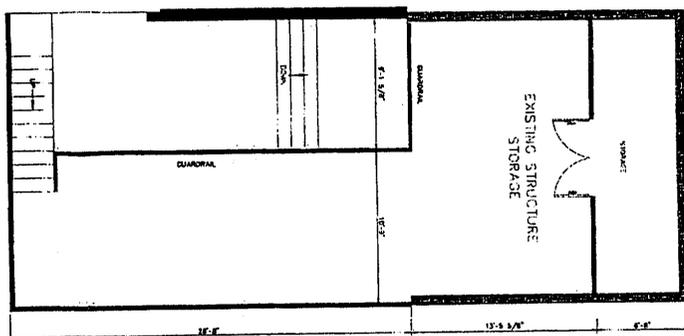
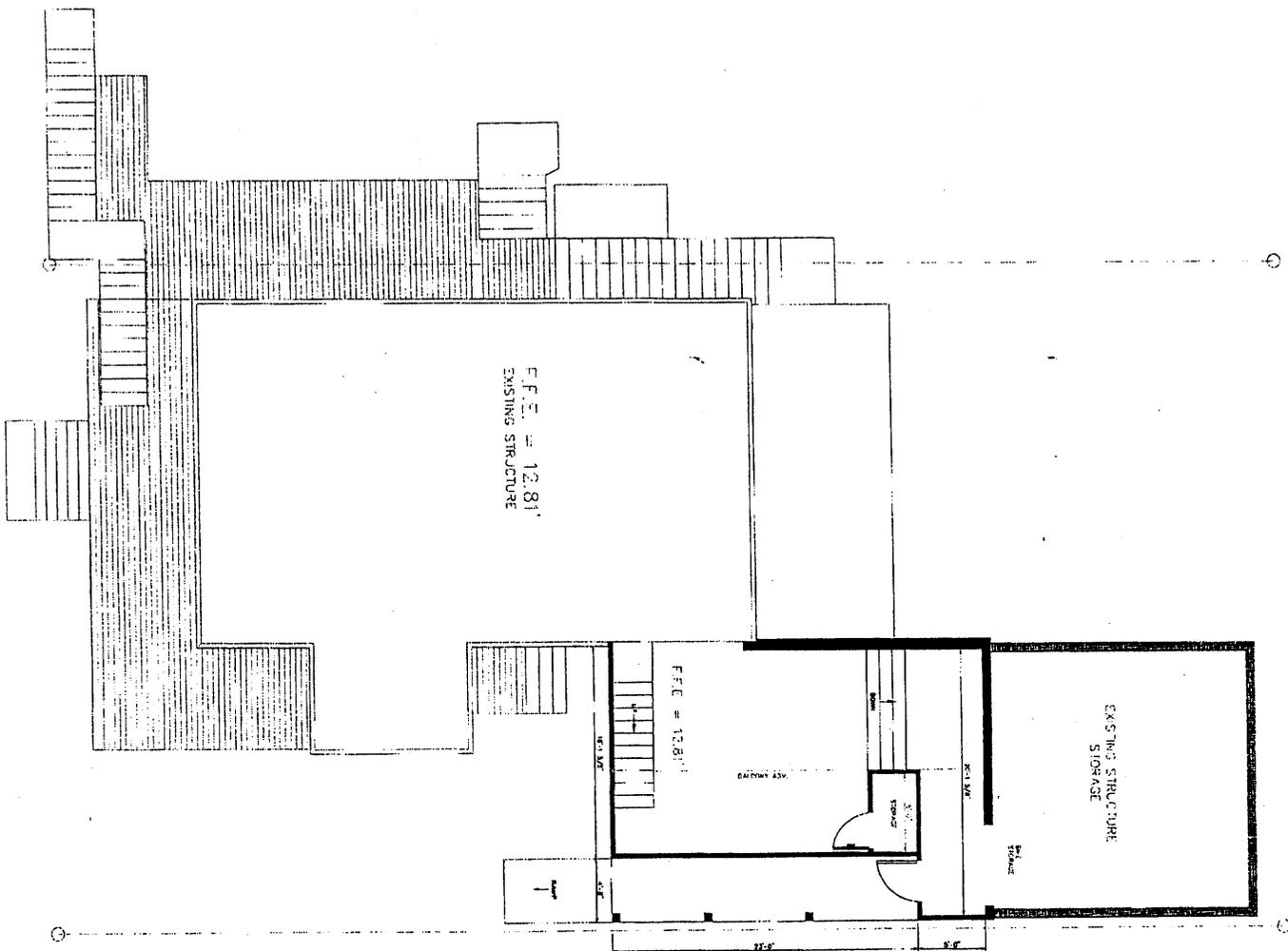


TOTAL BUILDING LOT COVERAGE INCLUDING
PROPOSED NEW CONSTRUCTION 2,450 SF
SCALE: 1" = 20'



PARKING, PAVED, EARTH, LOT COVERAGE
SCALE: 1" = 20'

| | |
|--|----------|
| LOTS 13 AND 15 | 9,263 SF |
| PROPOSED NEW CONSTRUCTION LOT COVERAGE | 448 SF |
| PROPOSED TOTAL BUILDING LOT COVERAGE | 2,315 SF |
| PERCENTAGE OF TOTAL BUILDING COVERAGE | 23.24% |
| TOTAL PROPOSED BUILDING SQUARE FOOTAGE | 448 SF |
| FIRST LEVEL | 448 SF |
| SECOND LEVEL | 1,208 SF |
| TOTAL | 1,208 SF |



PROPOSED EAST ELEVATION

SCALE: 1/4" = 1'-0"

3.23.2013

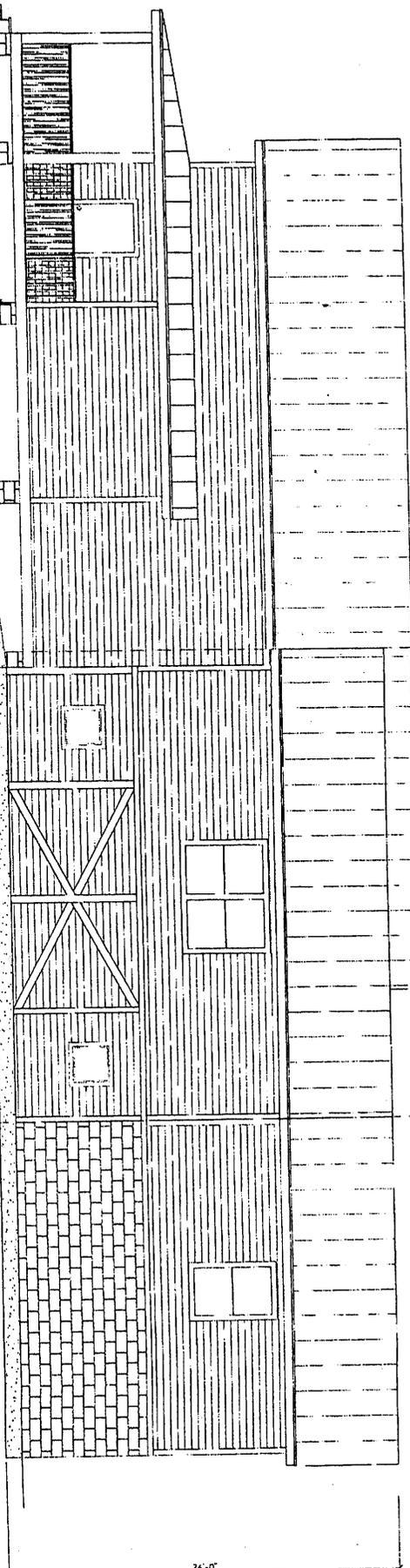
EXISTING STRUCTURE

EXISTING STRUCTURE

PROPOSED NEW STRUCTURE

EXISTING STRUCTURE

EXISTING STRUCTURE

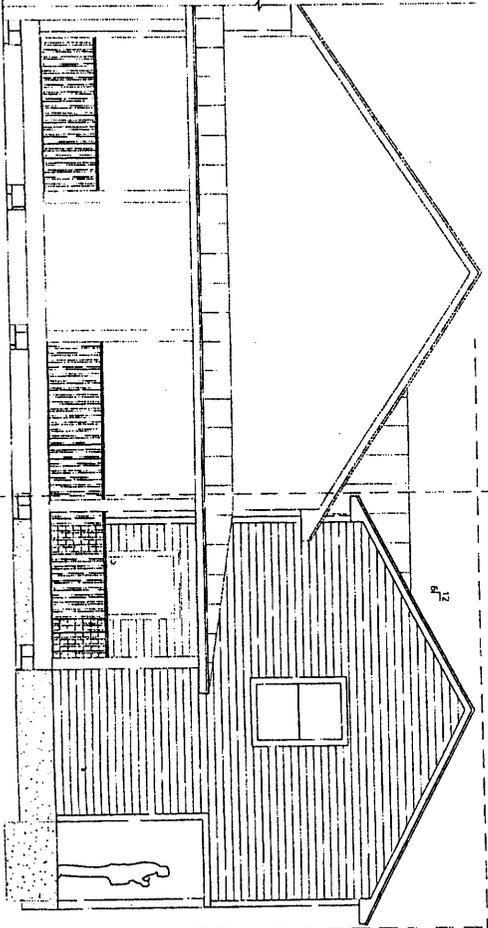


PROPOSED SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

EXISTING STRUCTURE

PROPOSED NEW STRUCTURE



Memorandum

TO: Members of the Comprehensive Planning and Zoning Board

FROM: Gary R. Larson, Director of Building and Zoning

DATE: April 30, 2013

RE: Super 8 Hotel, 311 A1A Beach Boulevard

This is a request for construction of a 315-square-foot breakfast area over an existing impervious surface, for use by guests staying at the Super 8. The request is for a front setback reduction from 25 feet to 18 feet. The continental breakfast is provided by most hotels as part of their customer service. The hotel currently has this service but only has a minimal seating area for guests. The addition will provide for the enjoyment of guests and hopefully increase the hotel's occupancy rate, as the hotel business is very competitive within the City.

The attachments reflect the proposed addition to the hotel building. It will have no effect on the surrounding businesses. FA Cafe is to the north and Salt Life will be constructed to the south. You will note that no landscaping will be impacted, impervious surface coverage will not change, and the construction of the addition will match that of the existing hotel, in terms of color, roofing, and exterior finish. There is also no need for any additional parking since the breakfast room addition is for hotel guests only.

Staff recommendation is for approval.

APPLICATION FOR MIXED USE
CITY OF ST. AUGUSTINE BEACH, FLORIDA

This application is used for a consideration of a new structure or a modification to an existing structure using the allowances as outlined in the Mixed Use Ordinances, Ordinance Nos. 07-13 and 08-09. The following is the documentation required to allow consideration of the request by the Comprehensive Planning and Zoning Board for the City of St. Augustine Beach. Failure by the applicant to provide the required information will result in the request being continued for an additional month or such time that the information is provided.

DESCRIPTION OF PROPOSED MIXED USE ALLOWANCE:

Request front yard setback reduction from 25 feet to 18 feet for a 315-square-foot break-
fast room addition to existing Super 8 hotel lobby

1. Survey of the property
 - a. Draw to scale the proposed addition to the existing structure or a site plan for a new structure. Show all setbacks for the requested addition or either the new one-story or multi-story structure. Reflect site requirements as directed by the ordinance or other applicable City ordinances.

2. Elevation plans
 - a. Reflect the architectural details as directed by the ordinance if applicable.

3. Landscaping plan (new)
 - a. List all plants to be used and their respective locations.

Owner/Applicant: Roger Patel

Address: 311 A1A Beach Boulevard, St. Augustine Beach, Florida 32080

Lot(s): _____ Block(s): _____ Subdivision: _____

Property Parcel Identification Number(s) (PIN): 163031-0000

APPLICATION FOR AN ECONOMIC HARDSHIP VARIANCE

DESCRIPTION OF WORK:

Add 315-square-foot breakfast room addition to existing Super 8 hotel lobby.

JUSTIFICATION FOR AN ECONOMIC VARIANCE:

Increase the overall experience of guests by adding an area to enjoy breakfast.

APPLICATION FEE: \$150.00 Acct. #34120 Date Paid: April 22, 2013

LEGAL NOTICE SIGN: \$750 Acct. #50471.515 Date Paid: April 22, 2013

Received by:  _____ Check # 2509

Receipt #: 21035 Date: April 22, 2013

PLEASE CHECK THAT THE FOLLOWING INFORMATION IS INCLUDED WITH THIS APPLICATION:

LEGAL DESCRIPTION AND SURVEY OF PROPERTY

WARRANTY DEED

OWNER PERMISSION LETTER FOR AGENT IF APPLICABLE

LIST OF PROPERTY OWNERS WITHIN 300 FEET OF PROPERTY WHICH THIS MIXED USE DISTRICT APPLICATION IS SUBMITTED (List may be obtained from the St. Johns County Real Estate/Survey Department, telephone number 904-209-0760).

STAMPED AND ADDRESSED LEGAL SIZE ENVELOPES WITH NAMES AND ADDRESSES OF PROPERTY OWNERS WITHIN THE 300-FOOT RADIUS LIST (Note: Do not put a return address on the envelopes. The Building and Zoning Department will stamp the return address with the City's address and mail the notice of the meeting date and time of the public hearing for the application to the property owners within 300 feet).

IN FILING THIS APPLICATION FOR A MIXED USE DISTRICT ALLOWANCE, THE PROPERTY OWNER ACKNOWLEDGES THAT IT SHALL BECOME PART OF THE PERMANENT RECORD OF THE COMPREHENSIVE PLANNING AND ZONING BOARD AND DOES HEREBY CERTIFY THAT ALL OF THE INFORMATION CONTAINED HEREIN IS TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE.

IF APPROVED, THE ORDER GRANTING THE MIXED USE DISTRICT ALLOWANCE WILL BE EFFECTIVE FOR A PERIOD OF TWO (2) YEARS, AT THE END OF WHICH TIME, APPLICANT SHALL BE REQUIRED TO COMMENCE CONSTRUCTION OF THE MIXED USE APPROVAL. SUCH ORDER GRANTING THE MIXED USE DISTRICT ALLOWANCE SHALL BE TRANSFERABLE WITH THE PROPERTY BASED ON THE SUBMITTAL TO THE PLANNING AND ZONING BOARD. ANY MODIFICATION OF THAT APPROVED BY THE PLANNING AND ZONING BOARD SHALL BE SUBJECT TO REAPPLICATION TO THE BOARD. ALL AGENTS MUST HAVE AND INCLUDE NOTARIZED WRITTEN AUTHORIZATION OR A NOTARIZED OWNER PERMISSION LETTER WITH THIS APPLICATION.

PRINTED NAME OF OWNER/APPLICANT: David Grande

SIGNATURE OF OWNER/APPLICANT: DAVID GRANDE

ADDRESS: 4 REMINGTON RD ORMOND BCH. FL 32174

PHONE: 386 299 6312 DATE: 4/18/13

MIXED USE CHECKLIST

TO MIXED US APPLICANTS, PLEASE PROVIDE THE FOLLOING FOR REVIEW BY THE PLANNING AND ZONING BOARD WHEN APPLICATION IS MADE TO THE CITY.

- 1. **FORMAL SITE PLAN:** Lot size, setbacks, proposed structure size, parking including one handicap space, 17-feet-by-20-feet.

Lot size: 53,168 square feet
(less than 8,500-square-feet requires variance by Planning and Zoning Board)

Floor area for structure: 315 square feet (21-foot-by-15-foot addition)

- 2. **USE REQUESTED:**

Commercial: Hotel Business Use: Breakfast area for guests

Residential: _____ Single or multi-family: _____

Commercial and Residential: _____

Business Use: _____

- 3. **STRUCTURE HEIGHT:** Twelve (!2) feet for proposed new addition feet

Number of floors: One-story for proposed new addition; Super 8 has two stories

- 4. **LANDSCAPE PLAN:** N/A--Existing landscaping

- 5. **PROPOSED SIGNAGE (SIZE AND LOCATIONS):** N/A--Existing signage

| Property Information | | | |
|----------------------|--|--------------------------|----------------------------|
| STRAP | 163031 0000 | Tax District | 551 |
| Mailing Address | 311 A1A BEACH BLVD SAINT AUGUSTINE, FL 32080-0000 | Neighborhood Code | 672.03 |
| | | Use Code/Description | 3900/Hotels & Motels |
| | | Sec-Town-Range | 34 - 7 - 30 |
| Site Address | 311 A1A BEACH BLVD , SAINT AUGUSTINE 32080-0000 | | |
| Total Land Value | \$673,353.00 | Total Building Value | \$521,735.00 |
| Total Extra Features | \$51,496.00 | Total Market(Just) Value | \$1,246,584.00 |
| Assessed Value | \$1,246,584.00 | Taxable Value | \$1,246,584.00 |
| Homestead Exempt | \$0.00 | Property Map | click here |

| | | | |
|---------------|---------------------------|-------------------|---|
| Owner Name(s) | JAY HOTEL INVESTMENTS LLC | Legal Description | 7-1 PT OF N600FT OF GL 1 LYING W OF R/W OF RD A1A OR3060/484 50 UNITS |
|---------------|---------------------------|-------------------|---|

| Sales Information | | | | | | |
|-------------------|----------------|------------|-----------------|-----------|--------------------|-------------|
| Sale Date | Adjusted Price | Book&Page | Instrument Code | Qualified | Vacant or Improved | Reason Code |
| 03/12/2008 | \$3,156,146.00 | 3060 & 484 | WD | Q | I | 03 |
| 09/01/1989 | \$360,000.00 | 832 & 120 | | U | I | 11 |
| 09/01/1989 | \$0.00 | 832 & 120 | | U | I | 11 |
| 12/01/1983 | \$0.00 | 618 & 561 | | U | I | 11 |
| 01/01/1980 | \$195,000.00 | 456 & 281 | | U | I | 11 |

| Building Number 1 | | | |
|---------------------|---|--------------------------------|--|
| Site Address: | 311 A1A BEACH BLVD SAINT AUGUSTINE 32080-0000 | | |
| Building Type/Desc: | 3930/Motel - Low | Building Model/Desc: | 07 /HOTEL/MOTEL |
| Year Built: | 1957 | Heated/Cooled Area: | 5936 |
| Gross Area: | 5936 | Building Sketch (Descriptions) | click here to see sketch |
| Building Value: | \$117,139.00 | | |

| Building Number 2 | | | |
|---------------------|---|--------------------------------|--|
| Site Address: | 311 A1A BEACH BLVD SAINT AUGUSTINE 32080-0000 | | |
| Building Type/Desc: | 3930/Motel - Low | Building Model/Desc: | 07 /HOTEL/MOTEL |
| Year Built: | 1991 | Heated/Cooled Area: | 4850 |
| Gross Area: | 4850 | Building Sketch (Descriptions) | click here to see sketch |
| Building Value: | \$146,049.00 | | |

| Building Number 3 | | | |
|---------------------|---|--------------------------------|--|
| Site Address: | 311 A1A BEACH BLVD SAINT AUGUSTINE 32080-0000 | | |
| Building Type/Desc: | 3930/Motel - Low | Building Model/Desc: | 07 /HOTEL/MOTEL |
| Year Built: | 1991 | Heated/Cooled Area: | 9380 |
| Gross Area: | 9380 | Building Sketch (Descriptions) | click here to see sketch |
| Building Value: | \$258,547.00 | | |

| Structural Elements (Descriptions) | | | | |
|------------------------------------|--------------|---------------------|-----------|----------------------------|
| Building Number | Element Code | Element Description | Type Code | Type Description |
| 1 | FN | Foundation | 5 | Concrete Perimeter Footing |
| 3 | FN | Foundation | 5 | Concrete Perimeter Footing |
| 2 | FN | Foundation | 5 | Concrete Perimeter Footing |
| 3 | HT | Heating Type | 1 | Air Duct |
| 1 | HT | Heating Type | 1 | Air Duct |
| 2 | HT | Heating Type | 1 | Air Duct |
| 3 | PL | Plumbing | 63 | 63 FIXTURES |

BUILDING PERMITS.
OWNER PERMISSION

To: Building Department
FROM: RAJENDRA PATEL
Owner
311 A1A Beach Blvd
Address
St Augustine FL 32080
City, State, Zip

Date 3-21-13
904 471 2330
Phone #

This is to advise you that I hereby give permission to:

DAVID GRANDE
Name

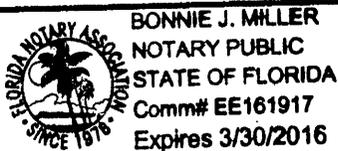
386 299 6312
Phone #

4 REMINGTON RD
Address

ORMOND BCH. FL. 32174
City, State, Zip

who is my agent/contractor, to perform the following on my behalf:

APPLY FOR MIXED USE VARIANCE



Rajendra Patel
Signature

STATE OF FLORIDA
COUNTY OF St. Johns

Subscribed and sworn before me this 21st day of March, 2013

by Rajendra Patel, who is/are personally known to me or who has/have

produced Florida Driver's License as identification.

Bonnie J. Miller
Notary

3-30-2016
Commission

NOTICE: A recorded Notice of Commencement must also accompany this application.

This instrument was prepared by:
JOHN D. MUSSOLINE, P.A.
Attorney at Law
415A St. Johns Avenue
Palatka, Florida 32177
- Chicago Title
RETURN TO: John D. Mussoline
ARCEL I. D. # 163031-0000

| MORTGAGE DEED | |
|---------------|--------------|
| Stamps: | \$ 9,800.00 |
| Recording: | \$ 52.50 |
| Trust: | \$ |
| Int. Tax: | \$ 5,600.00 |
| Total: | \$ 15,452.50 |

Public Records of
St. Johns County, FL
Clerk # 2008016904,
O.R. 3060 PG 487-492
03/25/2008 at 10:37 AM,
REC. \$25.00 SUR. \$27.50
Doc. M \$9800.00
Int Tax \$5600.00

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS MORTGAGE DEED,

(Wherever used herein the terms "mortgagor" and "mortgagee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations; and the term "note" includes all the notes herein described if more than one. Wherever used the singular number shall include the plural and the plural the singular, and the use of any gender shall include all genders.)

THIS IS A BALLOON MORTGAGE AND THE FINAL PAYMENT OR THE BALANCE DUE UPON MATURITY IS \$2,450,796.84, TOGETHER WITH ACCRUED INTEREST, IF ANY, AND ALL ADVANCEMENTS MADE BY THE MORTGAGEE UNDER THE TERMS OF THIS MORTGAGE.

Executed the 12th day of March, 2008, BY

JAY HOTEL INVESTMENTS, LLC, a Florida Limited Liability Company,
whose post office address is 311 A1A Beach Blvd., St. Augustine, FL 32080
hereinafter called the **MORTGAGOR**, to

PUTNAM STATE BANK, a Florida Banking Association,
of P. O. Drawer 1299, Palatka, FL 32178-1299
hereinafter called the **MORTGAGEE**,

WITNESSETH, that for divers good and valuable considerations, and also in consideration of the aggregate sum named in the promissory note of even date herewith, hereinafter described, the said Mortgagor, does grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee, in fee simple, all that certain tract of land, of which the said Mortgagor is now seized and possessed, and in actual possession, situate in St. Johns County, State of Florida, described as follows:

A parcel of land in the North 600 feet of Government Lot 1, Section 34, Township 7 South, Range 30 East, St. Johns County, Florida, lying West of the West right of way line of State Road No. A-1-A and being more particularly described as follows:

Commence at the intersection of the South line of said North 600 feet of Government Lot 1 with the West right of way line of State Road No. A-1-A; thence North 1°57' East, on said right of way line, 229.88 feet to the point of beginning of the herein described parcel of land; thence North 88°03' West 53.50 feet to the point of a curve to the left with radius of 49 feet; thence on said curve to the left through a central angle of 66°20'42", an arc distance of 56.74 feet to a point of reverse curve thence on a curve to the right with the radius of 69 feet, through a central angle of 39°01'21", an arc distance of 46.99 feet; thence South 1°57' West 81.15 feet; thence West 203.91 feet; thence North 194.83 feet; thence North 89°38' East 217.68 feet; thence North 00°02' East 14.46 feet; thence North 89°38' East 123.43 feet to said West right of way line of State Road at a point 298.55 feet Southerly as measured on said West right of way line, from the intersection of the North line of Government Lot 1 with said West right of way line; thence South 1°57' West 71.92 feet to the point of beginning.

THIS IS A PURCHASE MONEY BALLOON FIRST MORTGAGE.

1. To pay all and singular the principal and interest and other sums of money payable by virtue of said promissory note and this deed, or either, promptly on the days respectively the same severally come due.

2. To pay all and singular the taxes, assessments, levies, liabilities, obligations and encumbrances of every nature on said described property each and every, and if the same be not promptly paid the said Mortgagee may at any time pay the same without waiving or affecting the option to foreclose or any right hereunder, and every payment so made shall bear interest from the date thereof at the highest rate allowed by law.

3. To pay all and singular the costs, charges and expenses, including lawyer's fees, reasonably incurred or paid at any time by said Mortgagee because of the failure on the part of the said Mortgagor to perform, comply with and abide by each and every the stipulations, agreements, conditions and covenants of said promissory note and this deed, or either, and every such payment shall bear interest from date at the highest rate allowed by law.

4. To keep the building now or hereafter on said land insured in a sum not less than Two Million Eight Hundred Thousand Dollars (\$2,800,000.00) in a company or companies to be approved by said Mortgagee, and the policy or policies held by and payable to said Mortgagee, and in the event any sum of money becomes payable under such policy or policies, the Mortgagee shall have the option to receive and apply the same on account of the indebtedness hereby secured or to permit the Mortgagor to receive and use it, or any part thereof, for other purposes, without thereby waiving or impairing any equity lien or right under or by virtue of this mortgage, and may place and pay for such insurance or any part thereof, without waiving or affecting the option to foreclose or any right hereunder, and each and every such payment shall bear interest from date at the highest rate allowed by law.

5. To permit, commit or suffer no waste, impairment or deterioration of said property or any part thereof.

6. To perform, comply with and abide by each and every the stipulations, agreements, conditions and covenants in said promissory note and in this deed set forth.

7. If any of said sums of money herein referred to be not promptly and fully paid within 30 days next after the same severally become due and payable, or if each and every the stipulations, agreements, conditions and covenants of said promissory note and this deed or either, are not duly performed, complied with and abided by, the said aggregate sum mentioned in said promissory note shall become due and payable forthwith or thereafter at the option of the Mortgagee, as fully and completely as if the said aggregate sum of Two Million Eight Hundred Thousand Dollars (\$2,800,000.00) plus any future advances was originally stipulated to be paid on such day, anything in said promissory note or herein to the contrary notwithstanding.

8. The Mortgagee may, at any time while a suit is pending to foreclose or to reform this mortgage or to enforce any claims arising hereunder, apply to the court having jurisdiction thereof for the appointment of a receiver, and such court shall forthwith appoint a receiver of the premises and all other property covered hereby, including all and singular the income, profits, rents, issues and revenues from whatever source derived, and such receiver shall have all the broad and effective functions and powers in anywise entrusted by a court to a receiver and such appointment shall be made by such court as an admitted equity and a matter of absolute right to said Mortgagee, and without reference to the adequacy or inadequacy of the value of the property mortgaged or to the solvency or insolvency of said Mortgagor or the defendants, and such income, profits, rents, issues and revenues shall be applied by such receiver according to the lien of this mortgage and the practice of such court.

9. Failure by the Mortgagee to exercise any of the rights or options herein provided shall not constitute a waiver of any rights or options under said note or this mortgage accrued or thereafter accruing.

10. Anything hereinbefore to the contrary notwithstanding, this mortgage shall secure not only the existing indebtedness aforesaid, but also such future advances, whether such advances are obligatory or to be made at the option of the Lender, or otherwise, as are made within 20 years from date hereof, to the same extent as if such future advances were made on the date of this mortgage. This mortgage as to third persons, without actual notice thereof, shall be valid as to all such indebtedness and future advances from the time this mortgage is filed for record as provided by law. The total amount of the indebtedness so secured may be decreased or increased from time to time, but the total unpaid balance so secured at any one time shall not exceed twice the principal amount of this mortgage plus interest thereon, and any disbursements made for the payment of taxes levies, or insurance on the property covered by this mortgage, with interest on such disbursements.

THIS PROVISION is made agreeable to Section 697.04 (1), (2), (3), Florida Statutes.

11. This mortgage secures all renewals and extensions of said indebtedness or any note or notes evidencing said indebtedness or advances, present or future, hereby secured.

14. Assignment of Rents and Profits. In order to fully secure payment of the indebtedness and performance of the terms and conditions hereof, Mortgagor hereby sells, assigns, transfers and sets over to Mortgagee all rents and income due under any oral or written leases now or hereafter in force pertaining to the Mortgaged Property. Mortgagee covenants and agrees that it will at its cost and expense, perform and discharge, or cause to be performed and discharged, all of its undertakings of Mortgagee under any such leases. Provided, their assignment shall not obligate Mortgagee to perform or discharge any obligation, duty or liability of Mortgagee under any such leases. Provided, unless and until a default occurs under this Mortgage, or the Promissory Note until a default occurs under this Mortgage, or the Promissory Note secured hereby, Mortgagee shall be entitled to collect such rents and profits as and when they become due. Mortgagee agrees that upon notice from Mortgagee of the occurrence of default, the respective tenants under such leases without any obligation to determine whether or not a default exists.

15. Mortgagors warrant and represent to Mortgagee after thorough investigation that: (a) the property described herein is now and at all times hereafter will continue to be in full compliance with all federal, state and local environmental laws and regulations, including but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), Public Law No. 96-510, 94 Stat. 2767, 42 USC 9601 et. seq., and the Superfund Amendments and Reauthorization Act of 1986 (SARA), Public Law No. 99-499, 100 Stat. 1613, and (b) (i) as of the date hereof there are no hazardous materials, substances, wastes or other environmentally regulated substances (including without limitation, any materials containing asbestos) located on, in or under the property or used in connection therewith, or (ii) Mortgagors have fully disclosed to Mortgagee in writing the existence, extent and nature of any such hazardous materials, substances, wastes or other environmentally regulated substances, which Mortgagors are legally authorized and empowered to maintain on, in or under the property or use in connection therewith, and Mortgagors have obtained and will maintain all licenses, permits and approvals required with respect thereto, and is in full compliance with all of the terms, conditions and requirements of such licenses, permits and approvals. Mortgagors further warrant and represent that they will promptly notify Mortgagee of any change in the nature or extent of any hazardous materials, substances or wastes maintained on, in or under the property or used in connection therewith, and will transmit to Mortgagee copies of any citations, orders, notices or other material governmental or other communication received with respect to any other hazardous materials, substances, wastes or other environmentally regulated substances affecting the property.

Mortgagors shall indemnify and hold Mortgagee harmless from and against any and all damages, penalties, fines, claims, liens, suits, liabilities, costs (including clean-up costs), judgments and expenses (including attorneys' consultants' or experts' fees and expenses) of every kind and nature suffered by or asserted against Mortgagee as a direct or indirect result of any warranty or representation made by Mortgagors in the preceding paragraph being false or untrue in any material respect or any requirement under any law, regulation or ordinance, local, state or federal, which requires the elimination or removal of any hazardous materials, substances, wastes or other environmentally regulated substances by Mortgagee, Mortgagors or any transferee of either.

Mortgagors' obligations hereunder shall not be limited to any extent by the term of the Note secured hereby, and, as to any act or occurrence prior to payment in full and satisfaction of said Note which gives rise to liability hereunder, shall continue, survive and remain in full force and effect notwithstanding payment in full and satisfaction of said Note and this Security Instrument or foreclosure under this Security Instrument, or delivery or a deed in lieu of foreclosure.

IN WITNESS WHEREOF, the said Mortgagor hereunto sets his hand and seal the day and year first above written.

THIS IS A BALLOON MORTGAGE AND THE FINAL PAYMENT OR THE BALANCE DUE UPON MATURITY IS \$2,450,796.84, TOGETHER WITH ACCRUED INTEREST, IF ANY, AND ALL ADVANCEMENTS MADE BY THE MORTGAGEE UNDER THE TERMS OF THIS MORTGAGE.

Signed, sealed and delivered in our presence:

Katheryn A. Faber
KATHRYN A. FABER
Christal Fish
Christal Fish

JAY HOTEL INVESTMENTS, LLC

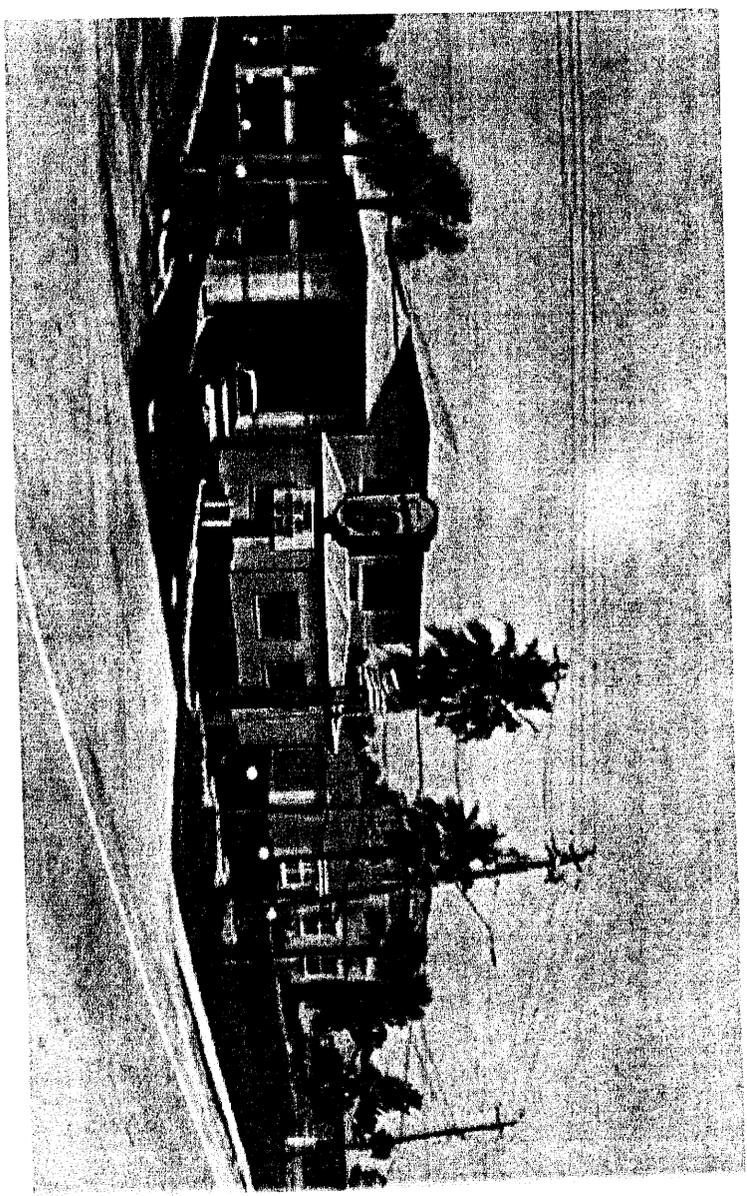
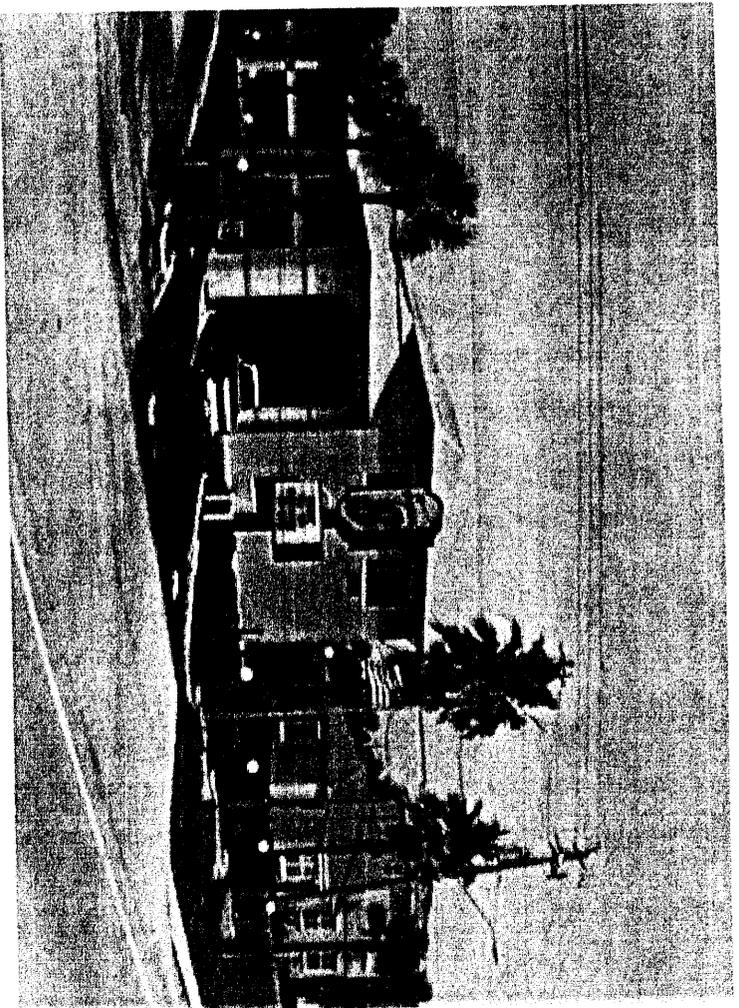
By: Rajendra H. Patel (Seal)
Rajendra H. Patel, Manager

By: Jashuben R. Patel (Seal)
Jashuben R. Patel, Manager

STATE OF FLORIDA, COUNTY OF ~~ST. JOHNS~~ Duval

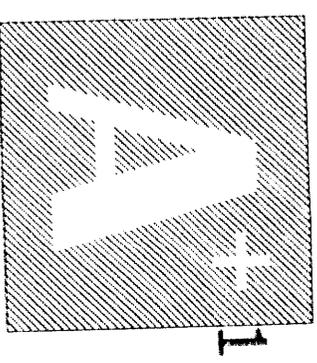
The foregoing instrument was acknowledged before me this 12th day of March, 2008, by Rajendra H. Patel and

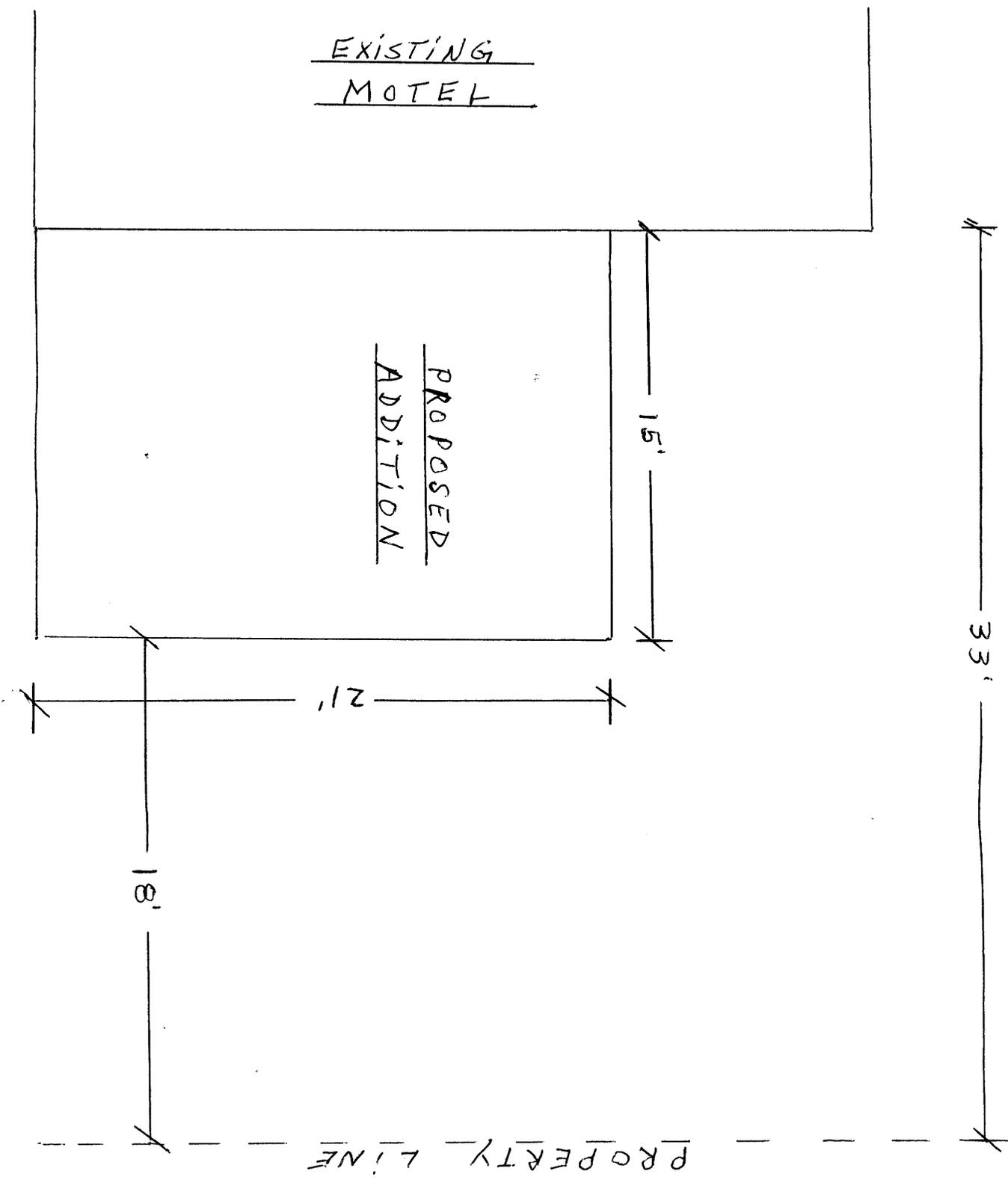
PROJECT SUPER 8 MOTEL - ST AUGUSTINE BEACH - FL



NOW ..

PROPOSED





SCALE: 1/4" = 1'

Memorandum

TO: Members of the Comprehensive Planning and Zoning Board

FROM: Gary R. Larson, Director of Building and Zoning

DATE: April 29, 2013

RE: Sunset Grille

Mr. Mike Stauffer, Architect, will present to the Board, the proposed addition to the Sunset Grille which was previously approved for a lower level modification, but now, a second level modification. Please review carefully, text within the application. The upcoming construction of the Salt Life Restaurant is primary in this application due to impacts to the financial impact it will have on existing restaurants within the City. The plan meets mixed use conditions, the owners have expressed their concern for economic impact, staff recommends approval.

Requested will be adding roofing over a portion of the open deck area and over the existing stairway at the south end of the building. The east portion of the current open deck will be enclosed containing a new bar, new accessible restrooms and seating. This easterly wall be aligned on the 25 foot front setback allowed by the LDR's. Mixed use allows for decks going to the 0 setback line, requested is a 15 foot front second level setback. This deck will also have glass doors under the covered seating for protection of customers in adverse weather conditions.

The East elevation sheet reflects the proposed look. The top roof ridge is 30 feet from grade. The Floor plan shows the proposed layout, bar, seating, restroom, and service area. The site plan reflects the proposed setbacks. Note the 15 foot setback line and the actual location of the 25 foot setback line. Note also, the parking being saved with concrete columns and bollards providing protection. The diagonal parking will provide for the back out distance needed for safety purposes. Regarding parking, the Grille has provided more than sufficient parking for the customer base with the lots on the east side of the Boulevard and the recent installation of pedestrian walkways for their safety.

Mr. Darius and Mr. Rosa have provided for the City, the design that the City had proposed by means of the visioning plan. This addition adds more styling enhancement to the existing building and an upgrade to the reflection of the Boulevard.

MICHAEL STAUFFER
A r c h i t e c t

Memorandum

Date: April 20, 2013
To: Gary Larson
City of St Augustine Beach
From: Michael Stauffer
RE: **Sunset Grille – P & Z Application for 2nd Floor Addition**

The following is the change in total square footage and seating for the 2nd Floor addition to the Sunset Grille.

Square Footage

| | |
|-------------------------------|---------------|
| New Interior Square Footage = | 800 sf |
| <u>New Exterior Porches =</u> | <u>775 sf</u> |
| Total New & Revised = | 1,575 sf |
| <u>Existing Deck Lost =</u> | <u>650 sf</u> |
| Net Increase in SF = | 925 sf |

Seating

| | |
|--------------------------------|-----------------|
| New Interior Seating = | 46 seats |
| <u>New Exterior Seating =</u> | <u>46 seats</u> |
| Total New & Revised = | 92 seats |
| <u>Existing Seating Lost =</u> | <u>48 seats</u> |
| Net Increase in Seating = | 44 seats |

The Sunset Grille Second Floor Expansion
APPLICATION FOR MIXED USE
CITY OF ST. AUGUSTINE BEACH, FLORIDA

This application is used for a consideration of a new structure or a modification to an existing structure using the allowances as outlined in the Mixed Use Ordinances, Ordinance Nos. 07-13 and 08-09. The following is the documentation required to allow consideration of the request by the Comprehensive Planning and Zoning Board for the City of St. Augustine Beach. Failure by the applicant to provide the required information will result in the request being continued for an additional month or such time that the information is provided.

DESCRIPTION OF PROPOSED MIXED USE ALLOWANCE:

This project includes the construction of a second floor expansion of the restaurant and dining area a portion of which will be in place of the existing second floor deck. The main portion of the new dining area abides by the 25' front setback per the City code. The Mixed Use permits porches to within the front setback up to 0'. The proposed front porch on this project is 15' setback. The proposal includes the installation of glass garage doors other enclosures at the porch railings to protect the porch during inclement weather. The project also includes roofing over the existing exterior stair on the front and providing for service areas.

1. Survey of the property ***See attached survey and site plan.***
 - a. Draw to scale the proposed addition to the existing structure or a site plan for a new structure. Show all setbacks for the requested addition or either the new one-story or multi-story structure. Reflect site requirements as directed by the ordinance or other applicable City ordinances.

2. Elevation plans ***See attached drawings.***
 - a. Reflect the architectural details as directed by the ordinance if applicable.

3. Landscaping plan (new) ***See attached site plan.***
 - a. List all plants to be used and their respective locations.

Owner/Applicant: Parrot Heads Inc.

Address: 421 AIA Beach Blvd, St Augustine Beach, FL 32080

Lot(s): 104/105 Block(s): _____

Subdivision: Atlantic Beach Subdivision of Anastasia Methodist Assembly Grounds

Property Parcel Identification Number(s) (PIN): 167610-0000

The Sunset Grille Second Floor Expansion

APPLICATION FOR AN ECONOMIC HARDSHIP VARIANCE

DESCRIPTION OF WORK:

This project includes the construction of a second floor expansion of the restaurant and dining area a portion of which will be in place of the existing second floor deck. The main portion of the new dining area abides by the 25' front setback per the City code. The Mixed Use permits porches to within the front setback up to 0'. The proposed front porch on this project is 15' setback. The proposal includes the installation of glass garage doors other enclosures at the porch railings to protect the porch during inclement weather. The project also includes roofing over the existing exterior stair on the front and providing for service areas.

JUSTIFICATION FOR AN ECONOMIC VARIANCE:

The Sunset Grille has realized through the past few renovations that the demand for outdoor seating and potentially seating with a view is increasing. Given competition among the other existing restaurants in the area and proposed new projects, the Grille feels that the expansion and covering of the second floor dining space and porches is critical to success to remain competitive. The addition will allow the Grille to provide outdoor seating with glimpses of the ocean where possible.

The Sunset Grille Second Floor Expansion

APPLICATION FEE: \$150.00 Acct. #34120 Date Paid: 4/22/2013

LEGAL NOTICE SIGN: \$7.50 Acct. #50471.515 Date Paid: 4/22/2013

Received by: BM Check # 14474

Receipt #: 21041 Date: 4/22/2013

PLEASE CHECK THAT THE FOLLOWING INFORMATION IS INCLUDED WITH THIS APPLICATION:

LEGAL DESCRIPTION AND SURVEY OF PROPERTY

WARRANTY DEED

OWNER PERMISSION LETTER FOR AGENT IF APPLICABLE

LIST OF PROPERTY OWNERS WITHIN 300 FEET OF PROPERTY WHICH THIS MIXED USE DISTRICT APPLICATION IS SUBMITTED (List may be obtained from the St. Johns County Real Estate/Survey Department, telephone number 904-209-0760).

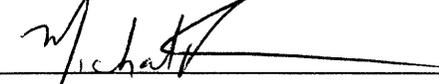
STAMPED AND ADDRESSED LEGAL SIZE ENVELOPES WITH NAMES AND ADDRESSES OF PROPERTY OWNERS WITHIN THE 300-FOOT RADIUS LIST (Note: Do not put a return address on the envelopes. The Building and Zoning Department will stamp the return address with the City's address and mail the notice of the meeting date and time of the public hearing for the application to the property owners within 300 feet).

IN FILING THIS APPLICATION FOR A MIXED USE DISTRICT ALLOWANCE, THE PROPERTY OWNER ACKNOWLEDGES THAT IT SHALL BECOME PART OF THE PERMANENT RECORD OF THE COMPREHENSIVE PLANNING AND ZONING BOARD AND DOES HEREBY CERTIFY THAT ALL OF THE INFORMATION CONTAINED HEREIN IS TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE.

IF APPROVED, THE ORDER GRANTING THE MIXED USE DISTRICT ALLOWANCE WILL BE EFFECTIVE FOR A PERIOD OF TWO (2) YEARS, AT THE END OF WHICH TIME, APPLICANT SHALL BE REQUIRED TO COMMENCE CONSTRUCTION OF THE MIXED USE APPROVAL. SUCH ORDER GRANTING THE MIXED USE DISTRICT ALLOWANCE SHALL BE TRANSFERABLE WITH THE PROPERTY BASED ON THE SUBMITTAL TO THE PLANNING AND ZONING BOARD. ANY MODIFICATION OF THAT APPROVED BY THE PLANNING AND ZONING BOARD SHALL BE SUBJECT TO REAPPLICATION TO THE BOARD. ALL AGENTS MUST HAVE AND INCLUDE NOTARIZED WRITTEN AUTHORIZATION OR A NOTARIZED OWNER PERMISSION LETTER WITH THIS APPLICATION.

The Sunset Grille Second Floor Expansion

PRINTED NAME OF OWNER/APPLICANT: **Parrot Heads Inc.**

SIGNATURE OF OWNER/APPLICANT: 

ADDRESS: **421 AIA Beach Blvd, St. Augustine Beach, FL 32080**

PHONE: **904-471-5555** DATE: **April 22, 2013**

MIXED USE CHECKLIST

TO MIXED US APPLICANTS, PLEASE PROVIDE THE FOLLLOWING FOR REVIEW BY THE PLANNING AND ZONING BOARD WHEN APPLICATION IS MADE TO THE CITY.

1. FORMAL SITE PLAN: Lot size, setbacks, proposed structure size, parking including one handicap space, 17-feeet-by-20-feet.
Lot size: **See Survey – Exceeds minimum requirements**
(less than 8,500-square-feet requires variance by Planning and Zoning Board)
Floor area for structure: **See Attached.**

2. USE REQUESTED:
Commercial: **YES** Business Use: **Restaurant**
Residential: _____ Single or multi-family: _____
Commerical and Residential: _____
Business Use: _____

3. STRUCTURE HEIGHT: **33'**
Number of floors: **Two**

4. LANDSCAPE PLAN: **See Attached**

5. PROPOSED SIGNAGE (SIZE AND LOCATIONS): _____
Existing signs are on site; Existing sign on building to be relocated to gable end of new addition

| Property Information | | | |
|--|--------------|---------------------------------|--|
| STRAP | 167610 0000 | Tax District | 551 |
| Mailing Address | | Neighborhood Code | 675.03 |
| 421 A1A BEACH BLVD SAINT AUGUSTINE, FL 32080-6315 | | Use Code/Description | 2105/Owner Occupied Restaurants & Cafeterias |
| Site Address | | Sec-Town-Range | 34 - 7 - 30 |
| 421 A1A BEACH BLVD , SAINT AUGUSTINE 32080-0000 | | | |
| Total Land Value | \$264,622.00 | Total Building Value | \$377,830.00 |
| Total Extra Features | \$5,390.00 | Total Market(Just) Value | \$647,842.00 |
| Assessed Value | \$647,842.00 | Taxable Value | \$647,842.00 |
| Homestead Exempt | \$0.00 | Property Map | click here |

| | |
|----------------------|--|
| Owner Name(s) | Legal Description |
| PARROT HEADS INC | 2-50 ATLANTIC BEACH E10FT OF LOT 104 & ALL LOT 105 & N7.5FT OF ALLEY LYING S & OCEAN AVE TO RD A1A OR848/1580 |

| Sales Information | | | | | | |
|-------------------|----------------|------------|-----------------|-----------|--------------------|-------------|
| Sale Date | Adjusted Price | Book&Page | Instrument Code | Qualified | Vacant or Improved | Reason Code |
| 03/01/1990 | \$0.00 | 848 & 1580 | | U | I | 11 |
| 12/01/1988 | \$0.00 | 804 & 1390 | | U | I | 11 |
| 02/01/1988 | \$0.00 | 775 & 1193 | | Q | I | 01 |
| 09/01/1987 | \$0.00 | 757 & 399 | | U | I | 11 |
| 12/01/1986 | \$0.00 | 730 & 1 | | U | I | 11 |
| 01/01/1979 | \$150,000.00 | 427 & 522 | | U | I | 11 |

| Building Number 1 | | | |
|----------------------------|---|---------------------------------------|--|
| Site Address: | 421 A1A BEACH BLVD SAINT AUGUSTINE 32080-0000 | | |
| Building Type/Desc: | 2100/Restaurants & Cafeterias | Building Model/Desc: | 04 /COMMERCIAL BLDGS |
| Year Built: | 1946 | Heated/ Cooled Area: | 5203 |
| Gross Area: | 5223 | Building Sketch (Descriptions) | click here to see sketch |
| Building Value: | \$377,830.00 | | |

| Structural Elements (Descriptions) | | | | |
|------------------------------------|--------------|---------------------|-----------|----------------------------|
| Building Number | Element Code | Element Description | Type Code | Type Description |
| 1 | FS | Floor System | 1 | Concrete Slab |
| 1 | EW | Exterior Wal | 11 | Concrete Block |
| 1 | PL | Plumbing | 25 | 25 FIXTURES |
| 1 | IW | Interior Walls | 3 | Drywal |
| 1 | EL | Electrical | 2 | Average |
| 1 | IN | Insulation | 22 | 1" Fiberglass |
| 1 | IF | Interior Flooring | 10 | Hardwood |
| 1 | AC | Air Conditioning | 1 | Central |
| 1 | FR | Frame | 3 | Masonry |
| 1 | EW | Exterior Wal | 32 | Wood |
| 1 | IF | Interior Flooring | 5 | Carpet |
| 1 | RC | Roofing Cover | 7 | Composite Shingle |
| 1 | CN | Condition | 5 | Good |
| 1 | RS | Roofing Structure | 13 | Wood Truss |
| 1 | HT | Heating Type | 1 | Air Duct |
| 1 | FN | Foundation | 5 | Concrete Perimeter Footing |

DATE: 4/20/2013

TO: Building Official
City of St. Augustine Beach

FROM: PARROT HEADS INC.
Property owner
421 AIA BEACH BLD.
Address
ST. AUGUSTINE BEACH, FL 32080
City, State, Zip
904 -
Telephone

This is to advise you that I hereby give permission to

MICHAEL STAUFFER
Name
1093 AIA BEACH BLD #330
Address
ST. AUGUSTINE BEACH, FL 32080
City, State, Zip
904. 471. 2552
Phone

Who is my agent/contractor to perform the following on my behalf:

• SUBMIT & PREPARE APPLICATION; PRESENT @ MEETING.

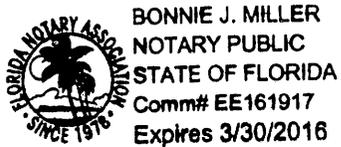
Michael
Signature

STATE OF FLORIDA
COUNTY OF St. Johns

Subscribed and sworn before me this 22nd day of April, 2013
by Michael Rosas who is personally known to me or who has/have
produced Personally known as identification.

Bonnie J. Miller
Notary

3-30-2016
Commission expires

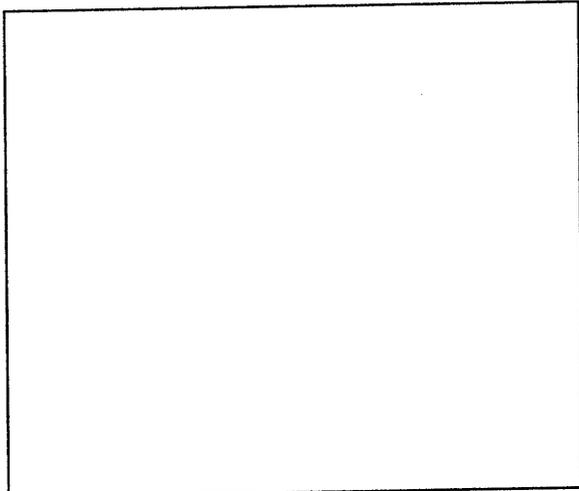


Mixed Use / Raw Bar Addition
Approved June 19, 2012 - Not built to date

**BEFORE THE CITY COMMISSION OF THE
CITY OF ST. AUGUSTING BEACH, FLORIDA**

In re:

**APPLICATION OF PARROT HEADS, INC., D/B/A
SUNSET GRILLE FOR MIXED USE DEVELOPMENT
TO ALLOW A FRONT YARD SETBACK REDUCTION
TO TEN (10) FEET FOR A RAW BAR STRUCTURAL
ADDITION TO THE FRONT OF THE EXISTING
RESTAURANT WITH OUTDOOR SEATING WITH
FOOD AND BEVERAGE SERVICE AND
CONSUMPTION IN A COMMERCIAL LAND USE
DISTRICT LOCATED AT 421 A1A BEACH BOULEVARD,
ST. AUGUSTINE BEACH, FLORIDA 32080**



ORDER APPROVING MIXED USE PERMIT (2012-02)

This CAUSE came on for public hearing before the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, Florida, on June 19, 2012, upon Application (2012-02) by Parrot Heads, Inc., d/b/a Sunset Grille, for mixed use development permit to allow for a reduction in the front yard setback to ten (10) feet for a raw bar structural addition to the front of the existing restaurant with outdoor seating with food and beverage consumption in a commercial land use district at 421 A1A Beach Boulevard, St. Augustine Beach, Florida 32080. The Comprehensive Planning and Zoning Board having considered the Application, received public comments, and upon motion duly made, seconded and passed, the Application was approved subject to the following conditions:

1. The mixed use development for a reduction in the front yard setback to ten (10) feet for a raw bar structural addition to the front of the existing restaurant with outdoor seating with food and beverage consumption area shall be as depicted on plan sheet dated May 21, 2012.
2. The development shall conform to all materials submitted with the Application and which were provided by the Applicant to supplement the Application, including all drawings and renderings.
3. The addition shall be architecturally pleasing and consistent with the existing building.

Any appeal of this decision may be made by filing an application for appeal to the St. Augustine Beach City Commission within thirty (30) days of the date of this Order.

DONE AND ORDERED this ____ day of July, 2012, at St. Augustine Beach, St. Johns County, Florida.

**COMPREHENSIVE PLANNING AND ZONING BOARD
CITY OF ST. AUGUSTING BEACH, FLORIDA**

By: _____
Chairman

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

In re:

APPLICATION OF PARROT HEADS, INC., D/B/A
SUNSET GRILLE FOR MIXED USE DEVELOPMENT
TO ALLOW FOR REDUCTION OF THE STREET
SIDE YARD SETBACK FROM 15' TO 5' FOR THE
CONSTRUCTION OF A HANDICAP-ACCESSIBLE
CHAIRLIFT AND A SECOND-STORY EXTENSION
OF AN EXISTING DECK AREA IN A COMMERCIAL
LAND USE DISTRICT LOCATED AT 421 A1A BEACH
BOULEVARD, ST. AUGUSTINE BEACH, FLORIDA 32080

Public Records of
St. Johns County, FL
Clerk # 2011051287,
O.R. 3483 PG 390-390
10/12/2011 at 02:19 PM,
REC. \$5.00 SUR. \$5.00

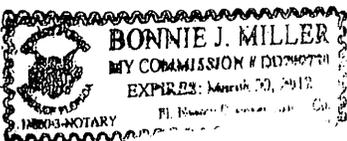
ORDER APPROVING MIXED USE DEVELOPMENT (2011-01)

This CAUSE came on for public hearing before the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, Florida, on September 20, 2011, upon Application (2011-01) by Parrot Heads, Inc., d/b/a Sunset Grille, for mixed use development to reduce the side yard setback from fifteen feet to five feet for the construction of a handicap-accessible chairlift and a second-story extension of an existing deck area in a commercial land use district at 421 A1A Beach Boulevard, St. Augustine Beach, Florida 32080. The Planning and Zoning Board having reviewed the Application, received public comments, and upon motion duly made, seconded and passed, the Application was approved subject to the following conditions:

1. The handicap-accessible chairlift and the second-story deck extension to be constructed shall conform to all materials submitted with the Application and which were provided by the Applicant to supplement the Application, including all drawings and renderings.

Any appeal of this decision may be made by filing an application for appeal to the St. Augustine Beach City Commission within thirty (30) days of the date of this Order.

DONE AND ORDERED this 20th day of September, 2011, at St. Augustine Beach, St. Johns County, Florida.



COMPREHENSIVE PLANNING AND ZONING BOARD
CITY OF ST. AUGUSTINE BEACH, FLORIDA

By: [Signature]
Chairman

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 28th day of September, 2011, by Gregory F. Crum, who is personally known to me.

[Signature]
Signature of Notary Public--State of Florida

**BEFORE THE CITY COMMISSION OF THE
CITY OF ST. AUGUSTINE BEACH, FLORIDA**

In re:

**APPLICATION OF PARROT HEADS, INC., D/B/A
SUNSET GRILLE FOR MIXED USE DEVELOPMENT
TO ALLOW THE OUTDOOR SEATING WITH FOOD
AND BEVERAGE SERVICE AND CONSUMPTION
ON THE SECOND FLOOR COVERED DECK
ADDITION IN A COMMERCIAL LAND USE DISTRICT
LOCATED AT 421 A1A BEACH BOULEVARD,
ST. AUGUSTINE BEACH, FLORIDA 32080**

Public Records of
St. Johns County, FL
Clerk # 2011024011,
O.R. 3436 PG 472-472
05/11/2011 at 03:56 PM,
REC. \$5.00 SUR. \$5.00

ORDER APPROVING CONDITIONAL USE PERMIT (2011-02)

This CAUSE came on for public hearing before the City Commission on May 2, 2011, after being recommended for approval by the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, Florida, on April 11, 2011, upon Application (2011-02) by Parrot Heads, Inc., d/b/a Sunset Grille, for a conditional use permit to allow for outdoor seating with food and beverage consumption on the second floor covered deck addition in a commercial land use district at 421 A1A Beach Boulevard, St. Augustine Beach, Florida 32080. The City Commission having considered the recommendation of the Comprehensive Planning and Zoning Board, having reviewed the Application, received public comments, and upon motion duly made, seconded and passed, the Application was approved subject to the following conditions:

1. The outdoor seating with food and beverage service and consumption on the second floor covered roof addition is approved for the area depicted on plan sheet P-1 dated September 20, 2010, "Sunset Grille - 2nd Floor Deck Addition".
2. No exterior sound system of any type and no live or recorded music whether amplified or not shall be allowed in the outside seating area approved by this Conditional Use Permit. No outside televisions shall be allowed on the second floor deck.
3. The use shall expire five (5) years after the approval hereof, and the Applicant shall be required to apply to extend the Conditional Use beyond May 2, 2016.

Any appeal of this decision may be made by filing an application for appeal to the St. Augustine Beach City Commission within thirty (30) days of the date of this Order.

DONE AND ORDERED this 2nd day of May, 2011, at St. Augustine Beach, St. Johns County, Florida.

**CITY COMMISSION OF THE
CITY OF ST. AUGUSTINE BEACH, FLORIDA**

Attest:


City Manager

By:


Mayor - Commissioner

**BEFORE THE COMPREHENSIVE PLANNING
AND ZONING BOARD OF THE
CITY OF ST. AUGUSTINE BEACH, FLORIDA**

In re:

**APPLICATION OF PARROT HEADS, INC., D/B/A
SUNSET GRILLE FOR MIXED USE DEVELOPMENT
TO ALLOW THE CONSTRUCTION OF A SECOND
FLOOR COVERED DECK ADDITION
IN A COMMERCIAL LAND USE DISTRICT LOCATED
AT 421 A1A BEACH BOULEVARD,
ST. AUGUSTINE BEACH, FLORIDA 32080**

Public Records of
St. Johns County, FL
Clerk # 2010056266,
O.R. 3376 PG 247-247
11/15/2010 at 10:45 AM,
REC. \$5.00 SUR. \$5.00

ORDER APPROVING MIXED USE DEVELOPMENT (2010-03)

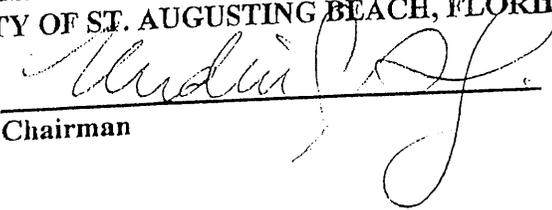
This CAUSE came on for public hearing before the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, Florida, on October 19, 2010, upon Application (2010-03) by Parrot Heads, Inc., d/b/a Sunset Grille, for mixed use development to construct a second-floor covered deck addition over an existing deck in a commercial land use district at 421 A1A Beach Boulevard, St. Augustine Beach, Florida 32080. The Planning and Zoning Board reviewed the Application, received public comments, and upon motion duly made, seconded and passed, the Application was approved subject to the following conditions:

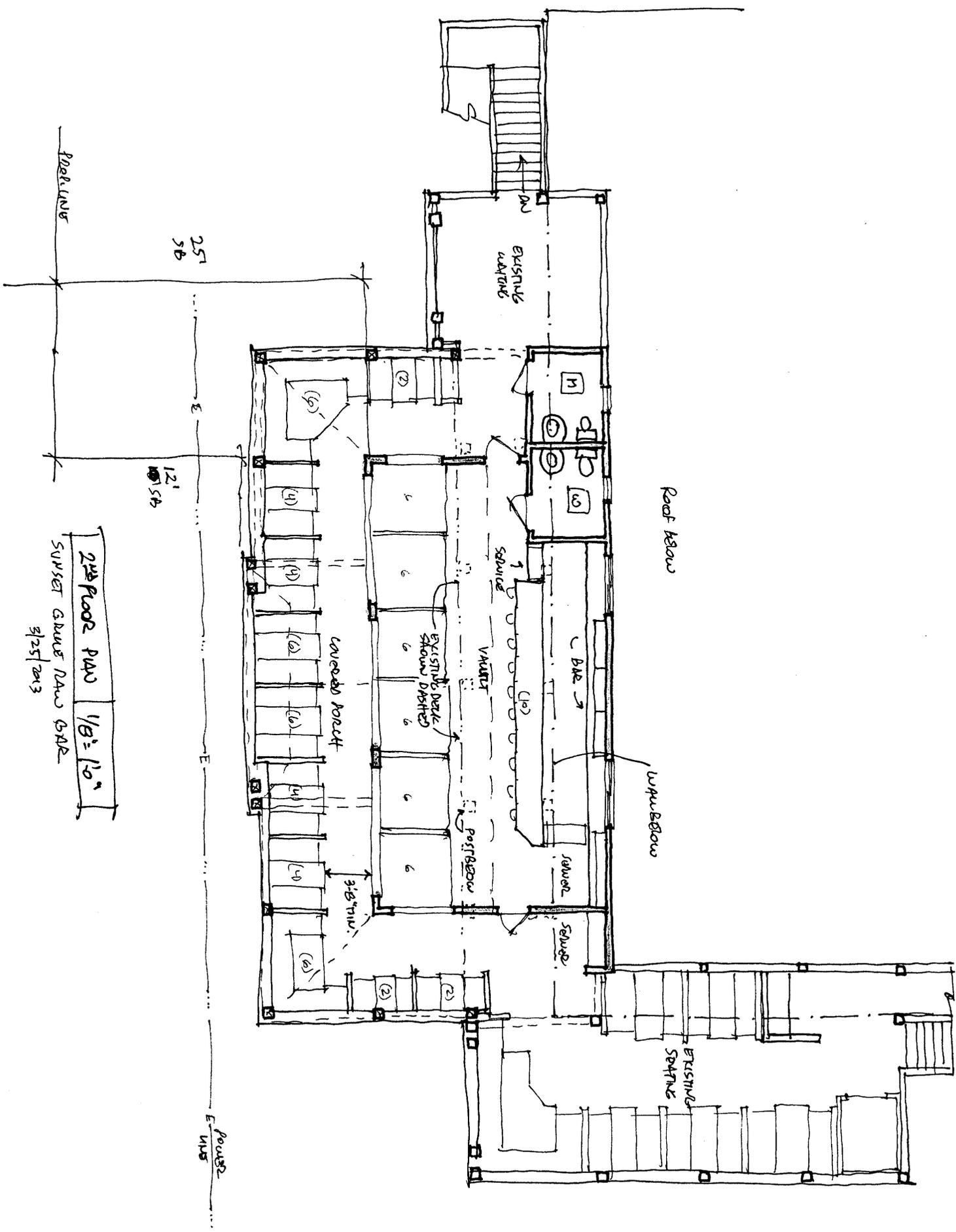
1. The second floor covered roof addition to be constructed shall conform to all materials submitted with the Application and which were provided by the Applicant to supplement the Application, including all drawings and renderings and, specifically including the plan sheet P-1 dated September 20, 2010, "Sunset Grille - 2nd Floor Deck Addition."
2. The roofing material will be architecturally pleasing, consistent with the existing building, and will not be purple or pink.
3. The posts supporting the roof shall be architectural in nature.
4. This approval amends and replaces the Order Approving Mixed Use Application (2010-01), which approved a roof over the existing deck on the north side of the building.

Any appeal of this decision may be made by filing an application for appeal to the St. Augustine Beach City Commission within thirty (30) days of the date of this Order.

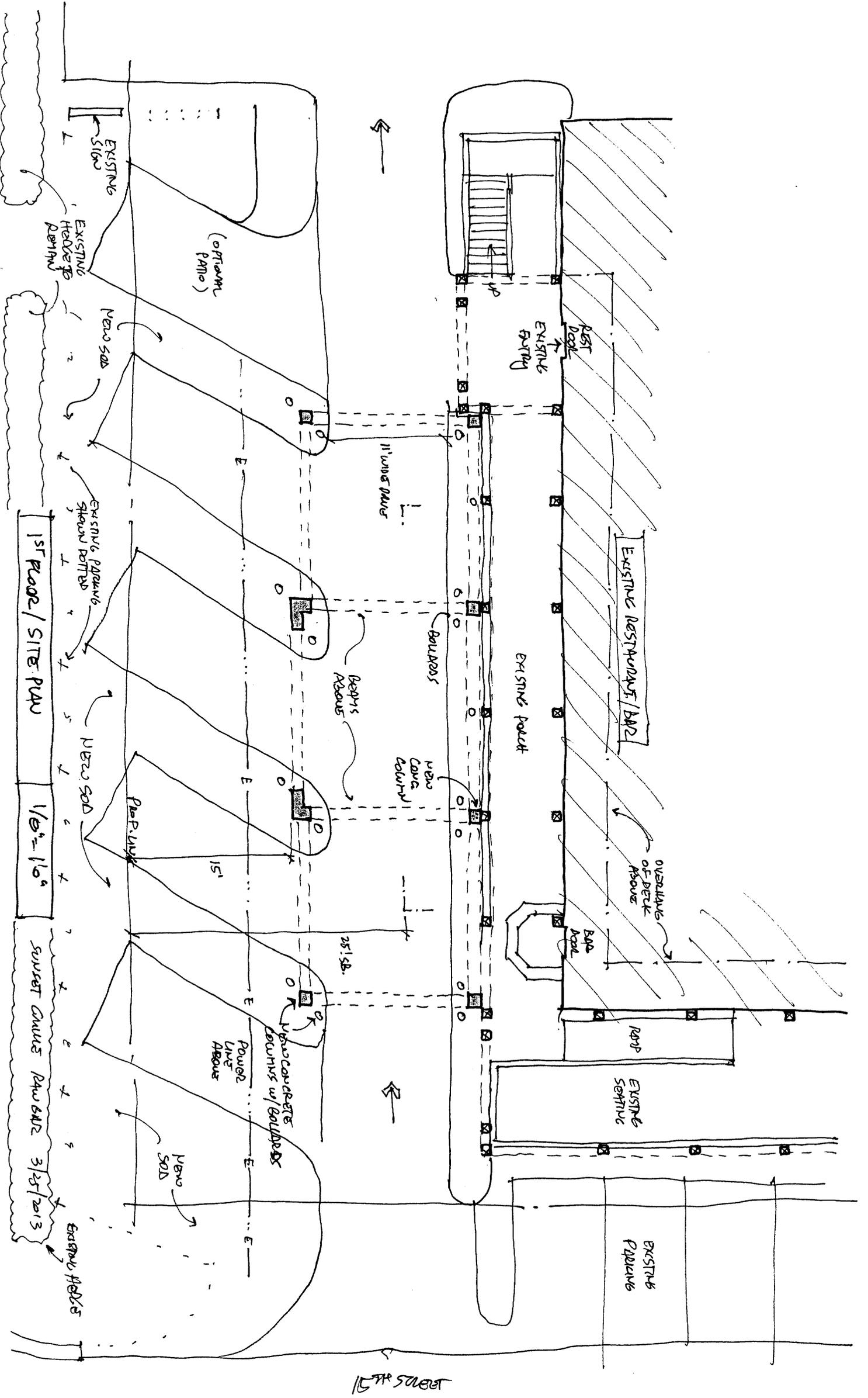
DONE AND ORDERED this 20 day of October, 2010, at St. Augustine Beach, St. Johns County, Florida.

**COMPREHENSIVE PLANNING AND ZONING BOARD
CITY OF ST. AUGUSTINE BEACH, FLORIDA**

By: 
Chairman



2nd Floor Plan
 1/8" = 10'
 SUNSET GROUP AND GARDEN
 3/25/2013



15th Street

(OPTIONAL PAVING)

EXISTING RESTAURANT/BAR

EXISTING FLOOR

EXISTING FLOOR

BAR AREA

PAP

EXISTING SEPTIC

EXISTING PAVING

OVERLAP OF DECK ABOVE

11' WIND MAINT

BOLLARDS

NEW CONC DOWN

BEAMS ABOVE

25' SB.

NEW CONCRETE COLUMNS w/ BOLLARDS

POWER LINES ABOVE

NEW SOA

PAP LINES

EXISTING PARKING SPACES BOTTLED

NEW SOA

EXISTING SIGN

EXISTING HEADERS

1ST FLOOR / SITE PLAN

1/8" = 10'

SURVEYOR'S DRAWING 3/25/2013

EXISTING FLOOR