



## **AGENDA**

### **PLANNING AND ZONING BOARD REGULAR MONTHLY MEETING**

**TUESDAY, MAY 16, 2023, 6:00 P.M.**

**CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FL 32080**

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#### NOTICE TO THE PUBLIC

THE PLANNING AND ZONING BOARD HAS ADOPTED THE FOLLOWING PROCEDURE: PERSONS WISHING TO SPEAK ABOUT TOPICS THAT ARE ON THE AGENDA MUST FILL OUT A SPEAKER CARD IN ADVANCE AND GIVE IT TO THE RECORDING SECRETARY. THE CARDS ARE AVAILABLE AT THE BACK OF THE MEETING ROOM. THIS PROCEDURE DOES NOT APPLY TO PERSONS WHO WANT TO SPEAK TO THE BOARD UNDER "PUBLIC COMMENTS."

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPROVAL OF MINUTES OF REGULAR PLANNING AND ZONING BOARD MEETING OF APRIL 18, 2023
- V. PUBLIC COMMENT
- VI. NEW BUSINESS
  - A. Conditional Use File No. CU 2023-04, for renewal of a conditional use permit for food and/or beverage service and consumption outside of an enclosed building on the premises of The Kookaburra Coffee Shop, in a commercial land use district at 647 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, Megan Vidal and Spencer Hooker, Agents for CMBV LLC, Applicant
  - B. Land Use Variance File No. VAR 2023-06, for a reduction of the minimum parking requirements for proposed expansion of outdoor seating areas for food and/or beverage service and consumption outside of an enclosed building on the premises of a restaurant, Crabby's Beachside of St. Augustine, in a commercial land use district at 361 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, Greg Powers and Keith Diaz, Agents for 361 Beach Holdings LLC, Applicant
  - C. Conditional Use File No. CU 2023-05, for a conditional use permit for expansion of food and/or beverage service and consumption outside of an enclosed building, consisting of an additional 360-square-foot first-floor outside serving area, on the premises of a restaurant, Crabby's Beachside of St. Augustine, in a commercial land

use district at 361 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, Greg Powers and Keith Diaz, Agents for 361 Beach Holdings LLC, Applicant

- D. Review of draft Ordinance No. 23-\_\_\_, for proposed code changes to the City of St. Augustine Beach Land Development Regulations, Section 8.00.10, pertaining to nonconforming signs

VII. OLD BUSINESS

VIII. BOARD COMMENT

IX. ADJOURNMENT

NOTICES TO THE PUBLIC

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*In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Manager's Office no later than seven days prior to the proceeding at the address provided above, or telephone 904-471-2122, or email [sabadmin@cityofsab.org](mailto:sabadmin@cityofsab.org)*

*For more information on any of the above agenda items, please call the City of St. Augustine Beach Building and Zoning Department at 904-471-8758. The agenda material containing background information for this meeting is available on a CD upon request at the City Manager's office for a \$5.00 fee. Adobe Acrobat Reader will be needed to open the file.*





## MINUTES

### PLANNING AND ZONING BOARD REGULAR MONTHLY MEETING

TUESDAY, APRIL 18, 2023, 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FL 32080

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I. **CALL TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

III. **ROLL CALL**

BOARD MEMBERS PRESENT: Vice-Chairperson Chris Pranis, Hulsey Bray, Conner Dowling, Hester Longstreet, Victor Sarris.

BOARD MEMBERS ABSENT: Chairperson Kevin Kincaid, Larry Einheuser, Senior Alternate Gary Smith.

STAFF PRESENT: Building Official Brian Law, City Attorney Jeremiah Blocker, Recording Secretary Bonnie Miller.

IV. **APPROVAL OF MINUTES OF REGULAR PLANNING AND ZONING BOARD MEETING OF MARCH 21, 2023**

**Motion:** to approve the minutes of the March 21, 2023 meeting. **Moved** by Conner Dowling, **seconded** by Ms. Longstreet, **passed 5-0** by unanimous voice-vote.

V. **PUBLIC COMMENT**

There was no public comment pertaining to anything not on the agenda.

VI. **NEW BUSINESS**

- A. Conditional Use File No. CU 2023-03, for renewal of a conditional use permit for food and/or beverage service and consumption outside of an enclosed building on the covered outdoor patio and from the tiki-hut/T-shirt shack on the premises of the World Famous Oasis Restaurant, in a commercial land use district at 4000 A1A South, St. Augustine Beach, Florida, 32080, Jennifer Rich, Rich Investments, Agent for Oasis on the Island LLC, Applicant

Bonnie Miller: This application is for conditional use permit renewals for the Oasis Restaurant at 4000 A1A South. The Oasis Restaurant currently has two conditional use

permits, one for outdoor seating on the first-floor covered patio area on the southwest corner of the restaurant building, and the other for the sale of beer from the tiki-hut/T-shirt shack building just in front of and to the west of the outdoor patio area. The applicant would like to combine the two conditional use permits into one so that the business only has to apply to renew one conditional use permit for both outdoor seating areas when the conditional use permit expires. The Oasis has had both conditional use permits for about 15 years, and the applicant is asking that the new conditional use permit be granted for as long as she owns the business, as the City has not received any complaints in any recent time that anyone can remember about Oasis' outdoor seating.

Chris Pranis: Are the two conditional use permits that currently exist granted to run with the ownership of the business?

Bonnie Miller: No, the last time these conditional use permits were renewed, they were each approved with a five-year expiration date. They've had the first conditional use permit since about 2007, and the second one was granted a little bit later, around 2010, so they've had both of these conditional use permits for a number of years.

Gina Nullet, 308 High Tide Drive, Unit 101, St. Augustine Beach, Florida, 32080: I am the Oasis' office manager, representing Jennifer Rich, the Oasis' business owner, who cannot be here as she is actually very sick. I've worked for the Oasis for 22 years, and as far as I know, there have not been any issues with outdoor seating in the past 15 years. We're applying to renew and combine both conditional use permits into one for the current outdoor seating and additional outdoor seating at the tiki-hut/T-shirt shack. Jennifer Rich bought the business in October 2022, and she is asking to renew and combine the two conditional use permits into one, granted for as long as she owns the business.

Conner Dowling: Do you currently serve beverages and food from the tiki-hut, or is this a new request?

Gina Nullet: Beer and beverages are sold from the tiki-hut/T-shirt shack, but not food.

Hulsey Bray: Does the tiki-hut/T-shirt shack now have a draft system to serve draft beer?

Gina Nullet: No, currently it does not have a draft system, and there are no plans to put a draft system in it. Drinks will be brought from inside the restaurant and served to customers sitting outside in the outdoor patio area or at the tiki-hut.

Chris Pranis: Basically, this would be alcohol sales for walk-ups to the tiki-hut.

Hulsey Bray: So, this is pretty much what it is now, with the tiki-hut/T-shirt shack as a place customers can walk up to, buy T-shirts, and also get drinks.

Gina Nullet: Yes, sir.

Chris Pranis: Do we have any public comment on this matter? There was none.

Hester Longstreet: As long as the hours remain the same, I don't see a problem with this.

Gina Nullet: There really is never anyone out there past 8:30 p.m. or so.

Hester Longstreet: Right, but you said there is a new owner, so is there any intention of changing the hours or operation of the restaurant?

Gina Nullet: No, there will be no change to the hours or the business operation by the new business owner, who has a 10-year lease for the restaurant business.

Hulsey Bray: How long has the new owner been operating the business?

Gina Nullet: Since October of 2022.

Chris Pranis: I don't see a problem with this, but I'd like to hold it to a 5-year time period, especially with a fairly new business owner. Not that we anticipate any problems, but this will keep it in line with the 5-year expiration dates of the previous conditional uses.

Hulsey Bray: I agree, that sounds fair. This is exactly what the Board did when Conehead Ice Cream's new owner applied to renew the conditional use for outdoor seating there.

**Motion:** to approve Conditional Use File No. CU 2023-03, for renewal of a conditional use permit for food and/or beverage service and consumption outside of an enclosed building on the covered outdoor patio and tiki hut/T-shirt shack on the premises of The Oasis Restaurant, in a commercial land use district at 4000 A1A South, St. Augustine Beach, Florida, 32080, for a period of 5 (five) years. **Moved** by Conner Dowling, **seconded** by Victor Sarris, **passed 5-0** by the Board by unanimous voice vote.

B. Land Use Variance File No. VAR 2023-03, for reduction of the minimum 20-foot rear yard setback requirement to 16 feet, 5 inches; increase of maximum impervious surface ratio (ISR) coverage of 40% to 46.2%; and increase of maximum lot coverage of 35% to 37.6%, for proposed new construction of a 324-square-foot conditioned sunroom addition to an existing single-family residence in a low density residential land use district on Lot 4, Block H, Anastasia Park Subdivision, at 607 11<sup>th</sup> Street, St. Augustine Beach, Florida, 32080, Amber Halcrow, 1565 Woodworks LLC, Agent for Chris C. and Marilyn J. Cagle, Applicants

Bonnie Miller: Next up is a variance application for a 324-square-foot sunroom addition at a single-family residence at 607 11<sup>th</sup> Street. The applicants request a rear yard setback reduction from the 20-foot rear yard setback requirement to 16 feet, 5 inches, as well as variances to exceed the maximum 35% residential lot coverage to go to 37.6% lot coverage and exceed the maximum 40% ISR coverage for low density residential to go to 46.2% ISR coverage. Their home is on the south side of 11<sup>th</sup> Street just a few lots east of A1A South, across 11<sup>th</sup> Street from the lake that runs along the north side of 11<sup>th</sup> Street.

Amber Halcrow, 1565 Woodworks LLC, 1093 A1A Beach Boulevard, St. Augustine Beach,

Florida, 32080, Agent for Applicants: When Mr. Cagle, the property owner of 607 11<sup>th</sup> Street, approached us and asked if we could build this addition for him, we found the approximate square footage he wanted would encroach into the 20-foot rear setback, and require a variance. Once we did all the calculations for a 324-square-foot addition, it was found a variance would also be required to exceed the maximum lot coverage and ISR coverage allowed on this property. We discussed the option of reducing the ISR by removing the existing concrete driveway and replacing it with pervious pavers, which the owner is more than willing to do, so they then wouldn't have to request a variance to exceed the maximum 40% ISR allowed for this property in low density residential zoning.

Chris Pranis: Do you know, approximately, the square footage of the concrete driveway?

Amber Halcrow: The driveway is approximately 500 square feet.

Hulsey Bray: You do have on the proposed site plan that the existing impervious pavers will be removed and replaced with pine needles and grass seed.

Amber Halcrow: Right now, in the area where the addition is proposed, there is a paver patio and pavers along the entire west side of the home. All of these pavers will be removed so the entire yard can basically drain. There are no neighbors directly across the street, as this is where the huge lake is. The applicants have an 8-foot-high fence along the entire perimeter of the home, so there would not be any visual difference to adjacent properties, as the roofline of the sunroom would have the same roofline as the home.

Victor Sarris: The hardship is one of the criteria the Board is supposed to consider when granting a variance, so what is the hardship?

Amber Halcrow: I know a physical or medical disability is not really a part of the hardship, but the owner bought the house in 2003, prior to being handicapped. He is now confined to a wheelchair, which is why I submitted all the medical documentation. The home is small, and ultimately, the owner cannot build up because of his disability. He bought the home in 2003 for \$205,000. With increased housing costs, if he were to sell it now and buy something else, he'd be hit with increased property taxes, etc., and he is now retired.

Conner Dowling: Will the new sunroom addition be heated-and-cooled living space?

Amber Halcrow: Yes, it is conditioned space that will increase the current living room size.

Conner Dowling: This is a smaller than usual lot for low density residential. It's 50-feet-wide by 125-feet deep, but normally, lots are much wider in low density residential.

Chris Pranis: Okay, thank-you. Do we have any public comment on this matter?

Rick Mauldin, 601 11<sup>th</sup> Street, St. Augustine Beach, Florida, 32080: I reside at 601 11<sup>th</sup> Street, and I have a long-term rental at 603 11<sup>th</sup> Street. I am completely, one-hundred-percent, in favor of this variance request. The homeowner has done a fantastic job with

the house, he's remodeled it from the inside out. I think one of the problems here is that if you look at the 50-foot-by-125-foot lot size and consider the total square footage of the lot versus the buildable portion of the lot versus the setbacks, the setback square footage is actually more than the buildable area, which makes it kind of tough. He is only asking for a lot coverage increase of 2.6%, and the maximum impervious surface change is only an increase of 6.2%. In this particular area of St. Augustine Beach, the percolation rate is extremely high, so while he is asking for a 6.2% increase in ISR coverage, I don't think you could actually measure a difference in the percolation rate. If you look at the soil bearings in this particular area, you have about two feet of regular dirt, then about three feet of shell, then you have solid coquina. I've lived here since 1991, and I've never seen standing water here, even in a tropical storm, for more than just a few minutes. Given the circumstances of the applicant being handicapped and needing more space, and the fact that he's done a fantastic job with improving that area and his house, which is immaculately maintained, I'm in favor of the variance and completely support it.

Chris Pranis: Any other public comments? There was no more public comment.

Victor Sarris: I have a question for Brian. The 2020 Florida Building Code (FBC) has no objection to the increase in lot coverage, ISR coverage or the reduced setbacks?

Brian Law: The FBC does not involve itself in local zoning matters. Setbacks, lot coverage and ISR coverage are a local zoning matter. The FBC even allows building to a zero lot line, with no setbacks at all, as long as that side of the building is fire-rated.

Chris Pranis: We see the hardship here, the situation and the size of the lot. I would have no problem with a motion to approve this, as long as it includes the caveat that those pavers and the driveway area will be redone to be compliant with the allowable ISR.

Conner Dowling: To me, the ISR is the hardest thing to grant a variance for, though it may be less of an issue in this specific situation, because of the size of the lot and the low density residential zoning, which has stricter regulations than any other zoning type. Just setting a precedent for the increased ISR is something would be hard for me, even in this case in which the percolation rate is great, because a quarter of a mile down the road, it may not be the same. Every neighbor they would be concerned about has stepped up and written an approval email or letter of encouragement, and I don't have an issue with the rear yard setback encroachment or the small percentage of increased lot coverage.

Hester Longstreet: Because of the physical hardship, I think going from 20 feet to 16 feet in the rear is fine, but I would like to see the concrete removed from the driveway and replaced with permeable pavers, so the ISR does not exceed the maximum 40% allowed.

Victor Sarris: I think the lot size and setbacks create somewhat of a hardship in this case.

Hester Longstreet: We have many lots in the City that are 50-feet-by-93-feet, and this lot is 50-feet-by-125 feet. My home was on a 46-foot-by-93-foot lot. I'm looking at the physical condition of the homeowner who is in a wheelchair more than the lot size.

Brian Law: Traditionally, low-density residential lots are a minimum of 7500 square feet, per the City's Land Development Regulations (LDRs). The size of this lot obviously predates that, as it is only 6250 square feet. The homeowner is starting with a smaller lot size than usual in low density residential to pull the maximum lot and ISR coverages from.

Hester Longstreet: Okay, but he knew this when he bought the property. It is buyer beware, and that is what some people have to understand, that you can't come here and expect to get something because everyone else is within those same constraints. But for somebody who is not able to build up, because they are unable to climb stairs, to me, it's a no-brainer, and a hardship should be given for someone who has a physical handicap.

Victor Sarris: Would you be concerned though, if we had more people come in here with physical handicaps, saying that they needed a variance due to their physical hardship?

Hester Longstreet: Saying it is one thing, having paperwork from doctors and specialists is another. If the person is not in a wheelchair, as this person is, that would be different.

Victor Sarris: I just think we need to be careful setting that precedent, but obviously, this applicant has a very tough issue with the low density residential zoning and the size of the lot, which I think is probably the more prudent angle to take, because other people could come in and apply for the same thing with just as much medical documentation.

Hester Longstreet: But there's a lot size issue with almost every lot in the City, so everybody could have a hardship because they have a small lot.

Conner Dowling: But these lots are not all zoned low density residential, as this lot is. This part of the City is zoned differently than lots closer in, and the low density residential zoning lessens the amount of allowable building area. The setbacks are also different, so it actually is a unique lot in that case. As Brian said, lots in low density residential are typically a minimum of 7500 square feet, and this one is less than that.

Chris Pranis: I think part of my understanding here is to make sure our residents have a quality of life. I agree that we cannot set precedent, so I think talking about the footprint and buildable square footage as the hardship is definitely more the way to go.

Victor Sarris: Yes, because if the opportunity comes again, we can somewhat defend that.

Hulsey Bray: Absolutely. We leave the medical stuff out of it completely and use the square footage of the lot as the hardship, along with the fact that the homeowner is going to redo the driveway and use permeable pavers everywhere else, which will pretty much wipe out the ISR issue by itself right there. And we'll just use the low density residential zoning of this lot and the square footage of the lot as the basis for the hardship.

Chris Pranis: I'll make a motion to approve this variance, however, we are asking for the replacement of the non-permeable pavers and concrete driveway with permeable pavers to bring the property into compliance with the maximum 40% ISR coverage allowed.

**Motion:** to approve Land Use Variance File No. VAR 2023-03, for reduction of the minimum 20-foot rear yard setback requirement to 16 feet, 5 inches, and for an increase of lot coverage from maximum 35% allowed to 37.6%, for proposed new construction of a 324-square-foot conditioned sunroom addition to an existing single-family residence in a low density residential land use district at 607 11<sup>th</sup> Street, St. Augustine Beach, Florida, 32080, subject to the condition that this property shall not exceed the maximum 40% ISR coverage allowed in a low density residential land use district. **Moved** by Chris Pranis, **seconded** by Hulsey Bray, **passed 5-0** by the Board by unanimous voice-vote.

- C. Land Use Variance File No. VAR 2023-04, to exceed the 12-foot height maximum, the 12-foot length maximum, and the 144-square-foot surface area maximum allowed per side for proposed new construction of a 20-foot-high, 16-foot long ground sign with a 192-square-foot surface area per side for Sea Grove Town Center, in a Planned Unit Development (PUD) at 120 Sea Grove Main Street, St. Augustine Beach, Florida, 32080, Douglas N. Burnett, Agent for and President of Sea Grove Town Center Association Inc., Applicant

Bonnie Miller: This is a variance for a ground sign for the Sea Grove Town Center. Sea Grove was developed as a PUD, and when the PUD ordinance was passed in 2001, it included verbiage stating commercial signage regulations for the Town Center had to comply with the sign regulations in effect at that time. Current ground sign regulations are the same and haven't changed from the ground sign regulations in the 2001 LDRs, which allow a maximum height of 12 feet, a maximum length at 12 feet, and maximum 144 square feet of surface area per side. The proposed new ground sign for the Sea Grove Town Center is 20 feet high, 16 feet long, and has 192-square feet of surface area on each side, so the variance, if approved, will be a variance for these three things, to exceed the maximum height, length, and surface area allowed for a ground sign per the 2001 LDRs.

Chris Pranis: I wasn't here for this, but is this a similar variance application to the application that came before the Board for a sign at the Guy Harvey Resort?

Bonnie Miller: The variance application for Guy Harvey wasn't for a sign, it was for a mural to be placed on the side of the Guy Harvey building. This wasn't a variance to the sign regulations, but a variance to the City's Community Appearance Standards, which prohibit any kind of paintings or murals on building walls. Guy Harvey applied for a variance for a painted mural on the side of the Guy Harvey building, and the variance was denied.

Chris Pranis: Okay. May we now hear from the applicant, please.

Doug Burnett, 104 Sea Grove Main Street, St. Augustine Beach, Florida, 32080: I am the president of the Sea Grove Town Center Association, which is an association made up of just the commercial buildings in the Sea Grove Town Center, anchored by the library, the post office, Terra & Acqua Restaurant, Tropical Smoothie Cafe, etc. I also am the owner of St. Johns Law Group, which is right on the corner of the Town Center at the traffic light. The aerial view of the Town Center shows the location of the current Town Center sign, and there is a conceptual drawing of the proposed new sign. What we want to do is take

the existing Town Center sign, which is approximately 12 feet high, move it from its existing location to the north, and cut it down and remake it into a single-tenant sign. The current location of the Town Center sign is so close to the traffic light at the intersection of A1A South and A Street that people either miss the sign, or if they see it, they try to brake quickly to try make the turn into Sea Grove but often miss it and then end up on High Tide Drive, just south of the Town Center entrance. This is why, along with a number of other reasons, we have filed this variance application for a larger sign that will be relocated to the north so it will be more visible to people driving by. The larger sign will help all the tenants, especially the interior ones. Only a few of the current tenants have road frontage, so the new monument ground sign is important especially to the interior tenants as it gives some indication that these businesses are there. The Sea Grove Town Center was approved with the passage of Ordinance No. 01-15, and in that ordinance, there is a provision that specifically says all commercial signage is to be in accordance with the sign regulations in effect at the time of the adoption of the ordinance. So, when you look at the signage regulations per the 2001 LDRs, there is some interesting language in there. Basically, you are allowed to have no more than two signs of any permitted description on any one site. There are basically five sites, St. Johns Law Group, Terra & Acqua, London Looks, the post office, and then the rest of the Town Center, so if you lay out two signs per site, you get something awful and ugly. Section 8.01.05.B of the 2001 LDRs stipulates the regulations for post, pedestal, or column signs, which are allowed to be 20 feet high with an 8-foot clearance or open space at the post mount. What we want is a 20-foot tall sign that is filled in on the bottom. If you think about the context of the 2001 LDRs that would allow two signs per site, there are a whole lot of reasons why you can look at this in terms of a hardship, because this is a very unique situation, as what else in the City is like the Town Center? Even Anastasia Plaza, which has Publix and many other businesses and may be comparable to the Town Center in size, still isn't comparable because it doesn't front a residential neighborhood with multi-family units and single-family homes. The Town Center is now finally fully built out, and only now is reaching full occupancy, so we need increased tenant signage. One of the considerations the Board is to weigh in the granting of a variance is whether similar variances have been granted in the vicinity of the property. There have been no similar variances granted that we know of, and there are no similar variances that are anticipated. This is unique to us, just as the Sea Grove PUD ordinance is unique. The property was acquired after parts of the current LDRs which are relevant to the requested variance were adopted, and the variance requested may not be the minimum variance, but it is better than what we could achieve otherwise. The variance requested meets the spirit and intent of the code, and avoids sign proliferation, as it comes up with a unified sign plan for the Town Center in exchange for the variance for one single larger sign that will eliminate the need for other signs. The granting of the variance for the new proposed sign will not alter the character of the neighborhood, diminish property values, or impair the appropriate use or development of adjacent properties. I don't think any of these things are a concern, I think the new sign will make the area more aesthetically pleasing. We want to build a nice-looking sign, which won't do anything related to property values, in fact, it should enhance the property values, especially of the interior tenants. There would be no effects on traffic congestion in nearby streets, danger of fire, and on-site and off-site flooding, I don't think these things are even applicable to the variance request for a larger sign.



Hulsey Bray: If you are allowed to build this sign, are you going to forego allowing the tenants in the Town Center to put additional signs up, as you mentioned? If so many signs per site could be put up, and the Board grants the variance to allow this rather large sign, are you going to limit the number of other signs that could be put up?

Doug Burnett: Yes, so we would only have two other signs. There is the existing sign, which will be relocated and be the closest one to the traffic light, and the existing far north Terra & Acqua sign, which has been there from the time the restaurant was Chef Says and maybe three other restaurants before Terra & Acqua came in. So, that sign would stay, and then we have the big sign being proposed, and the one that is the closest to the traffic light, but that is the end of it. If the Board wants to make this a condition of the approval of the variance for the new large sign we are applying for, we understand.

Hulsey Bray: You understand what I am saying, obviously, it is a possibility, as you noted it. The Board may grant this variance and then in a few years, more signs could pop up.

Chris Pranis: Do we have any public comment on this matter? There was none.

Conner Dowling: Especially based on the location, I do not have any issue with the sign and the size. I think the biggest thing in my mind with having a large sign that goes all the way to the ground is visibility, if it is at a traffic light or something. And if anything, collecting all the businesses and putting them into one sign, I think, is a good thing overall.

Hulsey Bray: I will say that a 20-foot-by-16-foot sign is a very large sign. A 20-foot-high sign is as tall as a telephone pole.

Victor Sarris: I think that in this case, it is beneficial to have a sign that is more visible, even from a safety standpoint.

Hester Longstreet: If we were to grant the variance for the sign, I would say that we only grant it for one sign at this size, so that they can't come back and say they'd like another one the same size on the other end. This is substantial, as was said, 20 feet high is very large, so I think we need to make sure that the variance approval will only be for one sign approved at this size and that we are not open to approving more than one sign.

Brian Law: That would require another variance application, which would be heard on its own merits.

Hester Longstreet: We just don't want this to be setting a precedent.

Victor Sarris: Another sign would have to be presented in the form of a variance application in the same way this one was for that to even be a consideration.

Brian Law: Yes, sir, but unfortunately, Mr. Burnett did a great job of showing you what could be done without a variance, and I don't think anybody wants that. That 2001 sign code probably reflects a different time period where signs were constructed differently.

**Motion:** to approve Land Use Variance File No. VAR 2023-04, to exceed the 12-foot height maximum, the 12-foot length maximum, and the 144-square-foot surface area maximum allowed per side for proposed new construction of one 20-foot-high, 16-foot long ground sign with a 192-square-foot surface area per side for Sea Grove Town Center, in a Planned Unit Development (PUD) land use district at 120 Sea Grove Main Street, St. Augustine Beach, Florida, 32080. **Moved** by Victor Sarris, **seconded** by Conner Dowling, **passed 5-0** by the Board by unanimous voice-vote.

Doug Burnett: Thank you very much, I appreciate it. If I could impose on you one question, about the timing of the variance. Is there a time limit or expiration date as to when we have to commence it within a certain period of time?

Brian Law: Yes, variances are granted for a year, at which time, work on whatever the variance was granted for has to be commenced.

Doug Burnett: Can I be heard on that particular issue and ask for a longer period of time? We have hit an unexpected expense, which is the back flow preventer for the freshwater line for the library, which we thought was St. Johns County's responsibility, but it is not, it is the responsibility of Sea Grove Town Center. The part we've been waiting for will cost somewhere around \$25,000. So, we've got that unanticipated expense, and along with the prediction that we may be in a recession by the end of the year, I would like to ask for two years to begin the permitting process for the new sign, because we are not going to do a special assessment to build a sign, no matter how bad we want it. Anyone in the construction trade knows it takes a while to get anything built these days.

Chris Pranis: Question for staff, if we grant the variance for one year and it expires, can we grant an extension to the variance, or would a whole new application be required?

Brian Law: If the Board approves only a one-year time period for the variance as per the code, that would be finite, and the end of it. Having said that, this one-year time period only applies to submittal of a completed building permit/clearance sheet application for the new sign to the Building and Zoning Department, as this constitutes commencement of the variance. Once the clearance sheet is approved by zoning, it's good for six months, and at that point, the application is deemed sufficient and in compliance with the intent of the variance. We have no objection to granting the variance for two years, and this has been done before. Recently, a two-year conditional use permit was granted to build new single-family homes on commercial lots south of the Courtyard by Marriott, due to the fact that the roads providing access to these lots have to be built.

Chris Pranis: Do we have to do another motion?

Brian Law: Yes, a motion is needed to amend the current motion to approve the variance as requested for one sign with a two-year expiration date for commencement.

**Motion:** to amend the motion to approve Land Use Variance File No. VAR 2023-04, to exceed the 12-foot height maximum, the 12-foot length maximum, and the 144-square-

foot surface area maximum allowed per side for proposed new construction of one 20-foot-high, 16-foot long ground sign with a 192-square-foot surface area per side for Sea Grove Town Center, in a Planned Unit Development (PUD) land use district at 120 Sea Grove Main Street, St. Augustine Beach, Florida, 32080, with a two-year expiration date for the commencement of the variance. **Moved** by Chris Pranis, **seconded** by Victor Sarris, **passed 5-0** by the Board by unanimous voice-vote.

- D. Land Use Variance File No. VAR 2023-05, for an increase of impervious surface ratio (ISR) coverage from maximum 70% allowed to 94.6%, to expand an existing non-conforming property with proposed new construction of a 560-square-foot storage building over a dry retention pond on the premises of Best Western Seaside Inn, a 50-unit hotel in a commercial land use district at 541 A1A Beach Boulevard, St. Augustine Beach, Florida, Troy Blevins, Agent for Vista Hotel II Inc., Applicant

Bonnie Miller: The next agenda item is a variance application for the Best Western Seaside Inn at 541 A1A Beach Boulevard. The property owner would like to add a 560-square-foot storage building to be built over an existing dry retention pond on the southwest corner of the hotel property. The Best Western was built in 1991, right around the time the first edition of the City's Land Development Regulations was codified. It is a nonconforming structure right now because it has an ISR coverage of 93%. If it was built today, it would not be allowed to exceed the commercial ISR coverage maximum of 70%. So, the property is well over the maximum ISR coverage allowed for commercial zoning, and this 560-square-foot storage building will increase the ISR coverage to 94.6%. Even though the storage building is proposed to be built over a dry retention pond, it is calculated as part of the ISR coverage, because the definition of ISR in the LDRS includes any building, and this is a covered building. It will meet the setback requirements, with a 15-foot setback from the side property line to the right-of-way of 9<sup>th</sup> Street, and a 20-foot rear setback to the western, or rear, property line. The variance is requested because the 560-square-foot storage building will expand an existing non-conforming property, which currently has 93% ISR coverage, and increase the ISR coverage to 94.6%. The owner's agent, Troy Blevins, is here to answer any questions the Board may have and to represent the owner of Best Western, Kanti Patel, of Jalaram Hotels, which owns Vista Hotel II Inc.

Troy Blevins, 14 Riberia Street, St. Augustine, Florida, 32084: I represent Jalaram Hotels, the owner of Vista Hotels II, and what we are asking for is very unique. When the Best Western building was built in St. Augustine Beach, ISR didn't exist. We have two similar buildings in the City of St. Augustine, at the Hampton Inn and Best Western Inn, both on US Highway 1. This proposed storage building sits above the ground level, so the watershed and dry retention area is still going to hold the exact same amount of water. The lot coverage on this property, even with the 560-square-foot storage building, will only be 28.4%, which is still well below the maximum lot coverage allowed for commercial properties. The proposed storage building is 10 feet by 56 feet, and it will have a couple of electrical outlets. It won't have any plumbing in it at all. The size of the storage building is based on the size of the two hotel rooms that are currently being used for storage space at the Best Western Inn, which has 50 rooms, but is only operating with 48 rooms, which means we are losing money by not being able to rent out these rooms, and that's part of

the hardship, as we actually have two hotel rooms that are not usable. The storage building sits up about 20 inches, so the watershed will be exactly the same for the facility. The definition of ISR is something I don't understand, as the pervious area will be the same, and the exact same water retained on the property today will still be retained.

Victor Sarris: So, this will not have an effect on the current ISR coverage?

Troy Blevins: That is our opinion of it, and also the way the City of St. Augustine reads it.

Victor Sarris: The structure will sit above the retention pond, but it will not sit on it, so thus, it will not limit that space for drainage, correct?

Troy Blevins: Correct.

Victor Sarris: What about the concern the City's Public Works Department has for the discharge from the storage building roof spilling onto the right-of-way of 9<sup>th</sup> Street? What is the plan there? I understand this will not impede the existing dry retention pond drainage, but rainwater will still come off the storage building roof and flow somewhere.

Troy Blevins: Correct. The storage building will sit on the edge of the current dry retention area but will not cover the entirety of the retention area, so water will come off the roof of the storage building and fall directly into the dry retention area on the south side of 9th Street. Water coming off the north side of the storage building roof will basically fall into the parking lot, which feeds right back into the dry retention area, so basically all water will flow to the exact same location that it does now. We contain our own stormwater right now, and we will continue to contain our own stormwater.

Conner Dowling: You said you've done this twice before, building a structure over a dry retention facility?

Troy Blevins: Yes. We did it at the Best Western and the Hampton Inn, both in the City of St. Augustine. These two buildings are almost exactly the same as the Best Western in St. Augustine Beach. We have had no problems with the storage buildings built about 15 years ago over the retention areas of these two hotels in the City of St. Augustine.

Victor Sarris: Troy, so are you saying that you see the ISR calculation with this new storage building over the dry retention area differently from the definition of ISR in City Code?

Troy Blevins: I am saying it will have zero effect, even if the definition of ISR, per City Code, says it is calculated as ISR coverage. One of the unique things about this is that water will run underneath the storage building, which the code does not address. I completely understand the way staff reads it, based on the definition in City Code, but this definition does not address a building that allows water to go underneath it.

Brian Law: This is actually really a result of it being a unique design. The LDRs cannot anticipate building over dry retention ponds, so in Article II, the definition of ISR starts out

with “any building,” and this is what staff has to follow, with no exceptions. A variance is the right method for this because this building is outside of the intent of the code.

Conner Dowling: This is not related to ISR coverage, but I am curious as to what you have to say about the fact that you want to put a 56-foot long building on the frontage of 9<sup>th</sup> Street only 16 feet away from the property line and the neighbor to the west who has a single-family home with a 25-foot front setback. The back of the storage building is going to be solid stucco and is very different from what typically exists on a residential street.

Troy Blevins: The storage building design will mimic the hotel. One of the beauties of working for Mr. Patel is he always takes care of, and is very conscious of, his neighbors. We’ve been partners with the City for over 30 years and we maintain the City plazas in front of the hotel. If something goes wrong, we will buy a new palm tree out of our pocket for the City-owned plazas. I’d be surprised if we had any opposition from neighbors, as taking care of our neighbors is something we, as a company, take great pride in doing.

Conner Dowling: All of the other structures on 9<sup>th</sup> Street are set well back from the street, but this building is going to be almost as close as you can get to both 9<sup>th</sup> Street and the residential neighbor to the west. I understand there is a little bit of landscape buffer between the dry retention area and the street. It bugs me a little that the setback off 9<sup>th</sup> Street, just from a planning standpoint, does not conform to the standard 25-foot front setback of the adjacent residential structures. A 56-foot-long building is very long, if you could break that up a little bit, it would not feel as imposing. I worry that it is going to look like a temporary storage facility. I understand it will have a stucco exterior and clay tiles to match the design and character of the hotel, but it is going to make the hotel look very different from the perspective of all the other properties on 9<sup>th</sup> Street.

Troy Blevins: With our other properties, the storage buildings really blend in, because the design is the same. We do our very best to make them blend with the community they are in. If landscaping would help in this situation, we wouldn’t have a problem with that.

Conner Dowling: Definitely, landscaping would help, but I’m not sure how much you could put in there based on the fact that the building will be over the dry retention pond.

Hulsey Bray: I have an issue with the hardship and the hotel not anticipating the need for storage in the building. I don’t see how that is a hardship. It’s a commercial building, there is a business running out of it, and I have issues with the size of the proposed storage building and with the ISR. If I built a shed six inches off the ground on my property and told everyone not to worry, water still drains on my property, it would be an issue.

Troy Blevins: We understand those concerns but when the hotel was built in 1991, and I have been here the entire time, St. Augustine Beach was not as busy as it is now, and the volume for the hotel was nowhere near what we are getting today. Like I said, ISR did not exist in 1991, so we played by all the rules that were in place at that time. Rules change on us and that’s usually for a very good thing, but at this point, the volume coming into the hotel today has created a bigger hardship than was ever anticipated in 1991.

Conner Dowling: I know you are pressed for parking already on this site, but is there any way a storage building could be located on any existing parking spaces the hotel has?

Troy Blevins: Unless parking regulations have changed, I think that would be a challenge.

Brian Law: Can you confirm how many rooms the hotel has?

Troy Blevins: It has 50 rooms.

Brian Law: And you have approximately 50 parking spaces?

Troy Blevins: Yes, sir.

Brian Law: In today's Code, that is not compliant. The minimum number of parking spaces required for this today would be 58 regular parking spaces plus three handicap accessible spaces. So once again, when this building was built 30 years ago, the codes and regulations were different. Putting a storage building on an existing parking space would actually make the situation more nonconforming than what it is now, and staff would not be able to approve that, which is why they are here for the variance.

Troy Blevins: I believe the parking regulations for hotels are going to change over the next 10 years, because so many people are using Uber now and not actually driving while on vacation. Our parking lots are probably at about 70% capacity even when the hotels are full. And that's for all of our hotels, not just the Best Western in St. Augustine Beach.

Chris Pranis: Do we have any public comment on this application? There was none.

Hester Longstreet: I have a lot of concerns with the storage building being 20 inches above the retention area, as I think a good storm with a lot of water coming through would probably cause flooding in there. With that, the length of the building, and the fact that it is already above and beyond the maximum ISR coverage allowed, I have concerns.

Chris Pranis: I agree, the ISR is what is getting to me as well as how close the storage building is on the 9<sup>th</sup> Street side of the property.

Victor Sarris: I feel we did address the ISR concerns, as the structure will allow, if I understand correctly, the water to still drain into the retention pond. So even though City code defines ISR as any building, it is not impeding anything because it is sitting 20 inches above the ground and will still allow stormwater to be absorbed into the retention area.

Chris Pranis: I think the big issue is that it is still a building, and the code states any building is calculated as ISR coverage. That's where the wording gets tricky. It is not like it is a deck that is elevated above the ground, it is a building.

Brian Law: In the application information copied to the Board, there is an email from Public Works Project Coordinator Russell Adams, stating the Public Works Department

has no issues with the structure as long as no additional discharge from the roof will spill into the right-of-way, and as long as the applicant has a letter from St. Johns River Water Management District stating no permit is required for the storage building or a permit has been granted to amend the stormwater permit issued to Best Western for the on-site storage building. The Board has options here, I don't want to use the word "negotiate," but you may want to discuss the comments made about the views from the adjacent street. The Board could ask that the applicant provide a landscape buffer that exceeds the height of the storage building as a condition of approving the variance. Regarding the ISR, if there is a concern with the existing 93% ISR coverage, the applicant could be asked to remove 560 square feet, which is the size of the proposed storage building, of existing ISR coverage to replace some of the asphalt parking lot with permeable pavers.

Troy Blevins: I don't have a problem if we table this. The Board's concerns about views and other things are also concerning to us. I would love to have some feedback as to what you are possibly looking for, to make it more palatable from the Board's viewpoint. I think there are enough uncomfortable concerns that need to be addressed before the Board votes on this, and I want the Board to be comfortable with what you are voting on.

Hulsey Bray: The north elevation of the storage structure as shown in the application information is a good example of what all those people who live across the street are going to be looking at, which will be a big stucco of wall.

Conner Dowling: I understand the ISR argument for a building like this, in all intents and purposes, the storage building will not add any more water to the site, because it will not impede the retention area from retaining run-off. That being said, I think this is hard for the Board, because the property is already so glaringly over the maximum ISR allowed. Brian mentioned taking out some of the existing ISR coverage, such as some of the asphalt parking lot, and replacing it with permeable pavers. I do not know if that would be an option you might consider, but it might help out on the Board's end. Looking at the site plan, I totally understand the proposed location of the storage building, as it makes the most sense. I did a quick count of the hotel's parking and I think there may currently be 57 parking spaces. Maybe one or two spaces could be lost to put a small storage building in the corner by the dumpster, but I don't know, as we cannot design it right here tonight.

Brian Law: I have to correct you, because the hotel does not have 57 parking spaces. I assume you are counting the seven parking spaces on the south side of the hotel adjacent to 8<sup>th</sup> Street, which were put in through a partnership between the City and the hotel. These parking spaces cannot be counted as part of the hotel's parking, because they are actually public parking spaces on the City's right-of-way, and anyone can park there.

Chris Pranis: Plus, is this truly a hardship? It is a commercial business, and if it was built without storage, it is not a true hardship, you've created that on your own. I do not see many options. Going forward, let's think about setting this precedent for future variances.

Victor Sarris: Well, this is different, because if this structure was being constructed on the ground, this would impede the ISR. As it will sit above the dry retention pond, the increase

in the ISR coverage is just a technicality. However, as the proposed structure will not impede the way water flows and is contained on the property, then the ISR issue, to me, is off the table. It does not bother me, and I have a comfort level with the ISR issue because I don't want to have to defend to anyone that we have just totally destroyed the ISR on a property. The ISR that exists now on the property is still in place and will be the same as it is now with the storage building built over the retention area.

Conner Dowling: Right, the case for this is that they have on-site water retention and that's where that water coming off the roof is going to go.

Hulsey Bray: That being said, if someone wanted to build a 10-foot-by-10-foot shed in their backyard, but because of the pavers in their driveway and the size of their house, building the shed would cause the ISR to exceed the maximum allowed, would we allow them to build it eight inches off the ground with gutters around the shed roof, as this would still allow rainwater to come into contact with the ground and drain?

Hester Longstreet: No, we have denied people variances for sheds that do not comply.

Victor Sarris: We have denied variances for sheds based on setback issues. That's a creative way of thinking, if somebody wanted to do this to get around the ISR regulations.

Hulsey Bray: That is exactly what the applicant said, that the storage building will be built up off the ground and then the water run-off will still drain into the retention pond.

Conner Dowling: The difference between a shed on a residential property and the storage building at the hotel is that the hotel has on-site water retention, and the water is not being shed into the right-of-way or to any adjacent properties, at least in theory. Residential properties, however, are not required to have on-site water retention.

Victor Sarris: That's a good point, because in this instance, the water will still be contained on-site on the hotel property.

Troy Blevins: The other thing that is completely different about this scenario is that Mr. Patel and Jalaram Hotels have a partnership with the City, and that partnership hopefully comes into consideration. There have been zero complaints from anybody about the City plazas, which Mr. Patel and Jalaram, Hotels have been responsible for and maintained for 31 years. The parking lots they share with the City are also maintained by Mr. Patel and his company. There is also a partnership there of us trying to be of true faith, so I am asking that we table this so we can work to come up with a better solution. If you deny it next go round, then we will go from there, but if you will give us another shot at showing what it is going to look like on 9<sup>th</sup> Street, I will bring this back to you to see if we can come up with a better solution than we have brought before you today.

Brian Law: I would ask that the Board instruct the applicant with a summarization of everyone's concerns, like the buffering from 9<sup>th</sup> Street, and that the applicant should present a landscaping plan showing buffering on that side adjacent to 9<sup>th</sup> Street and the



residential neighbor to the west. The Board may also want to suggest that the applicant consider replacement of the existing asphalt with permeable pavers in the area near the proposed construction of the storage shed, where there are about nine parking spaces that are each 9-feet-by-20 feet, which would be well in excess of the square footage of the proposed storage shed. City staff has no objection if the Board tables this to its May meeting, with the applicant bringing back additional information such as buffering and landscaping plans and potential locations of permeable pavers to replace existing asphalt.

Troy Blevins: We are not in a huge rush, so if we could table it to the June meeting, that would give us time to work with the designer and landscape architect to come back with the best possible scenarios.

Chris Pranis: The Board will then table this until the June meeting, by which time, the applicant will produce a buffering landscape plan and potential location of permeable pavers to replace existing asphalt to assist with the ISR coverage.

**Motion:** to table the application for Land Use Variance File No. VAR 2023-05, for an increase of impervious surface ratio (ISR) coverage from maximum 70% allowed to 94.6%, to expand an existing non-conforming property for proposed new construction of a 560-square-foot storage building over a dry retention pond on the premises of Best Western Seaside Inn, in a commercial land use district at 541 A1A Beach Boulevard, St. Augustine Beach, Florida, to the Board's June 20, 2023 regular monthly meeting, based on the Board's discussion and recommendations pertaining to this application. **Moved** by Chris Pranis, **seconded** by Victor Sarris, **passed 5-0** by the Board by unanimous voice-vote.

Troy Blevins: One request from the Board, if you have specific requests, please submit them through staff, and I will meet with staff to try to make these requests work.

Hester Longstreet: It would be great if we could maybe hear from the people on 9<sup>th</sup> Street, as that would go a long way.

Conner Dowling: Maybe you could break the building in half, to lessen the size. I know that makes certain things harder, but 56 feet is a really long building, and there is not a ton of opportunity for landscape buffering because of the retention swell. There is already some good landscaping there but seeing that the height of the storage building is at 12 or 13 feet, and it will be built a couple of feet above the level of the road, I think if you could build two smaller buildings and separate them, that would help tremendously.

E. Review of draft Ordinance No. 23-\_\_, for proposed code changes to the City of St. Augustine Beach Land Development Regulations, Section 6.01.03, pertaining to building setback requirements; Section 6.03.05, pertaining to design standards for off-street parking and loading areas; and Section 12.02.06, pertaining to concept review

Brian Law: The City Attorney has drafted an ordinance for these code changes, and this is considered the first reading for the ordinance. I would like to talk about each change individually, as the ordinance is all-inclusive, and the ordinance title will be read in one

shot. Currently, Article VI of the City's LDRs exempts decks under 30 inches in height from permitting, but the LDRs do not have that authority to exempt permitting per the FBC, so this most likely was a remnant from a long time ago. The code change exempts decks less than 12 inches from permitting. The reason we chose 12 inches or less as the permit exemption height for decks is because there are a series of setbacks for decks depending on the height of a deck. Decks less than 30 inches in height were exempted because back in the day, that was the minimum height for guardrails. The next change pertains to administrative waivers for errors in setback measurements. As surveying has become a whole lot better than it was 30 or 40 years ago, we are now starting to see buildings that may be a fraction of a foot or two from their intended setbacks of years ago. Technically, by the code, that makes a building non-conforming and limits future development of the structure, and we've seen a couple of variances in the last few years involving non-conforming structures. I asked the Planning and Zoning Division to research St. Johns County's Land Development Regulations in regard to administrative waivers for surveying errors, so the code change we are suggesting is basically in line with the County's code for such waivers. Say, for example, a building is built but the mason did not take into account the one-and-a-half-inch width of the form board so now, instead of having a 7.5-foot side setback, the setback is at 7 feet, three and one-half inches. The building did not get any bigger, but the 7.5-foot setback was encroached into by an inch or two. Is it the intent of the code to make the contractor rip the whole building out or apply for a variance for a reduction of the side yard setback? My initial opinion always has been, over many years of doing this, that this is an administrative error of omission, as it was not intended. That is the intent of this code change, which gives the building official, as the director of building and zoning, the ability to approve this administratively, as long as the building is the same size as it was originally permitted. Next, we heard a reference earlier to compact car spaces. That is forward thinking in regard to parking, and this is very common. Our existing code references and actually says compact car parking shall be discussed by the Planning and Zoning Board with development reviews, which is great, but the code does not say how big a compact car parking space shall be or how many compact car parking spaces a development or business can have. So once again, staff reached out to neighboring jurisdictions and used their information for conformity in the proposed code changes for compact car parking spaces. Lastly, if you read the code literally, which we do, or try to, it says that every variance and conditional use permit application must be submitted to concept review. Per the code, the conditional use permit application and variance applications that came before the Board tonight would need a concept review. That is not the intent of the conditional use or variance application process, as concept reviews are used for major developments, replats, and things of that magnitude, not variances and conditional use permits. I've spoken with Ms. Miller and the City Manager in great length on this, and this has never been done during either one of their long employment histories with the City. We believe this must be another remnant from back when the City had 2000 residents or so, as it is in Articles X and XII of the LDRs, which are not the most used sections, so it is possible this code wasn't changed by the consultants the City hired in 2016-2017 to update the LDRs. The proposed code changes amend this section to state that major developments must be submitted to concept review and delete the verbiage that says conditional use permit and variance applications also have to be submitted to concept review. So, that is a summary of the

proposed code changes provided to you, and your copies should be color-coded to highlight the potential changes. We are asking that the Board make a motion to approve or deny the proposed draft ordinance so it can be moved forward to the City Commission.

Conner Dowling: About the compact car parking spaces, did the verbiage that says up to five percent of the parking spaces required by the code may be designated as compact car parking spaces match what St. Johns County's code has for compact car parking?

Brian Law: I cannot answer that, as we expected Ms. Thompson to be here to present this, but she is not well at all. We had to come up with a number and I believe this number came from having a minimum of 20 regular parking spaces, and then allowing five percent of 20 spaces, which would be one parking space, that could be used for compact car parking. What we did not want, because we have a lot of small lots in the commercial sector of the City, was to allow some of the smaller buildings on small commercial lots that only have four parking spaces and one handicap parking space to be able to convert one of these parking spaces to a compact car parking space. This would apply to some of the City's bigger commercial facilities, like Anastasia Plaza, Sea Grove Town Center, etc.

Conner Dowling: Regarding the proposed changes for deck permits, do you think code enforcement will be a lot busier after this goes into effect?

Brian Law: No, because we don't actually exempt decks under 30 inches in height from permitting now, per the FBC. This has a lot to do with setbacks, because if you read the code the way it is written, it is very confusing. There's a gap between what the setbacks for decks over 12 inches in height but less than 30 inches in height are and the height at which decks are required to be permitted, so the code leaves you with a limbo land. The intent of the code changes regarding decks is to clean the code up so it is very clear and specific. Decks are important. I've served in other jurisdictions where decks have fallen from the second floor because of water intrusion issues rotting the building out. Plus, I have issues with and don't like that the LDRs exempt permitting not exempted by the FBC.

**Motion:** to recommend draft Ordinance No. 23-\_\_ be passed on first reading and moved forward to the City Commission. **Moved** by Chris Pranis, **seconded** by Hester Longstreet, **passed 5-0** by the Board by unanimous voice-vote.

## VI. OLD BUSINESS

There was no old business.

## VII. BOARD COMMENT

Hester Longstreet: Did we find out anything about the ice machine in front of Rita's Ice?

Chris Pranis: The ice machine is gone.

Brian Law: Mr. Chair, if I may, we had a procedural issue on the last item, the draft ordinance for the proposed code changes. The ordinance title actually has to be read aloud, as this is the first reading of the ordinance. The City Attorney will take it from here.

Jeremiah Blocker: So, this is Ordinance No. 23-\_\_, as we'll come up with the ordinance number later, "An ordinance of the City of St. Augustine Beach, Florida, relating to Land Development Regulations and review; amending the Land Development Regulations of the City of St. Augustine Beach Section 6.01.03 for setbacks, accessory structures, building height; Section 6.03.05, design standards for off-street parking; and Section 12.02.06, concept review of the City Code; and providing an effective date."

Chris Pranis: Do we have to approve it again, or add anything to the motion?

Jeremiah Blocker: No, it just had to be read aloud by title to officially put it on the record.

Chris Pranis: So, Hester mentioned the ice machine that was in front of Rita's. Are we allowed to discuss this?

Brian Law: Yes. The case of the ice machine will be appearing before the Code Enforcement Board next week, as they have not applied for permits or any variances.

Chris Pranis: It is not there anymore.

Brian Law: Okay. I know we talked to the owners last week, so in that case, they probably did not want to go through the variance procedure or go before the Code Enforcement Board, so we will cancel this case from the agenda of next week's meeting. Great news.

**X. ADJOURNMENT**

The meeting was adjourned at 7:50 p.m.

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Kevin Kincaid, Chairperson

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Bonnie Miller, Recording Secretary



**City of St. Augustine Beach Building and Zoning Department**

**To:** Comprehensive Planning and Zoning Board  
**From:** Jennifer Thompson, Planner  
**CC:** Brian Law, Director of Building and Zoning & Bonnie Miller, Sr. Planner  
**Date:** May 4, 2023  
**Re:** Conditional Use Permit Application 2023-04, The Kookaburra, 647 A1A Beach Blvd

Conditional Use Permit application CU 2023-04 is for outdoor seating and food and beverage service and consumption outside of an enclosed building located at 647 A1A Beach Blvd and in the City plaza located east of the Kookaburra.

On July 11<sup>th</sup>, 2016, a Conditional Use Permit for outdoor seating and food and beverage service in the City Plaza on the southwest side of 3<sup>rd</sup> St. and A1A Beach Blvd was issued for the Kookaburra, 647 A1A Beach Blvd. This Conditional Use Permit was issued for a period of five years and expired on July 11, 2021.

Sincerely,

*Jennifer Thompson, CFM*

Planner  
Planning and Zoning Division



**City of St. Augustine Beach Building and Zoning Department**

**TO:** Planning and Zoning Division

**FROM:** Brian Law

**SUBJECT:** CU 2023-04

**DATE:** 5-9-2023

The 2020 Florida Building Code has no opposition to the reissuance of an existing conditional use permit for outdoor seating for the consumption of food and beverage. I ask that the Planning and Zoning Board grant this conditional use for the duration that the current owners own the business.

 5-9-2023

Brian W Law CBO, CFM, MCP  
City of St. Augustine Beach  
Director of Building and Zoning  
2200 A1A South  
St. Augustine Beach, FL 32080  
(904) 471-8758  
[blaw@cityofsab.org](mailto:blaw@cityofsab.org)

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

**In re:**

**APPLICATION OF MEGAN VIDAL, CMBV, LLC,  
FOR CONDITIONAL USE PERMIT FOR OUTDOOR  
SEATING AND FOOD AND BEVERAGE SERVICE  
IN THE PLAZA LOCATED IN FRONT OF THE  
KOOKABURRA LOCATED AT 647 A1A BEACH  
BOULEVARD, ST. AUGUSTINE BEACH, FLORIDA  
32080**

Public Records of St Johns County, FL  
Clerk number 2016045340  
BK 4224 PG 494  
7/15/2016 1 30 PM  
Recording \$18.50

**ORDER APPROVING CONDITIONAL USE (CU 2010-01)**

This CAUSE came on for public hearing before the City Commission Of the City of St. Augustine Beach, Florida on July 11, 2016, upon Application (CU2016-07) by Megan Vidal, CMBV, LLC, for a conditional use permit to have outside seating and food and beverage service in the plaza located in front of the restaurant at 647 A1A Beach Boulevard, St Augustine Beach, Florida 32080. The Planning and Zoning Board having recommended approval, the City Commission 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 condition use granted shall conform to all materials submitted with the Application to supplement the Application, including all drawings, sketches and renderings.
2. The use shall be conducted in such a manner so as to maintain a clean, neat and tidy appearance.
3. The use shall be non-transferable.
4. The term of the permit shall be five (5) years and shall not lapse for more than one (1) year.
5. Outside consumption of food and beverages shall not be allowed after 10:00 p.m.
6. A violation of the conditions listed above shall void the conditional use granted herein.

City of St. Augustine Beach Building and Zoning Department  
Conditional Use Permit Application

2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080  
WWW.STAUGBCH.COM BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

1. Legal description of the parcel for which the conditional use permit is being sought:

Lot(s) 416 Block(s) 20 Subdivision CHAUTAUGUA BEACH

Street Address 647 A1A BEACH BLVD

2. Location (N, S, W, E): W Side of (Street Name): A1A

3. Is the property seaward of the Coastal Construction Control Line (CCCL)? Yes ☒ No (Circle one)

4. Real estate parcel identification number: 1693400000

5. Name and address of owner(s) as shown in St. Johns County Public Records:

CMBV LLC

470 STATE ROAD 207 SAINT AUGUSTINE, FL 32084-0000

6. Current land use classification: RESTAURANTS / CAFETERIAS

7. Section of land use code from which the conditional use permit is being sought: 3.02.02

8. Description of conditional use permit being sought: OUTSIDE SEATING AND FOOD AND

BEVERAGE SERVICE IN THE PLAZA LOCATED IN FRONT OF THE RESTAURANT

AT 647 A1A BEACH BLVD, ST. AUGUSTINE BEACH FL 32080

9. Supporting data which should be considered by the Board: THIS IS AN APPLICATION FOR

THE CONTINUATION OF OUR CONDITIONAL USE PERMIT GRANTED ON

JULY 11<sup>TH</sup>, 2016.

10. Has an application for a conditional use permit been submitted in the past year? Yes ☒ No (Circle one)

If yes, what was the final result? \_\_\_\_\_



11. Please check if the following information required for submittal of the application has been included:

- ☒ Legal description of property
- ☒ Copy of warranty deed
- ☒ Owner Permission Form (if applicable)
- ☒ List of names and addresses of all property owners within 300-foot radius
- ☒ First-class postage-stamped legal-size (4-inch-by-9½-inch) envelopes with names and addresses of all property owners within 300-foot radius
- ☒ Survey to include all existing structures and fences
- ☐ Elevations and overall site plan of proposed structure if conditional use is requested for construction of a residential structure in a commercial land use district
- ☒ Other documents or relevant information to be considered
- ☒ Fourteen (14) copies of the completed application including supplemental documentation and/or relevant information

In filing this application for a conditional use permit, the undersigned acknowledges it becomes part of the official record of the City Commission and Comprehensive Planning and Zoning Board and does hereby certify that all information contained is true and accurate, to the best of his/her knowledge.

<u>Megan Vidal Spener Hooker</u>	
Print name (owner or his/ her agent)	Print name (applicant or his/her agent)
<u>M.V. Spener</u>	<u>[Signature]</u>
Signature/date	Signature/date
<u>4/12/23</u>	<u>4/12/23</u>
Owner/agent address	Applicant/agent address
<u>647 A14 St. Aug 32080, Sane</u>	
Phone number	Phone number
<u>719-205-4209, 719-237-4025</u>	
Email address	Email address
<u>megan@thekookaburracoffee.com</u>	
<u>spener@thekookaburracoffee.com</u>	

**\*\* All agents must have notarized written authorization from the property owner(s) \*\***  
**\*\* Conditional use permits shall be recorded prior to issuance of the building/development permit \*\***  
**\*\* Please note that if you are a resident within a development or subdivision that has covenants and restrictions, be aware that approval of this application by the City Commission or Comprehensive Planning and Zoning Board does not constitute approval for variation from the covenants and restrictions. \*\***

Date: 4-14-2023

Conditional Use File #: CU2023 04

Applicant's name: CM BV LLC / Megan Vidal : Spencer Hooker

Applicant's address: 470 State Road 207  
St. Augustine, Florida 32084

For conditional use permit at: 647 A1A Beach Boulevard,  
The Kookaburra Coffee Shop

### Charges

Application Fee: \$400.00      Date Paid: 4-14-2023

Legal Notice Sign: \$10.00      Date Paid: 4-14-2023

Received by: Bonnie Miller

Date: 4-14-2023

Invoice # I2301065

App. # 7103  
 Check # or type of credit or debit card 6114



## Definition—Conditional Use Permit

A conditional use is defined as a use that would not be appropriate generally or without restriction throughout a land use district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, order, comfort, convenience, appearance or prosperity. Such uses may be permitted in a land use district only in accordance with the provisions of this Code, and if the Code allows a conditional use in a particular land use category. Applications for conditional uses specified as type C-1 per Section 3.02.02 of the City of St. Augustine Beach Land Development Regulations must be reviewed by both the City's Comprehensive Planning and Zoning and City Commission. The Comprehensive Planning and Zoning Board shall make a recommendation to approve or deny the application to the City Commission, which shall make the final decision to approve or deny the application based upon its review of the application and the Comprehensive Planning and Zoning Board's recommendation. Applicants and/or their agents for type C-1 conditional uses are required to attend the meetings of both the Comprehensive Planning and Zoning Board and City Commission at which their applications are heard. Applications for conditional uses specified as type C-2 per Section 3.02.02 of the City's Land Development Regulations are reviewed solely by the City's Comprehensive Planning and Zoning Board, with the final decision to approve or deny made by the Comprehensive Planning and Zoning Board. Applicants and/or their agents for type C-2 conditional uses are required to attend the Comprehensive Planning and Zoning Board meeting at which their application is heard.

## Instructions for Applying for a Conditional Use Permit

The following requirements must be adhered to in applying for a conditional use permit. It is of the utmost importance that all required information be furnished in detail and accurately. Incorrect information can delay or nullify any action on the application. If there is inadequate space for all the necessary information, please attach extra sheets with the question numbers clearly marked.

## Documentation Needed for a Conditional Use Permit

- 1) The legal description of the parcel of land for which the permit is requested shall be shown on the deed of the property or as determined on a survey. If the parcel of land is in a recorded subdivision, use lots and block number. Include street address and location by indication street(s) boundary and side (south, east, etc.) and nearest intersecting street. If the land is a portion of the lot, indicate what portion of the lot, i.e. south 1/2, west 1/3, etc. If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.
- 2) Provide the name and address of the owner of the property. The person's name on the application should agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.
- 3) Indicate the current land use classification of the parcel under consideration. A current land use map is available on the City's website, [staugbch.com](http://staugbch.com) on display in the office of the Building and Zoning Department and the personnel there will assist you in finding the current land use district classification.

- 4) Notification of all property owners within a radius of 300 feet of the property for which the conditional use permit is being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the conditional use permit is requested. **This list of names and addresses of all property owners within 300 feet is to include the applicant's name and address. Along with the list of all property owners within 300 feet, the applicant shall submit stamped, addressed legal-size envelopes with the application. (Note: Do not fill in a return address on the stamped envelopes. The Building and Zoning Department will stamp its address on the envelopes as the return address and mail the legal notices to all property owners).** Signatures and approvals of property owners within 300 feet are not necessary. Applicants may provide a separate petition with the signatures of affected property owners who approve or do not object to the granting of the conditional use permit, but these persons should not sign the application itself. Applicants should ensure correct names and addresses are provided, as incorrect information shall delay or nullify any action on the conditional use permit application.
- 5) Provide the section of the land use code from which the conditional use permit is being sought. Personnel in the Building and Zoning Department will assist you in this matter if needed.
- 6) A fee of \$410.00 will be charged for the conditional use permit administrative procedure, which includes the legal notice sign, and legal advertising. The applicant will be required to post the legal notice sign on the property for which the conditional use permit application is submitted within clear view of the street and not more than 10 feet inside the property line, no later than 15 days before the first meeting date at which type C-1 conditional use applications go before the Comprehensive Planning and Zoning Board and City Commission and no later than 15 days before the meeting date at which type C-2 conditional use applications go before the Comprehensive Planning and Zoning Board.
- 7) A final order on each request for a conditional use permit shall be made within thirty (30) days of the meeting at which the application was reviewed and considered. Each final order shall contain findings upon which the City Commission or Comprehensive Planning and Zoning Board's order is based and may include such conditions and safeguards prescribed by the City Commission or Comprehensive Planning and Zoning Board appropriate in the matter, including reasonable time limits in which action pursuant to such order shall begin and/or be completed.
- 8) Appeal of decisions on type C-1 conditional use applications granted by the City Commission shall be made to the Circuit Court of St. Johns County, Florida. Appeal of decisions on type C-2 conditional use applications granted by the Comprehensive Planning and Zoning Board shall be made to the City Commission.
- 9) The application must be signed by the owner of the property for which the conditional use permit is requested and/or the owner's authorized agent. All authorized agents must provide notarized written authorization, which must accompany the application, approving such representation.

## Limitations on Granting a Conditional Use Permit

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Conditional use permits shall be nontransferable and granted to the applicant only, and the use shall be commenced within a period of one (1) year from the effective date of the final order granting same; provided, however, that the City Commission or Comprehensive Planning and Zoning Board may adopt the following conditions to any permit:

- 1) That the conditional use permit will be transferable and run with the land when the facts involved warrant same, or where construction or land development is included as part of the permit.
- 2) The time within which the use shall be commenced may be extended for a period of time longer than one (1) year. Failure to exercise the permit by commencement of the use or action approved thereby within one (1) year or such longer time as approved by the City Commission or Comprehensive Planning and Zoning Board shall render the permit invalid, and all rights granted thereunder shall terminate. Transfer of the property by the applicant, unless the permit runs with the land, shall terminate the permit.
- 3) Whenever the City Commission or Comprehensive Planning and Zoning Board denies an application for a conditional use permit, no further application shall be filed for the same use on any part or all of the same property for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same use on any part or all of the same property has been denied, no further application shall be filed for this same use on any part or all of the same property for a period of two (2) years from the date of such action denying the last application filed.
- 4) The time limits in paragraph 3 above may be waived by the affirmative votes of a majority of the City Commission or Comprehensive Planning and Zoning Board when such action is deemed necessary to prevent injustice or to facilitate proper development of the City.



Prepared by and return to:  
Amy Marie Vo, Esq.

St. Johns Law Group  
104 Sea Grove Main Street  
Saint Augustine, FL 32080  
904-495-0400  
File Number: 16-0352  
Will Call No.:

**THIS DOCUMENT IS  
NOT RECORDABLE**

[Space Above This Line For Recording Data]

## Warranty Deed

This Warranty Deed made this 2nd day of May, 2016 between Paolo Pece, as to non-homestead property, whose post office address is 25 Sea Oaks Drive, Saint Augustine, FL 32080, grantor, and CMBV, LLC, a Florida limited liability company whose post office address is 117 Coronado Street, Saint Augustine, FL 32080, grantee:

(Whenever used herein the terms "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, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Saint Johns County, Florida to-wit:

Lot 4 and 6, Block 20, Chautauqua Beach Subdivision, according to the map or plat thereof, as recorded in Map Book 2, Page 5, of the Public Records of St. Johns County, Florida. TOGETHER WITH the Northerly 1/2 of that certain Unnamed Alley which abuts said Lots 4 and 6, as shown on said Map Book 2, Page 5, closed by Ordinance No. 07-07.

Parcel Identification Number: 169340-0000

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property. Grantor's residence and homestead address is: 25 Sea Oaks Drive, St. Augustine, Florida 32080.

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

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

**And** 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, 2015.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Amy Marie Vo

Witness Name: Daniel S. Lang

Paolo Pece

(Seal)

State of Florida  
County of Saint Johns

The foregoing instrument was acknowledged before me this 2nd day of May, 2016 by Paolo Pece, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]

Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



**THIS DOCUMENT IS  
NOT RECORDABLE**

## Apply for Exemptions

[Apply for Exemptions](#)

## 2022 TRIM Notice

[2022 TRIM Notice \(PDF\)](#)

## Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID 1693400000  
Location Address 647 A1A BEACH BLVD  
SAINT AUGUSTINE 32080-0000  
Neighborhood Coffee/Donuts/Ice Cream Shops - Average (COM) (2200.2)  
Tax Description\* 2-5 CHAUTAUQUA BEACH LOTS 4 & 6 BLK 20 & N1/2 OF VACATED ALLEY LYING S OR1699/198 & ORD#07-07 IN OR4185/1520  
Property Use Code Drive-In Restaurants (Owner Occupied) (2205)  
Subdivision Chautauqua Beach Subdivision of the Anas  
Sec/Twp/Rng 34-7-30  
District City of St Augustine Beach (District 551)  
Millage Rate 15.8076  
Acreage 0.230  
Homestead N

## Owner Information

Owner Name Cmbv LLC 100%  
Mailing Address 470 STATE ROAD 207  
SAINT AUGUSTINE, FL 32084-0000

## Valuation Information

	2023
Building Value	\$77,199
Extra Features Value	\$3,437
Total Land Value	\$352,520
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$433,156
Total Deferred	\$0
Assessed Value	\$433,156
Total Exemptions	\$0
Taxable Value	\$433,156

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



Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2022	\$64,155	\$5,171	\$352,520	\$0	\$0	\$421,846	\$421,846	\$0	\$421,846
2021	\$66,129	\$5,328	\$352,520	\$0	\$0	\$423,977	\$423,977	\$0	\$423,977
2020	\$68,103	\$5,483	\$352,520	\$0	\$0	\$426,106	\$426,106	\$0	\$426,106
2019	\$64,984	\$5,326	\$352,520	\$0	\$0	\$422,830	\$422,830	\$0	\$422,830
2018	\$63,726	\$5,468	\$352,520	\$0	\$0	\$421,714	\$421,714	\$0	\$421,714
2017	\$78,569	\$4,915	\$339,750	\$0	\$0	\$423,234	\$423,234	\$0	\$423,234
2016	\$40,569	\$2,080	\$191,250	\$0	\$0	\$233,899	\$233,899	\$0	\$233,899
2015	\$41,967	\$2,084	\$191,250	\$0	\$0	\$235,301	\$235,301	\$0	\$235,301
2014	\$41,474	\$2,088	\$191,250	\$0	\$0	\$234,812	\$234,812	\$0	\$234,812
2013	\$42,790	\$2,092	\$191,250	\$0	\$0	\$236,132	\$236,132	\$0	\$236,132
2012	\$44,107	\$2,097	\$191,250	\$0	\$0	\$237,454	\$237,454	\$0	\$237,454
2011	\$48,192	\$2,101	\$212,500	\$0	\$0	\$262,793	\$262,793	\$0	\$262,793
2010	\$49,589	\$2,105	\$272,000	\$0	\$0	\$323,694	\$323,694	\$0	\$323,694

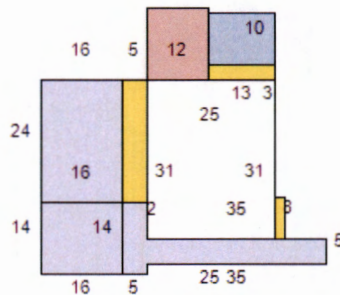
Building Information

Building	1	Roof Cover	Composite Shingle
Year Built	1956	Roof Structure	Wood Truss
Actual Area	2155	Interior Flooring	Concrete Finish
Conditioned Area	775	Interior Wall	Drywall
Use	Restaurants & Cafeterias	Heating Type	Air Duct
Style	04	Air Conditioning	Central
Class	N	Bedrooms	
Exterior Wall	Concrete Block, Concrete Stucco	Baths	

Description	Square Footage
FINISHED DECK	384
FINISHED DECK	245
BASE AREA	775
FINISHED CANOPY	70
FINISHED CANOPY	39
FINISHED DECK	224
FINISHED CANOPY	120
UNFINISHED CANOPY	168
FINISHED STORAGE/UTILITY	130
Total SqFt	2155

Sketch Information

Room Type
FINISHED STORAGE
CANOPY
CCN
Base
DECK



### Extra Feature Information

Code Description	Status	Value
Concrete Paving - Under 8" (COM)		408
Asphalt Paving (COM)		672
Wood Fence - 6' and Above (COM)		491
Brick Pavers (COM)		1866

### Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Restaurants & Cafeterias	0	0	10072	SF	\$352,520

### Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
5/3/2016	5/2/2016	\$500,000.00	WARRANTY DEED	<a href="#">4185</a>	<a href="#">1520</a>	Q	I	PECE PAOLO	CMBV LLC
	5/7/2007	\$0.00	VACATION OF R/W	<a href="#">2924</a>	<a href="#">1213</a>	U	V	CITY OF ST AUG BEACH	PECE PAOLO
	1/3/2002	\$390,000.00	WARRANTY DEED	<a href="#">1699</a>	<a href="#">198</a>	Q	I	BEACH BLVD PROPERTIES INC	PECE PAOLO
	12/11/1997	\$162,600.00	WARRANTY DEED	<a href="#">1283</a>	<a href="#">37</a>	Q	I	FORTUNE RALPH	BEACH BLVD PROPERTIES INC

No data available for the following modules: Sales Questionnaire Form, Exemption Information.

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

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

Last Data Upload: 4/13/2023, 11:48:40 PM

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Version 1.1.1



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

## Detail by Entity Name

Florida Limited Liability Company  
CMBV, LLC

### Filing Information

**Document Number** L16000061047  
**FEI/EIN Number** 81-2010920  
**Date Filed** 03/28/2016  
**Effective Date** 03/25/2016  
**State** FL  
**Status** ACTIVE

### Principal Address

647 A1A Beach Blvd.  
SAINT AUGUSTINE, FL 32080

Changed: 02/21/2022

### Mailing Address

470 State Road 207  
SAINT AUGUSTINE, FL 32084

Changed: 02/21/2022

### Registered Agent Name & Address

VIDAL, MEGAN E  
470 State Road 207  
SAINT AUGUSTINE, FL 32084

Address Changed: 02/21/2022

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

VIDAL, MEGAN E  
470 State Road 207  
SAINT AUGUSTINE, FL 32084

### Annual Reports

Report Year	Filed Date
-------------	------------

2021	01/26/2021
2022	02/21/2022
2023	02/14/2023

#### Document Images

<a href="#">02/14/2023 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/21/2022 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/26/2021 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">06/11/2020 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/09/2019 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/02/2018 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/04/2017 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/28/2016 -- Florida Limited Liability</a>	<a href="#">View image in PDF format</a>

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

**In re:**

**APPLICATION OF MEGAN VIDAL, CMBV, LLC,  
FOR CONDITIONAL USE PERMIT FOR OUTDOOR  
SEATING AND FOOD AND BEVERAGE SERVICE  
IN THE PLAZA LOCATED IN FRONT OF THE  
KOOKABURRA LOCATED AT 647 A1A BEACH  
BOULEVARD, ST. AUGUSTINE BEACH, FLORIDA  
32080**

Public Records of St Johns County, FL  
Clerk number 2016045340  
BK 4224 PG 494  
7/15/2016 1 30 PM  
Recording \$18 50

**ORDER APPROVING CONDITIONAL USE (CU 2010-01)**

This CAUSE came on for public hearing before the City Commission Of the City of St. Augustine Beach, Florida on July 11, 2016, upon Application (CU2016-07) by Megan Vidal, CMBV, LLC, for a conditional use permit to have outside seating and food and beverage service in the plaza located in front of the restaurant at 647 A1A Beach Boulevard, St Augustine Beach, Florida 32080. The Planning and Zoning Board having recommended approval, the City Commission 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 condition use granted shall conform to all materials submitted with the Application to supplement the Application, including all drawings, sketches and renderings.
2. The use shall be conducted in such a manner so as to maintain a clean, neat and tidy appearance.
3. The use shall be non-transferable.
4. The term of the permit shall be five (5) years and shall not lapse for more than one (1) year.
5. Outside consumption of food and beverages shall not be allowed after 10:00 p.m.
6. A violation of the conditions listed above shall void the conditional use granted herein.



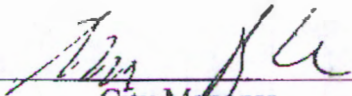
Any appeal of this decision may be made by filing an application for appeal to the St. Augustine Beach Commission within thirty (30) days of the date of this Order.

**DONE AND ORDERED** this 11<sup>th</sup> day of July, 2016, at St. Augustine Beach, St. Johns County, Florida.

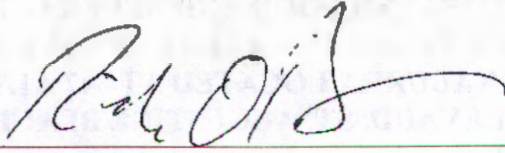
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CITY COMMISSION OF THE  
CITY OF ST. AUGUSTINE BEACH, FLORIDA

Attest:

  
\_\_\_\_\_  
City Manager

By:

  
\_\_\_\_\_  
Rich O'Brien, Mayor

# MAP SHOWING BOUNDARY SURVEY OF :

LOT 4 AND 6, BLOCK 20, CHAUTAUQUA BEACH SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN MAP BOOK 2, PAGE 5, OF THE CURRENT PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. TOGETHER WITH THE NORTHERLY 1/2 OF THAT CERTAIN UNNAMED ALLEY WHICH ABUTS SAID LOTS 4 AND 6, AS SHOWN ON SAID MAP BOOK 2, PAGE 5, CLOSED BY ORDINANCE NO. 07-07.

## SURVEY NOTES:

1. BASIS OF BEARINGS: FIELD MEASURED BEARINGS AND DISTANCES (FM) REFERS TO THE FLORIDA STATE PLANE GRID SYSTEM, EAST ZONE 901, NAD83, IN U.S. SURVEY FEET. PLAT BEARINGS AND DISTANCES SHOWN THUS (P).
2. UNDERGROUND UTILITIES AND/OR FOUNDATIONS OR PLUMBNESS OF WALLS SERVING THIS OR ADJACENT PROPERTIES HAVE NOT BEEN LOCATED, SHOWN, OR DETERMINED.
3. THERE MAY BE ESMIT'S & CONDITIONS OF RECORD & NOT PART OF THIS RECORDED PLAT THAT HAVE NOT BEEN LOCATED OR SHOWN, WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY.
4. THIS SURVEY IS TO BE CONSIDERED INVALID IF MAP DOES NOT HAVE SURVEYORS ORIGINAL SIGNATURE AND AN EMBOSSED RAISED SURVEYORS SEAL.
5. LAST DATE OF FIELD SURVEY IS NOVEMBER 8, 2018. LEGAL DESCRIPTION FURNISHED BY CLIENT AND NO ATTEMPT HAS BEEN MADE TO RESEARCH THE PUBLIC RECORDS FOR OTHER MATTERS OF TITLE.
6. THIS PROPERTY IS LOCATED IN FEMA FLOOD ZONE "AE 9.0" & "X-SHADED" AS DEPICTED ON FEMA FLOOD INSURANCE MAP NO. 12109C0382H, DATED 09/02/2004.

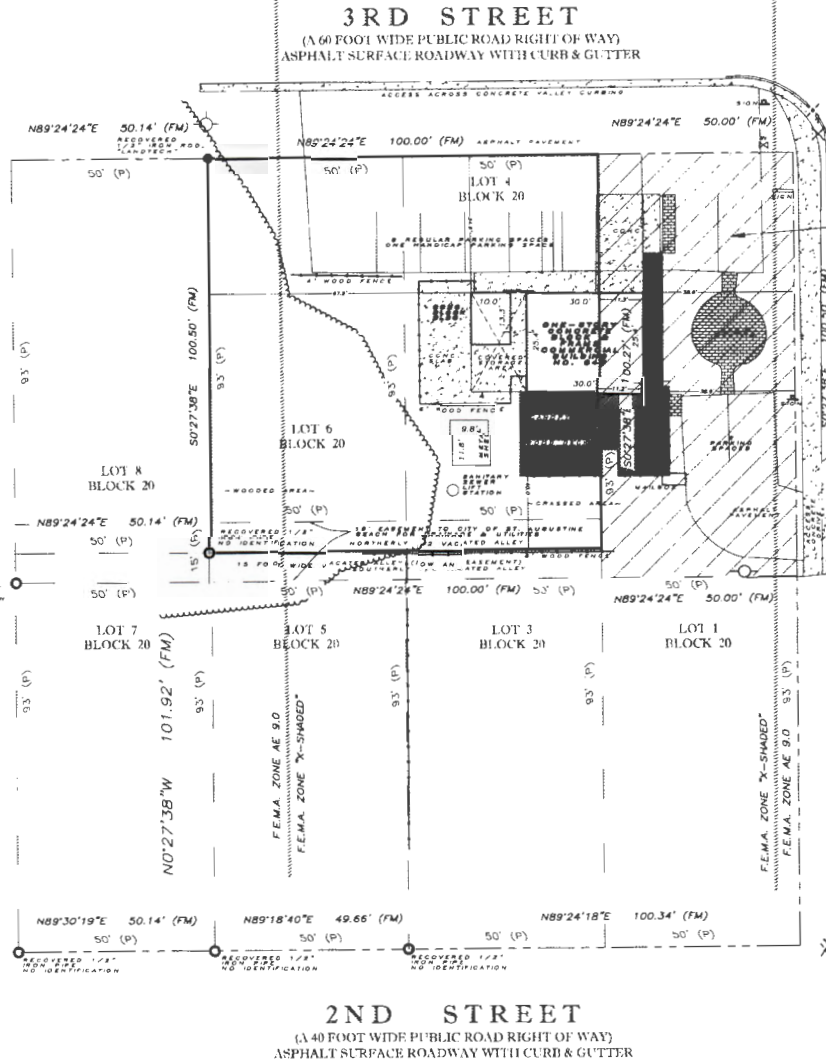
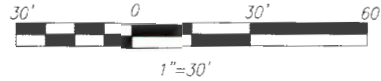
## CORNER MONUMENT NOTE:

RECOVERED CORNERS ARE 1/2" IRON PIPES, NO CAP I.D., UNLESS OTHERWISE NOTED.

CERTIFICATION:  
I HEREBY CERTIFY TO:

COMMUNITY FIRST CREDIT UNION OF FLORIDA, its successors and/or assigns as defined in the Conditions of the policy, as their interests may appear.  
FIRST AMERICAN TITLE INSURANCE COMPANY,  
HEAD, MOSS, FULTON & GRIFFIN, P.A.,

THAT THE LANDS HEREIN WERE SURVEYED UNDER MY RESPONSIBLE SUPERVISION AND DIRECTION, THAT THERE ARE NO OBSERVABLE ABOVE GROUND ENCROACHMENTS EXCEPT AS SHOWN, AND THAT THE SURVEY SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 472.027 / CHAPTER 51-17 FLORIDA STATUTES



HATCHED AREA IS NOT PART OF DEED FURNISHED AND WAS PART OF THE PLATTED OPEN SPACES

A-1-A BEACH BOULEVARD  
(A 60 FOOT WIDE PUBLIC ROAD RIGHT OF WAY)  
ASPHALT SURFACE ROADWAY WITH CURB & GUTTER

SURVEYED BY: CP F.N. NO. 218391 PG'S 1-2 DRAWN BY: CEP CHECKED BY: CEP ORIGINAL MAPPING DATE: 10/18/2018

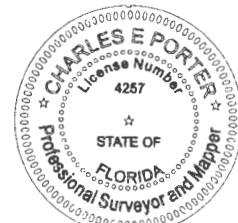
## ABBREVIATION & SYMBOL LEGEND

A/C = AIR CONDITIONER ON PAD  
BAL = BALCONY  
B.O.H. = BUILDING OVERHANG/EAVE  
FND = FOUND  
S.F.N.F. = SEARCHED FOR NOTHING FOUND  
ESMT = EASEMENT  
CONC = CONCRETE  
COV = COVERED  
CO = COUNTY  
D.W. = DRIVEWAY  
S.W. = SIDEWALK  
TR = TRAIL  
ST. = STATE  
C.M. = CONCRETE MONUMENT  
C = CENTERLINE  
B = BOUNDARY LINE  
P = PROPERTY LINE  
L = DGLORIE OF ARL  
Z = ANGLE  
± = MORE OR LESS

(D) = DEED  
(P) = PLAT  
(FM) = FIELD MEASURED  
MON = MONUMENT  
I.P. = IRON PIPE  
I.R. = IRON ROD  
Δ = DELTA ANGLE  
CHD = CHORD  
C.B. = CHORD BEARING  
R = RADIUS  
(N.R.) = NON RADIAL  
R.W. = RIGHT OF WAY MARGIN  
(W) = WIDTH  
F.F.E. = FIRM FLOOR ELEVATION  
F.P.L. = FLORIDA POWER AND LIGHT  
J.E.A. = JACKSONVILLE ELECTRIC AUTHORITY  
J.E.A.C. = JACKSONVILLE ELECTRIC AUTHORITY EASEMENT  
J.E.E. = JACKSONVILLE ELECTRIC AUTHORITY

EQUIPMENT/ACCESSORY  
C.E.C. = CLAY COUNTY CO-OPERATIVE  
C.C.U.A. = CLAY COUNTY UTILITY AUTHORITY  
B.M. = BENCH MARK  
B.R.L. = BUILDING RESTRICTION LINE  
J.W.L. = JURISDICTIONAL WETLANDS LINE  
T.B.M. = TEMPORARY BENCH MARK  
U.D. = UNDERGROUND  
U.G. = UNDERGROUND  
U.D.E. = UNOBTSTRUCTED DRAINAGE EASEMENT  
U.G.E. = UNDERGROUND ELECTRIC  
P.P. = POWER POLE  
P.B. = PLAT BOOK  
P.G. = PAGAL  
U.P. = UTILITY POLE  
G.P.S. = GLOBAL POSITIONING SURVEY  
G.I.S. = GEOGRAPHIC INFORMATION SYSTEM  
LAT = LATITUDE NORTH  
LONG = LONGITUDE WEST  
P.C. = POINT OF COMPOUND CURVE  
P.T. = POINT OF TANGENCY

P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT  
P.I. = POINT OF INTERSECTION  
P.R.C. = POINT OF REVERSE CURVE  
P.R.M. = PERMANENT REFERENCE MONUMENT  
P.C.P. = PERMANENT CONTROL POINT  
P.I.N. = PARKER RAILROAD  
P.L.S. = PROFESSIONAL LAND SURVEYOR  
T.O.B. = TOP OF BANK  
B.O.B. = BOTTOM OF BANK  
E.O.W. = EDGE OF WATER  
M.N. = MAGNETIC NAIL  
M.T.S. = MINIMUM TECHNICAL STANDARDS  
NGVD 19 = NATIONAL GEODETIC VERTICAL DATUM OF 1929  
NAVD83 = NORTH AMERICAN VERTICAL DATUM OF 1983  
X = X CUT IN CONCRETE  
T.M.R. = TRANSFORMER  
H = HORIZONTAL  
V = VERTICAL  
F.B. = FIELD BOOK  
F.N. = FIELD NOTES



CHARLES E. PORTER  
PROFESSIONAL SURVEYORS AND MAPPERS  
2465 TUCKER DRIVE, FLEMING ISLAND, FL 32061  
OFFICE: 384-2345 / 384-2346  
CELL: 384-2345 / 384-2346



## **City of St. Augustine Beach Building and Zoning Department**

**To:** Comprehensive Planning and Zoning Board  
**From:** Jennifer Thompson, Planner  
**CC:** Brian Law, Director of Building and Zoning & Bonnie Miller, Sr. Planner  
**Date:** May 8, 2023  
**Re:** Variance application VAR 2023-06 and Conditional Use Permit Application CU 2023-05 for Crabby's Beachside, 361 A1A Beach Blvd

Variance application VAR 2023-06 is a request for the reduction of required parking spaces for a Crabby's Beachside (formerly known as Panama Hattie's) restaurant located at 361 A1A Beach Blvd to increase seating areas on the first-floor outdoor patio by 360 square feet and the second-floor outdoor deck by 400 square feet. The City's Land Development Regulations section 6.03.02 requires 1 parking space per 55 gross square feet for restaurants.

The application for VAR 2023-06 states that there are currently 43 parking spaces, however, the signed and sealed survey dated 3/30/2023 shows 46 parking spaces on site. This corresponds with City records from January 2023. This reduced parking was grandfathered in the Final Development Order for Panama Hattie's remodel/rebuild in 2018.

Conditional Use Permit Application CU 2023-05 is a request to allow the consumption of food and beverage outside of an enclosed building on the first floor of Crabby's Beachside, on the east patio.

Sincerely,

*Jennifer Thompson, CFM*

Planner  
Planning and Zoning Division





**City of St. Augustine Beach Building and Zoning Department**

**TO:** Planning and Zoning Division  
**FROM:** Brian Law  
**SUBJECT:** VAR 2023-06 361 A1A Beach Blvd  
**DATE:** 5-9-2023

The 2020 Florida Building Code will require a structural evaluation and architectural plans in the event the roof top area of the former drive through of Panama Hattie's is to be considered for occupancy. We have no objection to the request for outdoor dining. I ask that the Planning and Zoning Board review the original development order and application from 2018 in their decision-making process regarding the increase of gross floor area and available seating with a previously grandfathered parking area.

 5-9-2023

Brian W Law CBO, CFM, MCP  
City of St. Augustine Beach  
Director of Building and Zoning  
2200 A1A South  
St. Augustine Beach, FL 32080  
(904) 471-8758  
[blaw@cityofsab.org](mailto:blaw@cityofsab.org)

**From:** [Melissa Caraway](#)  
**To:** [Bonnie Miller](#); [Larry Miller](#); [Phillip Gaskins](#); [Teri Pinson](#)  
**Cc:** [Planning and Zoning](#)  
**Subject:** RE: Variance and Conditional Use Applications for Outdoor Seating at Crabby's Beachside  
**Date:** Wednesday, April 26, 2023 9:16:18 AM

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Bonnie,

We have them on file for 225 regular seats and 50 bar seats. Anything over this will have additional Unit Connection Fees. We need a floor plan showing existing seating and a floor plan to show the additional seats. These Unit Connection Fees must be paid before seats are added.

***Melissa Caraway, M.P.A***

Utility Review Coordinator  
St. Johns County Utility Department  
St. Johns County Board of County Commissioners  
1205 State Road 16, St. Augustine, FL 32084  
(904) 209-2606 (904) 209-2607 Fax  
[mcaraway@sjcfl.us](mailto:mcaraway@sjcfl.us) email [www.sjcfl.us](http://www.sjcfl.us) website

**From:** Bonnie Miller <[bmiller@cityofsab.org](mailto:bmiller@cityofsab.org)>  
**Sent:** Wednesday, April 26, 2023 8:53 AM  
**To:** Melissa Caraway <[mcaraway@sjcfl.us](mailto:mcaraway@sjcfl.us)>; Larry Miller <[lmiller@sjcfl.us](mailto:lmiller@sjcfl.us)>; Phillip Gaskins <[pgaskins@sjcfl.us](mailto:pgaskins@sjcfl.us)>; Teri Pinson <[tpinson@sjcfl.us](mailto:tpinson@sjcfl.us)>  
**Cc:** Planning and Zoning <[zoning@cityofsab.org](mailto:zoning@cityofsab.org)>  
**Subject:** Variance and Conditional Use Applications for Outdoor Seating at Crabby's Beachside

Good Morning St. Johns County Utility Department,

Please review the attached variance and conditional use applications for proposed new outdoor seating for additional food and beverage service at Crabby's Beachside of St. Augustine, formerly Panama Hattie's, at 361 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080.

The variance application is for a reduction of the required number of parking spaces for restaurant use with the additional outdoor seating and service areas that are proposed in the conditional use application. The last attachment titled "Proposed Additional Seating Areas for Crabby's Beachside" shows the 360-square-foot first floor area on the front, or east side, of the restaurant and the 400-square-foot second-floor area on the northeast side of the building, that is part of the existing building footprint, proposed for additional outdoor seating areas.

Please forward any comments/concerns you may have about these applications by the end of next week, Friday, May 5, 2023, so we can include them in the application information that will be copied to the City of St. Augustine Beach Planning and Zoning Board, which will review these applications at its May 16, 2023 meeting.

Give me a call at the telephone number listed below if you have questions or need more information, or I can be reached via email.

Thanks,

*Bonnie Miller, Senior Planner  
City of St. Augustine Beach  
Building & Zoning Department  
2200 State Road A1A South  
St. Augustine Beach, Florida 32080  
Telephone Number : 904-484-9145  
Email Address: [bmiller@cityofsab.org](mailto:bmiller@cityofsab.org)*

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**St. Johns County Fire Rescue Department**  
**Fire Marshal Office**  
**Plans Review Comment Sheet**  
**May 3, 2023**

Project Name	Crabby's Beachside
Project Address	361 A1A Beach Blvd.
Contractors Name	
Contractors Phone Number	
Sprinkler Contractor	
Underground	
Fire Alarm Contractor	
FHID	252

Plans Reviewed under Florida Uniform Fire Safety Standards or Florida Fire Prevention Code 7<sup>th</sup> edition.

To help speed the review process you may include a written comment response summary to clarify or illustrate where corrections were made on plans. Please remember to use the Florida Fire Prevention Code 7th Ed for all code reference in a response to comments.

The fire plans examiner does not use or have a copy of the Florida Building Code.

Review for a variance for proposed for two outdoor seating areas. The first is a 360sf area on the first floor outside the front "east" of the restaurant. The second is a 400sf second floor area on the northeast side of the building. Based on the proposed seating site plans provided, the proposed seating does not appear encroach on the required fire lane, provided at the front (east) of the restaurant, nor does it appear to affect the building egress.

Fire Rescue does not have any objection to the proposed variance. Ensure that you submit building plans prior to construction so we can verify egress from the building and the second floor seating area.

Reviewed using FFPC 7th edition effective Dec. 31, 2020.  
Reviewer: PJ Webb 904 209 1744

To schedule fire inspections please call 827-6842 (automated system). Questions about inspections please call 209-1740x1.

**Review by the AHJ shall not relieve the applicant of the responsibility for compliance with the Code.**

Plans Reviewed by  
PJ Webb - Plan Examiner  
3657 Gaines Rd  
St. Augustine, FL 32084  
Phone (904) 209- 1744  
Email pwebb@sjcfl.us

**From:** [Russell Adams](#)  
**To:** [Bonnie Miller](#)  
**Cc:** [Ken Gatchell](#)  
**Subject:** RE: Variance and Conditional Use Applications for Outdoor Seating at Crabby's Beachside  
**Date:** Thursday, May 4, 2023 8:54:40 PM

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Bonnie,

Sorry for the delay in response.

Based on my review, this variance does not pertain to Public Works as it does not propose any elevation changes that would alter city drainage or effect city rights of way. Please let me know if you need anything else.

**Russell Adams**  
*Public Works Department*  
**City of St. Augustine Beach**  
2200 A1A South  
St. Augustine Beach, FL 32080  
Office (904) 471-2122 Cell (904) 466-5757  
[radams@cityofsab.org](mailto:radams@cityofsab.org)

**PLEASE NOTE:** Under Florida law, most communications to and from the City are public records. Your e-mails, including your e-mail address maybe subject to public disclosure.

**From:** Bonnie Miller <bmillier@cityofsab.org>  
**Sent:** Wednesday, April 26, 2023 8:56 AM  
**To:** Russell Adams <radams@cityofsab.org>  
**Cc:** Planning and Zoning <zoning@cityofsab.org>  
**Subject:** Variance and Conditional Use Applications for Outdoor Seating at Crabby's Beachside

Dear Russell and St. Augustine Beach Public Works Department,

Please review the attached variance and conditional use applications for proposed new outdoor seating for additional food and beverage service at Crabby's Beachside of St. Augustine, formerly Panama Hattie's, at 361 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080.

The variance application is for a reduction of the required number of parking spaces for restaurant use with the additional outdoor seating and service areas that are proposed in the conditional use application. The last attachment titled "Proposed Additional Seating Areas for Crabby's Beachside" shows the 360-square-foot first floor area on the front, or east side, of the restaurant and the 400-square-foot second-floor area on the northeast side of the building, that is part of the existing



building footprint, proposed for additional outdoor seating areas.

Please forward any comments/concerns you may have about these applications by the end of next week, Friday, May 5, 2023, so we can include them in the application information that will be copied to the City of St. Augustine Beach Planning and Zoning Board, which will review these applications at its May 16, 2023 meeting.

The applications are in the Planning and Zoning Division, come by and see them if you have questions or need more information.

Thanks,

*Bonnie Miller, Senior Planner  
City of St. Augustine Beach  
Building & Zoning Department  
2200 State Road A1A South  
St. Augustine Beach, Florida 32080  
Telephone Number : 904-484-9145  
Email Address: [bmiller@cityofsab.org](mailto:bmiller@cityofsab.org)*

*PLEASE NOTE: Under Florida law, most communications to and from the City are public records. Your emails, including your email address, may be subject to public disclosure.*

**City of St. Augustine Beach Building and Zoning Department  
Variance Application**

2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080

[WWW.STAUGBCH.COM](http://WWW.STAUGBCH.COM) BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

1. Legal description of the parcel for which the variance is being sought:

Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Subdivision n/a

Street Address 361 A1A Beach Blvd, Saint Augustine, FL 32080

2. Location (N, S, W, E): W Side of (Street Name): 361 A1A Beach Blvd.

3. Is the property seaward of the Coastal Construction Control Line (CCCL)? Yes No (Circle one)

4. Real estate parcel identification number: 1630700000

5. Name and address of owner(s) as shown in St. Johns County Public Records: \_\_\_\_\_

361 Beach Holdings LLC

361 A1A BEACH BLVD, SAINT AUGUSTINE, FL 32080-0000

6. Current land use classification: Restaurant & Cafeterias

7. Land use variance being sought: Additional patron square-footage with no additional parking

8. Section of land use code from which the variance is being sought: 06.03.02 - # of Parking Spaces Required

9. Reasons for which the variance is being sought: The additional service area on the roof and in front

(east) of the entrance is to provide more patron seating area. The site is very constrained and

does not have the ability to add more parking. The restaurant is located across the street from

the St. John's County Pier and public parking lot. The restaurant experiences a significant amount

of walk-in crowd from nearby condos and the beach; thereby reducing the parking need onsite.

10. Supporting data which should be considered by the Board: \_\_\_\_\_

- Log of how patrons access the restaurant (drive, bike, walk, etc.)
- Approximate area of increased seating in-front of the building = 360 GSF
- Approximate area of increased seating on 2nd floor deck = 400 GSF
- Approved parking variance for nearby restaurant (Salt Life Seafood Shack)

11. Has a variance application been submitted in the past year? Yes No (Circle one) If yes, what was the final result? \_\_\_\_\_

12. Please check if the following information required for submittal of the application has been included:

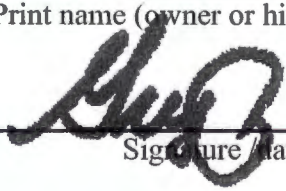
- ☒ Legal description of property
- ☒ Copy of warranty deed
- ☒ Owner Permission Form (if applicable)
- ☒ List of names and addresses of all property owners within 300-foot radius
- ☒ First-class postage-stamped legal-size (4-inch-by-9½-inch) envelopes with names and addresses of all property owners within 300-foot radius
- ☒ Signed and sealed survey not older than one year showing all existing structures and improvements
- ☒ Other documents or relevant information to be considered
- ☒ Fourteen (14) copies of the completed application including supplemental documentation and relevant information

In filing this application for a variance, the undersigned acknowledges it becomes part of the official record of the Comprehensive Planning and Zoning Board and does hereby certify that all information contained is true and accurate, to the best of his/her knowledge.

If granted, the variance will expire within one year from the time it was granted, unless more time was requested and granted in the application process. After one year has passed and the requested action has not taken place, the variance shall be considered null and void. The application must be signed by either the owner or the owners authorized agent. If an authorized agent's signature is used, a notarized written authorization approving such representation must accompany the application.

Greg Powers, CEO

Print name (owner or his/ her agent)



Signature /date

Keith Diaz

Print name (applicant or his/her agent)



Signature /date

11201 Corporate Circle North, St. Petersburg, FL 33716

Owner/agent address

4703 N. Rome Ave, Tampa, FL 33603

Applicant/agent address

727-432-7430

Phone number

813-817-6190

Phone number



**\*\*All agents must have notarized written authorization from the property owner(s)\*\***

**\*\*Variances shall be recorded prior to issuance of the building/development permit\*\***

**\*\* Please note that if you are a resident within a development or subdivision that has covenants and restrictions, be aware that approval of this application by the Comprehensive Planning and Zoning Board does not constitute approval for variation from the covenants and restrictions.\*\***

Date: 4-17-2023

Variance File #: VAR 2023-06

Applicant's name: Grey Powers & Keith Diaz, Agents  
for 361 Beach Holdings LLC, Applicant  
 Applicant's address: 361 AIA Beach Blvd.

For land use variance at: 361 AIA Beach Blvd., Crabby's  
Beachside St. Augustine

### Charges

Application Fee: \$400.00      Date Paid: 4-17-2023

Legal Notice Sign: \$10.00      Date Paid: 4-17-2023

Received by: Bonnie Miller

Date: 4-17-2023

Invoice #: I2301070

Check # or type of credit or debit card: 0000001145

## Instructions for Applying for a Land Use Variance

- A land use variance seeks to allow for adjustments to the City's Land Development Regulations, such as setbacks or impervious surface requirements.
  - The City's Comprehensive Planning and Zoning Board decides whether to grant or deny a variance request. The Board's decision MUST be based on whether the request meets each of the six conditions listed below.
  - To help the Board evaluate your variance request, you must provide a reason or reasons for each of the six conditions. If you believe that a condition does not apply to your request, then you are to write "Not Applicable" and give the reason or reasons why the condition is not applicable to your request.
  - Failure to provide a response to each of the six conditions will require the Building and Zoning Department to return your application to you. The Building and Zoning Department staff will gladly provide any assistance should you have questions regarding the listed conditions. You may use additional sheets of paper for your responses as needed. Documents may consist of pictures, photographs, maps, public records, letters from neighboring property owners or other items you may find to explain the circumstances for the variance request.
- 

## Considerations for the Granting of a Land Use Variance

- 1) Describe the hardship that is created by following the current land use codes and regulations. Do the associated Land Development Regulations make it virtually impossible to use the property as zoned unless a variance is granted? If so, please explain.

Yes, it would be impossible to utilize the property as zoned if LDC is enforced.

Following the LDC Section 6.03.02, Table 6.03.02A, Use: Restaurant, the existing facility would be required to provide 167 spaces (9,160 GSF @ 1 space / 55 GSF). The site currently does not support this parking space quantity as only 43 spaces are located onsite. The minor increase of 760 GSF would increase the parking requirement for the restaurant by 14 spaces to 181.

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- 2) Describe similar variances that have been granted in the vicinity of the property since adoption of the City's Comprehensive Plan and Land Development Regulations.

In March 2012, a restaurant a few parcels north (Salt Life Seafood Shack) received a variance approval for reduction in the number of required parking spaces. The variance approval allowed the restaurant to reduce from one hundred eighteen (118) spaces to sixty-nine (69). This approval (attached hereto) can be found in O.R. 36398 PG 664-665.

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- 3) Was the property acquired after parts of the current Land Development Regulations (which are relevant to the requested variance) were adopted? Please explain factually.

Yes, the owner's of Crabby's Beachside signed a lease for the restaurant in December 7, 2022.

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- 4) Explain how the variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.

This variance will allow Crabby's Dockside to increase the square footage of patron service area.

Currently, due to limited site parking, the restaurant cannot add any gross square footage.

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- 5) Explain how the granting of a variance will not alter the character of the neighborhood, diminish property values, or impair the appropriate use or development of adjacent properties.

Due to the adjacency of surface parking at the pier, Crabby's Beachside currently experiences significant walk-up patrons and bicyclists. By granting a reduced parking requirement, we do not anticipate impacts to adjacent properties. Per the language in the 2012 approved variance, "The requested reduction in the number and size of parking spaces granted herein is in conformance with the number and size of parking spaces provided by other restaurants and commercial establishments in this area of the City.

- 6) If the variance were approved, what would be the effects on traffic congestion in nearby streets, danger of fire, and on-site or off-site flooding?

No impacts to traffic, potential fire, or flooding.

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## Documentation Needed for a Land Use Variance

- 1) The legal description of the parcel of land for which the variance is requested shall be shown on the deed of the property or as determined on a survey. If the parcel of land is in a recorded subdivision, use the lot and block number. Include street address and location indicating street boundary and side (north, south, east, west) and nearest intersecting street.
- 2) If the land is a portion of the lot, indicate what portion of the lot (for example, south one-half, north one-third, east one-fourth, etc.). If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.
- 3) The name(s) and address of the owner(s) of the property shall be provided, and this information shall agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.
- 4) Applicant shall provide a detailed description of the land use variance being sought. If this is more extensive than can be described on the form, additional sheets can be used.
- 5) Notification of all property owners within a radius of 300 feet of the property for which the variance being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide variance applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the variance is requested. **This list of names and addresses of all property owners within 300 feet is to include the applicant's name and address. Along with the list of all property owners within 300 feet, the applicant shall submit stamped, addressed legal size envelopes with the variance application. (Note: Do not fill in a return address on the stamped envelopes. The Building and Zoning Department will stamp its address on the envelopes as the return address and mail the legal notices to all property owners).** Signatures and approvals of property owners within 300 feet are not necessary. Variance applicants may provide a separate petition with the signatures of affected property owners who approve or do not object to the granting of the requested variance, but these persons should not sign the application itself. Variance applicants should ensure correct names and addresses are provided, as incorrect information shall delay or nullify any action on the variance application.
- 6) The section(s) of the City's land use codes from which the variance is being sought shall be listed on the application. The Building and Zoning Department staff will assist you with this or any other matter involved in the variance application process.
- 7) A fee of \$400.00 will be charged for the variance administrative procedure and the legal advertising, along with \$10.00 for the legal notice sign, provided by the Building and Zoning Department, which will be posted on the property for which the variance is sought within clear view of the street and not more than 10 feet inside the property line.



**City of St. Augustine Beach Building and Zoning Department  
Conditional Use Permit Application**

2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080  
[WWW.STAUGBCH.COM](http://WWW.STAUGBCH.COM) BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

1. Legal description of the parcel for which the conditional use permit is being sought:

Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Subdivision n/a

Street Address 361 A1A Beach Blvd, Saint Augustine, FL 32080

2. Location (N, S, W, E): W Side of (Street Name): 361 A1A Beach Blvd.

3. Is the property seaward of the Coastal Construction Control Line (CCCL)? Yes ☒ No (Circle one)

4. Real estate parcel identification number: 1630700000

5. Name and address of owner(s) as shown in St. Johns County Public Records: \_\_\_\_\_

361 Beach Holdings LLC

361 A1A BEACH BLVD, SAINT AUGUSTINE, FL 32080-0000

6. Current land use classification: Restaurant & Cafeterias

7. Section of land use code from which the conditional use permit is being sought: Section 3.02.02 - Uses

8. Description of conditional use permit being sought: \_\_\_\_\_

**Per Table 3.02.02, "Food and/or beverage service or consumption outside of an enclosed building on the premises of a restaurant or hotel/motel" requires a Conditional Use approval by the Comprehensive Planning and Zoning Board. The operators of Crabby's Beachside wish to expand their service area outside the enclosed building to the front (east) of their property. The estimated service area is 360 sf.**

9. Supporting data which should be considered by the Board: \_\_\_\_\_

**Per discussions with the Zoning, there have been recent, similar Conditional Use approvals for outdoor eating and dining. The file numbers of the recent cases are listed below:**

- CU 2023-01
- CU 2022-03
- CU 2020-05

10. Has an application for a conditional use permit been submitted in the past year? Yes ☒ No (Circle one)

If yes, what was the final result? \_\_\_\_\_

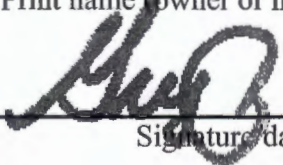
11. Please check if the following information required for submittal of the application has been included:

- ☒ Legal description of property
- ☒ Copy of warranty deed
- ☒ Owner Permission Form (if applicable)
- ☒ List of names and addresses of all property owners within 300-foot radius
- ☒ First-class postage-stamped legal-size (4-inch-by-9½-inch) envelopes with names and addresses of all property owners within 300-foot radius
- ☒ Survey to include all existing structures and fences
- ☐ Elevations and overall site plan of proposed structure if conditional use is requested for construction of a residential structure in a commercial land use district
- ☐ Other documents or relevant information to be considered
- ☒ Fourteen (14) copies of the completed application including supplemental documentation and/or relevant information

In filing this application for a conditional use permit, the undersigned acknowledges it becomes part of the official record of the City Commission and Comprehensive Planning and Zoning Board and does hereby certify that all information contained is true and accurate, to the best of his/her knowledge.

**Greg Powers, CEO**

Print name (owner or his/ her agent)



Signature/date

**Keith Diaz**

Print name (applicant or his/her agent)



Signature/date

**11201 Corporate Circle North, St. Petersburg, FL 33716**

Owner/agent address

**4703 N. Rome Ave, Tampa, FL 33603**

Applicant/agent address

**727-432-7430**

Phone number

**813-817-6190**

Phone number

**greg@bshgrp.com**

Email address

**keith.diaz@purepm.com**

Email address

**\*\*All agents must have notarized written authorization from the property owner(s)\*\***

**\*\*Conditional use permits shall be recorded prior to issuance of the building/development permit\*\***

**\*\* Please note that if you are a resident within a development or subdivision that has covenants and restrictions, be aware that approval of this application by the City Commission or Comprehensive Planning and Zoning Board does not constitute approval for variation from the covenants and restrictions.\*\***

Date: 4/17/2023

Conditional Use File #: CU 2023-05

Applicant's name: Greg Powers & Keith Diaz, Agents for  
361 Beach Holdings LLC, Applicant

Applicant's address: 361 A1A Beach Blvd.

For conditional use permit at: 361 A1A Beach Blvd., Crabby's  
Beachside St. Augustine

### Charges

Application Fee: \$400.00      Date Paid: 4-17-2023

Legal Notice Sign: \$10.00      Date Paid: 4-17-2023

Received by: Bonnie Miller

Date: 4-17-2023

Invoice #: F2301071

Check # or type of credit or debit card: 0000001145



## Definition—Conditional Use Permit

A conditional use is defined as a use that would not be appropriate generally or without restriction throughout a land use district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, order, comfort, convenience, appearance or prosperity. Such uses may be permitted in a land use district only in accordance with the provisions of this Code, and if the Code allows a conditional use in a particular land use category. Applications for conditional uses specified as type C-1 per Section 3.02.02 of the City of St. Augustine Beach Land Development Regulations must be reviewed by both the City's Comprehensive Planning and Zoning and City Commission. The Comprehensive Planning and Zoning Board shall make a recommendation to approve or deny the application to the City Commission, which shall make the final decision to approve or deny the application based upon its review of the application and the Comprehensive Planning and Zoning Board's recommendation. Applicants and/or their agents for type C-1 conditional uses are required to attend the meetings of both the Comprehensive Planning and Zoning Board and City Commission at which their applications are heard. Applications for conditional uses specified as type C-2 per Section 3.02.02 of the City's Land Development Regulations are reviewed solely by the City's Comprehensive Planning and Zoning Board, with the final decision to approve or deny made by the Comprehensive Planning and Zoning Board. Applicants and/or their agents for type C-2 conditional uses are required to attend the Comprehensive Planning and Zoning Board meeting at which their application is heard.

## Instructions for Applying for a Conditional Use Permit

The following requirements must be adhered to in applying for a conditional use permit. It is of the utmost importance that all required information be furnished in detail and accurately. Incorrect information can delay or nullify any action on the application. If there is inadequate space for all the necessary information, please attach extra sheets with the question numbers clearly marked.

## Documentation Needed for a Conditional Use Permit

- 1) The legal description of the parcel of land for which the permit is requested shall be shown on the deed of the property or as determined on a survey. If the parcel of land is in a recorded subdivision, use lots and block number. Include street address and location by indication street(s) boundary and side (south, east, etc.) and nearest intersecting street. If the land is a portion of the lot, indicate what portion of the lot, i.e. south 1/2, west 1/3, etc. If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.
- 2) Provide the name and address of the owner of the property. The person's name on the application should agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.
- 3) Indicate the current land use classification of the parcel under consideration. A current land use map is available on the City's website, [staugbch.com](http://staugbch.com) on display in the office of the Building and Zoning Department and the personnel there will assist you in finding the current land use district classification.



- 4) Notification of all property owners within a radius of 300 feet of the property for which the conditional use permit is being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the conditional use permit is requested. **This list of names and addresses of all property owners within 300 feet is to include the applicant's name and address. Along with the list of all property owners within 300 feet, the applicant shall submit stamped, addressed legal-size envelopes with the application. (Note: Do not fill in a return address on the stamped envelopes. The Building and Zoning Department will stamp its address on the envelopes as the return address and mail the legal notices to all property owners).** Signatures and approvals of property owners within 300 feet are not necessary. Applicants may provide a separate petition with the signatures of affected property owners who approve or do not object to the granting of the conditional use permit, but these persons should not sign the application itself. Applicants should ensure correct names and addresses are provided, as incorrect information shall delay or nullify any action on the conditional use permit application.
- 5) Provide the section of the land use code from which the conditional use permit is being sought. Personnel in the Building and Zoning Department will assist you in this matter if needed.
- 6) A fee of \$410.00 will be charged for the conditional use permit administrative procedure, which includes the legal notice sign, and legal advertising. The applicant will be required to post the legal notice sign on the property for which the conditional use permit application is submitted within clear view of the street and not more than 10 feet inside the property line, no later than 15 days before the first meeting date at which type C-1 conditional use applications go before the Comprehensive Planning and Zoning Board and City Commission and no later than 15 days before the meeting date at which type C-2 conditional use applications go before the Comprehensive Planning and Zoning Board.
- 7) A final order on each request for a conditional use permit shall be made within thirty (30) days of the meeting at which the application was reviewed and considered. Each final order shall contain findings upon which the City Commission or Comprehensive Planning and Zoning Board's order is based and may include such conditions and safeguards prescribed by the City Commission or Comprehensive Planning and Zoning Board appropriate in the matter, including reasonable time limits in which action pursuant to such order shall begin and/or be completed.
- 8) Appeal of decisions on type C-1 conditional use applications granted by the City Commission shall be made to the Circuit Court of St. Johns County, Florida. Appeal of decisions on type C-2 conditional use applications granted by the Comprehensive Planning and Zoning Board shall be made to the City Commission.
- 9) The application must be signed by the owner of the property for which the conditional use permit is requested and/or the owner's authorized agent. All authorized agents must provide notarized written authorization, which must accompany the application, approving such representation.

## Limitations on Granting a Conditional Use Permit

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Conditional use permits shall be nontransferable and granted to the applicant only, and the use shall be commenced within a period of one (1) year from the effective date of the final order granting same; provided, however, that the City Commission or Comprehensive Planning and Zoning Board may adopt the following conditions to any permit:

- 1) That the conditional use permit will be transferable and run with the land when the facts involved warrant same, or where construction or land development is included as part of the permit.
- 2) The time within which the use shall be commenced may be extended for a period of time longer than one (1) year. Failure to exercise the permit by commencement of the use or action approved thereby within one (1) year or such longer time as approved by the City Commission or Comprehensive Planning and Zoning Board shall render the permit invalid, and all rights granted thereunder shall terminate. Transfer of the property by the applicant, unless the permit runs with the land, shall terminate the permit.
- 3) Whenever the City Commission or Comprehensive Planning and Zoning Board denies an application for a conditional use permit, no further application shall be filed for the same use on any part or all of the same property for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same use on any part or all of the same property has been denied, no further application shall be filed for this same use on any part or all of the same property for a period of two (2) years from the date of such action denying the last application filed.
- 4) The time limits in paragraph 3 above may be waived by the affirmative votes of a majority of the City Commission or Comprehensive Planning and Zoning Board when such action is deemed necessary to prevent injustice or to facilitate proper development of the City.

Prepared By and Return To:  
John L. Whiteman, Esq.  
St. Johns Law Group, P.A.  
509 Anastasia Blvd.  
St. Augustine, Florida 32080

Folio No.: 163070-0000

### WARRANTY DEED

THIS WARRANTY DEED is made and executed as of the 9<sup>th</sup> day of November, 2015, by KJ of St. Augustine, LLC, a Florida limited liability company assigned document number L05000049088, by the Florida Secretary of State ("Grantor"), whose mailing address is 361 A1A Beach Blvd., St. Augustine, FL 32080, to **361 Beach Holdings LLC, a Florida limited liability company ("Grantee")**, whose mailing address is 361 A1A Beach Blvd., St. Augustine, Florida 32080.

GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged, hereby grants, bargains, sells and conveys to Grantee and Grantee's heirs, executors, administrators, successors and assigns forever, the following described property located in St. Johns County, Florida:

#### PARCEL ONE:

BEING A PART OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A AND DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE LOCATED ON THE NORTHEAST CORNER OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1 OF SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A, SAID POINT OF COMMENCEMENT ALSO BEING THE NORTHEAST CORNER OF THE PROPERTY ORIGINALLY OF ETEL AND SAID IRON PIPE BEING ON THE WEST LINE OF STATE ROAD A1A; THENCE RUN SOUTH 1 DEGREE 57 MINUTES WEST ALONG AND WITH THE WEST LINE OF STATE ROAD A1A, A DISTANCE OF 100 FEET TO AN IRON PIPE FOR THE POINT OF BEGINNING OF THE LAND HEREIN CONVEYED; RUN THENCE NORTH 89 DEGREES 48 MINUTES WEST, A DISTANCE OF 156.11 FEET TO AN IRON PIPE; RUN THENCE SOUTH 25 DEGREES 41 MINUTES EAST, A DISTANCE OF 108.875 FEET TO AN IRON PIPE; RUN THENCE SOUTH 88 DEGREES 3 MINUTES EAST, A DISTANCE OF 106.0 FEET TO AN IRON PIPE LOCATED ON THE WEST LINE OF STATE ROAD A1A; RUN THENCE NORTH 1 DEGREE 57 MINUTES EAST AND ALONG AND WITH THE WEST LINE OF STATE ROAD A1A, A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN CONVEYED.

#### PARCEL TWO:



BEING THAT PART OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A AND DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE LOCATED ON THE NORTHEAST CORNER OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1 OF SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A SAID POINT OF COMMENCEMENT ALSO BEING THE NORTHEAST CORNER OF THE PROPERTY ORIGINALLY OF ETEL AND SAID IRON PIPE BEING ON THE WEST SIDE OF STATE ROAD A1A; THENCE RUN SOUTH 1 DEGREE 57 MINUTES WEST ALONG AND WITH THE WEST LINE OF STATE ROAD A1A, A DISTANCE OF 100 FEET TO AN IRON PIPE (THE NORTHEAST CORNER OF LAND CONVEYED TO LOCKHART); RUN THENCE NORTH 89 DEGREES 48 MINUTES WEST, A DISTANCE OF 156.11 FEET TO AN IRON PIPE (THE NORTHWEST CORNER OF LOCKHART); THENCE NORTH 25 DEGREES 41 MINUTES WEST 108.875 FEET TO AN IRON PIPE LOCATED IN THE NORTH LINE OF SAID SOUTH 507 FEET OF SAID GOVERNMENT LOT 1; THENCE RUN EAST AND ALONG AND WITH THE NORTH LINE OF SAID SOUTH 507 FEET OF SAID GOVERNMENT LOT 1, A DISTANCE OF 207.2 FEET TO THE POINT OF BEGINNING (THE "LAND").

**TOGETHER** with all the easements, tenements, hereditaments and appurtenances thereto, and all improvements now located on the Land, if any;

**TO HAVE AND TO HOLD** the same in fee simple forever.

This conveyance is made subject to easements, covenants, restrictions and limitations of record, none of which shall be deemed to be reimposed by this instrument; existing zoning ordinances and other restrictions as may be imposed by applicable governmental authority; matters which would be shown on a current survey; and taxes and assessments for the year 2015 and subsequent years, which are not yet due and payable.

Subject to the matters described above, Grantor fully warrants the title to the Land and will defend the same against the lawful claims of all persons whomsoever.

**GRANTOR** has caused this instrument to be duly executed as of the day and year first written above.

Signed in the presence of these witnesses:

KJ of St. Augustine, LLC, a Florida limited liability company

Witness:

By:

Print Name: Jeremiah Mulligan

Kevin Vahey  
Kevin Vahey, Managing Member

Witness:

By:

Print Name: John L. Whelan

Jo Ann Vahey  
Jo Ann Vahey a/k/a Joanne Vahey, Managing Member

By:

Kirk Tobuck  
Kirk Tobuck, Managing Member

STATE OF Florida )  
 ) ss.  
COUNTY OF St. Johns )

The foregoing instrument was acknowledged before me this 9 day of November, 2015, by Kevin Vahey, Jo Ann Vahey a/k/a Joanne Vahey and Kirk Tobuck, being all of the Managing Members of KJ of St. Augustine, LLC, a Florida limited liability company, on behalf of said company. They are each personally known to me or have each produced a valid driver's license as identification.



[Signature]  
NOTARY PUBLIC

State of \_\_\_\_\_  
Name: \_\_\_\_\_  
Commission No: \_\_\_\_\_  
Expiration: \_\_\_\_\_

[NOTARY SEAL]



## City of St. Augustine Beach

2200 A1A SOUTH  
ST. AUGUSTINE BEACH, FLORIDA 32080  
WWW.STAUGBCH.COM

CITY MGR. (904) 471-2122  
FAX (904) 471-4108

BLDG. & ZONING (904) 471-8758  
FAX (904) 471-4470

### Owner's Authorization Form

Greg Powers and Keith Diaz is hereby authorized TO ACT ON BEHALF OF

Lambros Kokkinelis / 361 BEACH HOUSES LLC the owners(s) of the property described in the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to St. Augustine Beach, Florida, for an application related to a development, land use, zoning or conditional or special use permit or other action pursuant to an application for:

Conditional Use Application and Zoning Variance Request

By signing, I affirm that the legal owner(s), as listed on the recorded warranty deed on file with the St. Johns County Clerk of Courts, have been notified of the above application.

I further understand incomplete or false information provided on this form may lead to revocation of permits and/or termination of development activity.

Signature of Owner(s) [Signature]

Printed Name(s) Lambros Kokkinelis

Address of Owner(s) 2000 S. OCEAN BLVD 14F BOCA RATON FL 33432

Telephone Number of Owner(s) 954 604 9970

State of Florida  
County of ~~St. Johns~~ Palm Beach

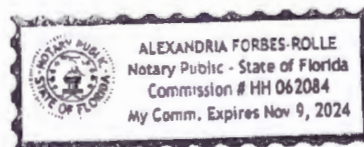
The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of March, 2023.

by Lambros Kokkinelis, who is personally known \_\_\_\_\_ or who has produced

identification (type of identification produced) Florida Driver's License

Signature of Notary Public—State of Florida [Signature]

Notary Stamp/Seal/Commission Expiration Date:







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

## Detail by Entity Name

Florida Limited Liability Company  
361 BEACH HOLDINGS LLC

### Filing Information

<b>Document Number</b>	L15000161096
<b>FEI/EIN Number</b>	47-5138682
<b>Date Filed</b>	09/22/2015
<b>Effective Date</b>	09/22/2015
<b>State</b>	FL
<b>Status</b>	ACTIVE
<b>Last Event</b>	LC AMENDMENT
<b>Event Date Filed</b>	10/05/2015
<b>Event Effective Date</b>	NONE

### Principal Address

361 A1A BEACH BLVD.  
ST. AUGUSTINE, FL 32080

### Mailing Address

2000 S OCEAN BLVD  
14 F  
BOCA RATON, FL 33432

Changed: 03/25/2023

### Registered Agent Name & Address

LAMBROS KOKKINELIS INVESTMENTS LLC  
361 A1A BEACH BLVD.  
ST. AUGUSTINE, FL 32080

Address Changed: 01/21/2022

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

LAMBROS KOKKINELIS INVESTMENTS LLC  
361 A1A BEACH BLVD.  
ST. AUGUSTINE, FL 32080



Title MGR

NICHOLAS MAVRIS INVESTMENTS LLC  
361 AIA BEACH BLVD.  
ST. AUGUSTINE, FL 32080

Title MGR

ALEXANDER MAVRIS INVESTMENTS LLC  
361 AIA BEACH BLVD.  
ST. AUGUSTINE, FL 32080

#### Annual Reports

Report Year	Filed Date
2021	02/03/2021
2022	01/21/2022
2023	03/25/2023

#### Document Images

<a href="#">03/25/2023 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/21/2022 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/03/2021 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/19/2020 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/13/2019 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/19/2018 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/23/2017 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/14/2016 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">10/05/2015 – LC Amendment</a>	<a href="#">View image in PDF format</a>
<a href="#">09/22/2015 – Florida Limited Liability</a>	<a href="#">View image in PDF format</a>



# St. Johns County, FL

## Apply for Exemptions

[Apply for Exemptions](#)

## 2022 TRIM Notice

[2022 TRIM Notice \(PDF\)](#)

## Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	1630700000
Location Address	361 A1A BEACH BLVD SAINT AUGUSTINE 32080-0000
Neighborhood	Restaurant A1A (COM) (675.03)
Tax Description*	10 PT OF GL 1 LYING W OF RD A1A - 200FT ON RD OR4111/883 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Restaurants & Cafeterias (Owner Occupied) (2105)
Subdivision	N/A
Sec/Twp/Rng	34-7-30
District	City of St Augustine Beach (District 551)
Millage Rate	15.8076
Acreage	0.710
Homestead	N

## Owner Information

Owner Name	361 Beach Holdings LLC 100%
Mailing Address	361 A1A BEACH BLVD SAINT AUGUSTINE, FL 32080-0000

## Map



## Valuation Information

	2023
Building Value	\$972,576
Extra Features Value	\$50,418
Total Land Value	\$1,390,050
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$2,413,044
Total Deferred	\$460,607
Assessed Value	\$1,952,437
Total Exemptions	\$0
Taxable Value	\$1,952,437

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

## Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2022	\$953,568	\$49,125	\$772,250	\$0	\$0	\$1,774,943	\$1,774,943	\$0	\$1,774,943
2021	\$951,436	\$43,181	\$772,250	\$0	\$0	\$1,766,867	\$1,766,867	\$0	\$1,766,867
2020	\$951,436	\$43,181	\$772,250	\$0	\$0	\$1,766,867	\$1,766,867	\$0	\$1,766,867
2019	\$11,872	\$4,794	\$772,250	\$0	\$0	\$788,916	\$782,860	\$6,056	\$782,860
2018	\$11,872	\$4,794	\$695,025	\$0	\$0	\$711,691	\$711,691	\$0	\$711,691
2017	\$623,220	\$31,530	\$501,962	\$0	\$0	\$1,156,712	\$1,156,712	\$0	\$1,156,712
2016	\$533,579	\$31,530	\$501,962	\$0	\$0	\$1,067,071	\$1,067,071	\$0	\$1,067,071
2015	\$359,429	\$31,530	\$501,962	\$0	\$0	\$892,921	\$892,921	\$0	\$892,921
2014	\$327,010	\$31,147	\$501,962	\$0	\$0	\$860,119	\$860,119	\$0	\$860,119
2013	\$338,286	\$31,147	\$501,962	\$0	\$0	\$871,395	\$871,395	\$0	\$871,395
2012	\$355,201	\$31,147	\$501,962	\$0	\$0	\$888,310	\$888,310	\$0	\$888,310
2011	\$338,286	\$42,070	\$540,000	\$0	\$0	\$920,356	\$920,356	\$0	\$920,356
2010	\$364,986	\$42,549	\$600,000	\$0	\$0	\$1,007,535	\$1,007,535	\$0	\$1,007,535

## Building Information

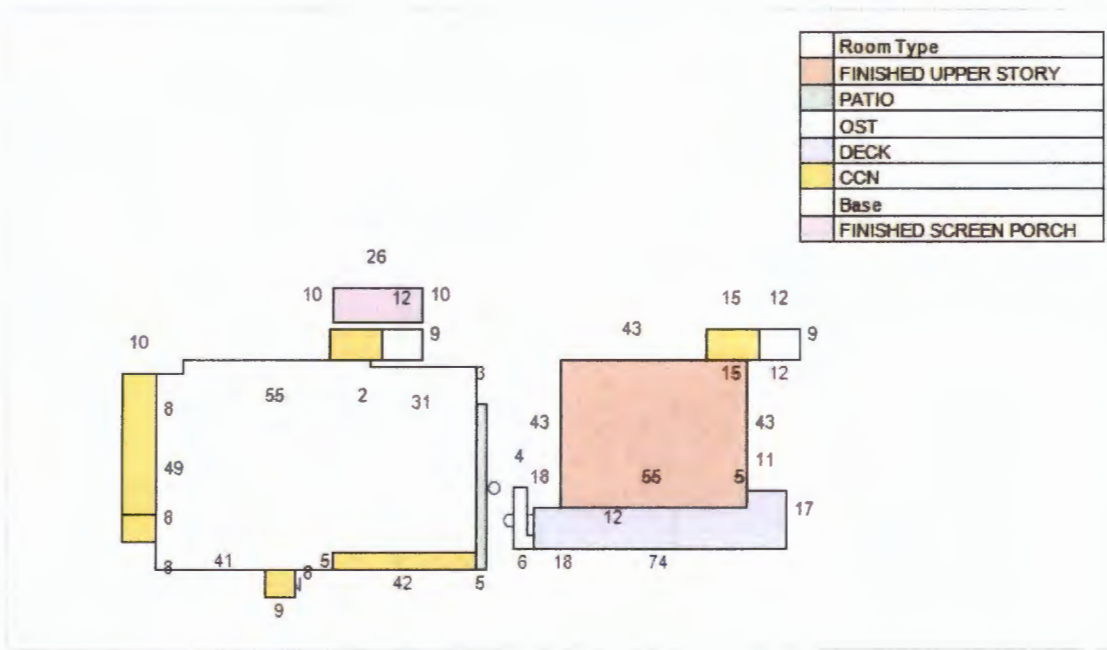
Building	1
Year Built	1958
Actual Area	10696
Conditioned Area	7795
Use	Restaurants & Cafeterias
Style	04
Class	N
Exterior Wall	Wood

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

Description	Square Footage
FINISHED SCREEN PORCH	260
BASE AREA	5430
FINISHED CANOPY	410
FINISHED CANOPY	210

Description	Square Footage
FINISHED CANOPY	216
FINISHED DECK	943
OUTSIDE STAIRS	80
PATIO/SLAB	144
FINISHED UPPER STORY	2365
FINISHED CANOPY	135
OUTSIDE STAIRS	108
FINISHED CANOPY	135
OUTSIDE STAIRS	108
FINISHED CANOPY	80
FINISHED CANOPY	72
Total SqFt	10696

### Sketch Information



### Extra Feature Information

Code Description	Status	Value
Asphalt Paving (COM)		39420
Curb (COM)		894
Pole Light (COM)		2156
Aluminum / Vinyl Fence - 6' and Above (COM)		1706
Masonry Wall (Mix)		2782
Gate - Excellent (Mix)		1987
Handicap Ramp (COM)		1473

### Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Restaurants & Cafeterias	200	154	30890	SF	\$1,390,050

### Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
11/12/2015	11/9/2015	\$2,000,000.00	WARRANTY DEED	<a href="#">4111</a>	<a href="#">883</a>	U	I	KJ OF ST AUGUSTINE LLC	361 BEACH HOLDINGS LLC
	9/3/2008	\$100.00	WARRANTY DEED	<a href="#">3127</a>	<a href="#">319</a>	U	I	AESCHBACH ROSEMARY A 1990 REV TRUST/BY LISA CORNIS	KJ OF ST AUGUSTINE LLC
	6/16/2005	\$1,485,000.00	WARRANTY DEED	<a href="#">2472</a>	<a href="#">181</a>	Q	I	RANSOM & ASSOCIATES LLC	KJ OF ST AUGUSTINE LLC
	5/9/2002	\$100.00	QUIT CLAIM DEED	<a href="#">1761</a>	<a href="#">1426</a>	U	I	LORILEI ENTERPRISES INC (THEIR INT)	RANSOM & ASSOCIATES LLC
	5/9/2002	\$1,110,000.00	WARRANTY DEED	<a href="#">1761</a>	<a href="#">1424</a>	Q	I	AESCHBACH ROSEMARY TRUSTEE (HER INT)	RANSOM & ASSOCIATES LLC

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	10/29/1999	\$0.00	FINAL JUDGMENT	<a href="#">1451</a>	<a href="#">1442</a>	U	I	AESCHBACH JOHN J & CONNIE S	AESCHBACH ROSEMARY TRUSTEE & LORILEI ENTERPRISE
	5/1/1990	\$0.00		<a href="#">861</a>	<a href="#">1826</a>	U	I		AESCHBACH ROSEMARY TRUSTEE
	5/1/1986	\$0.00		<a href="#">711</a>	<a href="#">1115</a>	U	I		
	1/1/1980	\$100,000.00		<a href="#">449</a>	<a href="#">254</a>	U	I		

No data available for the following modules: Sales Questionnaire Form, Exemption Information.

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[GDPR Privacy Notice](#)

Last Data Upload: 4/14/2023, 11:44:13 PM





# MAP SHOWING SURVEY OF

## PARCEL ONE:

BEING A PART OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A AND DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE LOCATED ON THE NORTHWEST CORNER OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1 OF SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A, SAID POINT OF COMMENCEMENT ALSO BEING THE NORTHEAST CORNER OF PROPERTY ORIGINALLY OF ETTLE AND SAID IRON PIPE BEING ON THE WEST LINE OF STATE ROAD A1A; THENCE RUN SOUTH 1 DEGREE 57 MINUTES WEST ALONG AND WITH THE WEST LINE OF STATE ROAD A1A, A DISTANCE OF 100 FEET TO AN IRON PIPE FOR THE POINT OF BEGINNING OF THE LAND HEREIN CONVEYED; RUN THENCE NORTH 89 DEGREES 48 MINUTES WEST, A DISTANCE OF 156.11 FEET TO AN IRON PIPE; RUN THENCE SOUTH 25 DEGREES 41 MINUTES EAST, A DISTANCE OF 108.875 FEET TO AN IRON PIPE; RUN THENCE SOUTH 88 DEGREES 3 MINUTES EAST, A DISTANCE OF 106.0 FEET TO AN IRON PIPE LOCATED ON THE WEST LINE OF STATE ROAD A1A; RUN THENCE NORTH 1 DEGREE 57 MINUTES EAST AND ALONG AND WITH THE WEST LINE OF STATE ROAD A1A, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN CONVEYED.

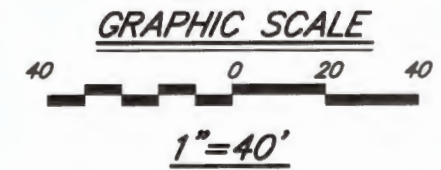
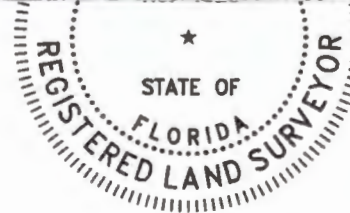
## PARCEL TWO:

BEING THAT PART OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A AND DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE LOCATED ON THE NORTHEAST CORNER OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1 OF SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A SAID POINT OF COMMENCEMENT ALSO BEING THE NORTHEAST CORNER OF THE PROPERTY ORIGINALLY OF ETTLE AND SAID IRON PIPE BEING ON THE WEST SIDE OF STATE ROAD A1A; THENCE RUN SOUTH 1 DEGREE 57 MINUTES WEST ALONG AND WITH THE WEST LINE OF STATE ROAD A1A, A DISTANCE OF 100 FEET TO AN IRON PIPE (THE NORTHEAST CORNER OF LAND CONVEYED TO LOCKHART); RUN THENCE NORTH 89 DEGREES 48 MINUTES WEST, A DISTANCE OF 156.11 FEET TO AN IRON PIPE (THE NORTHWEST CORNER OF LOCKHART); THENCE NORTH 25 DEGREES 41 MINUTES WEST 108.875 FEET TO AN IRON PIPE LOCATED IN THE NORTH LINE OF SAID SOUTH 507 FEET OF SAID GOVERNMENT LOT 1; THENCE

- N.A. V.D. - NORTH ARROW  
sq. ft. - SQUARE FEET  
I.P.(F) - IRON PIPE FOUND  
I.R.(F) - IRON ROD FOUND  
P.O.B. - POINT OF BEGINNING  
P.O.C. - POINT OF COMMENCEMENT  
S - SANITARY MANHOLE  
S - SEWER VALVE  
E - ELECTRIC METER  
H - HANDICAP

- TELEPHONE RISER  
WATER METER  
WOOD POWER POLE  
EXPOSED CONCRETE  
COVERED AREA  
TELEPHONE RISER  
GAS REGULATOR  
OVERHEAD UTILITIES



## GENERAL NOTES:

- This survey made without benefit of an abstract of title. No right-of-way or easements of record were furnished to this firm except as shown.
- The certification of this survey is a professional opinion based on the existing field and documentary evidence available at the time this survey was prepared.
- This office has not abstracted this parcel of land for any recorded claims of title, easements or restrictions. This surveyor shall not be held liable for the existence of any such claims.
- Use of this survey for purposes other than that which it was intended, without written verification, will be at the user's sole risk and without liability to this surveyor. Nothing hereon shall be intended to give any rights or benefits to anyone other than those the survey was prepared for.
- All disputes here under shall be resolved by binding arbitration in accordance with rules set forth by the American Arbitration Association.
- No underground structures, utilities or foundations were located or determined by this survey.
- For building setbacks call the appropriate county codes enforcement office.
- All distances, bearings or angles are as field measured. Deed or plat measurements are noted if different.
- The measurements for this survey were made in accordance with the United States Standards.
- Encroachments as shown hereon are only those above ground, visible objects observed by the surveyor.

- This survey is certified to the last field date.
- This survey does not reflect or determine ownership.
- The specific rights implied by this survey are not transferable.
- This surveyor's liability shall not exceed the fee as stated by this surveyor.

## NOTE:

**THIS SURVEY IS PROTECTED BY COPYRIGHT AND IS CERTIFIED ONLY TO THE PARTIES LISTED ABOVE AND ONLY FOR THIS PARTICULAR TRANSACTION. ANY USE OR REPRODUCTION OF THIS SURVEY WITHOUT THE EXPRESS PERMISSION OF THE SURVEYOR IS PROHIBITED. USE OF THIS SURVEY IN ANY SUBSEQUENT TRANSACTION IS NOT AUTHORIZED. THE SURVEYOR EXPRESSLY DISCLAIMS ANY CERTIFICATION TO ANY PARTIES IN FUTURE TRANSACTIONS. NO PERSON OTHER THAN THOSE LISTED SHOULD RELY UPON THIS SURVEY.**

- According to the Federal Emergency Management Agency FIRM Map No: 125146 0382 J effective date: 12/07/2018, the property described hereon lies in Zone AO
- Basis of bearing structure: THE WLY R/W OF A1A BEACH BLVD (S.R. NO. A1A) PER DEED
- Job Address: 381 A1A BEACH BLVD. ST. AUGUSTINE, FL 32080
- Basis of elevations: N.A. V.D. 88

JOB NO.	LAST FIELD DATE	SCALE:	F.B./PAGE	CHK. BY	DWG. BY
23-0244	03/30/2023	1"=40'	818/17	N.H.F.	R.J.B.

TYPE: BOUNDARY

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## NICHOLAS H. FRANKLIN

6170 A1A SOUTH #316  
ST. AUGUSTINE, FLORIDA 32080  
(904) 471-6877 FAX (904) 471-6876

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper. Additions or deletions to survey maps or reports by other than the signing party is prohibited without the written consent of the signing party.

*Nicholas H. Franklin*  
NICHOLAS H. FRANKLIN, P.L.S. 4620  
FOR LANDTECH AND ASSOCIATES L.B. #7537



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

In re:

**APPLICATION OF SAPG, LLC  
FOR VARIANCE APPROVAL FOR  
REDUCTION IN FRONT YARD SETBACK,  
NUMBER OF REQUIRED PARKING SPACES,  
AND SIZE OF SUCH PARKING SPACES AT  
321 A1A BEACH BOULEVARD,  
ST. AUGUSTINE BEACH, FLORIDA 32080**

Public Records of  
St. Johns County, FL  
Clerk # 2012015979,  
O.R. 3539 PG 664-665  
03/22/2012 at 11:57 AM,  
REC. \$9.00 SUR. \$9.50

**ORDER APPROVING VARIANCES (VAR 2012-01)**

This CAUSE came on for public hearing before the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, Florida on March 20, 2012 upon Application (VAR 2012-01) by SAPG, LLC for three variances to allow 1) reduction in parking space sizes from nine (9) feet by twenty (20) feet to nine (9) feet by eighteen (18) feet; 2) reduction in number of parking spaces from one hundred eighteen (118) spaces to sixty-nine (69) spaces, inclusive of accessible spaces; and 3) reduction of front yard building setback from twenty-five (25) feet to fifteen (15) feet. 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 required considerations for granting of a variance as detailed in the Application and discussed at the hearing are incorporated herein as findings of fact.
2. There are practical difficulties and hardships in carrying out the strict letter of the City of St. Augustine Beach Code (the "Code") in that the property subject to the Application is constricted due to its odd shape and multiple design constraints related thereto.
3. The requested reduction in the number and size of parking spaces granted herein is in conformance with the number and size of parking spaces provided by other restaurants and commercial establishments in this area of the City.
4. The requested reduction in the front yard building setback granted herein is in conformance with the setbacks from A1A Beach Boulevard provided by other restaurants and commercial establishments in this area of the City.
5. The building to be constructed on the property subject to this Variance will be designed with a coastal architectural style, as depicted in the Application materials, to

aesthetically enhance the property and the northern gateway to the City along A1A Beach Boulevard.

6. Enhanced landscaping shall be planted within the property subject to this Variance to provide green space in an area of the City where landscaping is minimal. Additionally, the asphalt shall be removed and enhanced landscaping shall be planted within the area of the right-of-way where the prior access point was located, as shown on the plans immediately next to the outdoor seating area.

7. The effect of this Variance is in harmony with the general intent of the Code and the mixed-use nature of this area of the City.

8. The Variance shall conform to all materials submitted with the Application and which were provided by the Applicant to supplement the Application, including all drawings, sketches and renderings, as all of such documents have been revised.

9. The Variance shall run with title to the property subject hereto.

10. The Variance shall be commenced within one (1) year and shall not lapse for more than two (2) years.

11. A violation of the conditions listed above shall void the Variance granted herein.

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

DONE AND ORDERED this 20th day of March, 2012, at St. Augustine Beach, St. Johns County, Florida.

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

By: \_\_\_\_\_

Greg Crum, Chairman

The foregoing instrument was acknowledged before me this 20th day of March 2012, by Greg Crum, who is personally known to me.

Bonnie J. Miller  
Signature of Notary Public--State of Florida



BONNIE J. MILLER  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# EE181917  
Expires 3/30/2016



# MAP SHOWING SURVEY OF

## PARCEL ONE:

BEING A PART OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A AND DESCRIBED AS FOLLOWS:

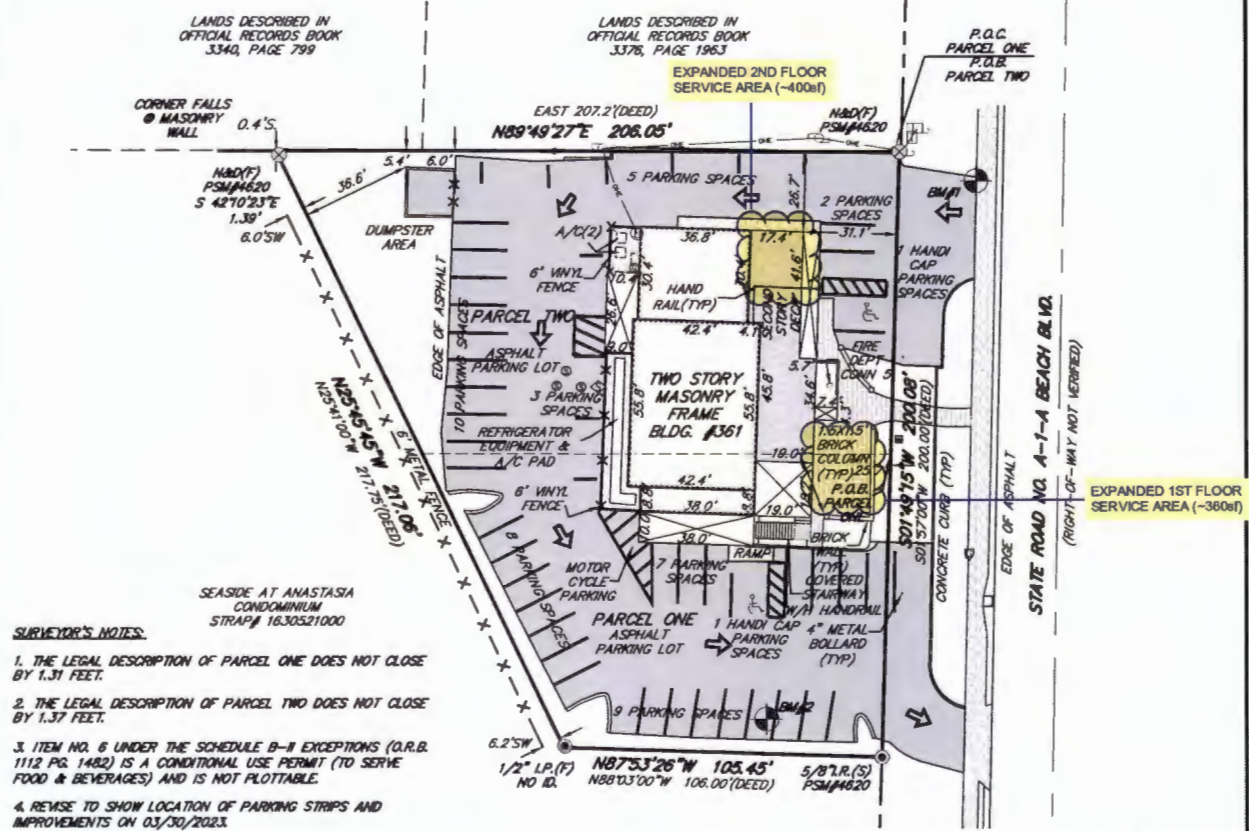
COMMENCING AT AN IRON PIPE LOCATED ON THE NORTHWEST CORNER OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1 OF SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A, SAID POINT OF COMMENCEMENT ALSO BEING THE NORTHEAST CORNER OF THE PROPERTY ORIGINALLY OF ETEL AND SAID IRON PIPE BEING ON THE WEST LINE OF STATE ROAD A1A; THENCE RUN SOUTH 1 DEGREE 57 MINUTES WEST ALONG AND WITH THE WEST LINE OF STATE ROAD A1A, A DISTANCE OF 100 FEET TO AN IRON PIPE FOR THE POINT OF BEGINNING OF THE LAND HEREIN CONVEYED; RUN THENCE NORTH 89 DEGREES 48 MINUTES WEST, A DISTANCE OF 156.11 FEET TO AN IRON PIPE; RUN THENCE SOUTH 25 DEGREES 41 MINUTES EAST, A DISTANCE OF 108.875 FEET TO AN IRON PIPE; RUN THENCE SOUTH 89 DEGREES 3 MINUTES EAST, A DISTANCE OF 106.0 FEET TO AN IRON PIPE LOCATED ON THE WEST LINE OF STATE ROAD A1A; RUN THENCE NORTH 1 DEGREE 57 MINUTES EAST AND ALONG AND WITH THE WEST LINE OF STATE ROAD A1A, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN CONVEYED.

## PARCEL TWO:

BEING THAT PART OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A AND DESCRIBED AS FOLLOWS:

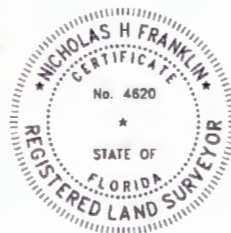
COMMENCING AT AN IRON PIPE LOCATED ON THE NORTHEAST CORNER OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1 OF SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A, SAID POINT OF COMMENCEMENT ALSO BEING THE NORTHEAST CORNER OF THE PROPERTY ORIGINALLY OF ETEL AND SAID IRON PIPE BEING ON THE WEST SIDE OF STATE ROAD A1A; THENCE RUN SOUTH 1 DEGREE 57 MINUTES WEST ALONG AND WITH THE WEST LINE OF STATE ROAD A1A, A DISTANCE OF 100 FEET TO AN IRON PIPE (THE NORTHEAST CORNER OF LAND CONVEYED TO LOCKHART); RUN THENCE NORTH 89 DEGREES 48 MINUTES WEST, A DISTANCE OF 156.11 FEET TO AN IRON PIPE (THE NORTHWEST CORNER OF LOCKHART); THENCE NORTH 25 DEGREES 41 MINUTES WEST 108.875 FEET TO AN IRON PIPE LOCATED IN THE NORTH LINE OF SAID SOUTH 507 FEET OF SAID GOVERNMENT LOT 1; THENCE RUN EAST AND ALONG AND WITH THE NORTH LINE OF SAID SOUTH 507 FEET OF SAID GOVERNMENT LOT 1, A DISTANCE OF 207.2 FEET TO THE POINT OF BEGINNING.

CERTIFIED TO:  
381 BEACH HOLDINGS, LLC  
N/A OF ST. AUGUSTINE, LLC, ISAQA  
ST. JOHNS LAW GROUP, P.A.  
FIDELITY NATIONAL TITLE INSURANCE COMPANY  
CARMAN LAW FIRM, P.A.



## LEGEND

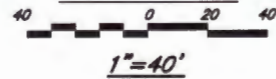
A/C	AIR CONDITIONER PAD	RES.	RESIDENCE
ID.	IDENTIFICATION	CONC.	CONCRETE POWER POLE
N.A.V.D.	NORTH AMERICAN VERTICAL DATUM	GAS	GAS MARKER
sq. ft.	SQUARE FEET	TEL.	TELEPHONE RISER
I.P.(F)	IRON PIPE FOUND	WATER	WATER METER
I.R.(F)	IRON ROD FOUND	WOOD	WOOD POWER POLE
P.O.B.	POINT OF BEGINNING	EXP.	EXPOSED CONCRETE
P.O.C.	POINT OF COMMENCEMENT	COVER.	COVERED AREA
SM	SANITARY MANHOLE	TEL.	TELEPHONE RISER
SV	SEWER VALVE	GAS	GAS REGULATOR
EM	ELECTRIC METER	OHG	OVERHEAD UTILITIES
HC	HANDICAP		



BM#1 - NAD (LANDTECH TRAV.) EL.=6.00' NAVD88  
BM#2 - NAD (LANDTECH TRAV.) EL.=6.75' NAVD88

AREA = ±0.71 ACRES  
OR ±30,977 sq. ft.

## GRAPHIC SCALE



## GENERAL NOTES:

- This survey was made without benefit of an abstract of title. No right-of-way or easements of record were furnished to this firm except as shown.
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According to the Federal Emergency Management Agency (FEMA) Map No. 12546 0302 J, effective date 12/01/2018, the property described herein lies in Zone AO.

- Basis of bearing structure: THE NAD (LANDTECH TRAV.) EL.=6.00' NAVD88  
Job Address: 381 A1A BEACH BLVD. ST. AUGUSTINE, FL 32080

- Basis of elevations: N.A.V.D.88

JOB NO.	LAST FIELD DATE	SCALE	F.T./INCH	DATE BY	DATE BY
23-0244	03/30/2023	1"=40'	816/77	N.H.F.	R.L.B.

© COPYRIGHT 2023 ALL RIGHTS RESERVED.

NICHOLAS H. FRANKLIN  
6170 A1A SOUTH #316  
ST. AUGUSTINE, FLORIDA 32080  
(904) 471-8877 FAX (904) 471-8878

NICHOLAS H. FRANKLIN, P.L.S. 4620  
FOR LANDTECH AND ASSOCIATES L.B. #7537

**Crabby's Beachside – St. Augustine Beach, FL**  
**Parking Variance and Conditional Use Submittal**  
**Customer Survey Summary**

*What is this survey?*

The following data was compiled by Crabby's Beachside's staff during the dates spanning March 17<sup>th</sup> through April 7<sup>th</sup>.

*How was this survey completed?*

Upon entry, customers were asked to confirm whether they parked onsite, parked offsite, or traveled by other means (bike, walk, etc.). This is an informal survey

*Why was this survey completed?*

The goal of this survey was to demonstrate a significant volume of Crabby's Beachside's customers came to the site by means other than parking onsite.

Below is a summary of the data compiled:

- Total Customers Surveyed – 369
- Customers who parked onsite – 193 (~52.3%)
- Customers who parked offsite – 127 (~34.4%)
- Customers who used other means (bike, walk, etc.) – 49 (~13.3%)

Date	Park here	Park off site	Other
3/11	✓		
	✓		
		✓	
	✓		
	✓		
	✓		
	✓		
	✓		
		✓	
		✓	
	✓		
	✓		
	✓		
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	✓		
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	✓		
		✓	
		✓	
	✓		
	✓		
	✓		

-walk

-walked

-walked

-walked

-walked



Date	Park here	Park off site	Other
3/17		✓	
		✓	
	✓		
	✓		
	✓		
	✓		
3/19	✓		
	✓		
	✓		
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		✓	
	✓		
3/19	✓		
3/19	✓		
	✓		
3/20	✓		
	✓		
	✓		
3/21	✓		
	✓		
	✓		
	✓		
		✓	
		✓	
		✓	
			✓

walk



Date	Park here	Park off site	Other
3/24			Bike
		✓	Bike
		✓	
	✓		
	✓		
	✓	✓	
	✓		
	✓		
3/26	✓		
	✓		
	✓		
	✓		
	✓		
	✓		
			WALK
		↓	
	✓		
	✓		
			Bike
			WALK
			WALK
		✓	
		✓	
		✓	
	✓		
	✓		
		✓	
	✓	✓	
			WALK
		✓	
			WALK
	✓		
	✓		
	✓		
		✓	
			Bike
		✓	
		✓	
	✓		
			WALK

Date	Park here	Park off site	Other
3/29		✓	
	✓		
	✓		
		✓	
			WALK
			WALK
		✓	
	✓		
	✓		
	✓		
	✓		
		✓	
		✓	
			WALK
	✓		
	✓		
		✓	
		✓	
		✓	
	✓		
	✓	✓	
			WALK
	✓		Bike
		✓	
		✓	
3/30	✓		
	✓		
	✓		
	✓		
		✓	
		✓	
			✓
			✓
	✓		
	✓		
	✓		
	✓		
	✓		
	✓		
	✓		
		✓	
	✓		
	✓		
		✓	
			✓

WALK  
BIKE

BIKE

Date	Park here	Park off site	Other
3/30/23			
	✓		
		✓	
			✓
			✓
		✓	
	✓		
		✓	
		✓	
	✓		✓
			✓
			✓
			✓
		✓	
			✓
			✓
			✓
3/31	✓		
	✓		
	✓		
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	✓		
	✓		
	✓		
		✓	
		✓	
		✓	

Date	Park here	Park off site	Other
4/3	✓		
	✓		
		✓	
		✓	
		✓	
	✓		
	✓		
	✓		
	✓	✓	
		✓	
		✓	
wed 04/05	✓		
	✓		
	✓		
	✓		
	✓		
		✓	
		✓	
	✓		✓ walk
	✓		
	✓		
	✓		
	✓		
	✓		
		✓	
		✓	
4/16	✓		✓ bike
	✓		
	✓		
	✓		
	✓		
		✓	
			✓ walk
	✓		
	✓		
	✓		
		✓	
		✓	
	✓		
	✓		



[illegible]

bike



Date	Park here	Park off site	Other
4/1	✓		
	✓		
	✓		
		✓	
		✓	
		✓	
		✓	
	✓		
	✓		
		✓	
		✓	
		✓	
		✓	
	✓		
	✓		
	✓		
		✓	
			walk
		✓	
		✓	
	✓		
			walk
			walk
	✓		
	✓		
	✓		
		✓	
		✓	
		✓	
		✓	
		✓	
	✓		
		✓	
		✓	
		✓	
		✓	
	✓		
		✓	
			bike
		✓	
		✓	
		✓	
		✓	
	✓		
	✓		

[illegible]

**NOTICE OF PUBLIC HEARING  
APPLICATIONS FOR CONCEPT REVIEW FILE NO. CR 2018-02 AND  
FINAL DEVELOPMENT FILE NO. FD 2018-01**

The Comprehensive Planning and Zoning Board of the City of St. Augustine Beach will meet Tuesday, April 17, 2018, at 7:00 p.m. at City Hall, 2200 State Road A1A South, St. Augustine Beach, Florida, 32080, to consider the applications of St. Johns Law Group, St. Augustine Beach, Florida, agent for 361 Beach Holdings LLC, St. Augustine Beach, Florida, applicant, PERTAINING TO A PART OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF COUNTY ROAD A1A BEACH BOULEVARD, PARCEL IDENTIFICATION NUMBER 1630700000, AS RECORDED IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, for concept and final development review, per Sections 12.02.05-12.02.13 of the City of St. Augustine Beach Land Development Regulations, for proposed reconstruction of Panama Hattie's restaurant, consisting of a two-story, 8,803-square-foot total building on approximately .71 acres in a commercial land use district at 361 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080.

Persons interested may appear and be heard at the time and place specified. If any person decides to appeal any decision made by the Board with respect to any matter considered in the hearing, he or she will need a record of the proceedings, and for such purpose, may need to ensure a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Jane West, Chairperson



## City of St. Augustine Beach

2200 A1A South  
St. Augustine Beach, FL 32080  
www.staugbch.com

CITY MGR. (904) 471-2122  
FAX (904) 471-4108

BLDG. & ZONING (904) 471-8758  
FAX (904) 471-4470

### **NOTICE OF PUBLIC HEARING**

### **APPLICATION FOR CONCEPT AND FINAL DEVELOPMENT REVIEW**

March 27, 2018

To Whom It May Concern:

Please take notice that the City Commission of the City of St. Augustine Beach will meet on Monday, May 7<sup>th</sup>, at 6:00 p.m. at City Hall, 2200 State Road A1A South, St. Augustine Beach, Florida, 32080, to consider an application for a concept and final development review.

The permit was requested by St. Johns Law Group, agent for 361 Beach Holdings, LLC, pertaining to the restaurant known as Panama Hatties, 361 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, for a concept and final development review, per Sections 12.02.05 – 12.02.13 of the City of St. Augustine Beach Land Development Regulations, for the proposed reconstruction of Panama Hatties restaurant, consisting of a two-story, 8,803-square-foot total building on approximately 0.71 acres in a commercial land use district on the above-described property at 361 A1A Beach Boulevard.

Persons interested may appear and be heard at the time and place specified. If any person decides to appeal any decision made by the City Commission with respect to any matter considered at the hearing, he will need a record of the proceeding, and that, for such purpose, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

---

Max Royle, City Manager



3/19/18

THE CITY OF ST. AUGUSTINE BEACH  
APPLICATION FOR CONCEPT REVIEW

THE UNDERSIGNED REQUEST A CONCEPT REVIEW:

NAME PANAMA HATTIES 361 LLC PHONE # (772) 285-4339

ADDRESS 361 A1A BEACH BLVD ST. AUGUSTINE, FL 32080

LEGAL DESCRIPTION OF PARCEL: see attached survey

Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ S/D \_\_\_\_\_

LAND USE CLASSIFICATION: COMMERCIAL

SEWERAGE (CHECK ONE): Central Sewer Hook-up ☒ Septic ☐

REASONS FOR WHICH THIS CONCEPT REVIEW IS BEING SOUGHT:

TO SHOW PLANNING AND ZONING BOARD OUR PLANS TO  
HELP BEAUTIFY THE STRIP WITH AN UPDATED CLEAN  
LOOK AND TO BRING PANAMA HATTIES TO CURRENT CODE.

PLEASE CHECK IF THE FOLLOWING INFORMATION HAS BEEN INCLUDED:

- ☒ LEGAL DESCRIPTION OF PARCEL
- ☒ LIST OF ALL PROPERTY OWNERS WITHIN 300' RADIUS
- ☒ STAMPED AND ADDRESSED LEGAL SIZE ENVELOPES OF PROPERTY OWNERS WITHIN 300' RADIUS AND APPLICANTS ADDRESS
- ☒ SURVEY
- ☒ OTHER DOCUMENTS OR INFORMATION TO BE CONSIDERED

In filing this application for a CONCEPT REVIEW, the undersigned understands it becomes a part of the Official Records of the Comprehensive Planning and Zoning Board, and does hereby certify that all the information contained herein is true and correct, to the best of his/her knowledge.

Alexander Mawis

Owner/Agent

Applicant/Agent

21 MAGNOLIA DUNES CIRCLE

Address

Address

(772) 285-4339

Phone #

Phone #

3/15/18

Date

ALL AGENTS MUST HAVE NOTARIZED  
WRITTEN AUTHORIZATION



THE CITY OF ST. AUGUSTINE BEACH  
BUILDING AND ZONING DEPARTMENT

CONCEPT REVIEW CR 2018-02 Receipt # 28765 INVOICE NO. 28765 DATE 3-19-2018  
NAME OF APPLICANT PANAMA HATTIES 361 LLC  
ADDRESS 361 A1A BCH BLVD. ST. AUGUSTINE, FL. 32080

CHARGES

Concept Review Fee - \$150.00

Account # 34120

Date Paid 150.00 3-19-2018

Advertising \$ \_\_\_\_\_

Account # 50491.515 Date Paid \_\_\_\_\_

Sign Fee: \$7.50 \$ 7.50

Account # 50471.515 Date Paid 7.50 3-19-2018

TOTAL \$ 157.50

SIGNED Bm

CHECK # 2634

## ST. AUGUSTINE BEACH BUILDING AND ZONING DEPARTMENT

### PROCEDURES APPLICABLE TO CONCEPT REVIEW/PRELIMINARY PLAN:

All major developments, and also any application for a variance or conditional use permit, must be submitted for concept review.

The developer shall file a completed application and a concept plan as a prerequisite to obtaining concept review approval.

### CONCEPT REVIEW APPROVAL:

Any preliminary approval which does not authorize actual construction, excavating, or alterations of land and/or structures. A concept review approval may recommend a change in the allowable use of land or a building, and may include conceptual and conditional approvals prior to final development approval or where a series of sequential approvals are required before action authorizes commencement of construction or land alteration. For purposes of this Code concept review approvals include future land use map amendments, comprehensive plan amendments which affect land use or development standards, preliminary development plan approval, and master plan approval.

The proposal shall be placed on the agenda of the next meeting of the Comprehensive Planning and Zoning Board that allows the giving of required notice.

Notice of Comprehensive Planning and Zoning Board meeting shall be mailed by the department to the developer and all persons who, according to the most recent tax rolls, own property within three hundred (300) feet of the property proposed for development. The St. Johns County courthouse will provide a listing of the legal descriptions and the microfiche tables in order to list the names and addresses of the property owners to be notified. This list of names and addresses, along with one (1) set of stamped, addressed legal size envelopes are to be included with the application. NOTE: Do not fill in the return address. The building department will stamp the return address and mail the legal advertising to the property owners. The notice shall be mailed at least fifteen (15) days before the meeting. The EXPENSE of this mailing shall be BORNE BY THE DEVELOPER.

The Comprehensive Planning and Zoning Board shall consider:

1. Characteristics of the site and surrounding area, including important natural and man-made features, the size and accessibility of the site, and surrounding land uses.
2. Whether the concurrency requirements of Article IV of this Code could be met if the development were built.
3. The nature of the proposed development, including land use types and densities; the placement of proposed buildings and other improvements of the site; the preservation of natural features; proposed parking areas; internal traffic circulation system; the approximate total ground coverage of paved areas and structures; and, \_\_\_\_\_

types of water and sewage treatment systems.

4. Conformity of the proposed development with the comprehensive plan, this Code and other applicable regulations.
5. Applicable regulations, review procedures, and submission requirements.
6. Concerns and desires of surrounding landowners and other affected persons.
7. Other applicable factors and criteria prescribed by the comprehensive plan, this Code, or other law.

**PROCEDURES FOR PRELIMINARY PLAN/CONCEPT REVIEW APPROVAL:**

1. If the developer chose to submit a preliminary development plan for concept review, a final development plan shall be submitted within six (6) months of approval of the preliminary plan. If this deadline is not met, the concept review approval expires.
2. Within fifteen (15) working days the department shall determine whether the final development plan should be approved or denied based on whether the plan conforms to the approved preliminary plan and the conditions, if any, imposed during concept review. The department shall:
  - a. Issue a final development order; or
  - b. Refuse to issue a final development order based on the failure of the development to comply with the conditions imposed by the preliminary development order.

As Per Appendix A:

The final development order authorizes the project whereas the development permit authorizes specific components of the project such as, but not limited to, Building Construction, Parking Lot installation and Landscaping.

**FOR DEPARTMENT USE ONLY:**

Any development that the building official designates as a major development REQUIRE CONCEPT REVIEW APPROVAL.

- ☐ A. The proposed development is part of a larger parcel for which additional development is anticipated that, when aggregated with the project in question, exceeds the limits of paragraphs 1., 2., and 3. above; or
- 
- ☐ B. The proposed development should be more thoroughly and publicly reviewed because of its complexity, hazardousness, or location.

- ☐ C. The proposed development is one which is likely to be controversial despite its small size and should thus be more thoroughly and publicly reviewed. Section 12.02.05 LDR's

#### EXCEPTIONS TO REQUIREMENTS OF A CONCEPT REVIEW

A development permit may be issued for the following activities in the absence of a final development order issued pursuant to this Code. UNLESS OTHERWISE SPECIFICALLY PROVIDED, THE DEVELOPMENT ACTIVITY SHALL CONFORM TO THIS CODE AND THE DESIGN STANDARDS APPROVED BY THE ST. AUGUSTINE BEACH CITY COMMISSION.

Indicate the exemption claimed.

- ☐ A. Development activity necessary to implement a valid site plan/development plan on which the start of construction took place prior to the adoption of this Code and has continued in good faith. Compliance with the development standards in this Code is not required if in conflict with the previously approved plan.
- ☐ B. The construction or alteration of a one (1) or two (2) family dwelling on a lot in a valid recorded subdivision approved prior to the adoption of this Code. Compliance with the development standards in this Code is not required if in conflict with the previously approved plat.
- ☐ C. The alteration of an existing building or structure so long as no change is made to its gross floor area, its use, or the amount of impervious surface on the site.
- ☐ D. The erection of a sign or the removal of protected trees on a previously developed site and independent of any other development activity on the site.
- ☐ E. The resurfacing of a vehicle use area that conforms to all requirements of this Code.
- ☐ F. A minor replat granted pursuant to the procedures in section 12.03.00 of this article. Section 12.01.03 LDR's.

## PRELIMINARY PLAN CONCEPT REVIEW

The following information is to be included on the preliminary plan submittal:

Please indicate all items submitted pertaining to this review and make comments under each item below. ALL QUESTIONS MUST BE ANSWERED OR INDICATED NOT APPLICABLE.

- ☒ Concept Plan for the entire area, drawn on a scale of 1" = 100', with a total of ten (10) copies.  
*SEE ATTACHED AS.1 INCLUDED*

- ☐ A Development Plan for the first phase or phases for which approval is sought.  
*N/A*

- ☐ A Development phasing schedule.  
*N/A*

- ☐ Approximate size of the area of each phase.  
*N/A*

- ☐ Proposed phasing of construction of public recreation.  
*N/A*

- ☐ Total acreage in each phase and gross density of each phase.  
*N/A*

- ☐ Number, height and type of residential units.  
*N/A*

- ☐ Total land area and dimensions of entire parcel.  
*N/A*

- ☐ Location and amount of open space and types of activities proposed to be permitted on them.  
*N/A*

- ☐ Location of existing transmission lines, sewers, culverts, drain pipes, water mains, fire hydrants, and any public or private easements.  
*N/A*



☐ A vicinity map of the area within one (1) mile of site showing:

a. land use designation and boundaries

b. major public facilities

c. municipal boundary lines

N/A

☐ Specification of the public improvements to be made and dedicated together with the timetable for making improvements.

N/A

(a) Show the necessary utility and infrastructure will be in place at the time the impacts of development occur.

(b) The development must not degrade existing or adopted levels of service for potable water, sanitary sewer, transportation, or drainage for other residents.

☐ Specification on map of which trees are to be removed.

N/A

☐ Specification on map of all existing and proposed drainage facilities on the parcel, including off-site facilities which may impact land and structures on parcel.

N/A

☒ A general parking and circulation plan.

SEE ATTACHED AS.1 INCLUDED.

☐ A traffic study.

N/A

☒ All proposed parking areas.

SEE ATTACHED AS.1 INCLUDED

☐ Location of any 100 year floodplain zones on parcel.

N/A

☐ Total impervious surface coverage.

N/A

- ☐ Location of environmentally sensitive zones, any endangered animals and rare plant life.  
N/A
- ☐ Land rendered unusable for development purposes by deed restrictions or other legally enforceable limitations.  
N/A
- ☐ Contour lines at two (2) foot intervals.  
N/A
- ☐ All water courses, water bodies, floodplains, wetlands, important natural features, soil types and vegetative cover.  
N/A
- ☐ Listing of any historical structures or sites on the property or a statement that the site does not contain any.  
N/A
- ☐ Existing land use district of the parcel.  
N/A
- ☐ Approximate location intensity or density of proposed development.  
N/A
- ☐ Lands to be dedicated or transferred to the public and the purposes for which land will be held and used.  
N/A
- ☐ Impact of development on emergency evacuation routes.  
N/A

If a subdivision sign is to be placed on the parcel, the owner or developer will be required to apply for a sign permit.

Favorable consideration will be given to developments which protect environmentally sensitive land or wildlife habitats and cluster development on the parcel in such a manner as not to impact these types of lands.

# Department of Building and Zoning

St. Augustine Beach, Florida

## Receipt for Cash/Check

Payment Method: Check

Check No: 2634

Date: 3/19/2018

Received Of: Panama Hattie's 361 LLC

For:	Concept Review File CR 2018-02	TotalCost:	\$157.50
322.100:	\$0.00	354.200:	\$0.00
322.200:	\$0.00	2400.524.5290:	\$0.00
341.320:	\$0.00	2400.524.3100:	\$0.00
341.330:	\$0.00	R-001.999.003:	\$0.00
341.340:	\$0.00	2400.524.4810:	\$0.00
369.900:	\$0.00	341.350:	\$0.00
367.100:	\$0.00	I-001.999.003:	\$0.00
342.500:	\$0.00	1500.515.4700:	\$7.50
		341.360:	\$0.00

Receipt No:

28765

Received By: Bonnie Miller

**THE CITY OF ST. AUGUSTINE BEACH  
APPLICATION FOR MAJOR DEVELOPMENT**

The undersigned hereby applies for a permit for construction, repairs, and/or installation work under the Building Codes of the City of St. Augustine Beach, Florida. This permit does not apply to Electrical, Plumbing, Mechanical or Land Clearing/Excavation.

Estimated Cost: \$ 800,000  
To be located on Lot(s): 1 Block(s): SECTION/34 TOWNSHIP/7 RANGE/30  
Subdivision: N/A Real Estate Parcel Number: 1630700000  
Owner(s): 361 Beach Holdings, LLC

Address(es): 361 A1A Beach Blvd. Phone: (772)285-4339  
Phone: \_\_\_\_\_  
Phone: \_\_\_\_\_

Architect: STEVE SIEBERT  
Address: 466 N. FEDERAL HWY <sup>BOTTON BCH</sup> FL 33435 Phone: (561) 880-7894  
Contractor: DENNIS GUNTHER <sup>LAND O LAKES</sup>  
Address: 19701 BERGENFELD DR. FL 34638 Phone: (727) 409-2921  
Contractor's City Certification: N/A

Contractor's State Certification: LIC # CGC1522020  
Flood Insurance Zone: AE Land Use Density Classification: COMMERCIAL  
Sewage (Check One): Central Sewer Hook-Up ☒ Septic ☐

Legal Description of Parcel according to Survey and Warranty Deed (both must be submitted):  
See attached

A development plan shall be designated as a major development if it satisfies one (1) or more of the following criteria:

1. Combined land and water area exceeds five (5) acres.
2. The development is a residential project of ten (10) or more units per acre of land or of fifty (50) or more dwelling units.
3. Any development that the building official designates as a major development project because:
  - a. The proposed development is part of a larger parcel for which additional development is anticipated that, when aggregated with the project in question, exceeds the limits of paragraph 1., 2., and 3. above; or
  - b. The proposed development should be more thoroughly and publicly reviewed because of its complexity, hazardousness, or location.
  - c. The proposed development is one which is likely to be controversial despite its small size, and should thus be more thoroughly and publicly reviewed.

A major development must undergo -

1. CONCEPT REVIEW
2. FINAL DEVELOPMENT PLAN REVIEW



### SPECIFICATIONS

Is the parcel or any part of the parcel seaward of the Coastal Construction Control Line?  
Yes \_\_\_\_\_ No ✓

If yes, give the legal description of the portion of land seaward of the line.

N/A

Total Acreage of Parcel

710

Units/Acre in Low Density Classification (Max. 4/acre)

N/A

Units/Acre in Medium Density Classification (Max. 7/acre)

N/A

Units/Acre in High Density Classification (Max. 12/acre)

N/A

#### Dimensions:

Street frontage for Duplex must be a minimum of 75'; Triplex - minimum of 100'; Quadraplex - minimum of 122.5'.

Total Lot Area for Single Family and for a Duplex must be 7500' minimum; Triplex - minimum 10,000'.

Lot Coverage must be .35 at a minimum (Divide Total Structure Area Coverage by Lot Area).

Lot Depth must be at a minimum 100' if platted after adoption of Code, 93' if platted prior to adoption of Code.

Impervious Surface Ratio may be at a maximum .40 for Low Density, .50 for Medium, and .70 for High. Calculate this ratio by dividing the total of the impervious surface within each density classification by the total land area within the same density classification.

#### Lot Setbacks:

- Front yard setbacks must be a minimum 25'.
- Rear yard setbacks must be a minimum 25'.
- Side yard setbacks must be a minimum 10'>
- Street setbacks (for lot on a corner) must be 15'.

The number of Access Points to Road is limited to a maximum of one for every 50' of street frontage.

Total Floor Area excluding porches, attached garages, carports and breezeways:

Low density: Must be a minimum 1400 sq. ft. if platted after adoption of Code, 1000 sq. ft. if platted prior. Minimum for first story of two-story is 1000 sq. ft.


Medium density: 800 sq. ft. minimum for first floor of two story.

I hereby certify that the above information is true and agree to perform said work in accordance with plans specifications and the above details, which are considered a part of this agreement and to comply with building codes and land use ordinances of the City of St. Augustine Beach, Florida.

Any deviations or alterations from plans and specifications must be reported and permission must be obtained in writing.

Notice: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies or federal agencies.

Signature (s) of Owner (s) or Agent (s)

  
\_\_\_\_\_  
Owner/Agent\*  
\_\_\_\_\_  
Owner/Agent\*  
\_\_\_\_\_  
Owner/Agent\*  
\_\_\_\_\_  
Owner/Agent\*

3/23/2018  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Date

\*AGENTS MUST HAVE A WRITTEN AUTHORIZATION OR PERMISSION LETTER

### CONCEPT REVIEW

All major developments must be submitted to concept review. The developer shall file a completed application and a concept plan as a prerequisite to obtaining concept review approval. Within five (5) working days of receipt of an application and concept plan, the department shall determine and inform the developer whether the submittals are complete or incomplete.

If the plans are incomplete the developer shall be notified in writing as to the deficiencies. The developer may submit an amended application within thirty (30) working days without payment of a reapplication fee.

When submittals are determined complete, the following procedures shall be followed:

1. The proposal shall be placed on the agenda of the next meeting of the Comprehensive Planning and Zoning Board.
2. Notice of the Comprehensive Planning and Zoning Board meeting shall be mailed by the Building Department to the developer and all persons who, according to the most recent tax rolls, own property within three hundred (300) feet of the property proposed for development. The St. Johns County Courthouse will provide a listing of the legal descriptions and the microfiche tables in order to list the names and addresses of the property owners to be notified. This list of names and addresses, along with one (1) set of stamped, addressed envelopes (including and envelope for both the owner and the applicant) are to be included with the application. NOTE: Do not fill in the return address. The Building Department will stamp the return address and mail the legal advertising to the property owners. The notice shall be mailed at least fifteen (15) days before the meeting.
3. The technical review participants shall review the concept proposal and submit comments, if any, in writing to the Comprehensive Planning and Zoning Board or orally at the Board meeting.

Applications for development review shall be available from the Building and Zoning Department. A completed application shall be signed by all owners or their agent. Signature of an agent will be accepted only with written authorization by the owner(s).

### FINAL DEVELOPMENT PLAN REVIEW

All major developments must be submitted to a review of final development plans. The developer shall within six (6) months after completion of concept review, submit a final development plan to the department. If more than six (6) months elapse, the developer must resubmit the plan for concept review.

Within fifteen (15) days of receipt of a final development plan, the building official shall:

- ☐ 1. Determine that the information is incomplete and inform developer in writing of the deficiencies. The developer may submit an amended plan within thirty (30) working days without payment of an additional fee, but, if more than thirty (30) days have elapsed, must thereafter initiate a new application and pay a new fee; or
- 2. Determine that the plan is complete and proceed with the remainder of the procedures:
  - ☐ a. Send a copy of final plan to each participant in the technical review process. Each participant shall submit comments to the building official within fifteen (15) day.
  - ☐ b. Within ten (10) days after receiving comments, the building official shall issue a written report making a recommendation to the Comprehensive Planning and Zoning Board. The report shall set forth findings and conclusions supporting the recommendation that the Comprehensive Planning and Zoning Board:
    - ☐ 1. Issue a final development order complying with Section 12.02.11, required contents of final development orders.
    - ☐ 2. Refuse to issue a final development order based on it being impossible for the proposed development, even with reasonable modifications, to meet the Code requirements.

The Comprehensive Planning and Zoning board on the earliest available date that requires the giving of required notice, shall conduct an administrative hearing on the final development plan to determine whether the plan satisfies the Code requirements. The C.P. & Z Board shall:

- ☐ 1. Issue a final development order complying with Section 12.02.11, required contents of final development orders; or
- ☐ 2. Refuse to issue a final development order based on it being impossible for the proposed development, even with reasonable modifications, to meet the Code requirements.

## FINAL DEVELOPMENT PLAN

A final development plan shall include the information required in a preliminary plan plus the following additional or more detailed information. Please check and indicate in the space below where the requirement can be located in the submittal:

- ☒ 1. A map of vegetative cover including the location and identity by common name of all protected trees.  
*Developed Lot, see attached.*
- ☒ 2. A topographic map of the site clearly showing location, identification, and elevation of bench marks, including at least one (1) bench mark for each major water control structure.  
*Developed Lot, see attached.*
- ☒ 3. A detailed overall project map showing existing hydrography and runoff patterns, and the size, location, topography and land use of any off-site areas that drain onto, through, or from the project.  
*Developed Lot, see attached.*
- ☒ 4. Existing surface water bodies within the proposed site, including seasonal high water-table elevations and attendant drainage areas for each.  
*Developed Lot, see attached.*
- ☒ 5. Location of any underground or overhead utilities, culverts and drains on the property and within one hundred (100) feet of the proposed development boundary.  
*Developed Lot, see attached.*
- ☒ 6. Location, names and widths of existing and proposed streets, highways, easements, building lines, alleys, parks and other public spaces and similar facts regarding adjacent property.  
*Developed Lot, see attached.*
- ☒ 7. The one hundred (100) year flood elevation, minimum required floor elevation and boundaries of the floodplain for all parts of the proposed development.  
*Developed Lot, see attached.*
- ☒ 8. Drainage basin or watershed boundaries identifying locations of the flutes of off-site waters onto, through, or around the project.  
*Developed Lot, see attached.*
- ☒ 9. Area and percentage of total site area to be covered by an impervious surface.  
*Developed Lot, see attached.*
- ☒ 10. The boundaries of proposed utility easements.  
*Developed Lot, see attached.*



- X ☒ 11. Construction phase lines.  
N/A
- X ☒ 12. Building plan showing the location, dimension, gross floor area and the proposed use of buildings.  
See attached.
- X ☒ 13. Front, rear and side architectural elevations of all buildings.  
See attached.
- X ☒ 14. Building setback distances from property lines, abutting r.o.w. center lines and all adjacent buildings and structures.  
See attached
- X ☒ 15. Minimum floor elevations of buildings within one hundred (100) year floodplain.  
See attached
- X ☒ 16. The location, dimensions, type, composition and intended use of all other structures.  
See attached
- X ☒ 17. Proposed location and sizing of potable water and wastewater facilities to serve the proposed development, including required improvements or extensions of existing off-site facilities.  
Developed lot.
- X ☒ 18. The boundaries of proposed utility easements.  
Developed lot.
- X ☒ 19. Location of the nearest available public water supply and wastewater disposal system and the proposed tie-in points, or an explanation of alternative systems to be used.  
Developed lot.
- X ☒ 20. Exact locations of on-site and nearby existing and proposed fire hydrants.  
Developed lot.
- X ☒ 21. The layout of all streets and driveways with paving and drainage plans and profiles showing existing and proposed elevations and grades of all public and private roads.  
Developed lot.
- X ☒ 22. A parking and loading plan showing the total number and dimensions of proposed parking spaces, spaces reserved for parking, loading areas, proposed ingress and egress (including public street modifications) and projected on-site traffic flow.  
See attached
- X ☒ 23. The location of all interior lighting.

- ☒ 24. The location and specifications of any proposed garbage dumpsters.  
*See attached*
- ☒ 25. Cross sections and specifications of all proposed pavement.  
*Developed lot, see attached*
- ☒ 26. Typical and special roadway and drainage sections and summary of quantities.  
*Developed lot*
- ☒ 27. All protected trees to be removed and a statement of why they are to be removed.  
*N/A*
- ☒ 28. Proposed changes in the natural grade and any other development activities directly affecting trees to be retained.  
*N/A*
- ☒ 29. A statement of the measures to be taken to protect the trees to be retained.  
*N/A*
- ☒ 30. A statement of tree relocations and replacements proposed.  
*N/A*
- ☒ 31. Location and dimensions of proposed buffer zones and landscape areas.  
*See attached*
- ☒ 32. Description of plant materials existing and to be planted in buffer zones and landscaped areas.  
*See attached*
- ☒ 33. Erosion and sedimentation control plan that describes the type and location of control measures, the stage of development at which they will be put into place or used, and maintenance provisions.  
*See attached*
- ☒ 34. Channel, direction, flow rate and volume of storm water that will be conveyed from the site, with a comparison to natural or existing condition.  
*Developed lot*
- ☒ 35. Detention and retention areas, including plans for discharge of contained waters, maintenance plans and predictions of surface water quality changes.  
*Developed lot*
- ☒ 36. Areas of the site to be used or reserved for percolation including an assessment of the impact on ground-water quality.  
*Developed lot, see attached*

- ☒ 37. Location of all water bodies in the surface management system (natural and artificial) with details of hydrography, side slopes depths and water-surface elevations or hydrography.  
*N/A*
- ☒ 38. Linkages with existing or planned storm water management systems.  
*Developed lot, see attached.*
- ☒ 39. On and off-site r.o.w. and easements for the system including location and a statement of the nature of the reservation of all areas to be reserved as part of the storm water management system.  
*Developed lot, see attached*
- ☒ 40. The entity or agency responsible for the operation and maintenance of the storm water management system.
- ☒ 41. Runoff calculations shall be in accord with the storm water management manual.
- ☒ 42. The exact sites and specifications for all proposed drainage, filling, grading, dredging and vegetation removal activities including estimated quantities of excavation or fill materials computed from cross sections, proposed within an environmentally sensitive zone.  
*Developed lot, see attached.*
- ☒ 43. Detailed statement or other materials showing:
- ☒ a. The percentage of the land surface of the site that is covered with natural vegetation and the percentage of natural vegetation that will be removed by development.  
*Developed lot, see attached*
- ☒ b. The distances between development activities and the boundaries of the protected environmentally sensitive zones.  
*N/A*
- ☒ 44. Two (2) blueprints or ink drawings of the plans and specifications of regulated signs and method of their construction and attachment to the building or ground, except those standard signs that have been placed on file with the building official by a licensed sign contractor for standard signs. The plans shall show all pertinent structural details, wind pressure requirements and display materials in accordance with the requirements of the Code and the building and electrical codes adopted by St. Augustine Beach. The plans shall clearly illustrate the type of sign or sign structure as defined in the Code; sign design, including dimensions, colors and materials; the aggregate sign area; the dollar value of the sign; maximum and minimum heights of the sign; and sources of illumination.  
*All signs will meet code requirements*



- ☒ 45. For regulated ground sign, a plan, sketch, blueprint, blue line print or similar presentation drawn to scale which indicates clearly:
- ☒ a. The location of the sign relative to property lines, r.o.w., streets, alleys, sidewalks, vehicular access and parking areas and other existing ground signs on the parcel.  
*Any sign will meet all city codes*
  - ☒ b. All regulated trees that will be damaged or removed for the construction and display of the sign.  
*N/A*
  - ☒ c. The speed limit on adjacent streets.  
*30 mph*
- ☒ 46. For building sign, a plan, sketch, blueprint, blue line print or similar presentation drawn to scale which clearly indicates:
- ☒ a. The location of the sign relative to property lines, r.o.w.'s, streets, alleys, sidewalks, vehicular access and parking areas, buildings and structures on the parcel.  
*Any sign will meet all city codes*
  - ☒ b. The number, size, type and location of all existing signs on the same parcel, except a single business unit in a multiple occupancy complex shall not be required to delineate the signs of other business units.
  - ☒ c. A building elevation or other documentation indicating the building dimensions.  
*see attached*
- ☒ 47. If the development involves a subdivision of land the proposed number, minimum area and location of lots.  
*N/A*
- ☒ 48. Location of all land to be dedicated or reserved for all public and private uses, including r.o.w.'s, easements, special reservations and the like.  
*N/A*
- ☒ 49. Amount of area devoted to all existing and proposed land uses, including schools, open space, churches, residential and commercial, as well as the location thereof.  
*N/A*
- ☒ 50. The total number and type of residential units categorized according to number of bedrooms. The total number of residential units per acre (gross density) shall be given.  
*N/A*

- ☒ 51. Location of proposed development in relation to any established urban service areas.
- ☒ 52. Location of on-site wells and wells within one thousand (1,000) feet of any property line, exceeding one hundred thousand (100,000) gallons per day.
- ☒ 53. Historic and archaeologic sites. The manner in which historic and archaeologic sites on the site, or within one thousand (1,000) feet of any boundary site, will be protected. *N/A*
- ☐ 54. Final development plan - subdivision of land: *N/A*
- ☐ a. A metes and bounds description of lands to be subdivided, from which, and without reference to the plat, the starting point and boundary can be determined.
  - ☐ b. Every development shall be given a name by which it shall be legally known. The name shall not be the same as any other name appearing on any recorded plat except when the proposed development includes a subdivision that is subdivided as an additional unit or section by the same developer or his successors in title.
  - ☐ c. All lots shall be numbered either by progressive numbers or, if in blocks, progressively numbered or lettered, except that blocks in numbered additions bearing the same name may be numbered consecutively throughout several additions.
  - ☐ d. All interior excluded parcels shall be clearly indicated and labeled "Not part of this plat/development."
  - ☐ e. All contiguous properties shall be identified by development title, plat book and page, or if land is un-platted, it shall be so designated. If a subdivision to be platted is a resubdivision of a part or the whole of a previously recorded subdivision, sufficient ties shall be shown to controlling lines appearing on the earlier plat to permit an overlay to be made. All abutting existing easements and r.o.w.'s must be indicated to the center line.
  - ☐ f. Restrictions pertaining to the type and use of existing or proposed improvements, waterways, open spaces, building lines, buffer strips and walls and other restrictions of similar nature, shall require the establishment of restrictive covenants and such covenants shall be submitted with the final plan for recordation.



- ☐ g. Where the development includes private streets, ownership and maintenance association documents shall be submitted with the final development plan and the dedication contained on the development plan shall clearly indicate the roads and maintenance responsibility to the association without recourse to St. Augustine Beach or any other public agency.
- ☐ h. All man-made lakes, ponds and other bodies of water excluding retention/detention areas shown on the final development plan shall be made a part of adjacent private lot(s) as shown on the final plat. The ownership of these bodies of water shall not be dedicated to the public unless approved by St. Augustine Beach.

PROJECT PHASING MASTER PLAN N/A

A master plan is required for a major development which is to be developed in phases, and will provide the following information for the entire development:

- ☐ 1. A concept plan for the entire master plan area.
- ☐ 2. A development plan for the first phase or phases for which approval is being sought.
- ☐ 3. A development phasing schedule including the sequence for each phase; approximate size of the area in each phase; and the proposed phasing construction of public recreation and common open space areas and facilities.
- ☐ 4. Total acreage in each phase and gross intensity (nonresidential) and gross density (residential) of each phase.
- ☐ 5. Number, height and type of residential units.
- ☐ 6. Floor area, height and types of office, commercial, industrial and other proposed uses.
- ☐ 7. Total land area and approximate location and amount of open space included in each residential, office, commercial and industrial area.
- ☐ 8. Approximate location of proposed and existing streets and pedestrian and bicycle routes, including points of ingress and egress.
- ☐ 9. Approximate location and acreage of any proposed public use such as parks, school sites and similar public or semi-private uses.
- ☐ 10. A vicinity map of the area within one (1) mile surrounding the site showing:
  - ☐ a. Land use designations and boundaries.
  - ☐ b. Traffic circulation systems.

- ☐ c. Major public facilities.
- ☐ d. Municipal boundary lines.
- ☐ 11. Other documentation necessary to permit satisfactory review under the requirements of the Code and other applicable law as required by special circumstances in the determination of the building official.

PLATTING N/A

Where a major development includes the subdivision of land, the final approval of the development planned by the Comprehensive Planning and Zoning Board shall be made contingent upon approval by the St. Augustine Beach Commission of a plat conforming to the development plan.

After receiving plat-contingent-final development plan approval, the developer shall submit to the Building Department a plat conforming to the development planned and the requirements of Chapter 177, Florida State Statutes. Alternatively, the developer may submit a plat at any point in the development review process.

The building official within ten (10) days of receiving the plat, shall review with the city attorney to see whether the plat conforms. If the plat does conform, the building official shall ask the city manager to place the plat on the next available agenda of the St. Augustine Beach Commission. If the plat does not conform, the building official shall explain the deficiency in the plat to the developer and inform him that a corrected plat may be resubmitted prior to review by the City Commission.

Review of the plat by the City Commission shall be strictly limited to whether the plat conforms to the requirements of Chapter 177, Florida State Statutes and this Code. A conforming plat shall be approved and the department shall forthwith issue the development order allowing development to proceed.

FINAL DEVELOPMENT IMPROVEMENT AGREEMENTS REQUIRED

Improvement agreements required at time of submittal and review of final development plan by Comprehensive Planning and Zoning Board.

Please check the items below that apply and are attached.

The approval of any development plan shall be subject to the developer providing assurance that all required improvements, including, but not limited to, storm drainage facilities, streets and highways, and water and sewer lines, shall be satisfactorily constructed according to the approved development plan.

THE FOLLOWING INFORMATION SHALL BE PROVIDED.

- ☒ 1. Agreement that all improvements, whether required by this Code or constructed at the developer's option, shall be constructed in accordance with the standards and provisions of this Code.
- ☐ 2. The terms of the agreement indicating that all required improvements shall be satisfactorily constructed within the period stipulated. The term shall not exceed five (5) years from the recording of the plat or thirty (30) percent occupancy of the development, whichever comes first.
- ☐ 3. The projected total cost for each improvement. Cost for construction shall be determined by either of the following:
  - ☐ a. Estimate prepared and provided by the applicants' engineer.
  - ☐ b. A copy of the executed construction.
- ☐ 4. Specification of the public improvements to be made and dedicated together with the timetable for making improvements.
- ☐ 5. Agreement that upon failure of the applicant to make required improvements (or to cause them to be made) according to the schedule for making those improvements, St. Augustine Beach shall utilize the security provided in connection with the agreement.
- ☐ 6. Provision of the amount and type of security provided to ensure performance.
- ☐ 7. Provision that the amount of security may be reduced periodically, but not more than two (2)



times during each year, subsequent to the completion, inspection and acceptance of improvements by St. Augustine Beach Building Official.

#### AMOUNT AND TYPE OF SECURITY:

1. The amount of the security listed in the improvements agreement shall be approved as adequate by the building official.
2. Security requirements may be met by but are not limited to the following AND ARE DUE AT THE TIME OF PLAT APPROVAL BY THE CITY COMMISSION:
  - ☐ a. Cashiers check
  - ☐ b. Certified check
  - ☐ c. Developer/Lender/St. Augustine Beach Agreement
  - ☐ d. Interest
  - ☐ e. Irrevocable letters of credit
  - ☐ f. Surety bond
3. The amount of security shall be one hundred ten (110) percent of the total construction costs for the required developer-installed improvements. The amount of security may be reduced to commensurate with the completion and final acceptance of required improvements. In no case, however, shall the amount of the bond be less than one hundred ten (110) percent of the cost of completing the remaining required improvements.

#### COMPLETION OF IMPROVEMENTS:

- ☐ 1. When improvements are completed, final inspection shall be conducted and corrections, if any, shall be completed before final acceptance is recommended by the City of St. Augustine Beach. A recommendation for final acceptance shall be made upon receipt of a certification of project completion and one (1) copy of all test results.
- ☐ 2. As required improvements are completed and accepted, the developer may apply for release of all or a portion of the bond consistent with the requirement in "Amount and Type of Security," Item (3), listed above.

#### MAINTENANCE OF IMPROVEMENTS:

- ☐ 1. A maintenance agreement and security shall be provided to assure St. Augustine Beach that all required improvements shall be maintained by the developer according to the following requirements:
  - a. The period of maintenance shall be a minimum of three (3) years.
  - b. The maintenance period shall begin with the acceptance by St. Augustine Beach of the construction of the improvements.
  - c. The security shall be in the amount of fifteen (15) percent of the construction cost of the improvements.
  - d. The original agreement shall be retained by the building official.
- ☐ 2. Whenever a proposed development provides for the creation of facilities or improvements which are not proposed for dedication to St. Augustine Beach a legal entity shall be created to be responsible for the ownership and maintenance of such facilities and/or improvements.
  - ☐ a. When the proposed development is to be organized as a condominium under the provision of Chapter 718, Florida Statutes, common facilities and property shall be conveyed to the condominium's association pursuant to that law.
  - ☐ b. When no condominium is to be organized, an owners' association shall be created, and all common facilities and property shall be conveyed to that association.
  - ☐ c. No development order shall be issued for a development for which an owners' association is required until the documents establishing such association have been reviewed and approved by the St. Augustine Beach Attorney.
- ☐ 3. An organization established for the purpose of owning and maintaining common facilities not proposed for dedication to St. Augustine Beach shall be created by covenants running with the land. Such covenants shall be included with the final plat. Such organization shall not be dissolved nor shall it dispose of any common facilities or open space by sale or otherwise without first offering to dedicate the same to St. Augustine Beach.

#### DEDICATION OR MAINTENANCE OF STORM WATER MANAGEMENT SYSTEMS:

- A. Dedication: If a storm water management system approved under this Code will function as an integral part of the St. Augustine Beach maintained system, as determined by the city, the

facilities should be dedicated to St. Augustine Beach.

B. Maintenance by an acceptable entity.

1. Storm water management systems that are not dedicated to the city of St. Augustine Beach shall be operated and maintained by one (1) of the following entities:

- a. A local governmental unit including a county, municipality, or municipality, or municipal service taxing unit, special district or other governmental unit.
- b. An active water control district created pursuant to Chapter 298, Florida Statutes or drainage district created by special act, or community development district created pursuant to Chapter 190, Florida Statutes, or special assessment district created pursuant to Chapter 170 Florida Statutes.
- c. A State or Federal agency.
- d. An officially franchised, licensed or approved communication, water, sewer, electrical or other public utility.
- e. The property owner or developer if:

(1) Written proof is submitted in the appropriate form by either letter or resolution, that a governmental entity or such other acceptable entity as set forth in paragraphs B, 1., a-d above, will accept the operation and maintenance of the storm water management and discharge facility at a time certain in the future.

(2) A bond or other assurance of continued financial capacity to operate and maintain the system is submitted.

f. For profit or nonprofit corporations including homeowners associations, property owners associations, condominium owners associations or master associations if:

(1) The owner or developer submits documents constituting legal capacity and a binding legal obligation between the entity and St. Augustine Beach affirmatively taking responsibility for the operation and maintenance of the storm water management facility.

(2) The association has sufficient powers reflected in its organizational or operational documents to:

(a) Operate and maintain the storm water management system as permitted by St. Augustine Beach.

(b) Establish rules and regulations.

(c) Assess members.

(d) Contract for services.

(e) Exist perpetually, with the Articles of Incorporation providing that if the association is dissolved, the storm-water management system will be maintained by an acceptable entity as described above.

2. If project is to be constructed in phases, and subsequent phases will use the same storm water management facilities as the initial phase or phases, the operation/maintenance entity shall have the ability to accept responsibility for the operation and maintenance of the storm-water management systems of future phases of the project.
3. In-phased developments that have an integrated storm water management system, but employ independent operation/maintenance entities for different phases, the operation/maintenance entities, either separately or collectively, shall have the responsibility and authority to operate and maintain the storm water management system for the entire project. That authority shall include cross easements for storm water management and the authority and ability of each entity to enter and maintain all facilities, should any entity fail to maintain a portion of the storm water management system within the project.
4. The applicant shall be an acceptable entity and shall be responsible for the operation and maintenance of the storm water management system from the time construction begins until the storm water management system is dedicated to and accepted by another acceptable entity.

#### UTILITIES:

##### Requirements for all developments:

- A. Generally: The following basic utilities are required for all development for all developments subject to the criteria listed herein.
- B. Electricity: Every principal use and every lot within a subdivision shall have available to it a source of electric power adequate to accommodate the reasonable needs of such use and every lot within such subdivision.
- C. Telephone: Every principal use and every lot within a subdivision shall have available to telephone service cable adequate to accommodate the reasonable needs of such use and every lot within such subdivision.
- D. Water and sewer: Every principal use and every lot within a subdivision shall have central potable water and wastewater hookup whenever required by the St. Augustine Beach Comprehensive Plan.
- E. Illumination: All streets in new developments shall have illumination provided by the developer, meeting the standards approved by the St. Augustine Beach City Commission.

- F. Fire hydrants: All developments served by a central water system shall include a system of fire hydrants consistent with the construction standards approved by the St. Augustine Beach City Commission.

#### DESIGN STANDARDS:

- A. Compliance with construction standards: All utilities required by this Code shall meet or exceed the minimum standards approved by the St. Augustine Beach City Commission.
- B. Placement of utilities underground:
- ☐ All electric, telephone, cable television, and other communication lines (exclusive of transformers or enclosures containing electrical equipment including but not limited to, switches, meters, or capacitors which may be pad mounted), and gas distribution lines shall be placed underground within easements or dedicated public rights-of-way, installed in accordance with the design standards approved by the St. Augustine Beach City Commission.
  - ☐ Lots abutting existing easements or public rights-of-ways where overhead electric, telephone, or cable television distribution supply lines and service connections have previously been installed may be supplied with such services from the utilities overhead facilities provided the service connection to the site or lot are placed under ground.
  - ☐ Screening of any utility apparatus placed above ground shall be required.

#### Utility easements:

When a developer installs or causes the installation of water, sewer, electrical power, telephone, or cable television facilities and intends that such facilities shall be owned, operated, or maintained by a public utility or any entity other than the developer, the developer shall transfer to such utility or entity the necessary ownership or easement rights to enable the utility or entity to operate and maintain such facilities.

#### Relationship to other storm water management requirements:

In addition to meeting the requirements of this Code, the design and performance of all storm water management systems shall comply with applicable state regulations (Section 5.03.00 of the St. Augustine Beach Code) or rules of the St. Johns River Water Management District. In all cases the strictest of the applicable standards shall apply.

#### Storm water management requirements:

- A. Performance standards: All development must be designed, constructed and maintained must be designed, constructed and maintained to meet the following performance standards:



☒ While development activity is underway and after it is completed, the characteristics of storm water runoff shall approximate the rate, volume, quality, and timing of storm water runoff that occurred under the site's natural unimproved or existing state, except that the first half-inch of storm water runoff shall be treated in an off-line retention system or according to the requirements of the State of Florida Department of Environmental Regulations and the St. Johns River Water Management District.

☒ The proposed development and development activity shall not violate the water quality standards as set forth in Chapter 17-3, Florida Administrative Code.

B. Design standards: To comply with the foregoing performance standards the proposed storm water management system shall conform to the following design standards:

☐ Detention and retention system shall be designed to comply with Chapter 17-3, F.A.C.

☐ To the maximum extent practicable, natural systems shall be used to accommodate storm water:

☐ The proposed storm water management system shall be designed to accommodate the storm water that originates within the development and storm water that flows onto or across the development from adjacent lands:

☐ The proposed storm water management system shall be design to function properly for a minimum twenty (20) year life.

☐ The design and construction of the proposed storm water management system shall be certified as meeting the requirements of this Code by a professional engineer registered in the State of Florida.

☐ Dredging, clearing of vegetation, deepening, widening, straightening, stabilizing or otherwise altering natural surface waters shall be minimized.

☐ Natural surface waters shall not be used as sediment traps during or after development.

☐ Water reuse and conservation shall, to the maximum extent practicable, be achieved by incorporating the storm water management system into irrigation systems serving the development.

☐ Vegetated buffers of sufficient width to prevent erosion shall be retained or created along the shores, banks or edges of all natural or man-made surface waters.

☐ All detention and retention basins, except natural water bodies used for this purpose, shall be accessible for maintenance from streets or public rights-of-way.

Developed lot

Drainage system:

Development activities shall not be approved unless there is sufficient available capacity to sustain the following levels of service for the drainage system as established in the Drainage Sub-element of the St. Augustine Beach Comprehensive Plan:

TYPE OF USE	LEVEL OF SERVICE
Detention basis	25 Year 24 Hour Storm
Flood control elevation	100 Year Flood Plain Elevation Per FEMA Maps

Sidewalks and bikeways:

A. WHEN REQUIRED:

- Existing*
- ☐ Projects abutting collector or arterial facilities shall provide sidewalks adjacent to the collector or arterial roadway. Location of sidewalks shall be consistent with planned roadway improvements.
  - ☐ Sidewalks shall be provided on at least one (1) side of all residential streets.
  - ☐ Where a proposed development includes improvements or new construction of collector facilities, facility designs shall include provisions for sidewalks and bikeways within the right-of-way.
  - ☐ Residential projects adjacent to or in the immediate vicinity of an activity center comprised of commercial, office, service, or recreation activities shall provide pedestrian and bicycle access from the development to the activity center.
  - ☐ Pedestrian-ways or crosswalks, not less than ten (10) feet wide with a sidewalk meeting the requirements of this Code, may be required to be placed in the center of blocks more than eight hundred feet long where deemed necessary to provide circulation or access to playgrounds, shopping centers, and other community facilities.

B. DESIGN AND CONSTRUCTION STANDARDS:

- ☐ Design and construction of sidewalks, bikeways, or other footpaths shall conform to the standards approved by the St. Augustine Beach City Commission, including provisions for access by physically handicapped persons.



Access:

All proposed development shall meet the following standards for vehicular access and circulation:

A. NUMBER OF ACCESS POINTS:

- ☒ All projects shall have access to a public right-of-way.
- ☐ Notwithstanding the provisions in paragraph 1. above:

A nonresidential development, or a multifamily residential development, on a corner lot may be allowed two (2) points of access. However, no more than one (1) access shall be onto an arterial.

B. SEPARATION OF ACCESS POINTS:

- ☐ The separation between access points onto arterial and collector roadways, or between an access point and an intersection of an arterial or collector with another road, shall be as shown in the following table:

FUNCTIONAL CLASS OF ROADWAY	DISTANCE BETWEEN ACCESS POINTS
Arterial	250 Feet
Collector	140 Feet

- ☐ The distance between access points shall be measured from the centerline of the proposed driveway or roadway to the centerline of the nearest adjacent roadway or driveway.

C. ALTERNATIVE DESIGNS:

Where natural features or spacing of existing driveways and roadways cause the foregoing access requirements to be physically infeasible, alternate designs may be approved as a part of issuing the final development order.

D. ACCESS TO RESIDENTIAL LOTS:

- ☐ Access to nonresidential uses shall not be through an area designed, approved or developed for residential use.
- ☐ All lots in a proposed residential subdivision shall have frontage on and access from an existing street meeting the requirements of this Code.

Off-street parking and loading - Generally.

✓ **APPLICABILITY:** Off-street parking facilities shall be provided for all development within St. Augustine Beach pursuant to the requirements of this Code. The facilities shall be maintained as long as the use exists that the facilities were designed to serve. All off-street parking spaces shall be paved for all uses.

Environmentally sensitive lands:

**GENERAL PROVISIONS.**

- Developed lot
- ☐ Relationship to other requirements relating to the protection of environmentally sensitive lands. Development plans shall comply with applicable federal, state and water management district regulations relating to environmentally sensitive lands. In all the strictest of the applicable standards shall apply.
  - ☐ Conservation/Coastal Management Element incorporated by reference. The Conservation/Coastal Management element of the St. Augustine Beach Comprehensive Plan as from time to time amended is hereby incorporated by reference into this Code.
  - ☐ Compliance when subdividing land. Each lot of a proposed subdivision must include a site suitable for constructing a structure in conformity with the standards for protection of environmentally sensitive lands.

Habitat management plan. NA

- ☐ A. **WHEN REQUIRED.** A habitat management plan shall be prepared by the developer as a prerequisite to the approval of any development proposed on a site containing areas subject to this section.
- ☐ B. **CONTENTS.** The habitat management plan shall be prepared by an ecologist, biologist or other related professional. The plan shall document the presence of affected species, the land needs of the species that may be met on the development site, and shall recommend appropriate habitat management plans and other measures to protect the subject wildlife.
- ☐ C. **CONFORMITY OF FINAL DEVELOPMENT PLAN.** The final development plan approved for a development shall substantially conform to the recommendations in the habitat management plan.
- ☐ D. **PRESERVATION OF LAND.** Where land on a proposed development site is to be preserved as habitat of rare, endangered or special concern species, such land shall be adjacent to existing viable habitat, a significant wetland system, floodplain, or wildlife corridor. If such lands are not adjacent to the development site, land to be set aside shall be of such quantity and quality as to provide viable habitat, as documented in the study required in paragraph B. above.
- ☐ E. **FEE-IN-LIEU.** As an alternative to preservation of land, the City of St. Augustine Beach may establish a fee-in-lieu-of-land program, whereby the city can purchase land which will provide a significant habitat.



FEE SCHEDULE MAJOR DEVELOPMENT APPLICATION

CONCEPT REVIEW:

APPLICATION

\$ 150.00

SIGN

7.50

ADVERTISING

COST

APPLICATION FOR REVIEW BY BUILDING AND ZONING DEPT.  
OF PROPOSED FINAL DEVELOPMENT PLAN

\$150.00 under 2 acres  
\$350.00 if 2 or more acres.

REVIEW PRELIMINARY PLAT REVIEW

\$150.00 PLUS \$2.00/LOT

FINAL PLAT APPROVAL

\$5.00/LOT

**\*\*Building permit fees not included\*\***

INVOICE

Receipt # 28798

DATE:

3/26/2018

NAME

Panama Hattie's 361 LLC / J. Johns  
Land Group

ADDRESS

361 AAA Beach Boulevard

FEE RECEIVED

157.50

FOR

Final Development  
Review File No.  
FD 2018-01

CHECK #

10350

SIGNED

Bm



# Department of Building and Zoning

St. Augustine Beach, Florida

## Receipt for Cash/Check

Payment Method: Check

Check No: 10350

Date: 3/26/2018

Received Of: St. Johns Law Group

For:	Final Development No.FD 2018-01	TotalCost:	\$157.50
322.100:	\$0.00	354.200:	\$0.00
322.200:	\$0.00	2400.524.5290:	\$0.00
341.320:	\$0.00	2400.524.3100:	\$0.00
341.330:	\$0.00	R-001.999.003:	\$0.00
341.340:	\$0.00	2400.524.4810:	\$0.00
369.900:	\$0.00	341.350:	\$0.00
367.100:	\$0.00	341.310:	\$150.00
342.500:	\$0.00	I-001.999.003:	\$0.00
		1500.515.4700:	\$7.50
		341.360:	\$0.00

Receipt No: 28798

Received By: Bonnie Miller



## St. Johns County, FL

## Quick Links

[My Tax Bill](#)
[Tax Estimator](#)

## TRIM Notice

[TRIM Notice](#)

## Summary

**Parcel ID** 1630700000  
**Location Address** 361 A1A BEACH BLVD  
 SAINT AUGUSTINE 32080-0000  
**Neighborhood** A1A BCH BLVD RESTAUR (675.03)  
**Tax Description\*** 10 PT OF GL 1 LYING W OF RD A1A - 200FT ON RD OR4111/883  
 \*The Description above is not to be used on legal documents.  
**Property Use Code** Restaurants & Cafeterias (Owner Occupied) (2105)  
**Subdivision** N/A  
**Sec/Twp/Rng** 34-7-30  
**District** City of St Augustine Beach (District 551)  
**Millage Rate** 17.3625  
**Acreage** 0.710  
**Homestead** N

## View Map

## Owner

**Owner Name** 361 Beach Holdings LLC 100%  
**Mailing Address** 361 A1A BEACH BLVD  
 SAINT AUGUSTINE, FL 32080-0000

## Valuation

	2018
Building Value	\$25,049
Extra Features Value	\$4,794
Total Land Value	\$501,962
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
<b>Just (Market) Value</b>	<b>\$531,805</b>
Total Deferred	\$0
<b>Assessed Value</b>	<b>\$531,805</b>
Total Exemptions	\$0
<b>Taxable Value</b>	<b>\$531,805</b>

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

## Historical Assessments

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2017	\$623,220	\$31,530	\$501,962	\$0	\$0	\$1,156,712	\$1,156,712	\$0	\$1,156,712
2016	\$533,579	\$31,530	\$501,962	\$0	\$0	\$1,067,071	\$1,067,071	\$0	\$1,067,071
2015	\$359,429	\$31,530	\$501,962	\$0	\$0	\$892,921	\$892,921	\$0	\$892,921
2014	\$327,010	\$31,147	\$501,962	\$0	\$0	\$860,119	\$860,119	\$0	\$860,119
2013	\$338,286	\$31,147	\$501,962	\$0	\$0	\$871,395	\$871,395	\$0	\$871,395
2012	\$355,201	\$31,147	\$501,962	\$0	\$0	\$888,310	\$888,310	\$0	\$888,310
2011	\$338,286	\$42,070	\$540,000	\$0	\$0	\$920,356	\$920,356	\$0	\$920,356
2010	\$364,986	\$42,549	\$600,000	\$0	\$0	\$1,007,535	\$1,007,535	\$0	\$1,007,535

## Building Information

**Building** 1  
**Actual Area** 6477  
**Conditioned Area** 5457

**Roof Structure** Rigid Frame  
**Roof Cover** Built Up  
**Interior Flooring** Carpet, Ceramic Tile

Actual Year Built 1958  
 Use Restaurants & Cafeterias  
 Style 04  
 Class N  
 Exterior Wall Wood

Interior Wall Drywall  
 Heating Type Air Duct  
 Heating Fuel  
 Air Conditioning Central  
 Baths

Category	Type	Pct
Exterior Wall	Wood	100%
Roofing Structure	Rigid Frame	100%
Roofing Cover	Built Up	100%
Interior Walls	Drywall	100%
Interior Flooring	Carpet	20%
Interior Flooring	Ceramic Tile	80%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	21 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Perimeter Footing	100%
Insulation	2" Fiberglass	100%
Floor System	Concrete Slab	100%
Condition	Good	100%

Description	Conditioned Area	Actual Area
BASE AREA	5457	5457
FOPNPRFORC	0	105
PATIO FORC	0	288
F CARPT FO	0	627
Total SqFt	5457	6477

### Extra Features

Code Description	BLD	Length	Width	Height	Units
2 ASPH 2BS	0	0	0	0	19825
CONC PAV 4	0	0	0	0	152
Pole Light	0	0	0	0	75

### Land Line

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Owner Occupied Restaurants & Cafeterias	200	154	30890	SF	\$501.962

### Sales

Recording Date	Sale Date	Sale Price	Instrument Number	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
11/12/2015	11/9/2015	\$2,000,000.00	WD	4111	883	U	I	KJ OF ST AUGUSTINE LLC	361 BEACH HOLDINGS LLC
	9/3/2008	\$100.00	WD	3127	319	U	I	AESCHBACH ROSEMARY A 1990 REV TRUST/BY LISA CORNIS	KJ OF ST AUGUSTINE LLC
	6/16/2005	\$1,485,000.00	WD	2472	181	Q	I	RANSOM & ASSOCIATES LLC	KJ OF ST AUGUSTINE LLC
	5/9/2002	\$1,110,000.00	WD	1761	1424	Q	I	AESCHBACH ROSEMARY TRUSTEE (HER INT)	RANSOM & ASSOCIATES LLC
	5/9/2002	\$100.00	QC	1761	1426	U	I	LORILEI ENTERPRISES INC (THEIR INT)	RANSOM & ASSOCIATES LLC
	10/29/1999	\$0.00	FJ	1451	1442	U	I	AESCHBACH JOHN J & CONNIE S	AESCHBACH ROSEMARY TRUSTEE & LORILEI ENTERPRI
	5/1/1990	\$0.00		861	1826	U	I		AESCHBACH ROSEMARY TRUSTEE
	5/1/1986	\$0.00		711	1115	U	I		
	1/1/1980	\$100,000.00		449	254	U	I		

### Area Sales Report

[Recent Sales in Area](#)

### Clerk of Court

[Clerk of Court](#)

### Tax Collector

[My Tax Bill](#)

### Tax Estimator

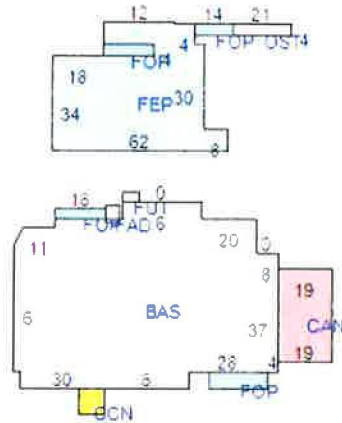
[Tax Estimator](#)

### Map



### Sketches

	FAD	FAD
	FUT	FUT
	CAN	CANOPY
	CCN	CCN
	BAS	Base
	FEP	FINISHED ENCLOSED PORCH
	FOP	FINISHED OPEN PORCH
	OST	OST



No data available for the following modules: Exemptions.

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

Last Data Upload: 3/19/2018 11:37:48 PM

  
Schneider  
Developed by  
The Schneider  
Corporation





**Steve Siebert Architecture**  
110 SE 4<sup>th</sup> Avenue, Suite 106  
Delray Beach, Florida 33483  
ph. 561.880.7894  
AR 0017834

August 18, 2016

**St. Augustine Beach Building Department**  
2200 AIA S, Street  
St. Augustine, FL 32080

**RE: Panama Hatties**  
**361 A1A Beach Boulevard**  
**St. Augustine, Florida 32084**

PERMIT:

Building Department,

This letter is provided to clarify the building-size and parking-count questions raised by the building department for the above mentioned project.

The Ground Floor Plan will lay on the same "foot-print" as the original building. As indicated on our submitted plans, we will be removing some existing wood-framed structures and replacing them with Concrete & Masonry to meet the Florida Building Wind-Code(s). However, the proposed size is the-same as the existing size structure.

The Original "approved" parking plan; indicates 48 regular spaces plus 3 handicap for a total of 51 spaces. The reconfigured site will contain 57 regular spaces plus 2 handicap for a total of 59 spaces.

We trust this letter meets the requirements of the building department request.

Sincerely,

Steven Siebert  
architect





EAST (FRONT) ELEVATION



SOUTH (SIDE) ELEVATION



STEVE SIEBERT  
ARCHITECTURE

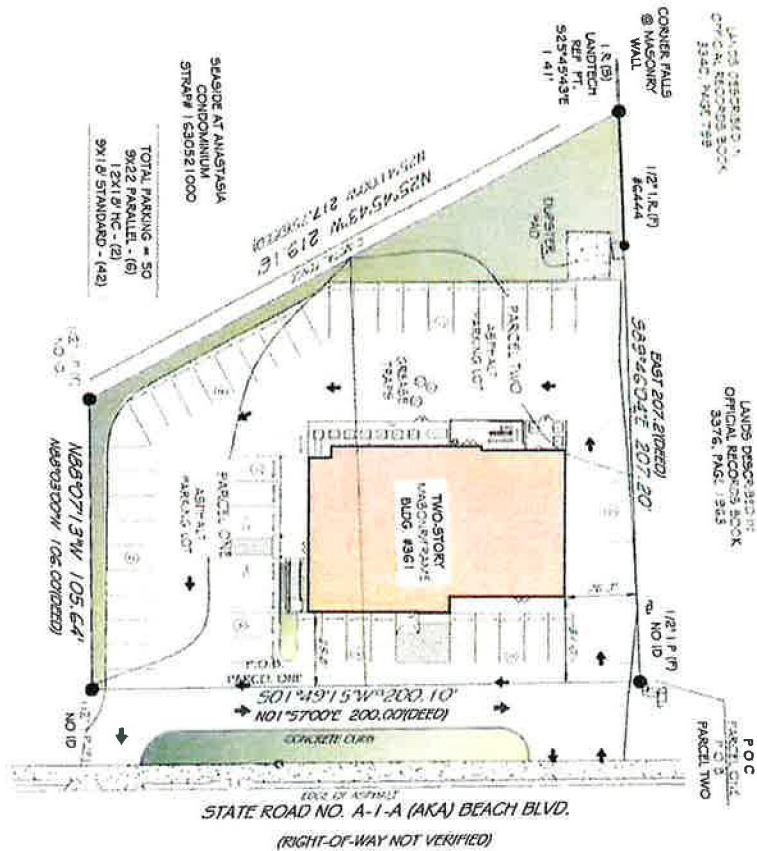
STEVE SIEBERT  
ARCHITECTURE  
100 N. FORT ST. SUITE 100  
FORT LAUDERDALE, FL 33301  
PH: 561.880.7811  
WWW.STEVESIEBERT.COM

RESTAURANT RENOVATION FOR:  
**Panama Hatties - REV.**  
200 ALA BEACH BOULEVARD  
ST. AUGUSTINE, FL 32089

PROJECT NO. 17-081  
DATE 11.27.17  
DRAWN BY GW  
CHECKED BY SWS  
REVISIONS

CONTRACTOR  
**ELEV**  
SHEET NO.

ARCHITECTURAL SITE PLAN:





# MAP SHOWING SURVEY OF

## PARCEL ONE:

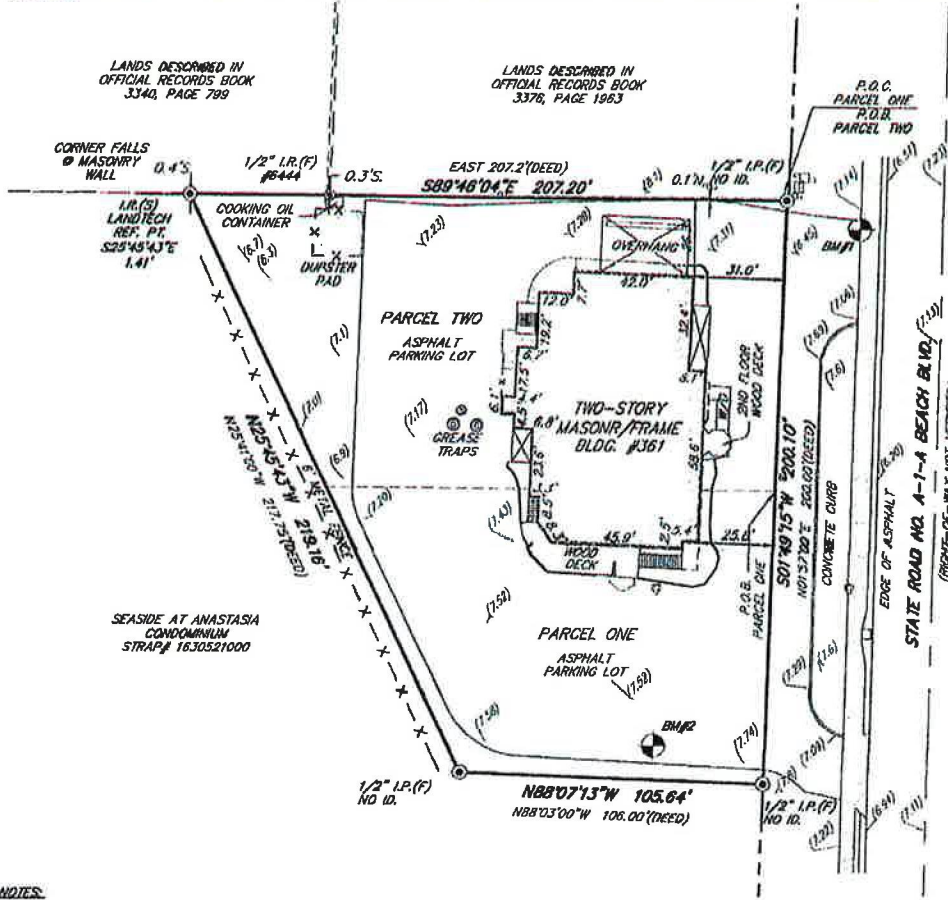
BEING A PART OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A AND DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE LOCATED ON THE NORTHWEST CORNER OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1 OF SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A, SAID POINT OF COMMENCEMENT ALSO BEING THE NORTHEAST CORNER OF THE PROPERTY ORIGINALLY OF ETEL AND SAID IRON PIPE BEING ON THE WEST LINE OF STATE ROAD A1A; THENCE RUN SOUTH 1 DEGREE 57 MINUTES WEST ALONG AND WITH THE WEST LINE OF STATE ROAD A1A, A DISTANCE OF 100 FEET TO AN IRON PIPE FOR THE POINT OF BEGINNING OF THE LAND HEREIN CONVEYED; RUN THENCE NORTH 89 DEGREES 40 MINUTES WEST, A DISTANCE OF 158.11 FEET TO AN IRON PIPE (THE NORTHEAST CORNER OF LAND CONVEYED TO LOCKHART); RUN THENCE NORTH 25 DEGREES 41 MINUTES WEST 108.875 FEET TO AN IRON PIPE LOCATED IN THE NORTH LINE OF SAID SOUTH 507 FEET OF SAID GOVERNMENT LOT 1; THENCE RUN EAST AND ALONG WITH THE NORTH LINE OF SAID SOUTH 507 FEET OF SAID GOVERNMENT LOT 1, A DISTANCE OF 207.2 FEET TO THE POINT OF BEGINNING.

## PARCEL TWO:

BEING THAT PART OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A AND DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE LOCATED ON THE NORTHWEST CORNER OF THE SOUTH 507 FEET OF GOVERNMENT LOT 1 OF SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, LYING AND BEING WEST OF STATE ROAD A1A SAID POINT OF COMMENCEMENT ALSO BEING THE NORTHEAST CORNER OF THE PROPERTY ORIGINALLY OF ETEL AND SAID IRON PIPE BEING ON THE WEST SIDE OF STATE ROAD A1A; THENCE RUN SOUTH 1 DEGREE 57 MINUTES WEST ALONG AND WITH THE WEST LINE OF STATE ROAD A1A, A DISTANCE OF 100 FEET TO AN IRON PIPE (THE NORTHEAST CORNER OF LAND CONVEYED TO LOCKHART); RUN THENCE NORTH 89 DEGREES 40 MINUTES WEST, A DISTANCE OF 158.11 FEET TO AN IRON PIPE (THE NORTHEAST CORNER OF LAND CONVEYED TO LOCKHART); THENCE NORTH 25 DEGREES 41 MINUTES WEST 108.875 FEET TO AN IRON PIPE LOCATED IN THE NORTH LINE OF SAID SOUTH 507 FEET OF SAID GOVERNMENT LOT 1; THENCE RUN EAST AND ALONG WITH THE NORTH LINE OF SAID SOUTH 507 FEET OF SAID GOVERNMENT LOT 1, A DISTANCE OF 207.2 FEET TO THE POINT OF BEGINNING.



## SURVEYOR'S NOTES:

1. THE LEGAL DESCRIPTION OF PARCEL ONE DOES NOT CLOSE BY 1.31 FEET.
2. THE LEGAL DESCRIPTION OF PARCEL TWO DOES NOT CLOSE BY 1.37 FEET.
3. ITEM NO. 6 UNDER THE SCHEDULE B-H EXCEPTIONS (O.R.B. 1112 PG. 1402) IS A CONVENTIONAL USE PERMIT (TO SERVE FOOD & BEVERAGES) AND IS NOT PLOTTABLE.

## LEGEND

A/C	AIR CONDITIONER PAD	RES.	RESIDENCE
ID.	IDENTIFICATION	CON.	CONCRETE POWER POLE
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM	G.M.	GAS MARKER
S.F.	SQUARE FEET	T.R.	TELEPHONE RISER
I.P.(F)	IRON PIPE FOUND	W.M.	WATER METER
I.R.(F)	IRON ROD FOUND	W.P.P.	WOOD POWER POLE
P.O.B.	POINT OF BEGINNING	E.C.	EXPOSED CONCRETE
P.O.C.	POINT OF COMMENCEMENT	C.A.	COVERED AREA

## GENERAL NOTES:

- This survey was made without benefit of an abstract of title, the right-of-way or easements of record were known to this firm except as shown.
- The certification of this survey is a professional opinion based on the existing field and documentary evidence available at the time this survey was prepared.
- This office has not abstracted this parcel of land for any recorded evidence of title, easements or restrictions. This surveyor does not hold title for the existence of any such claims.
- Use of this survey for purposes other than that which it was intended, without written verification, and by or at the user's sole risk and without liability to this surveyor, whether or not the user is intended to give any title or benefit to anyone other than those the survey was prepared for.
- All disputes hereunder shall be resolved by binding arbitration in accordance with rules set forth by the American Arbitration Association.
- No underground structures, utilities or foundations were located or determined for this survey.
- For building setbacks and other appropriate county codes enforcement office.
- All distances, bearings or angles are as field measured. Used or plot measurements are noted if apparent.
- The measurements for this survey were made in accordance with the United States Standards.
- Improvements or shown hereon are only those above ground, stable subjects observed by the surveyor.

- This survey is certified in the real field date.
- This survey does not include or determine easements.
- The specific rights implied by this survey are not transferrable.
- This surveyor's liability shall not exceed the fee as stated by this surveyor.

## NOTES:

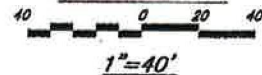
THIS SURVEY IS PROTECTED BY COPYRIGHT AND IS CERTIFIED ONLY TO THE PARTIES LISTED ABOVE AND ONLY FOR THIS PARTICULAR TRANSACTION. ANY USE OR REPRODUCTION OF THIS SURVEY WITHOUT THE EXPRESS PERMISSION OF THE SURVEYOR IS PROHIBITED. USE OF THIS SURVEY IN ANY SUBSEQUENT TRANSACTION IS NOT AUTHORIZED. THE SURVEYOR EXPRESSLY DISCLAIMS ANY CERTIFICATION TO ANY PARTIES IN FUTURE TRANSACTIONS. NO PERSON OTHER THAN THOSE LISTED SHOULD RELY UPON THIS SURVEY.

## CERTIFIED TO:

361 BEACH HOLDINGS, LLC  
KJ OF ST. AUGUSTINE, LLC, ISAOA  
ST. JOHNS LAW GROUP, P.A.  
FIDELITY NATIONAL TITLE INSURANCE COMPANY  
GARHAN LAW FIRM, P.A.

AREA = ±0.71 ACRES  
OR ±30,977 sq. ft.

## GRAPHIC SCALE



According to the Florida Surveying and Mapping Agency TBR Map No. 1281 W. DATED 11/11/11 effective date 01/01/12. The property described herein lies in Zone 18N 11W. Survey of boundary structure: SEE MAP 1281 W. OF A1A BEACH BLVD. (S.R. 161) FOR DEED. See Address: 361 A1A BEACH BLVD., ST. AUGUSTINE, FL 32080. - Book of questions: PG 1402.25

FILE NO.	DATE	DATE	DATE	DATE	DATE
17-0237	02/11/17	17-05	208/15	NHT	17-17

THE BOUNDARY/TERMINATION

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**LANDTECH**  
Associates, Inc.  
LAND SURVEYOR'S  
5100 A1A SOUTH, SUITE A  
ST. AUGUSTINE, FLORIDA 32080  
(904) 471-8877 FAX (904) 471-8878

NICHOLAS H. FRANKLIN, P.L.S. 4620  
FOR LANDTECH AND ASSOCIATES L.P. #7537

**Owner's Authorization for Agent**

ST. JOHNS LAW GROUP / JAMES G. WHITEHOUSE, ESQ. is hereby authorized TO ACT ON BEHALF OF 361 BEACH HOLDINGS LLC, the owner of those lands described within the attached request/application and as described in any other such proof of ownership as may be required, in applying to the City of St. Augustine Beach, for an application related to the development/re-development and any other matter related to property located at 361 A1A BEACH BLVD., ST. AUGUSTINE BEACH, FLORIDA (a.k.a. Panama Hatties).

BY:   
Signature of Owner

ALEXANDER MAVRIS, Manager, ALEXANDER MAVRIS INVESTMENTS, LLC (Manager of 361 Beach Holdings, LLC)  
For 361 BEACH HOLDINGS, LLC (Owner of 361 A1A Beach Blvd. a.k.a Panama Hatties)

State of FLORIDA

County of ST. JOHNS

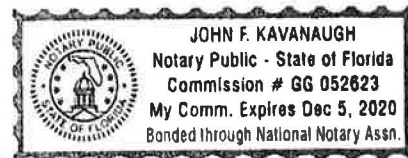
Signed and sworn before me on this 20<sup>th</sup> day of DECEMBER 2017

By ALEXANDER MAVRIS

Identification verified:

Oath sworn: ☒ Yes ☐ No

Notary Signature: 



My Commission expires: DEC 05 2020



[Florida Department of State](#)

DIVISION OF CORPORATIONS

[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /**Detail by Entity Name**

Florida Limited Liability Company  
361 BEACH HOLDINGS LLC

**Filing Information**

<b>Document Number</b>	L15000161096
<b>FEI/EIN Number</b>	47-5138682
<b>Date Filed</b>	09/22/2015
<b>Effective Date</b>	09/22/2015
<b>State</b>	FL
<b>Status</b>	ACTIVE
<b>Last Event</b>	LC AMENDMENT
<b>Event Date Filed</b>	10/05/2015
<b>Event Effective Date</b>	NONE

**Principal Address**

361 A1A BEACH BLVD.  
ST. AUGUSTINE, FL 32080

**Mailing Address**

361 A1A BEACH BLVD.  
ST. AUGUSTINE, FL 32080

**Registered Agent Name & Address**

LAMBROS KOKKINELIS INVESTMENTS LLC  
360 AIA BEACH BLVD.  
ST. AUGUSTINE, FL 32080

**Authorized Person(s) Detail****Name & Address**

Title MGR

LAMBROS KOKKINELIS INVESTMENTS LLC  
361 AIA BEACH BLVD.  
ST. AUGUSTINE, FL 32080

Title MGR

NICHOLAS MAVRIS INVESTMENTS LLC  
361 AIA BEACH BLVD.  
ST. AUGUSTINE, FL 32080

Title MGR

ALEXANDER MAVRIS INVESTMENTS LLC  
361 AIA BEACH BLVD.  
ST. AUGUSTINE, FL 32080

**Annual Reports**

<b>Report Year</b>	<b>Filed Date</b>
2016	03/14/2016
2017	02/23/2017
2018	02/19/2018

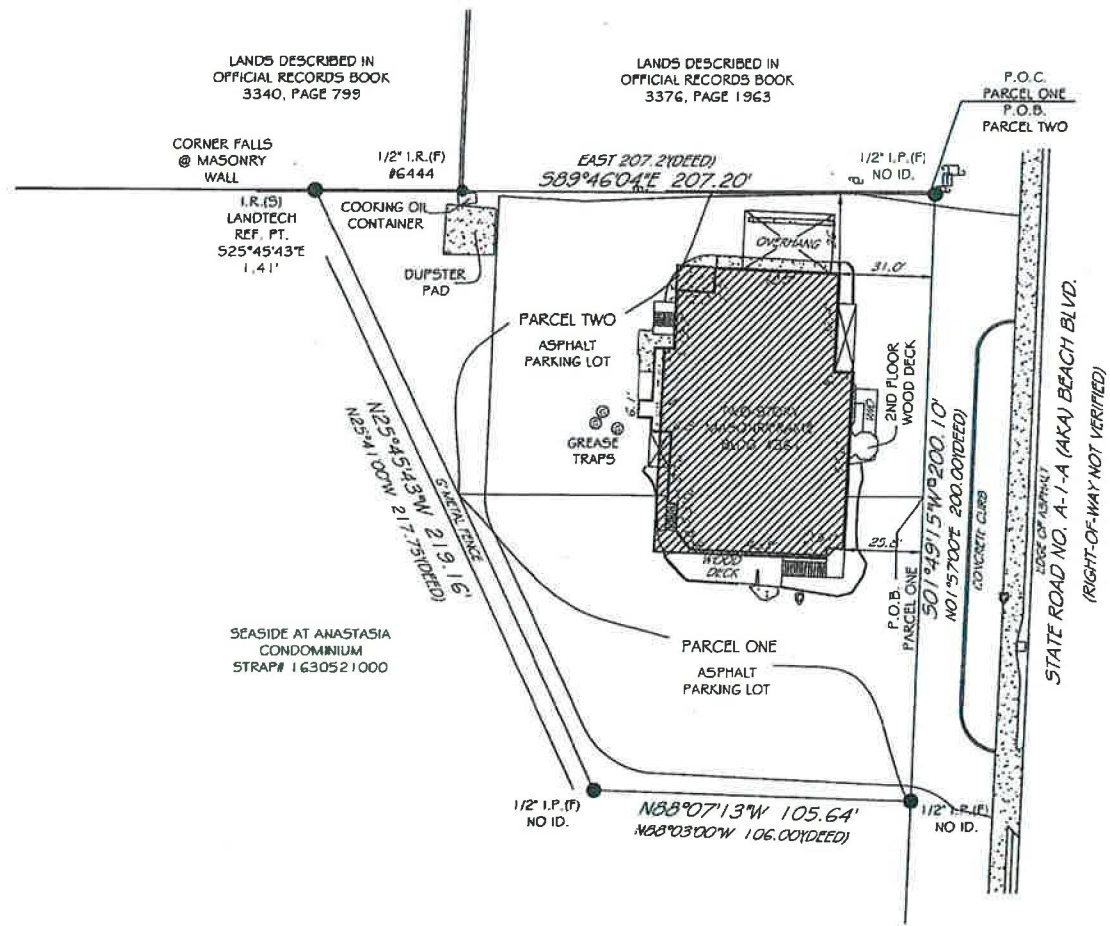
**Document Images**

<a href="#">02/19/2018 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/23/2017 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/14/2016 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">10/05/2015 -- LC Amendment</a>	<a href="#">View image in PDF format</a>
<a href="#">09/22/2015 -- Florida Limited Liability</a>	<a href="#">View image in PDF format</a>

Florida Department of State, Division of Corporations

Remodel & Addition(s) to:  
**PANAMA HATTIE'S RESTAURANT** 361 A1A Beach Blvd., St. Augustine, Florida 32080

ARCHITECTURAL SITE PLAN:  
1"=20'-0"



## ABBREVIATIONS

[illegible]

## PROJECT DESCRIPTION:

EXISTING RESTAURANT 5.3-425F (1ST FLR) + 22275F (2ND FLR) = 7,569 SF (EXISTING) + DECKS AND PORCH. PROPOSED LEVEL-2 INTERIOR REMODEL & FIRST-FLOOR ADDITION OF (937 SF) & SECOND-FLOOR ADDITION OF (300 SF) - PROPOSED FF (6,279 SF) & PROPOSED 2nd<sup>nd</sup> (2,524 SF) = 8,803 SF (NEW) + DECKS & PORCH.

## OWNER INFORMATION:

OWNER: 361 BEACH HOLDINGS LLC  
ADDRESS: 361 A1A BEACH BLVD.  
ST. AUGUSTINE, FLORIDA 32080  
STAK#: 163070C000  
LEGAL DESC: 10 FT. OF GL 1 LYING W OF RD  
A1A - 2COFT ON RD CR41111853

## ZONING AND CODE INFORMATION:

CITY OF ST. AUGUSTINE ZONING (RESTAURANTS & CATERERIES)  
FLORIDA BUILDING CODE (FBC 2014) EXISTING BUILDINGS  
2012 FLORIDA ACCESSIBILITY CODE (CHF 553)  
FLORIDA FIRE PREVENTION CODE (5TH EDITION 2012) NFPA 1, NFPA 101  
(FIRE SPRINKLER) NFPA-13

## CONTACT INFORMATION

OWNER:	ARCHITECT:	MEP ENGINEER:
361 BEACH HOLDINGS LLC 361 A1A BEACH BLVD. IN AUSTIN, TEXAS 78706	STEVE BRISKE ARCHITECTURE 10101 JAY AVENUE, STE 100 DEER BEACH, FL 33445 (888) 666-2288 STEV@BRISKEARCH.COM	MTI CONSULTING ENGINEERS 10101 JAY AVENUE, STE 100 DEER BEACH, FL 33445 (888) 666-2288 STEV@BRISKEARCH.COM

LIST OF DRAWINGS:

C5.1	COVER SHEET	1:27.17
U5.1	1ST FLOOR LIFE SAFETY PLAN	1:27.17
U5.2	2ND FLOOR LIFE SAFETY PLAN	1:27.17
D1.1	1ST FLOOR DEMOLITION PLAN	1:27.17
D1.2	2ND FLOOR DEMOLITION PLAN	1:27.17
A0.1	SPECIFICATIONS	1:27.17
A1.1	FIRST FLOOR DIMENSION PLAN	1:27.17
A1.2	SECOND FLOOR DIMENSION PLAN	1:27.17
A1.3	1ST FLR. REFLECTED CEILING PLAN	1:27.17
A1.4	2ND FLR. REFLECTED CEILING PLAN	1:27.17
A1.5	ROOF PLAN & DETAILS	1:27.17
A1.6	1ST FLR. ENLARGED TOILET PLANS & DETAILS	1:27.17
A1.7	2ND FLR. ENLARGED TOILET PLANS & DETAILS	1:27.17
A2.1	DOOR WINDOW SCHEDULES & DETAILS	1:27.17
A3.1	EXTERIOR ELEVATIONS	1:27.17
A3.2	EXTERIOR ELEVATIONS	1:27.17
A4.1	SECTIONS & DETAILS	1:27.17
F.1	FOUNDATION PLAN	1:27.17
F.2	2NF FLOOR FRAMING PLAN	1:27.17
F.3	ROOF FRAMING PLAN	1:27.17
F.4	WIND CALCULATIONS & DETAILS	1:27.17
M.1	FIRST FLOOR MECHANICAL PLAN	1:27.17
M.2	SECOND FLOOR MECHANICAL PLAN	1:27.17
M.3	MECHANICAL NOTES AND DETAILS	1:27.17
E.1	FIRST FLOOR POWER PLAN	1:27.17
E.2	SECOND FLOOR POWER PLAN	1:27.17
P.1	FIRST FLOOR SANITARY PLAN	1:27.17
P.2	SECOND FLOOR SANITARY PLAN	1:27.17
P.3	FIRST FLOOR WATER PLAN	1:27.17
P.4	SECOND FLOOR WATER PLAN	1:27.17
P.5	PLUMBING DETAILS & NOTES	1:27.17
P.6	WATER ISOMETRIC DIAGRAMS	1:27.17
P.7	RISER DIAGRAMS	1:27.17

LOCATION MAP:



SEAL

Steven W. Seibert  
AR0017834



STEVE SIEBERT  
ARCHITECTURE

**STEVE SIEBERT  
ARCHITECTURE**  
466 N. FEDERAL HIGHWAY  
BOYNTON BEACH, FL 33465  
ph. 561.880.7994  
steve@stevsiebert.com

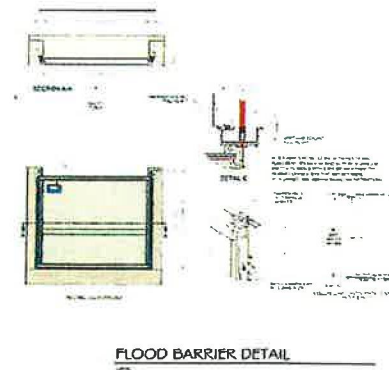
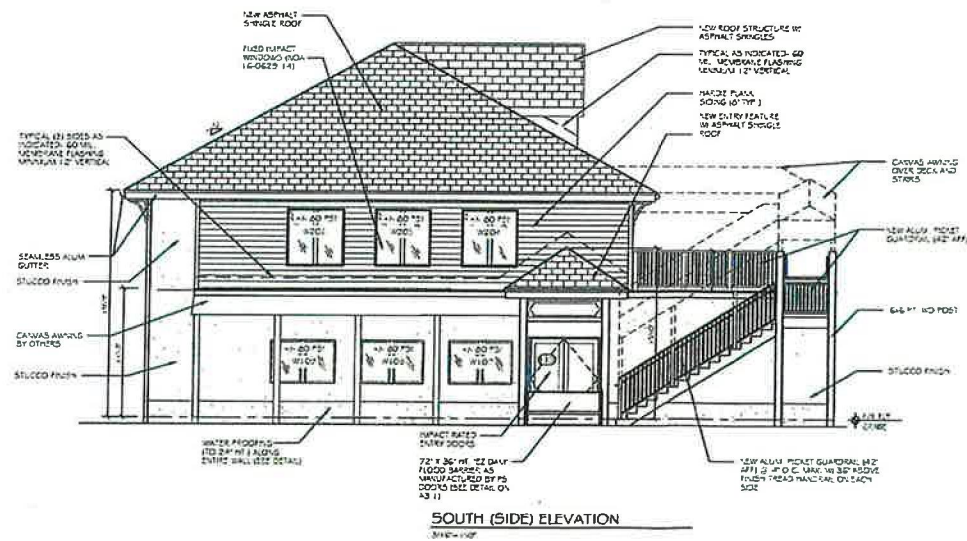
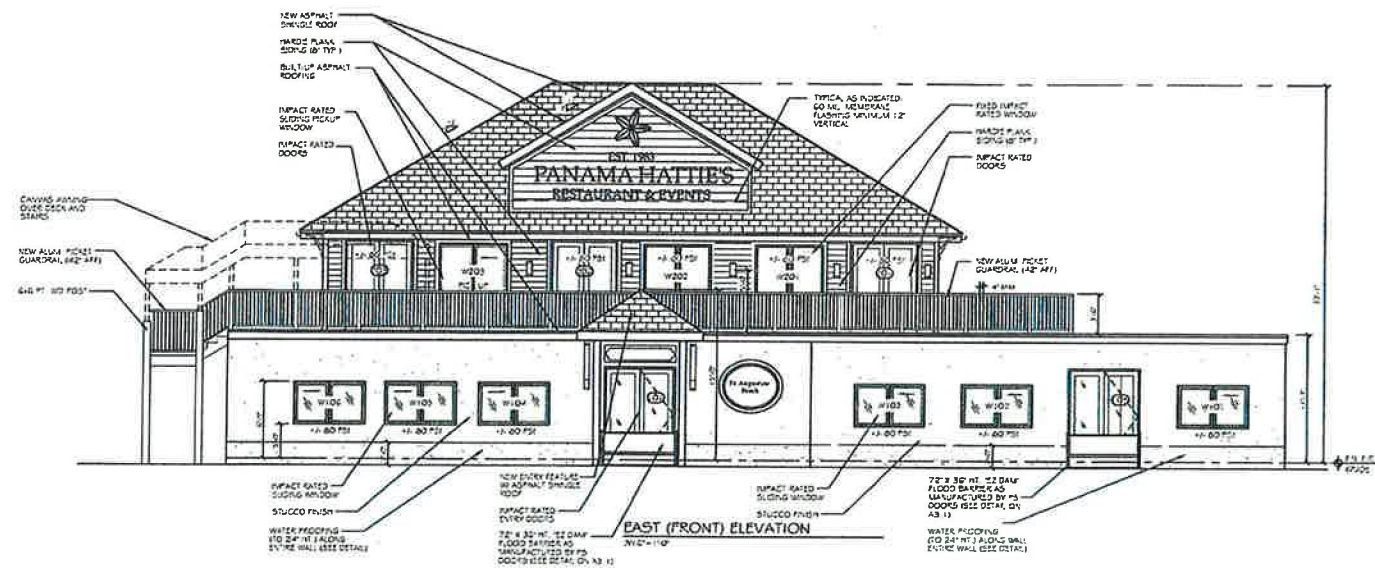
RESTAURANT RENOVATION FOR:  
**Panama Hatties - REV.**  
361 A1A BEACH BOULEVARD  
ST. AUGUSTINE, FL 32080

WHILE IN COMPLIANCE ON THEIR OWNERS' BEHALF, FIRM ENGINEERS OR OTHERS MUST VERIFY AND BE RESPONSIBLE FOR ALL COMPLIANCE AND CERTIFICATIONS ON THE JOB, AND THIS OFFICE MUST BE NOTIFIED BY MAIL IMMEDIATELY FROM THE COMPLIANCE.

COMPLIANT STATE REPORT  
ON COLLECTIVE - BRANCHES OF  
REPRESENTATION OF OTHERS OF  
THE COMPLIANCE OF COMPLIANCE.

PROJECT NO. 17.161  
DATE: 11.27.17  
DRAWN BY: BR  
CHECKED BY: S.Y.S.  
REVISIONS: \_\_\_\_\_

COVER SHEET  
**CS.1**  
SHEET NO.



Steven W. Siebert  
ARCHITECT



STEVE SIEBERT  
ARCHITECTURE  
400 N. FEDERAL HIGHWAY  
BOCA RATON, FL 33431  
PH. 561.860.7994  
steve@stevsiebert.com

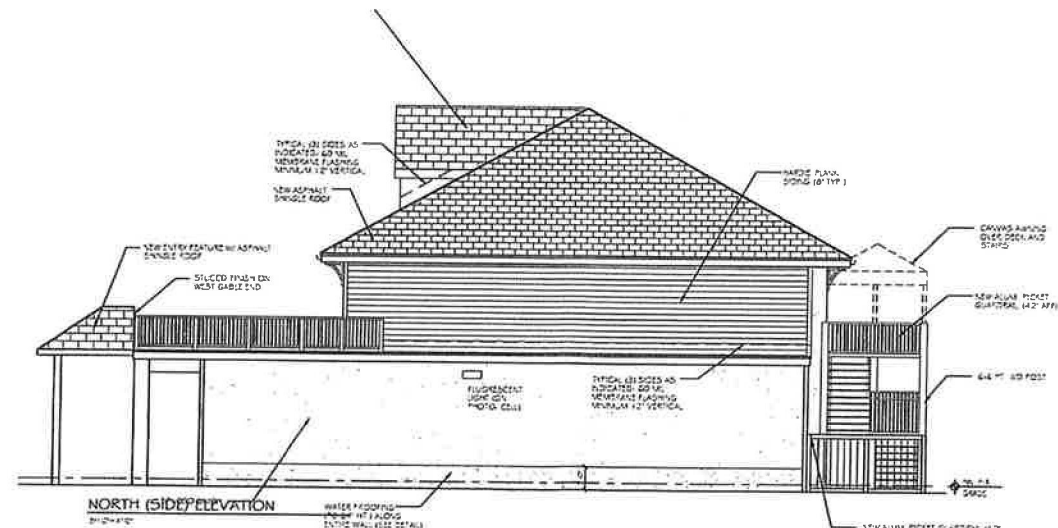
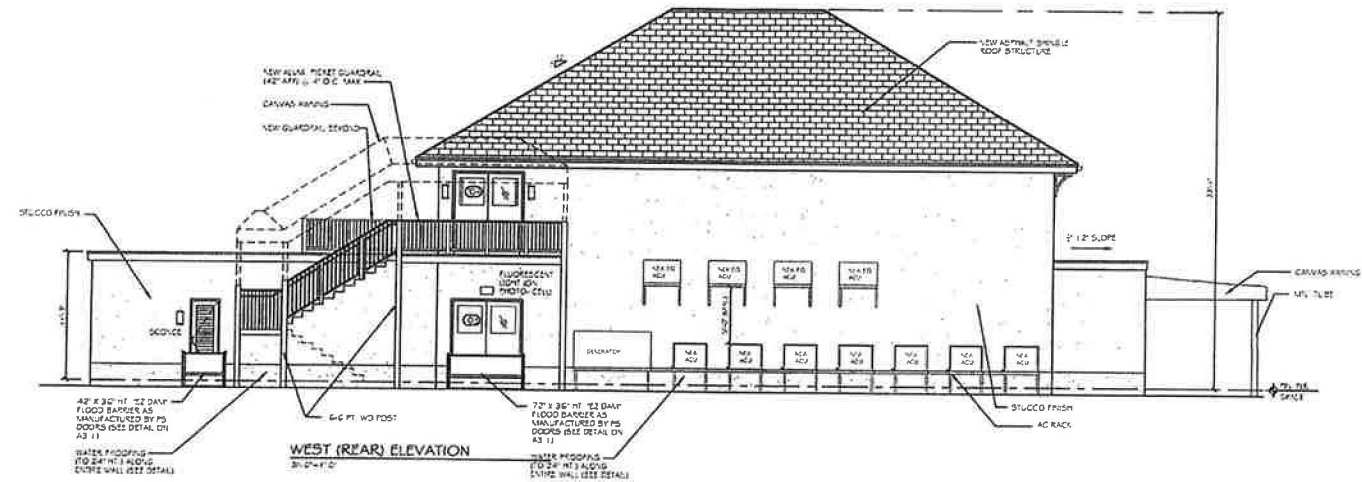
RESTAURANT RENOVATION FOR:  
**Panama Hatties - REV.**  
361 1st BEACH BOULEVARD  
ST. AUGUSTINE, FL 32080

OWNER: PANAMA HATTIES  
DESIGNER: STEVE SIEBERT ARCHITECTURE  
CONSTRUCTION: [blank]  
DATE: 11.27.17

PROJECT NO.: 17361  
DATE: 11.27.17  
DRAWN BY: BK  
CHECKED BY: S.W.S.  
REVISIONS:

ELEVATIONS  
**A3.1**  
SHEET NO.





**STEVE SIEBERT**  
ARCHITECTURE

STEVE SIEBERT  
ARCHITECTURE  
466 N. FEDERAL HIGHWAY  
BOYNTON BEACH, FL 33435  
P: 561.366.7891  
info@stevesiebert.com

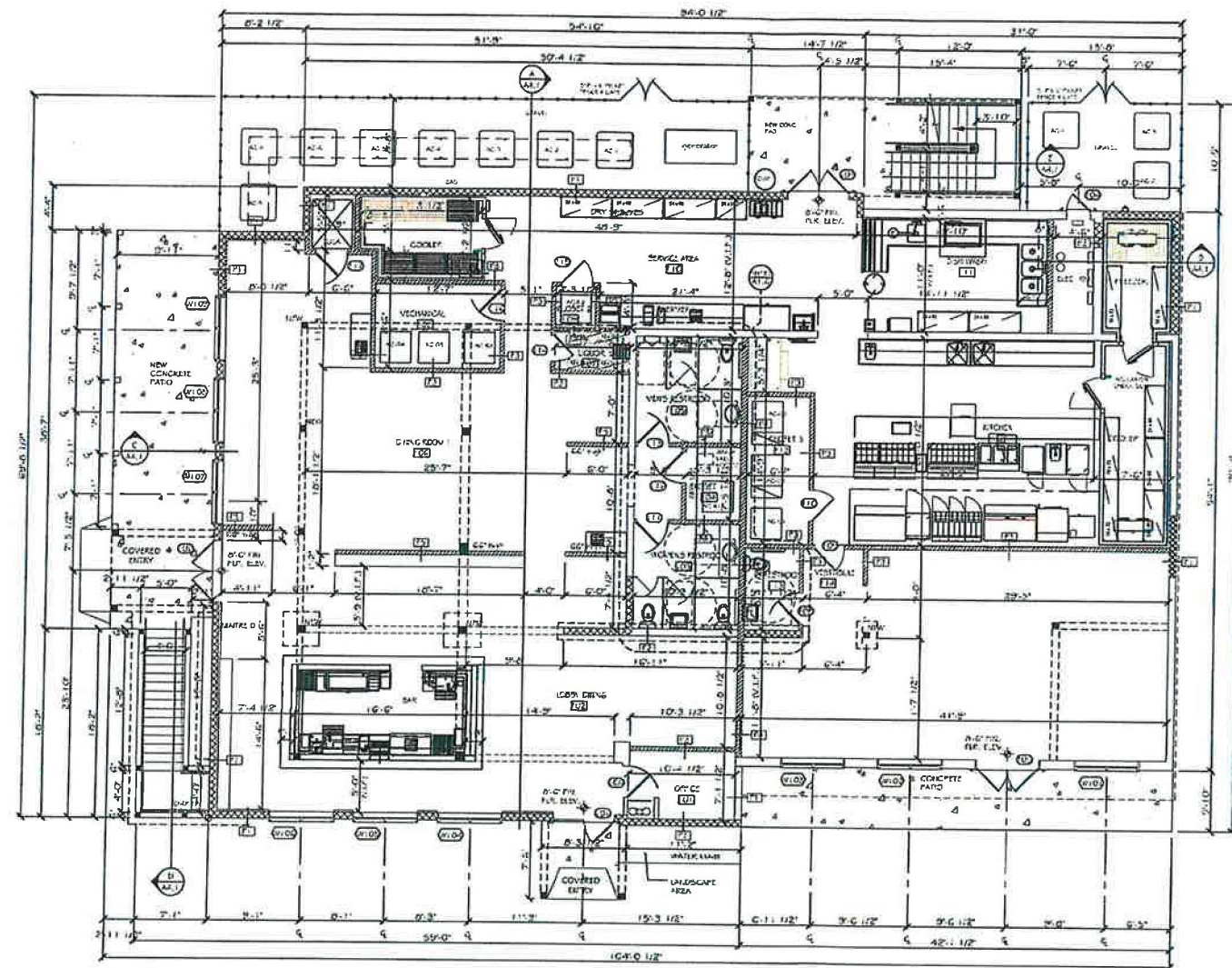
RESTAURANT RENOVATION FOR:  
**Panama Hatties - REV.**  
361 ALA BEACH BOULEVARD  
ST. AUGUSTINE, FL 32080

NOTED DIMENSIONS ON THESE DRAWINGS SHALL BE PRECEDENT OVER SCALE DIMENSIONS. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB, AND THE DIMENSIONS BE SHOWN ON ANY PREVIOUS DRAWINGS FROM THE DEVELOPER.

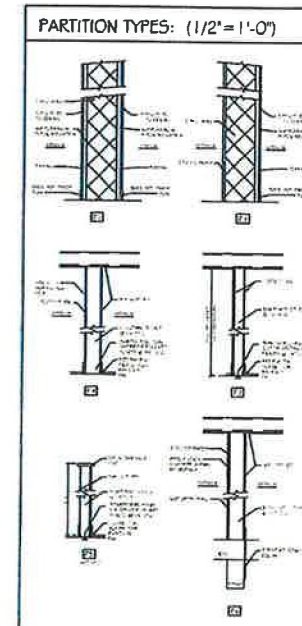
PROJECT NO.: 17161  
DATE: 11-17-17  
DRAWN BY: BK  
CHECKED BY: S.W.S.  
REVISIONS:

ELEVATIONS  
**A3.2**  
SHEET NO.

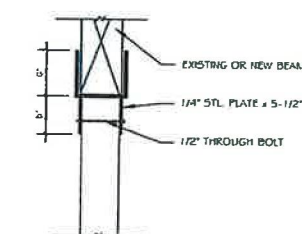




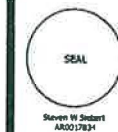
**FIRST FLOOR PLAN**  
DATE: 11.27.17



**PARTITION TYPES**  
DATE: 11.27.17



**TYPICAL NEW COLUMN CAP DETAIL**  
DATE: 11.27.17



**STEVE SIEBERT  
ARCHITECTURE**

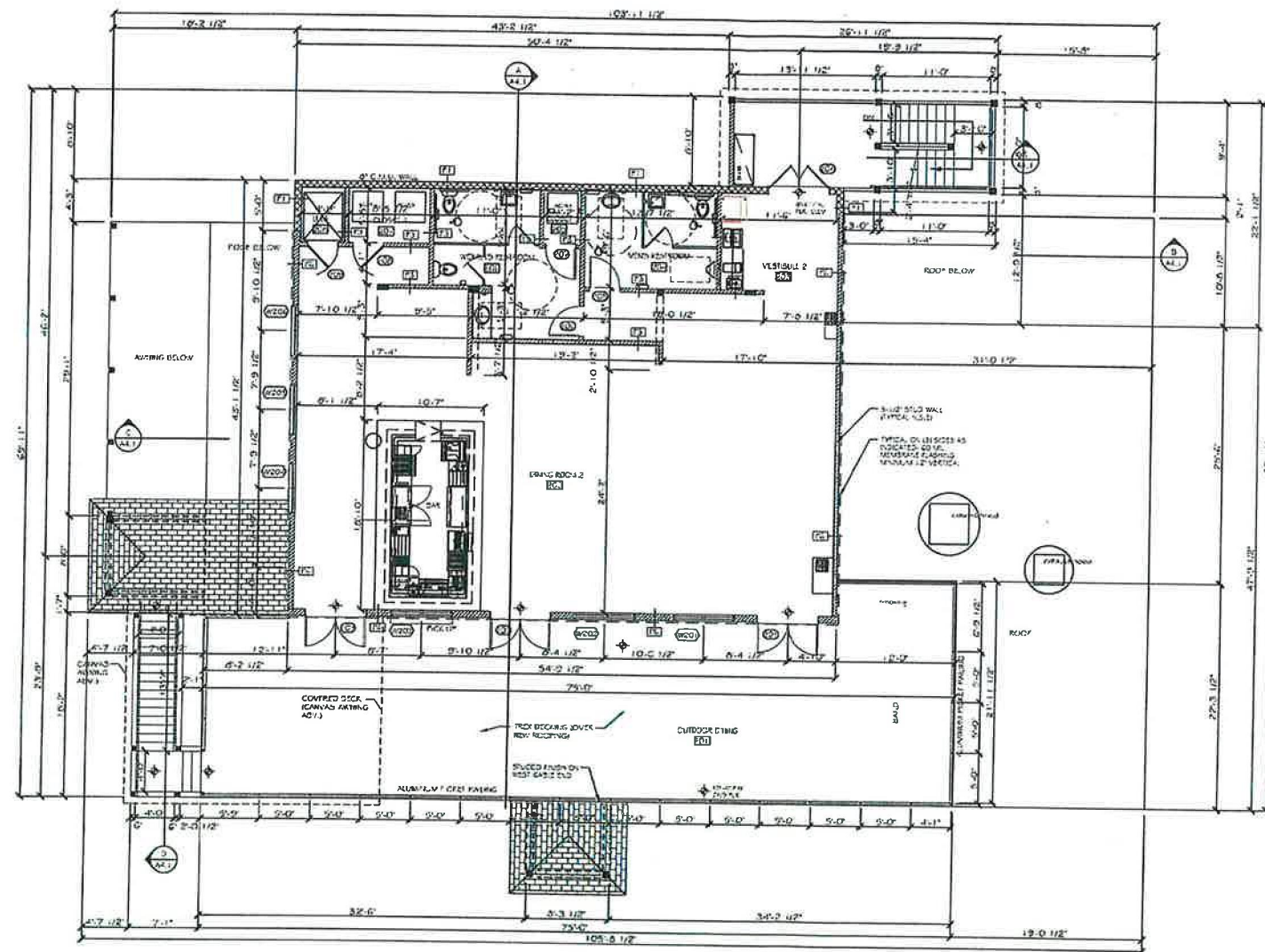
166 N. FEDERAL HIGHWAY  
BOYFORD BEACH, FL 33435  
PH: 561.888.7854  
www.stevesiebert.com

RESTAURANT RENOVATION FOR:  
**Panama Hatties - REV.**  
361 A1A BEACH BOULEVARD  
ST. AUGUSTINE, FL 32080

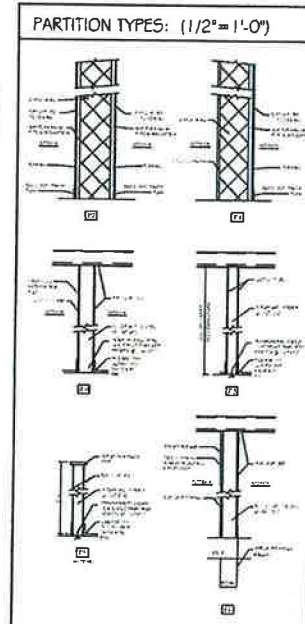
WRITTEN DIMENSIONS ON THESE  
DRAWINGS SHALL PREVAIL OVER  
ANY DIMENSIONS SHOWN ON  
CONSTRUCTION DOCUMENTS AND BE  
CONSIDERED THE BASIS FOR ALL  
CONSTRUCTION. THE OWNER AND  
THE DESIGNER SHALL BE RESPONSIBLE  
FOR ANY DISCREPANCIES FROM THE  
CONSTRUCTION DOCUMENTS.  
COPYRIGHT © STEVE SIEBERT  
ARCHITECTURE. UNAUTHORIZED  
REPRODUCTION OR OTHER USE OF  
THIS DRAWING IS PROHIBITED.

PROJECT NO.: 17.161  
DATE: 11.27.17  
DESIGN BY: SK  
CHECKED BY: S.W.S.  
REVISIONS:

1ST FLOOR PLAN  
**A1.1**  
SHEET NO.



**SECOND FLOOR PLAN**  
1/8" = 1'-0"



**PARTITION TYPES**  
1/8"



**STEVE SIEBERT**  
ARCHITECTURE  
466 N. FEDERAL HIGHWAY  
BOYNTON BEACH, FL 33435  
PH: 561.880.7894  
ss@stevesiebert.com

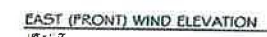
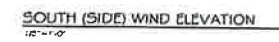
RESTAURANT RENOVATION FOR:  
**Panama Hatties - REV.**  
351 AIA BEACH BOULEVARD  
ST. AUGUSTINE, FL 32080

ALL DIMENSIONS ON THESE DRAWINGS SHALL BE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. THIS OFFICE MUST BE ADVISED OF ANY VARIATIONS FROM THE DIMENSIONS.

PROJECT NO. 17163  
DATE: 11.22.17  
DRAWN BY: BK  
CHECKED BY: S.W.S.  
REVISIONS:

2ND FLOOR PLAN  
**A1.2**  
SHEET NO.





AREA	# = 2.0	NOISE ①	NOISE ②	NOISE ③
270 sq ft	1000 sq ft	1000 sq ft	1000 sq ft	1000 sq ft
100 sq ft = 250 sq ft	1000 sq ft	1000 sq ft	1000 sq ft	1000 sq ft
100 sq ft = 250 sq ft	1000 sq ft	1000 sq ft	1000 sq ft	1000 sq ft
100 sq ft = 250 sq ft	1000 sq ft	1000 sq ft	1000 sq ft	1000 sq ft

ZONE 4	ZONE 5
100% 100% 100%	100% 100% 100%

**STEVE SIEBERT  
ARCHITECTURE**  
466 N. FEDERAL HIGHWAY  
BOYNTON BEACH, FL 33435  
ph. 561.880.7894  
steve@siebert.com


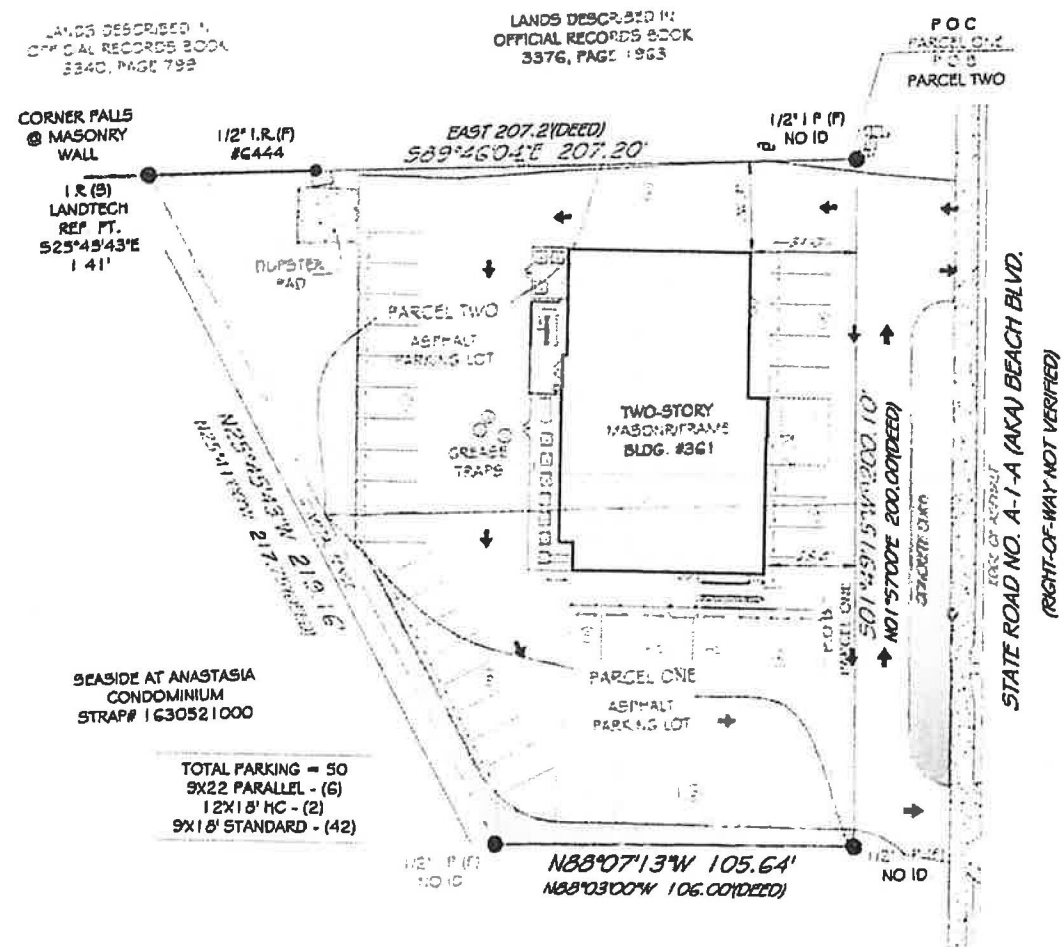
RESTAURANT RENOVATION FOR;  
**Panama Hatties - REV.**  
361 A1A BEACH BOULEVARD  
ST. AUGUSTINE, FL 32080

WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS.  
(CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB, AND THIS OFFICE MUST BE ADVISED OF ANY VARIATIONS FROM THE DIMENSIONS.)  
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PROJECT NO.: 17.161  
DATE: 11.27.17  
DRAWN BY: BK  
CHECKED BY: S.W.S.  
REVISIONS:

### WIND PRESSURES

**S.4**  
SHEET NO.



Steven W Embury  
AUC07.7834

STEVE SIEBERT  
ARCHITECTURE

**STEVE SIEBERT  
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RESTAURANT RENOVATION FOR:  
**Panama Hatties - REV.**  
361 ALA BENCH BOULEVARD  
ST. AUGUSTINE, FL 32080

WRITTEN CONCLUSIONS ON THESE  
CHARGES MUST HAVE PRECEDENCE  
OVER ORAL CONCLUSIONS.  
CONTRACTORS SHALL VERIFY AND BE  
RESPONSIBLE FOR ALL DIMENSIONS  
AND CONDITIONS ON THE JOB, AND  
THIS OFFICE MUST BE NOTIFIED OF  
ANY VARIATION FROM THE  
DRAWINGS.  
CONTRACTOR'S STAFF MUST  
ARCHITECTURAL - QUALITY CONTROL  
REPRESENTATION OR OTHER USE IN  
THIS DRAWING IS PROHIBITED.

PROJECT NO.: 17.161  
DATE: 11.27.17  
DRAWN BY: BK  
CHECKED BY: S.W.S.  
REVISIONS:

ARCH. SITE PLAN  
**AS.1**  
SHEET NO.



## **City of St. Augustine Beach Building and Zoning Department**

**To:** Comprehensive Planning and Zoning Board  
**From:** Jennifer Thompson, Planner  
**CC:** Brian Law, Building Official and Bonnie Miller, Senior Planner  
**Date:** May 9<sup>th</sup>, 2023  
**Re:** Proposed Code Changes 8.00.10 Nonconforming Signs

In February of this year, 25 local businesses received letters from the Code Enforcement Division to inform them that their current signs were legal non-conforming signs that would need to come into compliance with the City's Land Development Regulations by August 1<sup>st</sup>, 2023, as per section 8.00.10.

The Commission made several recommendations regarding non-conforming signs at their meeting on April 3<sup>rd</sup>, 2023, and then again at the May 1<sup>st</sup>, 2023, meeting. Attached is the proposed draft of the new code. This is a joint effort between the City Attorney and the Planning and Zoning Division.

Sincerely,

*Jennifer Thompson, CFM*

Planner

Planning and Zoning Division



## Sec. 8.00.10. Nonconforming signs.

All signs that are lawfully in existence or are lawfully erected and that do not conform to the provisions of this article are declared nonconforming signs. It is the intent of this article to recognize that the eventual elimination of nonconforming signs as expeditiously and fairly as possible is as much a subject of health, safety, and welfare as is the prohibition of new signs that would violate the provisions of this article. It is also the intent of this article that any elimination of nonconforming signs shall be effected so as to avoid any unreasonable invasion of established property rights.

### (1) *Legal nonconforming signs:*

- a. A legal nonconforming sign is a sign that lawfully existed at the time of the enactment of this article that does not conform to the regulations as specified in this article.
- b. All legal nonconforming signs existing on August 1, 2016 may continue to be utilized only in the manner and to the extent that it existed at the time of the adoption of this article. ~~until August 1, 2023, at which time all remaining legal non-conforming signs shall be removed.~~ In addition to any other requirements of the code, repair of a legal nonconforming sign will be allowed only up to 50% of the fair market value of the structure. ~~and only if the sign owner acknowledges in writing, on a form approved by the city attorney, that the non-conforming sign will be removed by the owner or any assignee or successor in interest on or before August 1, 2023.~~ The city building official/designee shall maintain a list of all legal non-conforming signs in the city, ~~and give notice to each sign owner of its duty to remove the nonconforming signs before the August 1, 2023 removal date and shall provide notice of this ordinance and its requirements to owners of non-conforming signs by hand delivery within 30 days after the effective date of this ordinance.~~
- c. A legal nonconforming sign may not be altered in any manner not in conformance with this article. This does not apply to reasonable repair and maintenance of the sign of less than 50% of the fair market value of the sign structure or to a change of copy provided that by changing the copy structural alterations are not required.
- d. Any building permit for an addition, alteration, or improvement valued at more than fifty (50) percent of the fair market value of the structure or building for work at locations where any nonconforming sign exists shall specify and require that such nonconforming signs located within the boundaries of the development site, and within the limits of the applicant's control, shall be brought into conformance with the provisions of this article, provided that if the nonconforming sign is a type of sign that is prohibited under section 8.00.03, Prohibited Signs in All Zoning Districts, it shall be removed.
- e. Legal nonconforming signs that are located on a parcel of property that is severed from a larger parcel of property and acquired by a public entity for public use by condemnation, purchase or dedication may be relocated on the remaining parcel without extinguishing the legal nonconforming status of that sign provided that the nonconforming sign:
  1. Is not increased in area or height to exceed the limits of the zoning district in which it is located;
  2. Remains structurally unchanged except for reasonable repairs or alterations;
  3. Is placed in the most similar position on the remaining property that it occupied prior to the relocation; and
  4. Is relocated in a manner so as to comply with all applicable safety requirements.



After relocation pursuant to this subsection, the legal nonconforming sign shall be subject to all provisions of this section in its new location.

(2) *Signs rendered nonconforming:*

- a. Except as provided in this section, a nonconforming sign may continue in the manner and to the extent that it existed at the time of the adoption, amendment or annexation of the article that rendered the sign nonconforming. This section shall not prohibit reasonable repairs and alterations to nonconforming signs.
- b. A nonconforming sign shall not be re-erected, relocated or replaced unless it is brought into compliance with the requirements of this article. An existing ground sign that conforms to the size and height limitations set forth herein, but is otherwise nonconforming, may be relocated a single time to another location on the same parcel.
- c. Any nonconforming sign shall be removed or rebuilt in full conformity to the terms of this article if it is damaged or allowed to deteriorate to such an extent that the cost of repair or restoration is fifty (50) percent or more of the cost of replacement of such sign.

~~(3) Signs for a legal nonconforming use:~~

- ~~d.a.~~ New or additional signs for a nonconforming use shall not be permitted.
- ~~e.b.~~ A nonconforming sign ~~for a nonconforming use~~ that ceases to be used for a period of ~~twelve (12) months~~ six (6) months ~~sixty (60) consecutive days~~ or is replaced by a conforming use, shall be considered a prohibited sign and shall be removed or brought into conformance upon establishment of a conforming use.

~~(3) (4) Signs discontinued:~~

- ~~a.~~ Sign structures that remain vacant, unoccupied or devoid of any message, or display a message pertaining to a time, event or purpose that no longer applies shall be deemed to be discontinued ~~after six (6) months~~.
- ~~b.~~ An existing nonconforming sign shall be brought into full compliance with this code in the event of a change of occupancy as defined in the current edition of the Florida Building Code.
- ~~b.c.~~ A nonconforming sign deemed discontinued shall immediately terminate the right to maintain such sign.
- ~~d.e.~~ Within ~~sixty (60) days~~ six (6) months after a sign structure has been discontinued, it shall be the responsibility of the property owner or the property owner's authorized agent to remove the discontinued sign and to ~~patch patch~~ and conceal any and all damage to any other structure resulting from removal of the sign.
- ~~e.d.~~ Removal of a discontinued nonconforming sign shall include all sign support components, angle irons, poles, and other remnants of the discontinued sign, that are not currently in use, or proposed for immediate reuse as evidenced by a sign permit application for a permitted sign.

~~(4) (5) Unsafe signs:~~

- ~~a.~~ If the building official/designee determines any sign or sign structure to be in an unsafe condition, he/she shall immediately notify, in writing, the owner of such sign who shall correct such condition within ~~forty-eight (48) hours~~ five (5) business days.
- ~~b.~~ If the correction has not been made within ~~forty-eight (48) hours~~ five (5) business days, the building official may have the sign removed if it creates a danger to the public safety or have any necessary repairs or maintenance performed at the expense of the sign owner or owner or lessee of the property upon which the sign is located.

- c. In the event of a State declared emergency the Building Official/designee may order any unsafe sign to be removed, braced, etc. regardless of the time frames specified above. The City reserves the right to have the sign removed by a city approved contractor at the owners expense.

(Ord. No. 16-04, § 2(Exh. A), 7-11-16)

(5) A nonconforming sign may continue to exist so long as it is not destroyed, abandoned or discontinued. "Destroyed," "abandoned" and "discontinued" have the following meanings:

a.

a. "Destroyed" means more than fifty (50) percent of the upright supports of a sign structure are physically damaged such that normal repair practices of the industry would call for, in the case of wooden sign structures, replacement of the broken supports and, in the case of a metal sign structure, replacement of at least twenty-five (25) percent of the length above ground of each broken, bent or twisted support. A sign will not be considered "destroyed" within the meaning of this section where the destruction is caused by vandalism or other criminal or tortious act.

b.

b. A nonconforming sign is "abandoned" or "discontinued" when a sign structure no longer exists at the permitted location or the sign owner fails to operate and maintain the sign for a period of ~~twelve (12)~~ six (6) months or longer.