



AGENDA

PLANNING AND ZONING BOARD REGULAR MONTHLY MEETING

TUESDAY, AUGUST 15, 2023, 6:00 P.M.

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

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 JULY 18, 2023

V. PUBLIC COMMENT

VI. NEW BUSINESS

A. Land Use Variance File No. VAR 2023-11, for a front yard setback reduction from 20 feet to 12 feet and a street side yard setback reduction from 12 feet to 8 feet for proposed new construction of a 300-square-foot covered front porch and street side handicap-accessible ramp addition to an existing single-family residence in a medium low density residential land use district on Lot 1, Block 57, Coquina Gables Subdivision, at 400 E Street, St. Augustine Beach, Florida, 32080, Kathleen J. Bice and Marvin D. Krohn, Applicants

B. Land Use Variance File No. VAR 2023-12, for rear and north side yard setback reductions from 10 feet to 5 feet for proposed new construction of a 645-square-foot pool, deck, and screen enclosure addition to an existing single-family residence in the Seagrove Planned Unit Development (PUD) on Lot 7, Seagrove St. Augustine Beach Unit 1, at 508 Weeping Willow Lane, Carmen Pollitz, Agua Construction, Agent for Gary T. and Cynthia A. Oslin, Applicants

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

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, JULY 18, 2023, 6:00 P.M.

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

I. **CALL TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

III. **ROLL CALL**

BOARD MEMBERS PRESENT: Chairperson Kevin Kincaid, Vice-Chairperson Chris Pranis, Conner Dowling, Hester Longstreet, Victor Sarris, Senior Alternate Gary Smith, Junior Alternate Rhys Slaughter.

BOARD MEMBERS ABSENT: Hulseley Bray, Larry Einheuser.

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 JUNE 20, 2023**

Motion: to approve the minutes of the June 20, 2023, meeting. **Moved** by Chris Pranis, **seconded** by Hester Longstreet, **passed 7-0** 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 2023-06, for renewal of a conditional use permit for food and/or beverage service and consumption outside of an enclosed building on the premises of a restaurant, Str-It-Up, in a commercial land use district on Lots 13 and 15, Block 11, Chautauqua Beach Subdivision, at 18 A Street, St. Augustine Beach, Florida, 32080, Cynthia Michael, Agent for Stir-It-Up, Applicant

Brian Law: The previous conditional use permit granted in 2018 to Stir-It-Up, which the Board members have copies of in their meeting packets, prohibited alcohol sales on the restaurant property. The applicant has asked, in this application for renewal of the

conditional use permit, to be allowed to begin the application process for alcohol sales. It is my recommendation that we let the State of Florida regulate and mandate this. The State will require submittal of an application for a 4-COP type license, which allows the sale of beer and wine, and zoning verification from the City that the current use of the property is an allowed use, which it is. The Planning and Zoning Division will probably have no issue with this, so at this time, we ask that the renewal of the conditional use permit for outdoor seating be granted for as long as the applicant owns the business. This is the second time she has applied for a conditional use permit for outdoor seating, and this is for renewal of the original conditional use permit granted to Stir-It-Up in 2018.

Kevin Kincaid: Have there been any complaints made, or any opposition to this?

Brian Law: No, I have not received any complaints, nor know of any.

Kevin Kincaid: My only question is about the proposed alcohol sales, but this is really outside of the Board's purview, correct?

Brian Law: It is outside of the Board's purview. It is a State-mandated issue, because Stir-It-Up is not a bar. The City's Land Development Regulations (LDRs) have a mostly unknown rule that prohibits having a bar within so many feet of another bar, but we don't have bars here in the City, we have restaurants that serve alcohol. That was part of the issue back in 2018, but the State has a process for obtaining a license to sell and serve alcohol, and any issues or complaints relating to alcohol sales will be addressed as they arise. For example, obviously, Stir-It-Up will not be allowed to sell alcohol for consumption off the premises, and as it is adjacent to a very tight right-of-way corridor that leads to the beach, any complaints or code violation issues will be funneled through the City's Police and/or Code Enforcement Departments. There is also a mechanism for removing or revoking conditional use permits and/or business tax receipts issued through the City Manager's Office, in the event of any major or draconian violations of City Code.

Gary Smith: Will all the seating still be within the same parameters previously approved?

Brian Law: Yes, the 45 seats approved by the City Commission in 2018 will remain. The applicant is not asking for any changes to the number of seats previously approved.

Kevin Kincaid: From what you just said, how easy is it to withdraw or revoke the conditional use permit, if in the future alcohol sales should become a problem?

Brian Law: We would revoke the conditional use permit if we had three verifiable complaints, which is a good standard number. We would take the person named as the owner of the business on the business tax receipt to the Code Enforcement Board, so it is not just the City Manager's Office making this decision, it comes from a panel of the business owner's peers. At that point, the Code Enforcement Board could make the decision to remove or revoke the business tax receipt. Even though I have never seen a business tax receipt revoked or removed in the six years I have worked for the City, the City reserves the right to do so if things come to an impasse regarding code violations.

Kevin Kincaid: Any other questions or comments? Is the applicant here?

Cynthia Michael, 209 Leeward Island Drive, St. Augustine, Florida, 32080, Applicant: Regarding the alcohol sales, this is not something I am dying to do, but it is something I would like to do, maybe only on the weekends, so we can serve mimosas and sangria, and this would be beer and wine only. Stir-It-Up is a family restaurant, so this is not something we need, but something we might provide for some of the locals asking for it.

Brian Law: Basically, this is a renewal of the previous conditional use permit granted to Stir-It-Up, with the same conditions stated in the conditional use order approved in 2018, with the exception of the last condition, which says alcohol sales shall not be permitted on the subject property. I recommend this condition be stricken from the new conditional use order that will be written if the Board votes to approve the application before them.

Kevin Kincaid: We don't need this to be part of the motion to approve the new conditional use permit, however, because the motion is for approval of a new conditional use permit that will basically bypass the previous conditional use permit granted in 2018.

Brian Law: Yes, the Board would basically make a motion to approve this new conditional use permit, and if the Board agrees, the motion could be granted to approve it for as long as the current applicant and owner of Stir-It-Up owns this business.

Motion: to approve Conditional Use File No. CU 2023-06, for renewal of a conditional use permit for food and/or beverage service and consumption outside of an enclosed building on the premises of a restaurant, Str-It-Up, in a commercial land use district at 18 A Street, St. Augustine Beach, Florida, 32080, subject to the condition that said approval shall expire with the sale or transfer of the current ownership of the business. **Moved** by Hester Longstreet, **seconded** by Conner Dowling, **passed 7-0** by the Board by unanimous voice-vote.

B. Conditional Use File No. CU 2023-07, for proposed new construction of a two-story, 2705-square-foot total single-family residence in a commercial land use district on Lot 15, Block 36, Coquina Gables Subdivision, at 14 D Street, St. Augustine Beach, Florida, 32080, Scott Patrou, Agent for HVG Properties LLC, Applicant

Brian Law: There is currently a house built in 1962 on this property, and the applicant is asking to tear down this house to build a new one. As this lot is in a commercial land use district, this requires a conditional use permit that has to be presented to this Board for a recommendation to the City Commission, which has the final say over approval or denial.

Kevin Kincaid: We have routinely approved many similar requests to build single-family residences on commercial lots up and down the Boulevard, and there has been a single-family home on this particular lot since 1962. May we hear from the applicant, please?

Scott Patrou, 460 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080: I am the attorney and agent on behalf of HVG Properties LLC, the owner of 14 D Street. There has

been a house on this lot for many, many years, and there is a house next door and houses across the street, so building a new house on this lot is very synonymous with this particular block of D Street. The goal or objective of submitting the plans included in this conditional use permit application is two-fold. First, these plans are pretty darn close to the owner's goals for this property, and second, these plans were submitted because they've heard the Board say before that it's not fun when you see these older houses torn down and replaced by three-story monstrosities that max out every limit of every regulation as far as setbacks, lot coverage, and everything else goes. That is really not the intent here, but there might be minor modifications made to the façade and interior design. Am I correct in saying that the conditional use order granting approval of this application could be crafted to comply with the zoning regulations set forth in City Code for single-family residential construction in medium density residential land use districts?

Kevin Kincaid: Yes, I am sure this recommendation will be set forth in any motion made to approve this application.

Scott Patrou: Okay, perfect.

Kevin Kincaid: You are not asking for any variances, or to violate anything other than just replacing an existing single-family residence with a new residence, correct?

Scott Patrou: Yes. The owner at first wanted to try to remodel the existing home, but it was in such disrepair, it was decided it would just be easier to scrap it and build a new one. Renovation to the home could have been done without coming before this Board or the City Commission for approval, but to demolish the existing home and build a new one requires a conditional use application and approval of a conditional use permit.

Hester Longstreet: The conditional use approval is for a two-story building, correct, and will not be changed later to a three-story building, just because it could be three stories?

Scott Patrou: If the Board would like to put that restriction in, his client has basically told him that this is of no issue. They are trying to avoid being pinned to every piece of design detail as shown in the application. This is the bigger concern, and not so much the height of the building, so if the Board wants to say it must be limited to two stories only, his client will be fine with that. However, they would love to not have that restriction as well.

Gary Smith: Will there be any changes to the vegetation and trees currently on the lot?

Scott Patrou: I am not sure. Pending this approval, a site plan reflecting the current vegetation and trees on the property would have to be prepared and submitted.

Brian Law: Any future development of this property will be in strict accordance with the City's LDRs, and this includes regulations for trees and the preservation of trees. One tree from the approved list of protected trees will be required in the front setback area, and any existing trees proposed to be removed will have to meet the criteria for the removal of trees. This is part of the zoning review and site plan evaluation that will be

performed in the permitting process. Regarding limiting the proposed new single-family residence to two stories, the City does not currently have architectural design standards. The Board's purview concerning this application is to recommend to the City Commission approval or denial of the proposed conditional use application for a single-family residence on this property, which is in the commercial land use district.

Hester Longstreet: So, what will happen with the tree that is there in the front?

Brian Law: We'll look at that when the documents for a permit application are submitted. These documents will include a site plan per the Florida Building Code (FBC), which the Planning and Zoning Division will evaluate as part of the zoning review, and if necessary, perform a site visit to determine if the proposed removal of a tree or trees is necessary. Tree regulations per the LDRs are very specific and this is what is adhered to in the staff zoning and plan reviews. Keep in mind, any tree 30 inches or greater in diameter-at-breast-height (DBH) has to come before this Board for approval before it can be removed.

Kevin Kincaid: Any other questions? Hearing none, do we have a motion?

Chris Pranis: I motion to recommend the conditional use application be approved, with the condition that the new single-family residence follows the regulations set forth in the LDRs for single-family residences located in medium density residential land use districts.

Conner Dowling: I second the motion.

Kevin Kincaid: Okay, we have a motion and a second. Any discussion on the motion?

Hester Longstreet: I would like the motion to include, because the submitted plans show a two-story house, that the recommended approval is for a two-story house.

Brian Law: This could be part of the Board's recommendation to the Commission, as the application is technically for a conditional use, meaning it is a use based on conditions.

Kevin Kincaid: This will require an amendment to the motion that was made.

Conner Dowling: Hester, why would you want to recommend that?

Hester Longstreet: I used to live over in that neighborhood, and I know how monstrous and annoying three-story buildings are to those with one- and two-story buildings. Three-story buildings overlap and cut out any kind of wind, and you have absolutely no privacy.

Conner Dowling: This is hard for me, as the Board has seen similar applications approved many times and three-story projects built on lots similar to this one.

Hester Longstreet: Yes, and it is horrible, as decks are then put on top of these three-story buildings, and you have people staring down into your space. It's annoying, and you have absolutely no privacy in your own home or on your own property.

Kevin Kincaid: This is just my opinion, but this goes to the rules that the Board is here to enforce, not to create.

Hester Longstreet: But this is a conditional use, so we can put that in, and it will then be up to the Commission to adhere, or not adhere, to the house as only being two-stories.

Kevin Kincaid: I agree that it is a conditional use permit, and we can put any conditions we want on it. To me, however, it is arbitrary, and it is something that is not created by the LDRs. It is a rule created out of a personal preference.

Hester Longstreet: I am not creating a rule, I am just adding a condition to the approval that would allow the single-family home to be rebuilt. Right now, I believe the existing house is a one-story residence. I have no problem with it being rebuilt as a two-story house, but I can't see allowing it to be three stories. You guys can decide what you want to do, and I can decide what I want to do, but it seems to always be 6-1 on things like this, so if you don't want to change the motion, I'll ask that it be changed to limit the house to two stories and that this be included in the Board's recommendation to the Commission.

Kevin Kincaid: Would you like to make a motion to amend the motion that was made? If we then get a second to the motion to amend the original motion, we can vote on it.

Hester Longstreet: I'll make a motion to amend the original motion made to recommend approval of this conditional use permit to include the condition that the new single-family residence be built as a two-story residence, as shown in the submitted plans.

Gary Smith: I'll second the amended motion.

Kevin Kincaid: Okay, do we have discussion on the amended motion?

Victor Sarris: Yes. Because this is a commercial lot, and we are making a recommendation for a conditional use permit to allow a new single-family residence to be built on it, we can dictate the house that can be put on this lot, correct? Typically, we cannot dictate that only a two-story house can be built on a residential lot, if a three-story house is allowed. But this is a unique situation in that it is a conditional use application, so the Board can recommend approval with the condition that the house not exceed two stories.

Brian Law: The applicant is asking to go against the normal procedures of the LDRs to build a single-family residence in a commercial land use district. Thus, it becomes a conditional use permit granted by the Commission, and therefore, it can be granted as a use with conditions. That is the way I look at this, so if the Board sees fit, the Board can make a recommendation to the Commission, based on the amended motion on the floor, that the Commission grant the conditional use to allow construction of a two-story house.

Conner Dowling: I hear your concerns, Hester, and on top of this, what has been presented to us by Mr. Patrou, the applicant's agent, shows a two-story house. I don't think we are going to care about things like whether the front door is on the left or right, or necessarily where the garage door is, but I think what gives me pause is saying the

applicant has to build a two-story house. The building code would allow an 18-foot first floor and a 17-foot second floor, and it would still be as tall as a three-story building. Or the site could be built up, as there are lots of ways to sort of manipulate this. I think as a Board, if we could say we approve this based on what we've been shown, understanding there might be minor tweaks and changes, but that the size and scale of the house would not change dramatically from what has been presented, maybe that would sort of wrap it up and make it a little cleaner as opposed to just saying the house can only be two-stories. I feel like this would be more of a fair judgement for someone else coming before us with a similar problem, as we could say approval was conditioned on compliance with the plans and other documents submitted as part of the conditional use application.

Victor Sarris: So, we would reference the plans submitted in the application.

Kevin Kincaid: Yes, which they have asked to have poetic justice or license from, I guess. I still have a problem telling them the house has to comply with regulations for a single-family house in a medium density residential land use district per the LDRs, except for this arbitrary part that we want to put in saying the house can only be two stories, which is something that every other house built in a medium density land use district is not subject to. They are not asking for any variances or anything special. They have presented us with a plan, but if they decide to change that plan, and it is within the guidelines for medium density residential regulations set up by the City in the LDRs, I don't know if, because I may have an issue with three-story houses, it is fair to restrict it to two stories.

Hester Longstreet: But this is not a medium density residential lot, it is a commercial lot.

Kevin Kincaid: And this lot has had a house on it for the past 62 years.

Hester Longstreet: Yes, but that doesn't matter, it is still a commercial lot, so if they chose not to build a house on this lot, they could sell it as a commercial lot. We do not have a lot of commercial areas in the City, especially along A1A Beach Boulevard, where the commercial areas are very finite, and we are allowing homes on top of homes on commercial lots. And then, we are given these plans with the conditional use application, which show a two-story house. So, be as good as your word, and build a two-story house. If you want to build a three-story house, plans showing this should have been submitted.

Kevin Kincaid: They are replacing a house with a house. If they wanted to put a 7-Eleven there that is three stories tall, could we stop that? I don't think we could, as this is a commercial lot. So, we're saying if you want to build a house, you can't build it over two stories, but if you want to build something commercial, you could build it up to three stories and from it you could look down into all the neighbors' yards. To me, it is still an arbitrary restriction that I have a problem with, as we're creating a set of rules based on personal preference and personal history and whatever, none of which is part of the LDRs.

Chris Pranis: I have a question for the City Attorney. Since this is a conditional use application, and part of this is that the proposed new single-family home must follow the guidelines in the LDRs for single-family homes, are we allowed to put in a condition saying a three-story single-family home cannot be built, or is that going to get us into trouble?

Jeremiah Blocker: I appreciate you asking that question, as I certainly understand it along with the history here. I think what would be helpful would be to go to the foundation of what the Board's decision making is. The decision before the Board today is, this is a commercially zoned property, so are we going to allow a single-family residence to be built on a commercial parcel? That is the decision, and the Board's purview with this application is to make a recommendation to the City Commission to either approve or deny this application. The specifics of the design, even though some great points have been made, are not the decision before the Board. Even though these are important points, the foundational decision is, are we going to allow a single-family residence to be built on a commercial parcel? It is important to keep this in mind, because the Board's recommendation to the Commission will be something the Commission, which is tasked with ultimately deciding whether to approve or deny this application, will take into consideration, with or without any additional modifications or conditions.

Kevin Kincaid: So, having said that, is the amended motion out of order?

Jeremiah Blocker: I would hesitate to say that, because I understand the basis for the motion, but I would say that it goes outside the Board's charter. The Board is chartered for a very specific purpose, and the motion that was made is answering a different question. The question today is, are we going to allow a single-family residence to be built on a commercially zoned property? The motion, with all due respect to the maker of the motion, is not answering the question the Board has been tasked with.

Kevin Kincaid: Although, listening to what you are saying, could the motion include the recommendation to limit the house to two stories, because the Board is not actually passing anything, but just making a recommendation to the City Commission? The Board's sentiment toward tightening the approval to limit the new single-family residence to a two story residence could be passed on to the Commission in the amended motion.

Jeremiah Blocker: There is no harm in this, because the Commission can ignore this recommendation. When this comes before the Commission, the advice to the Commission will be, and I don't mean this is any disrespectful way, that the Commission is going to be tasked with following the law, because the Commission's decision will be final. I think it is helpful to go back to the question this Board has to answer today, which is, again, are we going to allow a single-family residence to be built on a commercial parcel? This is the question the Board has to answer with a recommendation to the City Commission to either approve or deny this request per the conditional use application.

Kevin Kincaid: Thank you. Is there any more discussion about the amended motion?

Chris Pranis: I think it needs to be reamended to the original motion, but that is just me.

Kevin Kincaid: If that is your intent, the amended motion would have to be voted on, and if the amended motion fails, the Board could then get back to the original motion. So, the amended motion is to recommend approval of this conditional use application, holding it basically to the guidelines of the submitted plans, which show a two-story house.

Hester Longstreet: Basically, yes, because that is what the plans show, a two-story house.

Kevin Kincaid: Okay, we have a motion and a second. May we have a roll-call vote please?

Motion: to recommend the City Commission approve Conditional Use File No. CU 2023-07, for proposed new construction of a two-story, 2705-square-foot total single-family residence in a commercial land use district on Lot 15, Block 36, Coquina Gables Subdivision, at 14 D Street, St. Augustine Beach, Florida, 32080, subject to the condition that the proposed new single-family residence be built in compliance with the conceptual plans and documents submitted in the application, which show a two-story single-family residence, and in compliance with regulations for new single-family residential construction in a medium density residential land use district, per the City's LDRs. **Moved** by Hester Longstreet, **seconded** by Gary Smith, **passed 4-3** by the Board by roll-call vote, with Conner Dowling, Rhys Slaughter, Hester Longstreet, and Gary Smith assenting, and Victor Sarris, Kevin Kincaid, and Chris Pranis dissenting.

C. Mixed Use File No. MU 2023-01, for proposed new construction of a 2500-square-foot mixed use building consisting of 1250 square feet of office use on the first floor and a 1250-square-foot residential dwelling unit on the second floor in a commercial land use district on Lots 1 and 3, Block 43, Coquina Gables Subdivision, on the northwest corner of A1A Beach Boulevard and F Street, St. Augustine Beach, Florida, 32080, David T. Webb, Agent for BrightMove Inc., Applicant

Brian Law: This is a mixed use application for proposed new construction of a 2500-square-foot mixed use building with 1250 square feet of office space on the first floor and 1250 square feet of residential space on the second floor on two lots in the commercial land use district on the northwest corner of A1A Beach Boulevard and F Street. Before we begin discussion on this, I would like to explain the procedure regarding the permitting of this building, as I think this will help alleviate a lot of questions or concerns the Board may have. This Board has the sole authority and final say to approve or deny mixed use applications, as the City Commission does not see these applications. One thing the Board is not to get involved in is the design of the building, as far as the inside of the structure is concerned. The implementation of the FBC will be done by me; the Fire Code will be done by the St. Johns County Fire Marshal; engineering regarding drainage will be handled by contracting a third-party engineer; and the City engineer will then review these documents for compliance with traditional stormwater management plans. The landscaping plan will be sent to the City's Sustainability & Environmental Planning Advisory Committee (SEPAC) for SEPAC's recommendations, but such recommendations are not to hold up any future development, as it is going to take a year to build the building, so there is a lot of time before plants have to be put in the ground. SEPAC's recommendations will be reviewed by Ms. Thompson for final approval of the landscaping plan. The Board is here solely to look at the proposed building and discuss with the applicant the potential uses of the building. Keep in mind you cannot bind the commercial use to a specific use. If the commercial portion of a mixed use building is originally proposed as a bike shop but then later becomes a tobacco shop, it is still a commercial use. Any changes of occupancy, for example, suppose at some point down the road the

property owner wants to change the downstairs commercial use to a residential use, would require a conditional use permit, like the previous application the Board just heard, for a residential use in a commercial land use district. This is because if this mixed use application is approved, the building will be permitted as a mixed use building in a mixed use zoning district, which allows different conditions as a result of the City's Vision Plan. Among other things, the mixed use district promotes building frontage closer to the sidewalk for a more walkable approach, and parking in the rear or sides. The Planning and Zoning Division has signed off that the submitted site plan and conceptual plans demonstrate compliance with mixed use district zoning regulations.

Kevin Kincaid: Thank you. Can we hear from the applicant, please?

David Webb, 320 High Tide Drive, Unit 201, St. Augustine Beach, Florida, 32080, Agent for BrightMove Inc., Applicant: The intent of the building is to have our corporate headquarters for our software company located on the first floor and have the second floor as a residence for either employees or other business partners visiting from out-of-town to stay at, instead of having them stay in hotels when they are here visiting.

Hester Longstreet: I participated in the meetings where the requirements stating mixed use buildings with frontage along A1A Beach Boulevard are to be moved forward in order to have parking in the rear and sides. I love mixed use, and I think this is awesome.

Kevin Kincaid: And what prevents this from, at some point in the future, being converted to a single use, such as all residential or all commercial?

Brian Law: First, there would have to be a change of use. We talked earlier about the FBC, which would be instrumental as far as any change of use goes. However, the application for this development is for a mixed use building in the mixed use district, so the bottom floor could not just simply be converted into a residence, because now, technically, this would require conditional use permit approval for a totally residential structure in a commercial land use district. That is not what the development of this property per the design in the mixed use application before the Board tonight is for.

Kevin Kincaid: Any other questions or comments? Do we have a motion?

Motion: to approve Mixed Use File No. MU 2023-01, for proposed new construction of a 2500-square-foot mixed use building consisting of 1250 square feet of office use on the first floor and a 1250-square-foot residential dwelling unit on the second floor in a commercial land use district on Lots 1 and 3, Block 43, Coquina Gables Subdivision, on the northwest corner of A1A Beach Boulevard and F Street, as submitted. **Moved** by Hester Longstreet, **seconded** by Gary Smith, **passed 7-0** by the Board by unanimous voice-vote.

D. First reading of Ordinance No. 23-05, to adopt the St. Johns County School Board's Five-Year District Facilities Workplan by Reference to the Capital Improvements Element of the City's Comprehensive Plan

Brian Law: Every year we see this, and as you know, there are no St. Johns County public schools in the City limits. As the City is on a barrier island, it is not the smartest idea to put a taxpayer-funded public school on a barrier island, in fact, it may actually be prohibited. However, something important to take from this is the City's Capital Improvements Five-Year Facilities Workplan, which allows the City to apply for grants in the future as they come up for capital improvement projects. If this isn't done, the City is eliminated from applying for these grants. My recommendation is that the Board make a motion to approve Ordinance No. 23-05 as drafted on first reading.

Kevin Kincaid: We approve it, or we recommend approval to the Commission?

Brian Law: The Board approves it on first reading, then it goes to the Commission for second and final reading, as it is not a change to the land development code.

Chris Pranis: Who decided what capital improvement facility projects should be listed in the ordinance?

Brian Law: This is actually done through the City Commission, which is something the Commission does almost every year. Part of the capital improvement facilities projects are included in the Vision Plan, I think, but if the Planning and Zoning Board would like to make a proposal for a capital facilities project, I would be more than happy to forward it up the ladder to the City Manager, who will forward it to the City Commission.

Chris Pranis: No, I am more interested if City residents know these projects are included in this, and are aware of it, as everyone has an opinion or a project they want completed. I was wondering how this all came about and if the public is aware of these improvements.

Brian Law: The best I can do to answer this at this time is to say that this is a legally publicized meeting, and the agenda and meeting book are posted on the City's website. If residents have any questions about these improvement projects, they should call the City Manager's Office, not the Building and Zoning Department, for more information.

Hester Longstreet: Are these improvement projects just for this year?

Brian Law: Major capital facilities projects usually stretch for multiple years, as they show up on five-year facility work plans. Currently, the City is putting up dune walkovers, and there was a St. Augustine Port and Waterway meeting today, which was very successful, from what I understand. The stormwater master plan updates and Pope Road and A1A Beach Boulevard drainage improvements are progressing through engineering, but they may take several years to get through the design phases and the funding issues.

Kevin Kincaid: Any other questions or comments? Hearing none, do we have a motion?

Motion: to pass Ordinance No. 23-05, to adopt the St. Johns County School Board's Five-Year District Facilities Workplan by Reference to the Capital Improvements Element of the City's Comprehensive Plan, on first reading. **Moved** by Kevin Kincaid, **seconded** by Victor Sarris, **passed 7-0** by the Board by unanimous voice-vote.

VII. OLD BUSINESS

Kevin Kincaid: I put a copy of a letter [EXHIBIT A] on top of all the Board members' packets, as at last month's meeting, I was asked, as Board chairperson, to draft a letter on the Board's behalf to the Commission, about traffic issues at Anastasia Plaza. This letter has not yet been sent, as I wanted to get everyone's input on it first. In talking to Brian earlier, it may not be necessary that we send the letter, because some of the contacts regarding the traffic issues have already been made. Brian, can you address this?

Brian Law: After last month's meeting and some public comments that were made at this meeting, the City Manager has contacted St. Johns County, and it has been determined that the Florida Department of Transportation (FDOT) owns the stretch of A1A Beach Boulevard adjacent to the main entrance to Anastasia Plaza off A1A Beach Boulevard. FDOT approval would be needed regarding any sort of future development in this area. The City Manager has reached out to FDOT, and to get FDOT involved, some sort of improvement plan would have to be submitted. This would require some specialty engineers and some serious money, so it would not be a light undertaking even to consider a proposed roundabout for this portion of A1A Beach Boulevard at the Anastasia Plaza entrance. As the Board's chair has drafted this letter, however, I would definitely encourage the Board to forward it to the City Manager for distribution to the Commission.

Kevin Kincaid: I could change the heading at the top of the letter to address it to the City Manager, instead of the Commissioners, and have the City Manager forward it on to the Commission so that the Board's recommendations and sentiments as expressed in the letter can be made known. Does anybody have any other changes, deletions, or additions they would like to see made to the letter? This was just a rough draft, and I couldn't email it to the Board members ahead of time because that would violate Sunshine Law rules.

Brian Law: The earliest the Board will see a major development application for the Publix rebuild and Anastasia Plaza parking lot reconfiguration will be at the September meeting, as they have not made a submittal in time for the Board's meeting next month, in August.

Hester Longstreet: Thanks, Kevin, for doing this. We are not just talking about the roundabout on A1A Beach Boulevard, but also about traffic issues on the A1A South side.

Kevin Kincaid: There should be someone smarter than us looking at what the possibilities are, because I don't know that it does any good for us to suggest what ought to be done. We heard from citizens who were here, and people sent written correspondence with their concerns about traffic and safety issues with the entrances and exits at Anastasia Plaza, so the letter just kind of conveys the Board's sentiments in asking that the Commission make the necessary contacts to at least look at these issues and concerns.

Hester Longstreet: I talked to some Publix employees who are there five or six days of the week, and they said it is really horrible how backed up traffic gets and how dangerous it is, on both the A1A Beach Boulevard and A1A South sides of the Plaza. I think it would help serve the entire community if some changes were made.

Gary Smith: This is definitely a good start, right here.

Kevin Kincaid: Okay, if there are no objections, I am going to change the heading on the letter to address it to City Manager Max Royle and send it to him on behalf of the Board.

Brian Law: You don't actually have to change that. The letter just needs to be given to Max, as he is the conduit to get it to the Commissioners. We have a copy of the letter right here, which we can pass on to him tonight to get it to the Commissioners.

Kevin Kincaid: Okay, my homework is over, unless somebody has something they want to add to the letter.

Chris Pranis: I think the key point to this is that we are showing concern for the safety of the residents. That's the primary goal of this letter, and we are throwing that out there, so it becomes public knowledge.

Kevin Kincaid: Okay. Does anyone have any other old business issues or questions?

Chris Pranis: Yes. Has the hotel (Best Western Seaside Inn at 541 A1A Beach Boulevard) resubmitted for the storage building they applied for a variance for a while back?

Bonnie Miller: No, there has not been any resubmittal from the hotel for this storage building.

VIII. BOARD COMMENT

There was no further Board comment.

IX. ADJOURNMENT

The meeting was adjourned at 6:50 p.m.

Kevin Kincaid, Chairperson

Bonnie Miller, Recording Secretary

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDING WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE AUDIO/VIDEO CAN BE OBTAINED BY CONTACTING THE CITY MANAGER'S OFFICE AT 904-471-2122).



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
Date: July 27, 2023
Re: Variance Application File No. VAR 2023-11, 400 E St.

Variance file application VAR 2023-11 is requesting a reduction in the front setback from the required 20 feet to 12 feet, and a reduction for the street side setback from 12 feet to 8 feet for a proposed 300 square foot addition for a covered porch.

Recently, during the April 18, 2023, the Comprehensive Planning and Zoning Board approved the reduction of the 20-foot rear setback to 16 feet, 5 inches for an addition located at 607 11th St.

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 2023-11 400 E Street

DATE: 8-4-2023

The proposed variance for a reduction in front yard setback from 20' to 12' for a proposed covered porch and a reduction from the 12' street side setback to 8' for a covered wheelchair ramp does not contravene the 2020 Florida Building Code. If the variance is granted 2 sets of signed and sealed plans will be required from a registered design professional in the state of Florida.

Brian W Law

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

City of St. Augustine Beach Building and Zoning Department

Variance 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 variance is being sought:

Lot(s) 1 Block(s) 57 Subdivision COQUINA GABLES SUBDIVISION NO 1

Street Address 400 E ST, SAINT AUGUSTINE, FL, 32080

2. Location (N, S, W, E): E Side of (Street Name): 4TH AVE

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

4. Real estate parcel identification number: 1717700000

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

BICE KATHLEEN J, KROHN MARVIN D

6. Current land use classification: Medium low density residential.

7. Land use variance being sought: Reduction in side and front set back . Side setback from 12' to 8'. And front set back from 20' to 12".

8. Section of land use code from which the variance is being sought: Section 6.01.03

9. Reasons for which the variance is being sought: Building addition oversteps the bounds of setbacks rules.

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

When considering the needs of people who use wheelchairs, it's important to ensure that the built environment is accessible and accommodating. Here are some supporting points regarding the importance of supporting individuals who use wheelchairs:

Equal Access, Independence, and Mobility: Accessible design, including features like ramps, and widened doorways, allows individuals using wheelchairs to navigate buildings independently. It promotes their mobility, freedom of movement, and ability to engage in activities.

Health and Well-being: Accessible infrastructure and design contribute to the health and well-being of individuals who use wheelchairs.

Legal Obligations: Americans with Disabilities Act (ADA) in the United States that require accessibility standards to be met.

Compliance with these legal obligations ensures that people who use wheelchairs are not discriminated against and have the same rights and opportunities as everyone else.

Aging Population: With an aging population, the number of individuals using wheelchairs or other mobility aids is likely to increase. It becomes crucial to anticipate and address the needs of this demographic, ensuring that the built environment is accessible to all and supports independent living for older adults with mobility challenges.

Universal Design: Incorporating accessible features benefits not only individuals who use wheelchairs but also others, such as parents with strollers, people with temporary injuries, or individuals with other mobility limitations. Universal design principles that prioritize inclusivity and accessibility benefit a broader range of people, enhancing overall usability and convenience.

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.

Kathleen J Bice Marvin Kröhn

Print name (owner or his/ her agent)

Julia Moiseeva

Print name (applicant or his/her agent)

Kathleen J Bice 7/14/23

Signature /date

7.14.2023

Signature /date

403 E Street, St Augustine, FL

Owner/agent address

400 NE 12TH Ave Apt. 507, Hallandale Beach, FL, 33009

Applicant/agent address

(518) 810-2348 (518) 810-2838

Phone number

954-801-5705

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: 7/14/23

Variance File #: VAR 2023-11

Applicant's name: MARVIN Krohn Kathleen Bice

Applicant's address: 403 E Street, St Augustine, FL 32080

For land use variance at: 400 E Street, St Augustine, FL 32080

Charges

Application Fee: \$400.00 Date Paid: 7.17.23

Legal Notice Sign: \$10.00 Date Paid: 7.17.23

Received by Jennifer Thompson

Date 7.17.23

Invoice # I2301565

Check # or type of credit or debit card #122

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.

According to VI-1 February 21, 2023 St. Johns County Land Development Code, ARTICLE VI-DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS, Sec.6.01.03 - Lot Width Area and Yard Requirements, we cannot add front yard covered porch addition and side yard covered ramp addition.

- 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.

Similar requests located at 201 B Street, 224 Big Magnolia Court, and 607 11th Street, to reduce setbacks of front and side yards, as well as to decrease lot coverage, have been granted approval by the City of St. Augustine Beach.

3) Was the property acquired after parts of the current Land Development Regulations (which are relevant to the

Yes, property was acquired after parts of the current Land Development Regulations were adopted.

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

The addition of a covered ramp holds significant importance, particularly for individuals with mobility challenges.

A ramp provides an accessible pathway for people who use wheelchairs, walkers,

or other mobility aids to enter and exit the house with ease. It eliminates barriers and ensures that individuals with disabilities can independently access their homes, promoting exclusivity and equal opportunities. Independence: By having a ramp, individuals with mobility limitations can maintain their independence and freedom of movement.

They can navigate the ramp safely and without assistance, enhancing their confidence and self-reliance.

Safety: Ramps offer a safer alternative to stairs, reducing the risk of falls and accidents, not only for people with disabilities but also for individuals carrying heavy loads or pushing strollers.

The incline of a ramp is typically more manageable than climbing stairs, providing a stable and secure means of movement.

Long-Term Use: A ramp addition ensures that a residential property is future-proofed to accommodate changing needs. It allows individuals to age in place and avoids the need for costly renovations

or relocations later on. In a long-term it will promote sustainable living.

The addition of a covered porch designed specifically for elderly individuals can greatly enhance their living experience and cater to their needs to spend time outdoors.

Here's an exploration of the benefits and considerations associated with such an addition: A porch for the elderly can serve as a connection to the outdoors and provide an opportunity for them to enjoy nature. A porch designed for elderly individuals can foster social interaction and a sense of community. Providing ample seating and arranging it in a way that encourages conversation can facilitate socializing with family, friends, and neighbors.

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.

The granting of a variance for a covered ramp and covered porch addition can be carefully managed to ensure it does not alter the character of the neighborhood, diminish property values, or impair the appropriate use or development of adjacent properties.

Here's an explanation of how this can be achieved:

Design Consistency: The design of the covered ramp and covered porch addition can be crafted to maintain consistency with the existing architectural styles and aesthetics of the neighborhood. By using materials, colors, and design elements that are in harmony with the surrounding properties, the variance can blend seamlessly with the character of the neighborhood, preserving its overall visual appeal.

Proportional and Thoughtful Placement: The placement and size of the covered ramp and covered porch addition can be carefully considered to ensure it does not dominate or overpower the existing structures or neighboring properties. By maintaining a proportional scale and strategic positioning, the addition can be integrated in a way that respects the overall balance and maintains the appropriate visual scale of the neighborhood.

Property Enhancements: The addition of a covered ramp and covered porch can actually contribute to the improvement and enhancement of a property, potentially adding value rather than diminishing it. **Appropriate Use and Consideration of Adjacent Properties:** The covered ramp and covered porch addition should be planned and executed in a way that respects the appropriate use and development of adjacent properties.

By ensuring that the addition does not impede access or adversely affect neighboring properties in terms of privacy, sunlight, or other factors, the variance can be granted while maintaining the appropriate balance and harmony in the area.

By considering design consistency, proportional placement, property enhancements, and the appropriate use of adjacent properties, the granting of a variance for a covered ramp and covered porch addition can be managed in a manner that safeguards the character of the neighborhood, property values, and the appropriate use or development of adjacent properties.

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?

There will be not any effect on traffic congestion in nearby street, danger of fire, and on site or off site flooding.

City of St. Augustine Beach Building and Zoning Department
Owner Authorization Form

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

To: St. Augustine Beach Building and Zoning Department
2200 A1A South
St. Augustine Beach, Florida 32080

From: Owner Name(s) & Phone #: Kathleen J Bice (518) 810-2348

Address: 403 E Street

City, State & Zip Code: St Augustine, Florida 32080

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

Contractor/Agent Name(s) & Phone #: Julia Moiseeva

Address: 134 Ribesia Street, St #102 ^{ce} 400 NE 12th Ave, Apt 507

City, State, Zip Code: St. Augustine, Florida 32084 Hallandale Beach FL 33000

Who is my contractor/agent, to perform the following on my behalf pertaining to an application for construction, development, land use, zoning, conditional use permit, special events permit, variance, or any other action pursuant to an application for:

presentation of land use variance for 400 E Street
St Augustine, Fl.

I hereby designate and authorize the agent listed above to act on my behalf, or on behalf of my corporation, as the agent in the processing of this application for approval to conduct any development authorized pursuant to this application and to furnish, on request, supplemental information in support of this application. In addition, I authorize the above-listed agent to bind me, or my corporation, to perform any requirements that may be necessary to procure such approval.

I hereby recognize that any duly authorized agent of City of Saint Augustine Beach (CoSAB) may enter and inspect any parcel of land for which a development approval or permit has been issued, or where there is a reasonable cause to believe that a development activity is being carried out, for the purpose of ascertaining the state of compliance with City Codes. The interiors of buildings shall not be subject to such inspections unless related to the enforcement of the building code. No person shall refuse immediate entry or access to any authorized representative of the CoSAB or one of the specified agencies who requests entry for the purpose of inspection and who presents appropriate credentials. No person shall obstruct, hamper or interfere with any such inspection. If requested, the owner or operator of the premises shall receive a report setting forth the facts and results of the compliance determination.

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

Date: 7/14/23 Kathleen J Bice
Typed or Printed Name of Property Owner

Kathleen J Bice
Signature of Property Owner

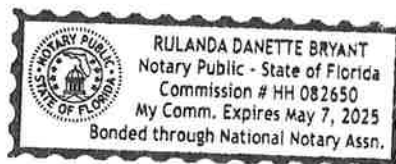
State of Florida

County of: St Johns

Subscribed and sworn before me this 14 day of July, 2023, by Kathleen Bice

Who is/are personally known to me or who has/have produced drivers license as identification.

Rulanda Danette Bryant
Signature of Notary Public, State of Florida
Typed or Printed Name: Rulanda Bryant
My Commission Expires: May 7, 2025



(Stamp or Seal)

City of St. Augustine Beach Building and Zoning Department
Owner Authorization Form

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

To: St. Augustine Beach Building and Zoning Department
2200 A1A South
St. Augustine Beach, Florida 32080

From: Owner Name(s) & Phone #: Marvin Krohn 518-810-2838

Address: 403 E Street

City, State & Zip Code: St Augustine, Florida 32080

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

Contractor/Agent Name(s) & Phone #: Julia Moiseeva

Address: 134 Ribera Street, St #102 400 NE 12th Ave, Apt 507

City, State, Zip Code: St. Augustine, Florida 32084 Hallandale Beach FL 33009

Who is my contractor/agent, to perform the following on my behalf pertaining to an application for construction, development, land use, zoning, conditional use permit, special events permit, variance, or any other action pursuant to an application for:

presentation of land use variance for 400 E Street
St Augustine, FL.

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

Date: 7.14.23
Typed or Printed Name of Property Owner: Marvin Krohn

Signature of Property Owner: [Signature]

State of Florida County of: St Johns

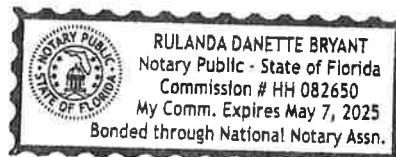
Subscribed and sworn before me this 14 day of July, 2023, by Marvin Krohn

Who is/are personally known to me or who has/have produced drivers license as identification.

Rulanda Danette Bryant
Signature of Notary Public, State of Florida

Typed or Printed Name: Rulanda Bryant

My Commission Expires: May 7, 2025



(Stamp or Seal)

Prepared by and return to:

Andrea N. Wright

Attorney at Law

Andrea N. Wright, LLC d/b/a Wright Firm

323 Anastasia Blvd.

Saint Augustine, FL 32080

904-898-1200

File Number: 21-0305

Parcel Identification No. 171770-0000

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 30th day of April, 2021 between Angela M. Silver a/k/a Angela Silver and John Silver, III, wife and husband whose post office address is 59-349 PUPUKEA RD., APT B, Haleiwa, HI 96712 of the County of Honolulu, State of Hawaii, grantor*, and Marvin D. Krohn and Kathleen J. Bice, husband and wife whose post office address is 5706 NW 55th Lane, Gainesville, FL 32653 of the County of Alachua, State of Florida, grantee*,

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 1, Block 57, Coquina Gables Subdivision No. 1, according to the plat thereof as recorded in Plat Book 3, Page 30, Public Records of Saint Johns County, Florida.

Parcel Identification Number: 171770-0000

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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:

Jay White
Witness Name: Jay White

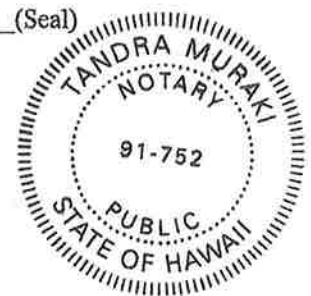
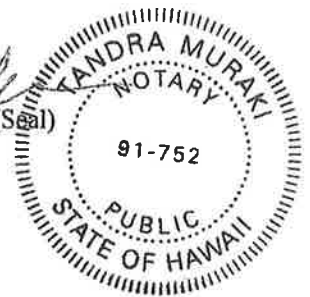
Shirley Yamashita
Witness Name: Shirley Yamashita

Jay White
Witness Name: Jay White

Debra Beaulieu
Witness Name: Debra Beaulieu

Angela M. Silver a/k/a Angela Silver (Seal)

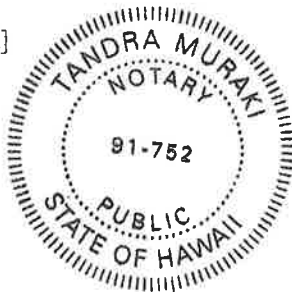
John Silver, III (Seal)



State of Hawaii
County of Honolulu

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 27th day of April, 2021 by Angela M. Silver a/k/a Angela Silver and John Silver, III, who ☐ are personally known or ☒ have produced Driver License as identification.

[Notary Seal]



Tandra Muraki
Notary Public

Printed Name: Tandra Muraki

My Commission Expires: 9/23/2022

Doc. Date:	<u>4/27/2021</u>	# Pages:	<u>2</u>
Notary Name:	<u>Tandra Muraki</u>	Circuit	<u>1st</u>
Doc. Description:	<u>warranty deed</u>		
Notary Signature	<u>Tandra Muraki</u>	Date	<u>4/27/2021</u>



PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1717700070	408 E STREET LAND TRUST D:04/1	2493 US HWY 1 S		SAINT AUGUSTINE FL 320860000	3-30 COQUINA GABLES LOT 7 BLK 57 OR5549/1464
1716200090	ALBRIGHT JOY A	306 F ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 9 BLK 53 & S1/2 OF 15FT VACATED ALLEY LYING N - ORD#26 OR115/347
1717600000	CHAPMAN STEPHEN R II,SUZANNE D	410 D ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOTS 9 & 11 BLK 56 & S1/2 OF 15FT VACATED ALLEY LYING N PER
1715800080	CLAUSE MICHAEL TIMOTHY	305 D ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 8 BLK 52 OR4006/1505
1717700110	CLEMENTS ARTHUR L	5821 PERRY RD		ELKTON FL 320330000	3-30 COQUINA GABLES LOT 11 BLK 57 OR719/1340 OR731/1715 (CORR/D) &1500/1108(Q/C)
1718230020	COFFEY BARBARA J	403 F ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 2 BLK 63 OR2830/1660
1717800110	COOPER JAMES S ET AL	8 WINCHESTER ST #1		BOSTON MA 021160000	3-30 COQUINA GABLES LOT 11 BLK 58 & S 1/2 OF VACA ALLEY LYING NORTH PER OR4308/417
1700400001	COQUINA GABLES SUBDIVISION NO				3/30 COQUINA GABLES SUBDIVISION NO 1 ROWS & ALLEYWAYS
1700400002	COQUINA GABLES SUBDIVISION NO				3/30 COQUINA GABLES SUBDIVISION NO 1 ALL UN-NAMED PLAZAS
1715500140	DANIELS CHARLES BRIAN	313 C ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOTS 14 & 16 BLK 51 & N1/2 OF VACATED ALLEY LYING S OF LOT 14
1716100000	DAVIS J FRANK JR,SUSAN L	313 D ST		SAINT AUGUSTINE FL 320806837	3-30 COQUINA GABLES LOT 14 BLK 52 OR812/0006
1717700040	DE BEURS ANTON	403 D ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 4 BLK 57 OR4013/703
1717800060	DERUITER WENDY CARMA	325 MARSH POINT CIR		SAINT AUGUSTINE FL 320805864	3-30 COQUINA GABLES LOT 6 BLK 58 & N 1/2 OF VACA ALLEY LYING SOUTH PER OR4308/417
1715900000	EDWARDS JOHNATHAN,SUZANNE	309 D ST		SAINT AUGUSTINE FL 320806837	3-30 COQUINA GABLES LOTS 10 & 12 BLK 52 OR2707/505

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1717700120	ELDRIDGE LYNN T	411 D ST		SAINT AUGUSTINE FL 320806839	3-30 COQUINA GABLES LOT 12 BLK 57 OR1406/1393
1717800100	GALANTOWICZ SUZANNE E	409 E ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 10 BLK 58 & N 1/2 OF VACA ALLEY LYING SOUTH PER OR4308/417
1716200120	GIVENS MICHAEL R,JODY L	311 E ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 12 BLK 53 INCL N1/2 OF VAC ALLEY LYING S OF & ADJOINING LOT 12 OR3874/729
1716000000	GRODE JOHN OTTO REV TRUST ETAL	20 ROLLINS DUNES DR		PALM COAST FL 321370000	3-30 COQUINA GABLES LOTS 13 & 15 BLK 52 OR3597/1917 &3601/1471(Q/C)
1717700080	GROSSMAN JUDITH REVOCABLE TRUS	407 D ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 8 BLK 57 OR4593/1552 & 4974/1662
1715450110	HAGOPIAN STEPHANIE ANN ET AL	312 D ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES W1/2 LOT 11 & ALL LOT 13 BLK 51 & S1/2 OF VACATED ALLEY LYING N
1716200130	HOWELL CHERRY G	310 F ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 13 BLK 53 & S1/2 OF 15FT ALLEY OR4059/1369
1716200060	HPA BORROWER 2020-2 ML LLC	120 S RIVERSIDE PLAZA	SUITE 2000	CHICAGO IL 606060000	3-30 COQUINA GABLES W1/2 LOT 6 & ALL OF LOT 8 BLK 53 INCL N1/2 ALLEY LYING S OF LOTS
1716200110	JIRUSKA RODNEY	308 F ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 11 BLK 53 & S1/2 OF 15FT ALLEY LYING N OR5554/1953
1717500000	JOURNEY PAUL LESLIE	407 C ST		SAINT AUGUSTINE FL 320806827	3-30 COQUINA GABLES LOTS 2 3 4 5 6 7 & 8 BLK 56 & PT OF 15FT VACATED ALLEY LYING BETWEEN
1717800040	KROHN MARVIN D ET AL	403 E ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 4 BLK 58 & N 1/2 OF VACA ALLEY LYING SOUTH PER OR4308/417
1717800000	LANGE ANDREW JOSEPH,KELLY JANE	402 F ST		SAINT AUGUSTINE FL 320806854	3-30 COQUINA GABLES LOTS 1 & 3 BLK 58 & S 1/2 OF VACA ALLEY LYING NORTH PER OR4308/417
1716200050	LEBLANC CAROL	18 EDSON ST		NASHUA NH 030641923	3-30 COQUINA GABLES W16FT OF LOT 5 & ALL LOT 7 & S1/2 OF VACATED ALLEY LYING N BLK 53
1717700130	LEGAULT WYNN W	414 E ST		SAINT AUGUSTINE FL 320806870	3-30 COQUINA GABLES LOT 13 BLK 57 OR1202/31 & 4646/715

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1716200140	LEGRAND PAMELA M,WILLIAM M	315 E ST		SAINT AUGUSTINE FL 320806867	3-30 COQUINA GABLES LOTS 14 & 16 BLK 53 & N1/2 OF VACATED ALLEY LYING S OR1853/1592
1717800080	LUEDKE CHERYL	407 E ST		SAINT AUGUSTINE FL 320806869	3-30 COQUINA GABLES LOT 8 BLK 58 & N 1/2 OF VACA ALLEY LYING SOUTH PER OR4308/417
1717700030	MARTIN ROBERT L,PAMELA SMITH	6650 LAKESHORE DR		DALLAS TX 752143741	3-30 COQUINA GABLES BLK 57 LOT 3 OR1294/721
1718220040	MCCARTHY MARC J REV LIVING TRU	313 F ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 4 BLK 62 OR4334/1029 & 5356/789
1717700060	NEW DAY DAWNING LLC	225 E LEMON ST	STE 300	LAKELAND FL 338010000	3-30 COQUINA GABLES BLK 57 LOT 6 OR5638/973
1717800050	PARKHURST RICHARD,KATHLEEN	406 F ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 5 BLK 58 & S 1/2 OF VACA ALLEY LYING NORTH PER OR4308/417
1717700090	PIDCOCK BRYAN J,HEIDI L	214 C ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 9 BLK 57 OR1351/1035
1718230000	PRATT VAN H,BARBARA	401 F ST		SAINT AUGUSTINE FL 320806853	3-30 COQUINA GABLES LOT 1 BLK 63 OR688/1342 & 757/1098
1717700050	ROCHE MATTHEW ET AL	406 E ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 5 BLK 57 OR5079/1232
1715450000	SCHWARM THOMAS M ET AL	310 D ST		SAINT AUGUSTINE FL 320806838	3-30 COQUINA GABLES LOT 9 & E1/2 LOT 11 BLK 51 & S1/2 OF VACATED ALLEY LYING N PER
1716200150	SEW KOOL RENTALS LLC	324 REDWING LN		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 15 BLK 53 & S1/2 OF 15FT ALLEY OR3982/130
1715800000	SPELLMAN MICHAEL P	2000 GOLF TERRACE DR		TALLAHASSEE FL 323015609	3-30 COQUINA GABLES LOTS W1/2 OF LOT 5 & ALL LOT 7 BLK 52 OR3959/1567(TR/D)
1717800130	STREMBEL EILEEN	865 HILLY BEND DR		APOPKA FL 327120000	3-30 COQUINA GABLES LOT 13 BLK 58 & S 1/2 OF VACA ALLEY LYING NORTH PER OR4308/417
1717800140	TANKERSLEY DAVID V	512 OCEAN FOREST DR		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 14 BLK 58 & N 1/2 OF VACA ALLEY LYING SOUTH PER OR4308/417

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1717800090	TINKER BRIAN E,BETSEY LEE BREW	5714 ALLISON ST		ARVADA CO 800020000	3-30 COQUINA GABLES LOT 9 BLK 58 & S 1/2 OF VACA ALLEY LYING NORTH PER OR4308/417
1717800120	TWP HOLDINGS 2 LLC	512 OCEAN FOREST DR		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 12 BLK 58 & N 1/2 OF VACA ALLEY LYING SOUTH PER OR4308/417
1716200100	VANDERHEYDEN ARNE ET AL	309 E ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 10 BLK 53 INCL N1/2 OF VAC ALLEY LYING S OF & ADJOINING LOT 10 OR4937/390
1717700140	VARLEY ROBERT WESLEY,SONIA	413 D ST		SAINT AUGUSTINE FL 320806839	3-30 COQUINA GABLES LOT 14 BLK 57 OR3228/443
1717800070	VOGES CHERYL L	408 F ST		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 7 BLK 58 & S 1/2 OF VACA ALLEY LYING NORTH PER OR4308/417
1715800090	WELU JAMES L JR,REBECCA L	310 E ST		SAINT AUGUSTINE FL 320806868	3-30 COQUINA GABLES LOTS 9 & 11 BLK 52 OR451/18 & 1167/1954 & 1958(L/A) & 1203/688-698
1717800020	WILLIAMS ROBERT BRUCE TRUST D:	14909 HEALTH CENTER DR APT 453		BOWIE MD 207160000	3-30 COQUINA GABLES LOT 2 BLK 58 & N 1/2 OF VACA ALLEY LYING SOUTH PER OR5267/1029
1717700100	WILSON EDGAR P	117 KINGS QUARRY LN		SAINT AUGUSTINE FL 320800000	3-30 COQUINA GABLES LOT 10 BLK 57 OR1282/1009 &2943/562(C/D)


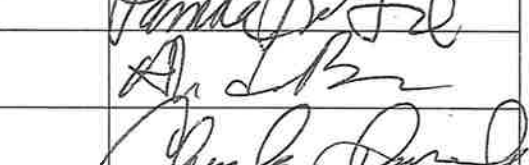
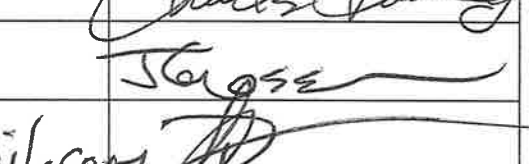

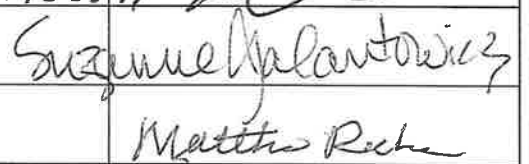
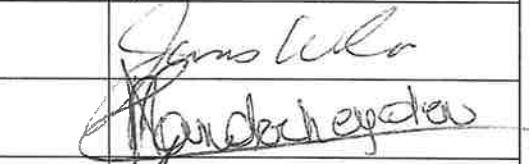


Petition To:

Acquire an area variance for 400 E Street for a handicap ramp (4th St) and a porch (E St). This is needed to make the property handicap accessible and provide a place to sit for the 85 and 95 year old occupants.

Printed Name	Address	Contact Info	Signature
Bruce A. Berner	302 E St		Bruce A. Berner
Cheryl Luedke	407 E Street		Cheryl Luedke
Wendy Luedke	405 E Street		Wendy Luedke
Wynn Legault	414 E Street		Wynn Legault
Wynn Legault	414 E Street		Wynn Legault
Cherry Howell	310 F Street		Cherry Howell
Donna Giancola	405 E St.		Donna Giancola
Barbara Coffey	403 F St.	bj2coffey@yahoo.com	Barbara Coffey
Cheryl Voges	408 F St		Cheryl Voges
Kelly Laird	402 F St		Kelly Laird
K. Kausel	310 D St		K. Kausel
Tim Conroy	414 D St		Tim Conroy
Barbara Dole	401 F St		Barbara Dole



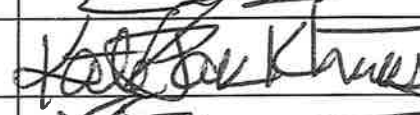

Petition To:

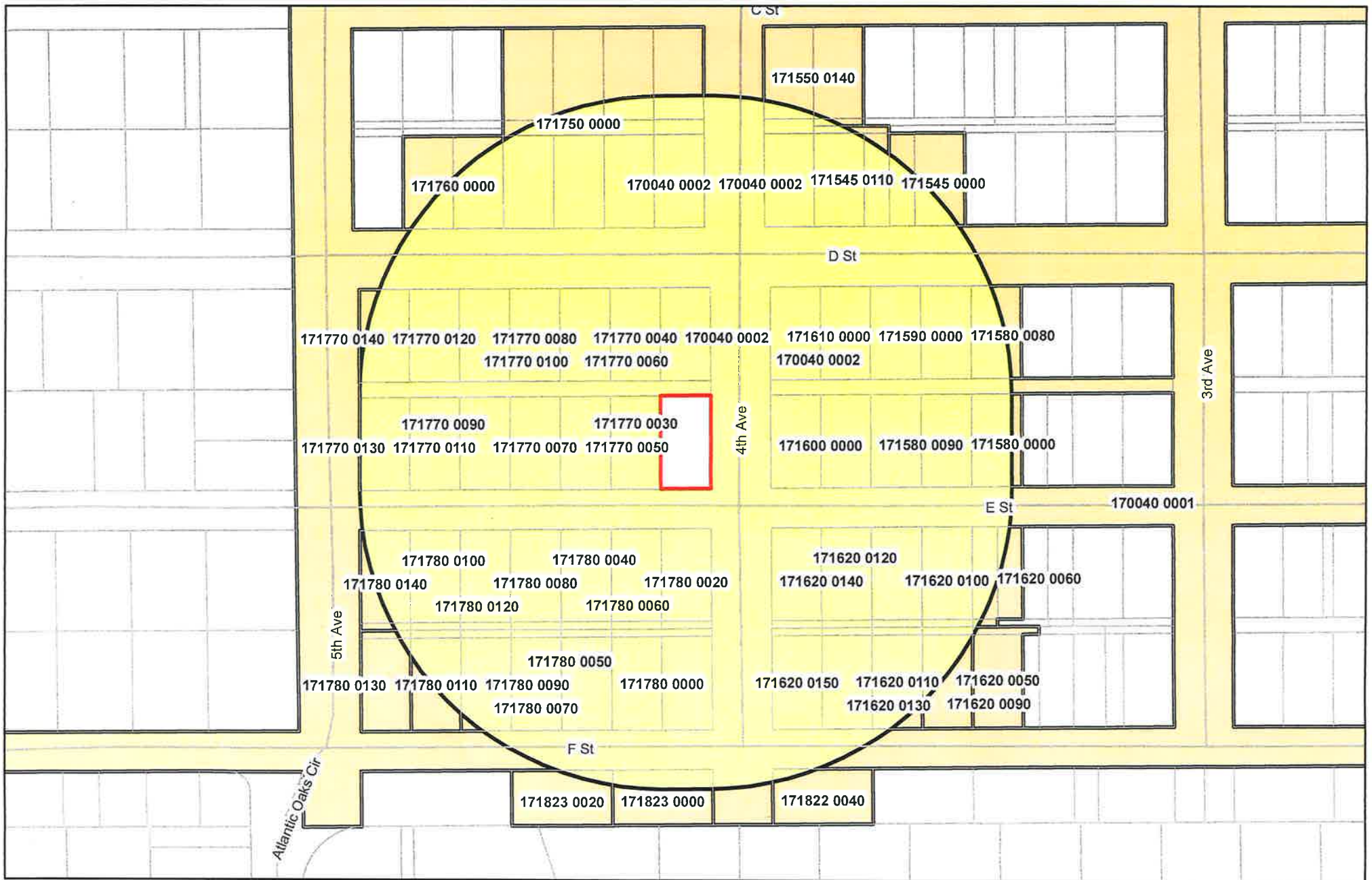
Acquire an area variance for 400 E Street for a handicap ramp (4th ST) and a porch (E St.). This is needed to make the property handicap accessible and provide a place to sit for the 85 and 95 year old occupants.

Printed Name	Address	Contact Info	Signature
William LEGRAND	315 E ST. St. AUG Beach		
PAMELA LEGRAND	" "		
Anton deBeurs	403 D street St AUG 320807		
Charles Daniels	313 C street St AUG 320800		
Judy Grossman	407 D St St aug		
DAMIAN LAPIER	312 D St St Aug	sylvia@gmail.com	
ZAC CLARK	314 E ST St AUG	ZAC@ST.AUGUSTA.FL	
John GROOF	314 E ST ST AUG	JOHN.M@ST.AUGUSTA.FL	
Suzanne Galantowicz	409 E ST. SAB		
Matthew Roche	406 E ST St Aug		
JAMIE WEIN	310 E ST		
Agne Vanderheyden	309 E St.		
Jim Bales	301 E. ST.		

Petition To:

Acquire an area variance for 400 E Street for a handicap ramp (4th St) and a porch (E St.). This is needed to make the property handicap accessible and provide a place to sit for the 85 and 95 year old occupants.

Printed Name	Address	Contact Info	Signature
Alexa Fuentes	408 E Street		
John Edwards	309 D Street		
Kate Burkhead	406 E St		
Frank R	313 D St		

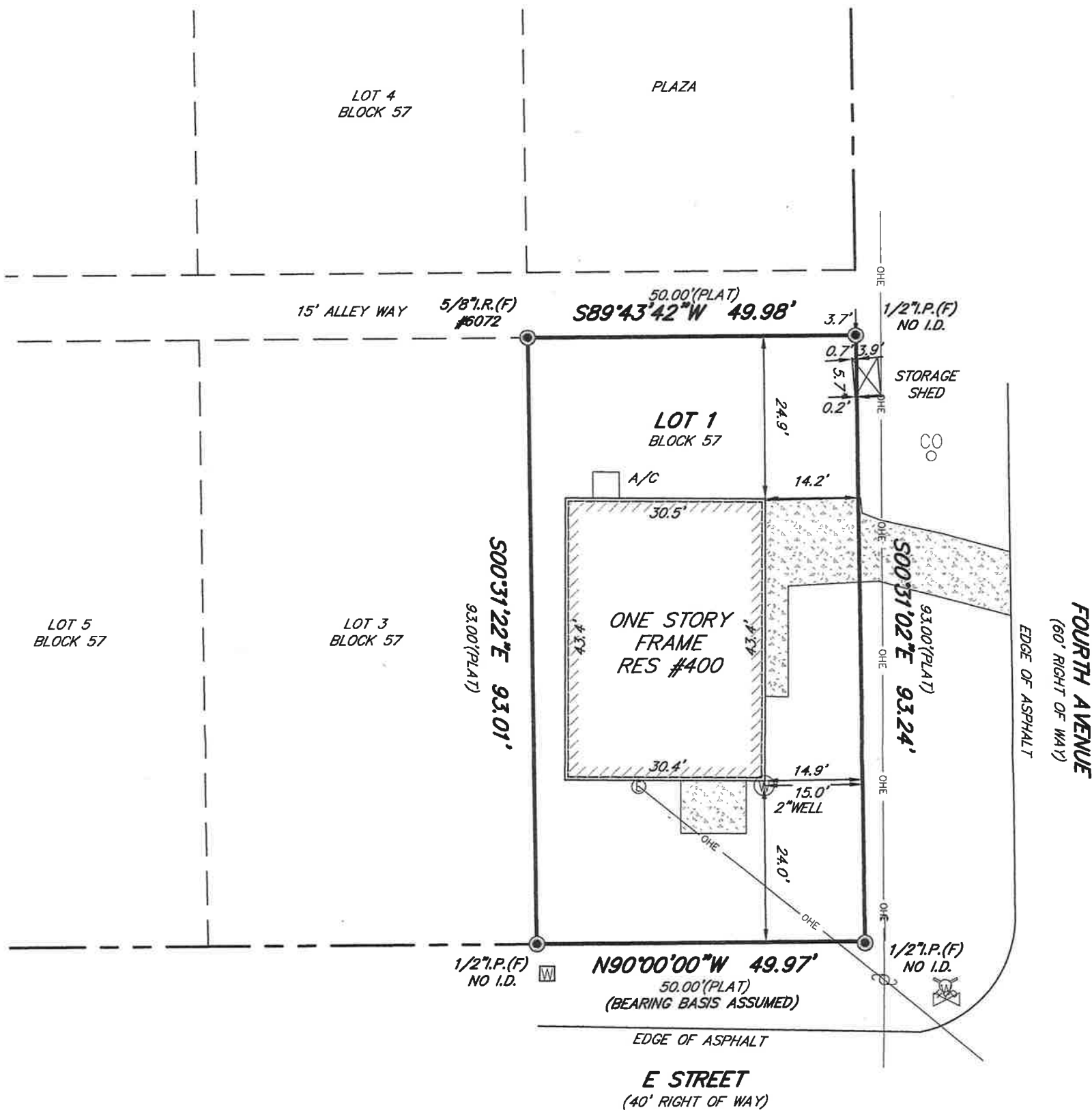


**Parcels within 300' of
400 E St
(Parcel 171770-0000)**

MAP SHOWING SURVEY OF

LOT 1, BLOCK 57, COQUINA GABLES SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 30, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

CERTIFIED TO:
KATHY BICE

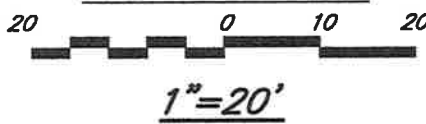


LEGEND

A/C	- AIR CONDITIONER PAD	RES.	- RESIDENCE
ID.	- IDENTIFICATION	CL	- CENTERLINE
N.A. V.D.	- NORTH AMERICAN VERTICAL DATUM	+	- DENOTES NOT TO SCALE
sq. ft.	- SQUARE FEET	W	- WATER METER
I.P.(F)	- IRON PIPE FOUND	EX	- EXPOSED CONCRETE
I.R.(F)	- IRON ROD FOUND	CO	- COVERED AREA
I.R.(S)	- 5/8" IRON ROD SET (PSM #4620)	W	- WELL
OP	- WOOD POWER POLE	TYP.	- TYPICAL
OHE	- OVERHEAD ELECTRIC	CO	- CLEANOUT
CONC.	- CONCRETE	WV	- WATER VALVE
⊗	- FIRE HYDRANT		

AREA = 0.11 ± ACRES
OR 4,649 ± sq. ft.

GRAPHIC SCALE



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. 125146-0384J effective date: 12/07/2018, the property described hereon appears to lie in Zone XS

- Basis of bearing structure: REFER TO SURVEY

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

JOB NO.	LAST FIELD DATE	SCALE	F.B./PAGE	CHK. BY	DWG. BY
23-0339	05/19/2023	1" = 20'	818/67	N.H.F.	R.J.B.

TYPE: BOUNDARY



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NICHOLAS H. FRANKLIN
6170 A1A SOUTH #316
ST. AUGUSTINE, FLORIDA 32086
(904) 471-8877 FAX (904) 471-8876

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

SITE CALCULATIONS EXISTING

STREET ADDRESS:
400 E ST. ST. AUGUSTINE, FL, 32080

SITE, TOTAL SQ. FT.	4650
BLDG. FOOTPRINT, TOTAL SQ. FT. UNDER ROOF	1320
BLDG. FOOTPRINT CONDITIONED	1320
DRIVE & WALKWAYS, TOTAL SQ. FT. :	183
FOOTPRINT, DRIVE & WALKWAYS TOTAL SQ. FT. :	1503
LOT COVERAGE W/ FOOTPRINT UNDER ROOF CONDITIONED:	28.3%
LOT COVERAGE PERCENTAGE W/ FOOTPRINT, DRIVE & WALKWAYS:	32.3%

FLOOD_ZONE: X
BASE FLOOR ELEV.: 11' - 6"
DRAINAGE TYPE: -
SITE ELEVATION: 9' - 6"
PROPOSED FFE.: 11' - 6"






ZONING: RS-2 (MEDIUM DENSITY LOW)
BUILDING SETBACKS
FRONT: 20'-0"
SIDE A: 7'-6"
STREET: 12'-0"
REAR: 20'-0"

ROOF HT. NOT TO EXCEED 30'

LANDSCAPE:
ALL LANDSCAPE TO SJC REQUIREMENTS ALL EXISTING TREES
POSSIBLE WILL REMAIN ON SITE. 70% OF NEWLY PLANTED TREES
MUST BE FROM CANOPY TREE LIST.
ALL EPIC TREES ON SITE TO REMAIN.

NOTE:
EROSION CONTROL SHALL BE INSTALLED TO PREVENT IMPACT
ON ADJACENT PROPERTY - (LOCATED 3' WITHIN LOT
BOUNDARY & WETLANDS LINE)

NOTE:
ANY CEDAR TREES REMOVED WILL BE REPLACED
PER THE COSA REQUIREMENTS AT THE TIME OF LANDSCAPING. (2 TO 1)

 = CONTOURS
 = SILT FENCE
 = DRAINAGE DIRECTION
 = LOT LINES
 = SETBACKS

TREES TO BE REMOVED

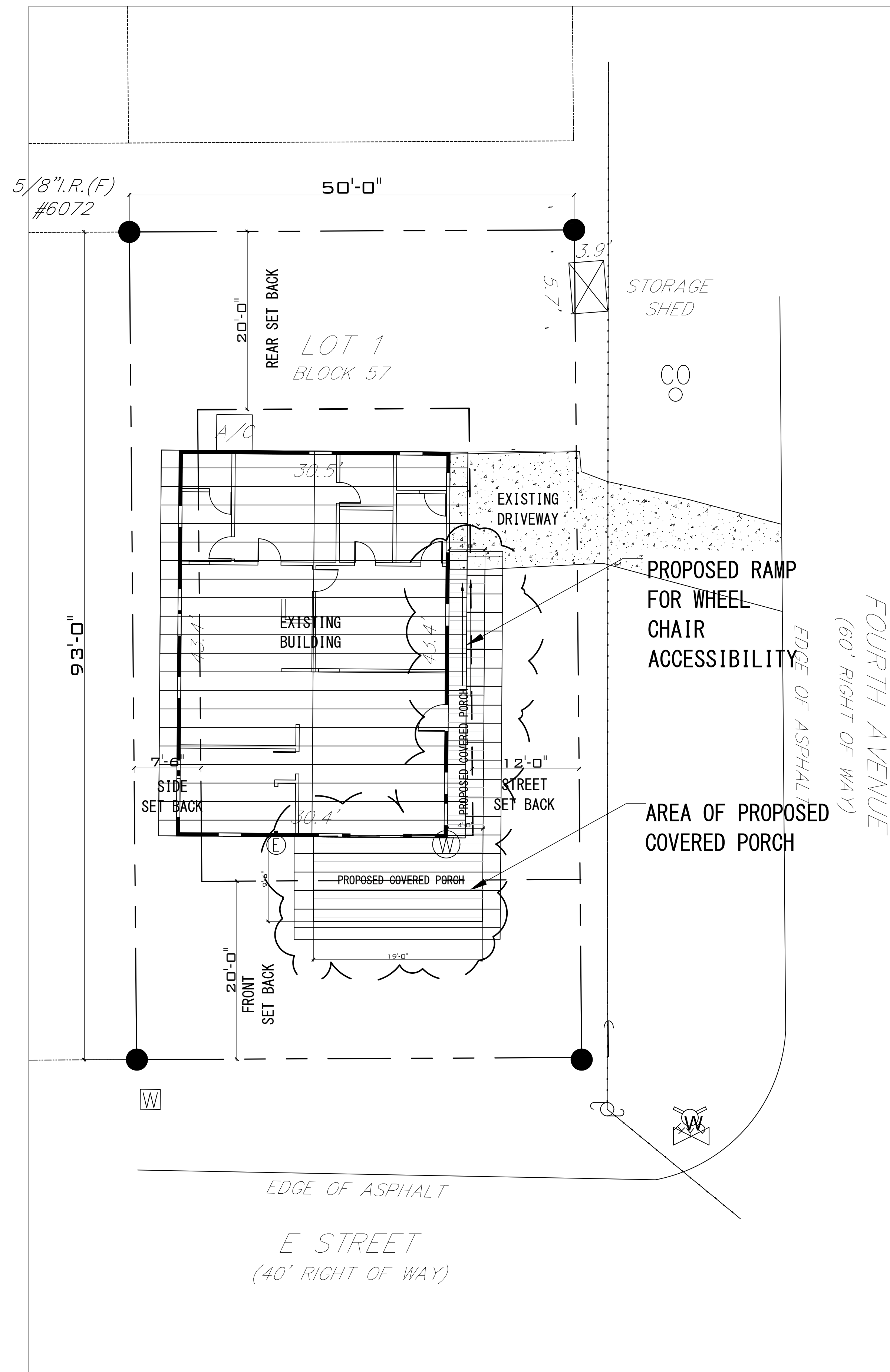
X	X

SITE CALCULATIONS PROPOSED

STREET ADDRESS:
400 E ST. ST. AUGUSTINE, FL, 32080

SITE, TOTAL SQ. FT.	4650
BLDG. FOOTPRINT, TOTAL SQ. FT. UNDER ROOF	1620
BLDG. FOOTPRINT CONDITIONED	1320
DRIVE & WALKWAYS, TOTAL SQ. FT. :	183
FOOTPRINT, DRIVE & WALKWAYS TOTAL SQ. FT. :	1803
LOT COVERAGE W/ FOOTPRINT UNDER ROOF CONDITIONED:	34.8%
LOT COVERAGE PERCENTAGE W/ FOOTPRINT, DRIVE & WALKWAYS:	38.7%

SQ. FT OF PROPOSED
COVERED ADDITION =
300 SQ. FT

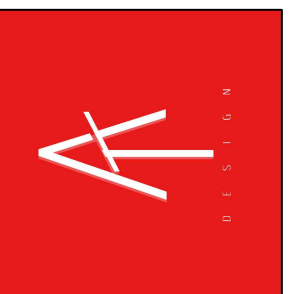
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ARCHTECH DESIGN INC.

archtech. design. inc

+ 1 (954) 801-5705

archtech.juliamoiseev@gmail.com

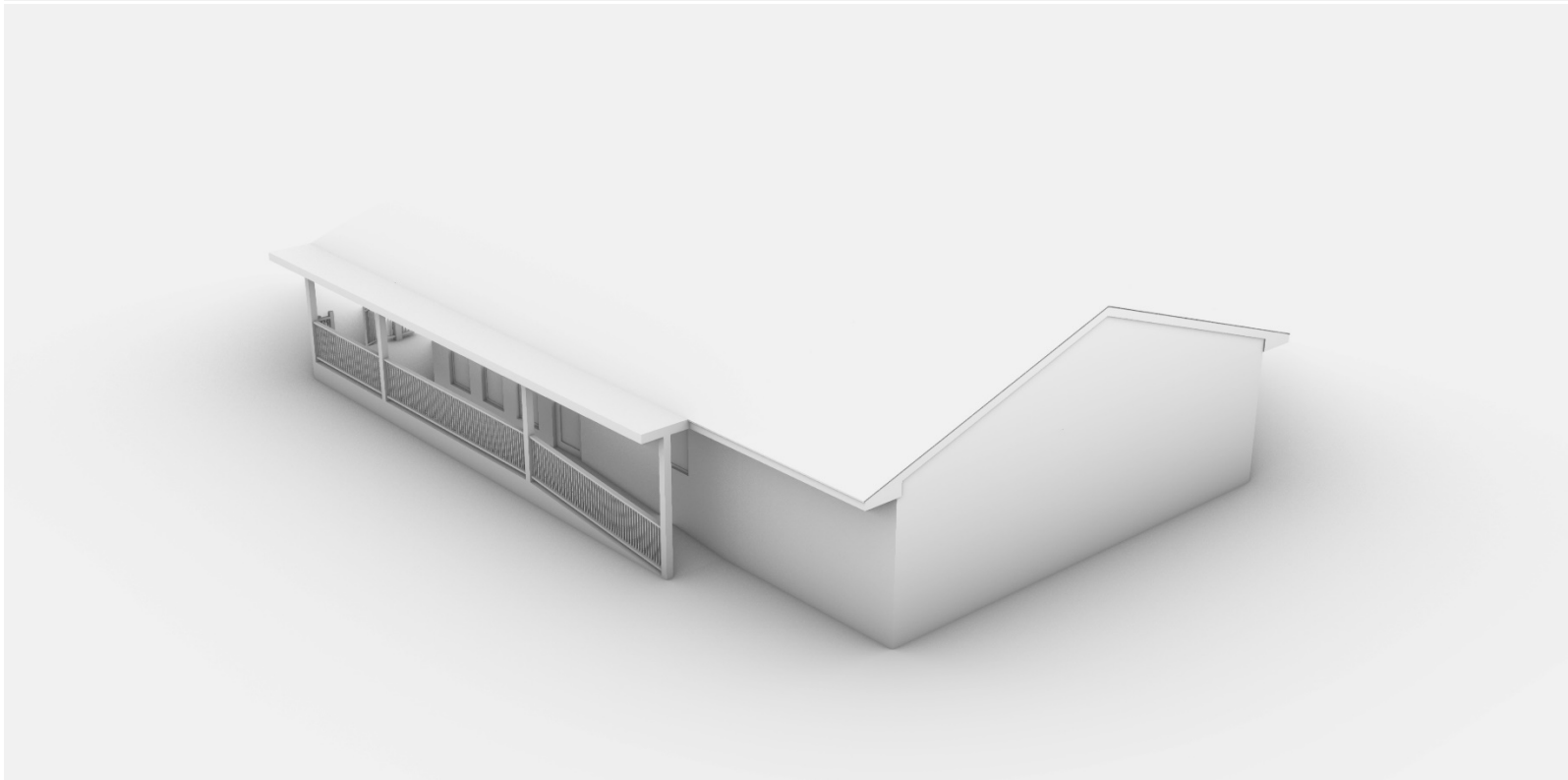


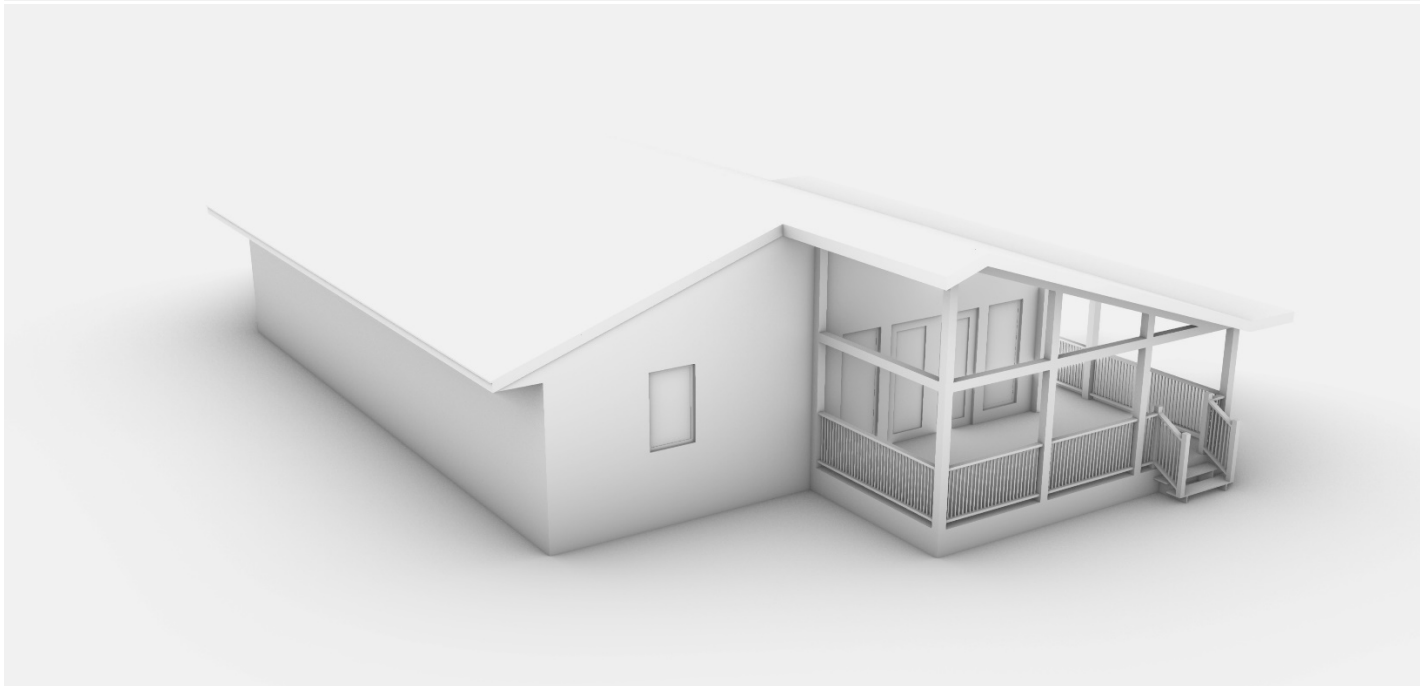
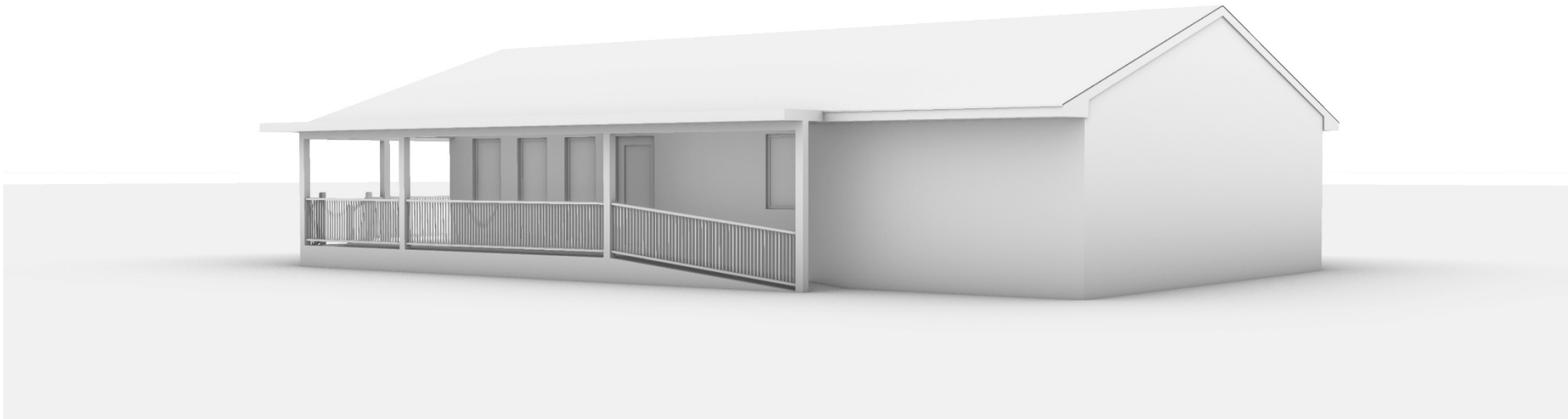
ADDITION FOR
400 E ST

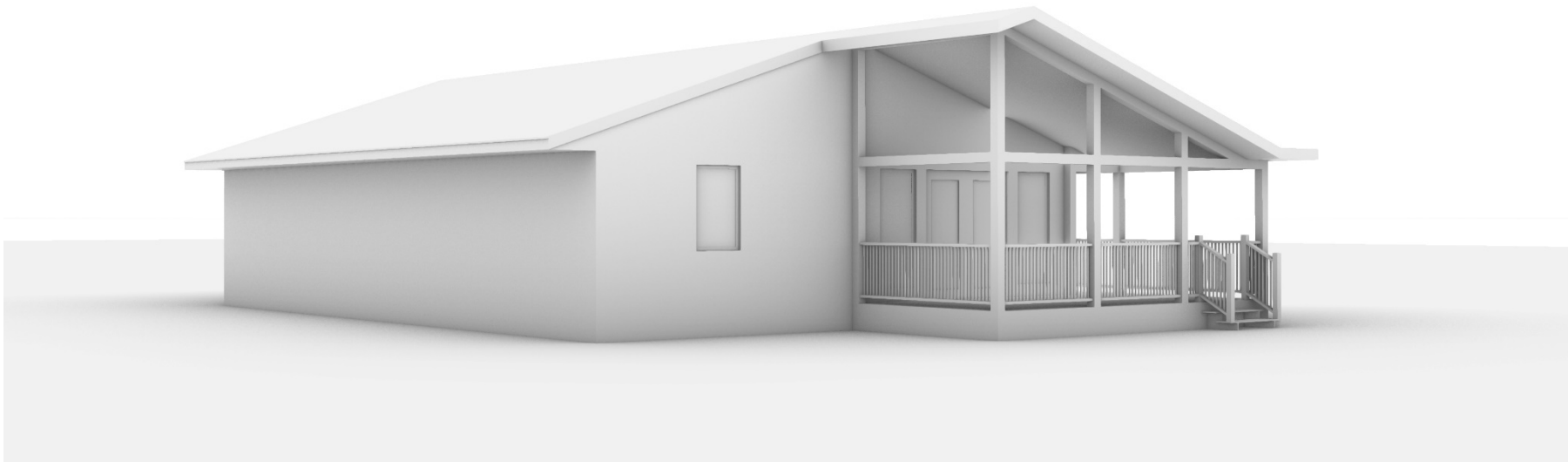
PROJECT NUMBER #	#3
DRAWN BY	YULIIA MOISEEVA
DATE	8/9/23
SCALE	1/8"=1' -0"

PROPOSED SITE PLAN

A-3









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
Date: July 27, 2023
Re: Variance Application File No. VAR 2023-12, 508 Weeping Willow

Variance file application VAR 2023-12 is a request to reduce the rear and north side required setbacks of 10 feet for pools and pool decks to 5 feet at 508 Weeping Willow, located in the Sea Grove PUD.

In the past, the Comprehensive Planning and Zoning Board has approved several variances in the Sea Grove PUD for reductions in setbacks regarding swimming pools.

Sincerely,

Jennifer Thompson, CFM

Planner
Planning and Zoning Division



City of St. Augustine Beach Building and Zoning Department

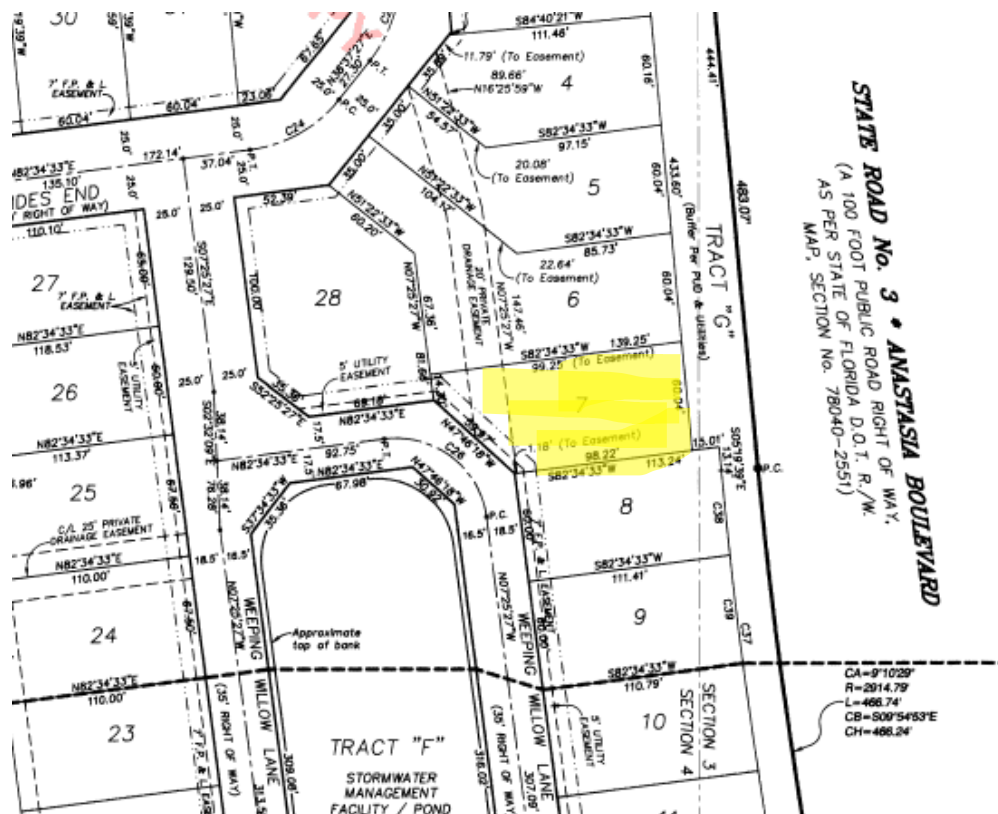
TO: Planning and Zoning Division

FROM: Brian Law

SUBJECT: VAR 2023-12 508 Weeping Willow

DATE: 8-4-2023

The 2020 Florida Building Code has no objection to the reduction in setback for a inground pool and enclosure.



Brian W Law

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

**City of St. Augustine Beach Building and Zoning Department
Variance 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 variance is being sought:

Lot(s) 7 Block(s) _____ Subdivision SEAGROVE UNIT 1
Street Address 508 WEEPING WILLOW LN ST. AUG, FL 32080

2. Location (N. S. W. E): EAST Side of (Street Name): WEEPING WILLOW LN

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

4. Real estate parcel identification number: 1629610070

5. Name and address of owner(s) as shown in St. Johns County Public Records: OSLIN CYNTHIA A,
GARY T 100% OSLIN GARY T 100%
508 WEEPING WILLOW LN SAINT AUGUSTINE, FL 32080-0000

6. Current land use classification: SF PUD

7. Land use variance being sought: REDUCE REAR & N. SIDE POOL/DECK/SCREEN
SETBACKS FROM 10' TO 5'.

8. Section of land use code from which the variance is being sought: PUD ORDINANCE 01-15

9. Reasons for which the variance is being sought: LOT IS NON-CONFORMING IN
SHAPE & HOUSE SITS ON LOT ODDLY GREATLY REDUCING
THE USEABLE BACKYARD AREA FOR A POOL/DECK/SCREEN
OF USABLE SIZE.

10. Supporting data which should be considered by the Board: THERE ARE SEVERAL
VARIANCES OF THIS NATURE ALREADY APPROVED
BY THE BOARD. THE PUD RESTRICTIONS ARE MORE
STRICT THAN THE CITIES LDR.

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.

GARY OSLIN

Print name (owner or his/her agent)

Gary Oslin

Signature /date

7/7/23

508 Weeping Willow Dr.
St. Augustine, FL 32080

Owner/agent address

678-779-2137

Phone number

CARMEN S. POLLITZ

Print name (applicant or his/her agent)

Carmen S. Pollitz

Signature /date

7/7/23

2550 N. STATE ST.
BUNNELL FL 32110

Applicant/agent address

386-302-2881

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: 7/7/2023

Variance File #: _____

Applicant's name: CARMEN POLLITZ

Applicant's address: 2550 N. STATE ST #14 BUNNELL, FL 32110

For land use variance at: 508 WEEPING WILLOW LN. ST. AUG. 32080

Charges

Application Fee: \$400.00 Date Paid: _____

Legal Notice Sign: \$10.00 Date Paid: _____

Received by _____

Date _____

Invoice # _____

Check # or type of credit or debit card _____

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.

FOLLOWING THE CURRENT LDR'S LEAVES NO SPACE TO BUILD A POOL. BACK YARD IS VERY SMALL & ODDLY SHAPED DUE TO SHAPE OF THE LOT & HOUSE PLACEMENT. VARIANCE APPROVAL WILL STILL ONLY ALLOW ROOM FOR A VERY SMALL "SPOOL" OF 157SF APPROX 11'6" X 16' AND ODDLY SHAPED TO GET MOST USE OF SPACE.

- 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.

1020 SALTWATER CIRCLE - SIDES & REAR REDUCED TO 5'
 459 HIGH TIDE DR - SIDES REDUCED TO 5'
 457 HIGH TIDE DR. - SIDES & REAR REDUCED TO 5'
 455 HIGH TIDE DR. - SIDES REDUCED TO 5'
 1181 & 1121 OVERDALE DR. - "

- 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. PROPERTY WAS PURCHASED MARCH 15, 2022

PUD ORDINANCE WAS RECORDED JAN OF 2015

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

REDUCTION OF N. SIDE SETBACK FROM 10' TO 5' WILL ALLOW THE DECK & SCREEN ENCLOSURE TO LINE UP WITH THE 5' HOUSE SETBACK FOR CONTINUITY & CONSTRUCTION PURPOSES.

REDUCTION OF REAR SETBACK FROM 10' TO 5' IS THE VERY MINIMUM THAT WILL ALLOW SPACE FOR SMALL "SPOOL" POOL. NO REDUCTION NEEDED ON S. SIDE. HOUSE IS 16' FROM THAT LOT LINE.

- 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 ANGLE OF HOUSE ON THE LOT NOTHING WILL BE SEEN FROM THE STREET. VIEW FROM NEIGHBORING LOTS WILL BE REDUCED WITH LANDSCAPING AND PRIVACY FENCE AS SHOWN ON POOL & SITE PLANS. A1A IS DIRECTLY BEHIND LOT WITH A .50' WOODED BUFFER.

- 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?

THIS IS A SF RESIDENCE SO THERE WILL BE NO ADDED TRAFFIC. DISTANCE BETWEEN HOMES AS PER PUD ALLOWS ROOM FOR FIRE DEPT ACCESS TO REAR PROPERTIES AND ALL CONSTRUCTION WILL BE IN ALIGNMENT WITH HOME, NOT IMPEDING ACCESS.

CURRENT LOT DRAINAGE TO FRONT DRAINAGE AREA WILL BE MAINTAINED. IF CITY FEELS THERE NEEDS TO BE ANY

CITY OF ST. AUGUSTINE BEACH VARIANCE APPLICATION 08-20 ADJUSTMENTS WE WILL FOLLOW THEIR INSTRUCTION.

CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT
OWNER PERMISSION FORM

TO: BUILDING OFFICIAL
CITY OF ST. AUGUSTINE BEACH
BUILDING DEPARTMENT

DATE: 6/27/2023

FROM: GARY OSLIN
Owner Name

678-779-2137
Phone Number

508 WEEPING WILLOW LN.
Address

St. Aug, FL 32080
City, State, Zip Code

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

CARMEN POLLITZ 386-302-2881
Contractor/Agent Name Phone Number

2550 N. STATE ST. #14
Address

BUNNELL, FL 32110
City, State, Zip Code

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

REPRESENT US AT VARIANCE BOARD HEARING
TO REDUCE SETBACK REQUIREMENTS.
ALSO, SUBMIT ALL NEEDED DOCUMENTS FOR PERMITTING
ALL FOLLOW UP THRU END OF CONSTRUCTION.

Gary Oslin
Signature of Owner

STATE OF FLORIDA
COUNTY OF ST. JOHN'S

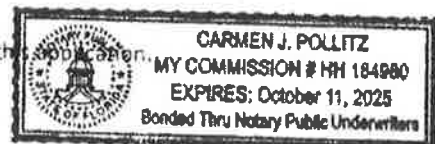
Subscribed and sworn before me this 27th day of JUNE, 2023 by GARY OSLIN

who is/are personally known to me or who has/have produced _____ as identification.

Carmen J Pollitz
Signature of Notary Public, State of Florida

NOTARY COMMISSION NO./EXPIRATION/STAMP/SEAL:

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



Prepared By and Return To:
Knight Barry Title Solutions Inc.
Attn: Vickie A. Rianda
1760 A1A South, Ste. A
St. Augustine, FL 32080

Order No.: 2127515

Property Appraiser's Parcel I.D. (folio) Number:
162961-0070

WARRANTY DEED

THIS WARRANTY DEED dated March 15, 2022, by Julia Marie Cichy, formerly known as, Julia Cichy-Natoli, a married person, whose post office address is 210 6th Street, St. Augustine, Florida 32080 (the "Grantor"), to Cynthia A. Oslin and Gary T. Oslin, wife and husband, whose post office address is 508 Weeping Willow Lane, St. Augustine, Florida, 32080 (the "Grantee").

(Wherever 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)

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the Grantee, all that certain land situated in County of St Johns, State of Florida, viz:

Lot 7, Seagrove St. Augustine Beach Unit One, according to the map or plat thereof, as recorded in Map Book 48, Pages 30 through 35, inclusive, of the Public Records of St. Johns County, Florida.

This is not the grantor's homestead property.

Subject to easements, restrictions, reservations and limitations of record, if any.

- 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: 12/31/2021.

St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

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

[Submit Questionnaire](#)

2022 TRIM Notice

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

Summary

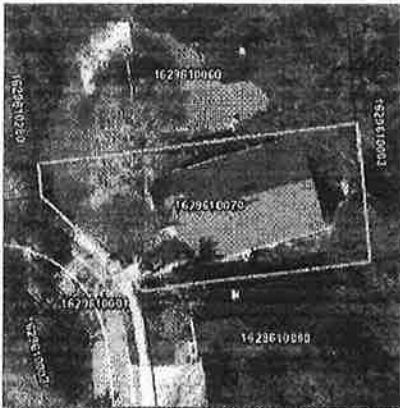
Parcel ID 1629610070
Location Address 508 WEEPING WILLOW LN
SAINT AUGUSTINE 32080-0000
Neighborhood Seagrove St. Augustine Beach (SF) (2301.01)
Tax Description* 48/30-35 SEAGROVE ST AUGUSTINE BEACH UNIT 1 LOT 7 OR5516/176
*The Description above is not to be used on legal documents.
Property Use Code Single Family (0100)
Subdivision Seagrove St. Augustine Beach Unit One
Sec/Twp/Rng 4-8-30
District City of St Augustine Beach (District 551)
Millage Rate 15.8076
Acreage 0.170
Homestead Y
Owner Name Oslin Cynthia A,Gary T 100%
Oslin Gary T 100%
Mailing Address 508 WEEPING WILLOW LN
SAINT AUGUSTINE, FL 32080-0000

[Click Here to Open CyMedia Viewer in a New Tab](#)



Exemption Type	Status	Amount
Homestead		\$50,000

Map



Building Information

Building 1
Year Built 2005
Actual Area 2557
Conditioned Area 1829
Use Single Family Residence
Style 01
Class N
Exterior Wall Concrete Siding

Roof Cover Composite Shingle
Roof Structure Gable Hip
Interior Flooring Ceramic Tile, Carpet
Interior Wall Drywall
Heating Type Air Duct
Air Conditioning Central
Bedrooms 3
Baths 2

Description	Square Footage
UNFINISHED ENCLOSED PORCH	183
FINISHED OPEN PORCH	152
BASE AREA	1829
FINISHED GARAGE	393
Total SqFt	2557

Sketch Information

456 Driveway
B Side Wall



Architectural Review Board

Gary & Cindy Oslin
508 Weeping Willow Ln.
St. Augustine, FL 32080

Re: 508 WWL – ARB Application for the pool & screen

June 20, 2023

Mr. & Mrs. Oslin,

Your application for the pool & screen at your property 508 Weeping Willow Ln was reviewed by the ARB at their meeting on June 20, 2023.

Your request was approved as submitted.

If you have any questions regarding this notice, please let me know.

Piper Hareland, CAM

Coastal Realty & Property Management, Inc.

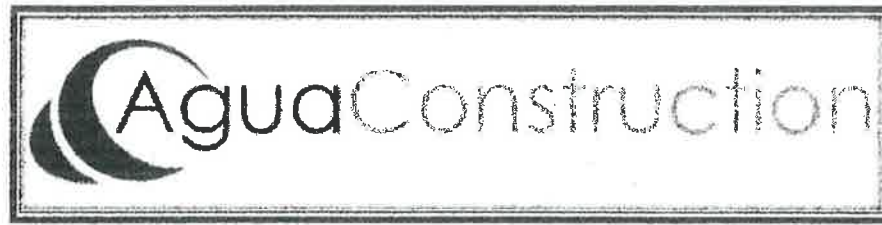
3942 A1A South

St. Augustine, FL 32080

(904) 471-6606 Office

(904) 471-2866 Fax

Piper@coastalrealtyfl.com



2550 N. State St. Unit 14 Bunnell, FL 32110/386-263-3153 Office

Daniel Priotti
Owner and License Holder
CPC1458621 and CGC1521660

Subject: Proposed Inground Swimming Pool and Screen Enc
Letter of approval For:
Gary and Cindy Oslin
508 Weeping Willow Ln
St Augustine Bch, Seagrove

06/21/2023

I, JAMES & JULIE NELSON

(James and/or Julie Nelson) Owner/s of 852 Tides End Dr, have reviewed Construction concepts with Gary and Cindy Oslin for the above subject items and the reduction in Rear and North side setbacks from 10' down to 5' to have room for small Pool and Deck.

I APPROVE ☒

I DISAPPROVE ☐

All proposed construction.

Comments:

A handwritten signature in black ink, appearing to be 'Julie', is written over the first line of the comments section.

Signature of Owner/s

A handwritten signature in black ink, reading 'Julie Belle - Nelson', is written over the line for the owner's signature.

IMPERVIOUS SURFACE RATIO (ISR) WORKSHEET

IMPERVIOUS SURFACE: Any building, surface, concrete, pool, wet retention/detention areas, pavement or surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes, but is not limited to, semi-impervious surfaces such as compacted clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

IMPERVIOUS SURFACE RATIO (ISR): The ISR shall be calculated by dividing the total impervious surface area by the total area of the proposed development site or project. Alternative porous paving with a 10% or greater permeability shall not count as ISR coverage.

PERMEABLE PAVERS WITH 10% OR GREATER PERMEABILITY SHALL BE LIMITED TO 15% OF LOT COVERAGE IN LOW AND MEDIUM DENSITY LAND USE DISTRICTS (SEE #8 BELOW).

Site Address 508 WEEPING WILLOW LN Lot Area 7405 square feet

Impervious Surfaces:

- | | |
|--|-------------------------|
| 1. Building footprint | <u>2557</u> square feet |
| 2. Parking & driveway areas & SIDEWALK | <u>456</u> square feet |
| 3. Access easements | _____ square feet |
| 4. Walkways | _____ square feet |
| 5. Pools and decks + PAD | <u>645</u> square feet |
| 6. Other (screen rooms, patios, porches, etc.) | _____ square feet |
| 7. Equipment and air-conditioning pads | _____ square feet |
| 8. Permeable pavers > 10% permeability | _____ square feet |

Total Impervious Surfaces: 3658 square feet

$$\frac{3658}{7405} = 49\%$$

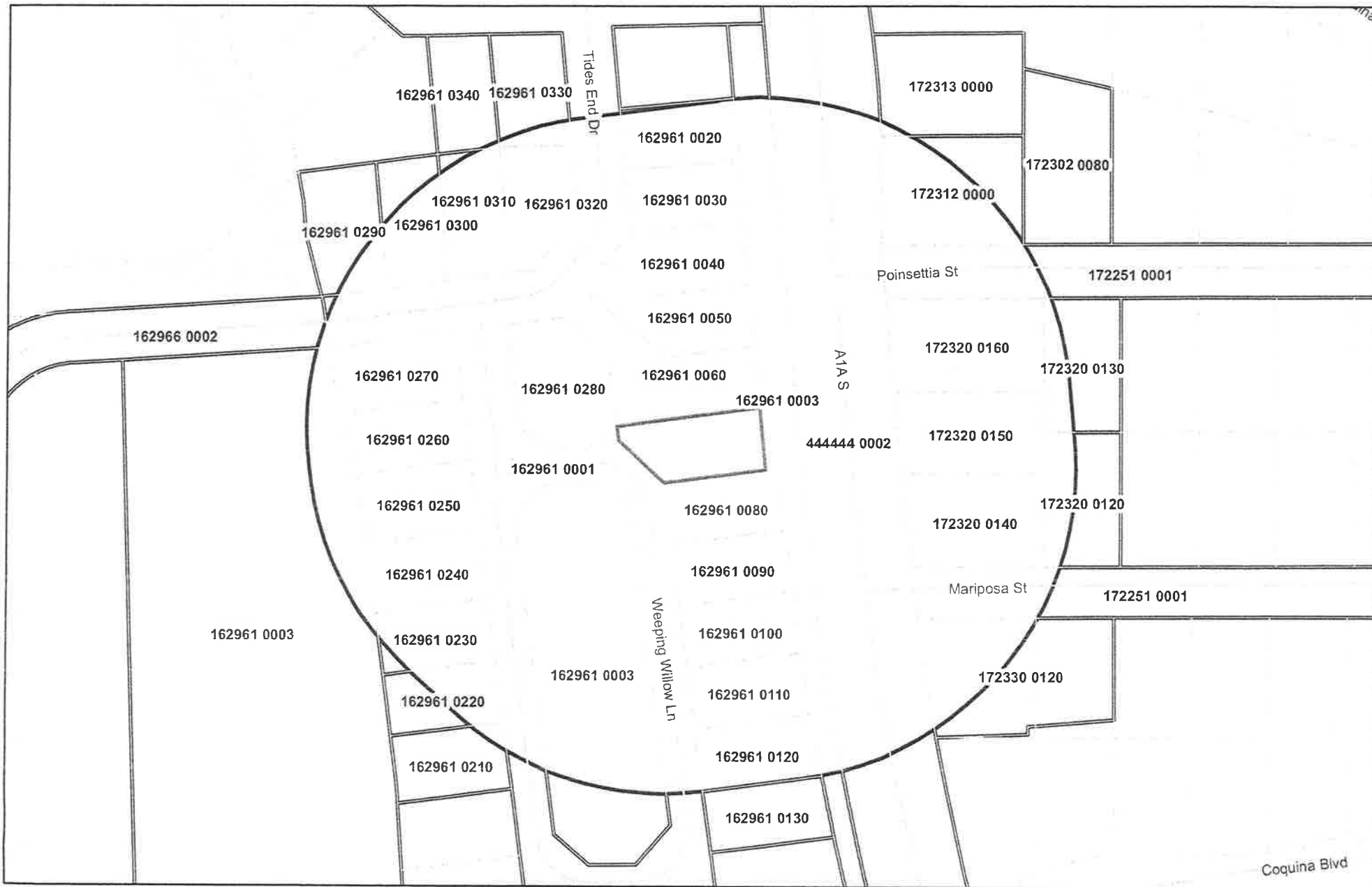
Total Impervious Surfaces Lot Area Impervious Surface Ratio %

I Carmen Pollitz (signature) certify that the calculations submitted above for the impervious surface ratio calculations are accurate and complete.

Name Carmen Pollitz Date 6/15/23

Address 2550 W. State St Bunnell, FL 32110 Phone 386-302-2881

Email address Carmen@aguaconstruction.com



Parcels within 300' of 508 Weeping Willow Ln.

✓ ALEXANDER JENNIFER, EDGAR ET AL
526 WEEPING WILLOW LN
SAINT AUGUSTINE FL 320800000

✓ DICKSON ATHOL AND SUSAN REVOKA
513 WEEPING WILLOW LN
SAINT AUGUSTINE FL 320800000

✓ MCKAY MATTHEW JESSE, OLIVIA BYL
613 MARIPOSA ST
SAINT AUGUSTINE FL 320800000

✓ APONTE JOSE ENRIQUE, ARLEEM
313 HIGH TIDE DR
SAINT AUGUSTINE FL 320800000

✓ GENTRY LEENA ANNELL 2014 IRREV
530 WEEPING WILLOW LN
SAINT AUGUSTINE FL 320800000

✓ MORETZ ZACHARY, KRISTIN LYNN
534 WEEPING WILLOW LN
SAINT AUGUSTINE FL 320802313

✓ BERNARD CHARLES, JOLYNN
839 TIDES END DR
SAINT AUGUSTINE FL 320802312

✓ GULICK ANNA V
521 WEEPING WILLOW LN
SAINT AUGUSTINE FL 320800000

✓ MURPHY PATRICK P, SUSAN M
525 WEEPING WILLOW LN
SAINT AUGUSTINE FL 320800000

✓ BLANCHARD COLLEEN, KARL TREY
859 TIDES END DR
SAINT AUGUSTINE FL 320800000

✓ HEYNIGER ALISON DARYA
612 POINSETTIA ST
SAINT AUGUSTINE FL 320806849

✓ MYERS COLETTE F
512 WEEPING WILLOW LN
SAINT AUGUSTINE FL 320802313

✓ CHURCH'S INVESTMENTS LLC
5209 HOLLY RD
SAINT AUGUSTINE FL 320800000

✓ HINDS ALAN JEFFREY, LAURA CAMPB
843 TIDES END DR
SAINT AUGUSTINE FL 320802312

✓ NELSON JAMES J, JULIE M BELLI
446 SOUTH ST
PITTSFIELD MA 012018250

✓ CITY OF ST AUGUSTINE BEACH
2200 A1A S
SAINT AUGUSTINE FL 320807958

✓ HOGAN JOSHUA, TIFFANY
847 TIDES END DR
SAINT AUGUSTINE FL 320800000

✓ NEWMAN KEVIN STANLEY
2922 A1A S
SAINT AUGUSTINE FL 320806887

✓ COAD BEVERLEY M
848 TIDES END DR
SAINT AUGUSTINE FL 320800000

✓ LADD PATRICIA LOUISE
612 MARIPOSA ST
SAINT AUGUSTINE FL 320800000

✓ PESSINA JOSEPH A, DEANA M
613 POINSETTIA ST
SAINT AUGUSTINE FL 320800000

✓ DANIELS JOHN H JR
505 WEEPING WILLOW LN
SAINT AUGUSTINE FL 320800000

✓ LEONARDI DAVID L, SHEILA DIANE
501 WEEPING WILLOW LN
SAINT AUGUSTINE FL 320800000

✓ REILLY ANA PATRICIA, MICHAEL ED
2888 A1A S
SAINT AUGUSTINE FL 320800000

✓ DAVIS JENNIFER R
614 MARIPOSA ST
SAINT AUGUSTINE FL 320806847

✓ LEVENS CHRITOPHER W, KATHRYN
4508 GATEWAY CIR
KETTERING OH 454400000

✓ RIECK STEPHEN
860 TIDES END DR
SAINT AUGUSTINE FL 320800000

✓ DIAMANT DEANNA
864 TIDES END DR
SAINT AUGUSTINE FL 320800000

✓ MCELWEE DAVID, CARISSA L
516 WEEPING WILLOW LN
SAINT AUGUSTINE FL 320800000

✓ ROGERS LIVING TRUST D: 2-19-201
509 WEEPING WILLOW LN
SAINT AUGUSTINE FL 320800000

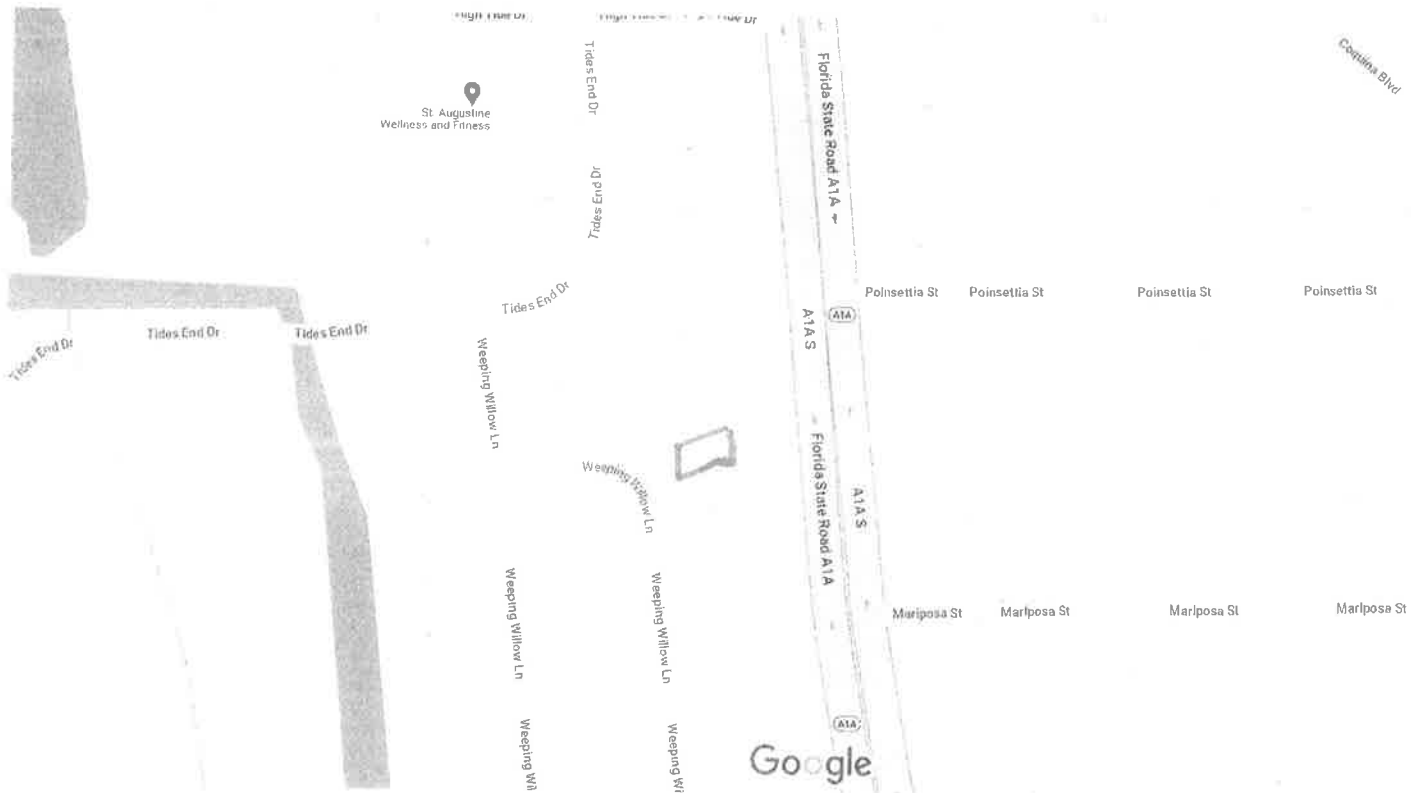
SEAGROVE NEIGHBORHOOD ASSOC
432 OSCEOLA AVE
JACKSONVILLE BEACH FL 322500000

TREFRY EARL C III, CYNTHIA W
868 TIDES END DR
SAINT AUGUSTINE FL 320800000

WETJEN CHRISTINE MAYAH
517 WEEPING WILLOW LN
SAINT AUGUSTINE FL 320800000

WRIGHT ANDREA N
323 ANASTASIA BLVD
SAINT AUGUSTINE FL 320800000

Google Maps



8-3-23

Map data ©2023 Google 50 ft

Let it been known on the record that I
 have no issues with the variance request
 NO.2023-12.

Respectfully yours,

Lathyn M. Stevens
 611 Poinsettia St.
 St. Augustine, FL
 32080

508 Weeping Willow Ln-Pool Plan. HOA approved on 6-20-23. Seeking variance to reduce rear and North side setbacks from 10' to 5' for pool/deck/and enclosure.

PROPOSED



EXISTING



Your Agua Construction Consultant:
Carmen
386-302-2881
carmen@aguaconstruction.com

