City of St. Augustine Beach Building and Zoning Department
Conditional Use Permit for a Home Occupation Application

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

1. Legal description of the parcel for which the conditional use permit is being sought:
   Lot(s) __________ Block(s) __________ Subdivision ________________________________
   Street Address ________________________________

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

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

4. Real estate parcel identification number: ____________________________________________

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

6. Current land use classification: ______________________________________________________

7. Section of land use code from which conditional use permit is being sought: __Land Development Regulations Sections 3.02.02, 7.02.01, 10.03.00—10.03.04

8. Description of conditional use permit being sought: ______________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________

9. Supporting data which should be considered by the Board: ________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________

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

If yes, what was the final result? ________________________________________________________________

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

( ) Legal description of property

( ) Copy of warranty deed

( ) Owner Permission Form (if applicable)

( ) List of names and addresses of all property owners within 300-foot radius

( ) First-class postage-stamped legal-size (4-inch-by-9½-inch) envelopes with names and addresses of all property owners within 300-foot radius

( ) Survey to include all existing structures and fences

( ) Other documents or relevant information to be considered

( ) Fourteen (14) copies of the completed application including supplemental documentation and/or relevant documentation

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

____________________________________________________________________________________________

Print name (owner or his/ her agent)  Print name (applicant or his/her agent)

____________________________________________________________________________________________

Signature /date  Signature /date

____________________________________________________________________________________________

Owner/agent address  Applicant/agent address

____________________________________________________________________________________________

Phone number  Phone number

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

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

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

Date: __________________________

Conditional Use File #: __________________________

Applicant’s name: __________________________

Applicant’s address: __________________________

For conditional use permit at: __________________________

______________________________

Charges

Application Fee: $100.00 Date Paid: _________

Legal Notice Sign: $10.00 Date Paid: _________

Received by: __________________________

Date: __________________________

Invoice #: __________________________

Check # or type of credit or debit card: _________

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Instructions for Applying for a Conditional Use Permit for a Home Occupation

The following requirements must be adhered to in applying for a conditional use permit for a home occupation. It is of the utmost importance that all required information be furnished in detail and accurately. Incorrect information can delay or nullify any action on the application.

In accordance with Table 3.02.02, which lists permitted and conditional uses for all land use districts, all conditional use permits must be heard by the Comprehensive Planning and Zoning Board, which will make a recommendation to the City Commission, which has final approval.

Documentation Needed for a Conditional Use Permit for a Home Occupation

1) The legal description of the parcel of land for which the permit is requested shall be shown on the deed of the property or as determined on a survey. If the parcel of land is in a recorded subdivision, use lots and block number. Include street address and location by indication street(s) boundary and side (south, east, etc.) and nearest intersecting street. If the land is a portion of the lot, indicate what portion of the lot, i.e. south 1/2, west 1/3, etc. If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.

2) Provide the name and address of the owner of the property. The person’s name on the application should agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.

3) Indicate the current land use classification of the parcel under consideration. Current land use map are on display in the office of the Building and Zoning Department and the personnel there will assist you in finding the current land use district classification.

4) Notification of all property owners within a radius of 300 feet of the property for which the conditional use permit is being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the conditional use permit is requested. This list of names and addresses of all property owners within 300 feet is to include the applicant’s name and address. Along with the list of all property owners within 300 feet, the applicant shall submit stamped, addressed legal-size envelopes with the application. (Note: Do not fill in a return address on the stamped envelopes. The Building and Zoning Department will stamp its address on the envelopes as the return address and mail the legal notices to all property owners). Signatures and approvals of property owners within 300 feet are not necessary. Applicants may provide a separate petition with the signatures of affected property owners who approve or do not object to the granting of the conditional use permit, but these persons should not sign the application itself. Applicants should ensure correct names and addresses are provided, as incorrect information shall delay or nullify any action on the conditional use permit application.

5) Provide the section of the land use code from which the conditional use permit is being sought. Personnel in the Building and Zoning Department will assist you in this matter if needed.

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6) A home occupation shall be allowed in a bonafide dwelling unit subject to the following requirements per Section 7.02.01 of the City of St. Augustine Beach Land Development Regulations:

A) No person other than members of the family residing on the premises shall be engaged in such occupation.

B) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to the use for residential purposes by its occupants and shall under no circumstances change the residential character of the structure.

C) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, unless a sign is required by state law. Such sign shall not exceed minimum state requirements.

D) No home occupation shall occupy more than twenty (20) percent of the first floor area of the residence. No accessory building, freestanding or attached, shall be used for a home occupation.

E) No traffic shall be generated by such occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a front yard required pursuant to the Code.

F) No equipment, tools or process shall be used in such a home occupation which creates interference to neighboring properties due to noise, vibration, glare, fumes, odors, or electrical interference. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio, telephone, or television receivers off the premises or causes fluctuations in line voltage off the premises.

G) Fabrication of article commonly classified under the terms arts and handicrafts may be deemed a home occupation, subject to the other terms and conditions of this definition, and providing no retail sales are made at the home.

H) Outdoor storage of materials shall not be permitted.

I) A home occupation shall be subject to all applicable city occupational licensing requirements, fees, and other business taxes.

7) A fee of $110.00 will be charged for the conditional use permit administrative procedure, which includes the legal notice sign, and legal advertising. The applicant will be required to post the legal notice sign on the property for which the conditional use permit for a home occupation is submitted within clear view of the street and not more than 10 feet inside the property line, no later than 15 days before the meeting date at which such application will be heard by the Comprehensive Planning and Zoning Board.
8) A final order on each request for a conditional use permit for a home occupation shall be made within thirty (30) days of the hearing at which the application was considered. Each final order shall contain findings upon which the Comprehensive Planning and Zoning Board’s order is based and may include such conditions and safeguards as prescribed by the Board as appropriate in the matter, including reasonable time limits within which action pursuant to such order shall be begin and/or end.

9) Conditional use permits for home occupations shall be nontransferable and granted to the applicant only, and the use shall be commenced within a period of one (1) year from the effective date of the final order granting same, provided, however, that the Comprehensive Planning and Zoning Board may adopt certain conditions to a permit, per Section 10.03.02 of the City’s Land Development Regulations.

10) Appeal of decisions on conditional use permits granted for home occupations made by the Comprehensive Planning and Zoning Board shall be made to the City Commission, per Section 10.03.03 of the City’s Land Development Regulations.