City of St. Augustine Beach Building and Zoning Department  
Overlay District 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 overlay district application 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 applicant: ______________________________________________________  
   _______________________________________________________________________________  
   _______________________________________________________________________________  
   _______________________________________________________________________________  

6. Current land use classification:______________________________________________________  

7. Requested use and proposed construction for overlay district:________________________________  
   _______________________________________________________________________________  
   _______________________________________________________________________________  
   _______________________________________________________________________________  
   New structure_________________ Existing structure_________________ Flood zone_______________  
   Front setback_______Rear setback_______Side setbacks_______Street side yard setbacks__________  

8. Please check if the following required information has been submitted with the application:  
   Fourteen (14) sets of plans (11-inch-by-17-inch)_________________________________________  
   Existing and proposed impervious surface ratio (ISR) coverage_________________________________  
   Location of proposed structure with setbacks______________________________________________  

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Elevations for each side (front, rear, sides)

Porches illustrated on survey and elevations

Garage location

Legal description and current survey of property

Copy of warranty deed

Owner’s authorization form for agent if applicable

List of names and addresses of all property owners within 300-foot radius (see page 7 for instructions)

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

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 an overlay district application, 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.

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

**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.**

Signature of Applicant______________________________________________________________

Printed Name of Applicant________________________________________ Date_______________________

Address of Applicant________________________________________ Phone __________________________

Email Address of Applicant and/or Applicant’s Agent________________________________________

Overlay District File #: _____________________________________________

For overlay district development at: _____________________________________________

________________________________________

Charges

Application Fee: $300.00 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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CHECKLIST FOR OVERLAY DISTRICT APPLICATIONS

1. ARCHITECTURAL STANDARDS

a. The maximum allowable roof height for any structure is thirty-five (35) feet, per the requirements of Section 6.01.03.B.4 of City of St. Augustine Beach Land Development Regulations, which addresses building height.

   Meets standard: Yes _____ No _____ If no, what does the applicant propose?

b. In the beachside medium density overlay district within that portion of medium density land use districts located east of A1A Beach Boulevard and lying between 16th Street and those portions south of F Street and north of Ponce Landing, all structures exceeding two (2) levels are required to reduce the third level living space to be a maximum of seventy percent (70%) of the first floor space including conditioned space, garages, and unconditioned enclosed space. In no case shall the third level be larger than the second level. Porches are not included in the calculation of living space nor are porches included in the third level seventy percent (70%) calculation.

   Meets standard: Yes _____ No _____ If no, what does the applicant propose?

c. Overlay setbacks for new construction on small residential lots platted prior to the adoption of the City’s Land Development Regulations with a maximum lot size of 4,650-square feet, maximum lot depth of ninety-three (93) feet and lot width of fifty (50) feet or less shall be twenty (20) feet front and rear and seven-and-one-half (7.5) on the sides. For an existing structure, the existing footprint shall be considered acceptable and its location referred to as "deemed acceptable" for renovation and rebuilding.

   Meets standard: Yes _____ No _____ If no, what does the applicant propose?
d. Overlay setbacks for new construction on standard residential lots platted prior to the adoption of the City’s Land Development Regulations with a lot size greater than 4,650-square feet, a minimum lot depth of ninety-three (93) feet and lot width greater than fifty (50) feet shall be twenty-five (25) front and rear, ten (10) feet on the sides, and fifteen (15) feet on a street side corner lot. For an existing structure, the existing footprint shall be considered acceptable and its location referred to as “deemed acceptable” for renovation and rebuilding. Meets standard: Yes _____ No _____ If no, what does the applicant propose?

e. Flexible setbacks to save trees are allowed, provided, in all cases, that the justification for a change in a setback requirement must be to save a significant tree, which per the Board’s motion to approve this application is defined as being eight (8) inches in diameter at breast height (DBH) or greater, as demonstrated on a site plan with a tree and topography survey. Front and rear yard setbacks, currently required to be twenty-five (25) feet in the front and twenty-five (25) feet in the rear, shall be allowed to be moved forward or back seven-and-one-half (7.5) feet as long as a total of fifty (50) feet for combined front and rear yard setbacks is maintained. Side yard setbacks, currently required to be ten (10) feet on each side shall be allowed to be moved five (5) feet to either side as long as a total of twenty (20) feet for combined side yard setbacks is maintained and a minimum of 15 (fifteen) feet is maintained between adjacent structures. All requests for flexible setbacks to save trees must have the approval of the City’s Building Official, the applicable homeowners association (if required), and the Comprehensive Planning and Zoning Board. Meets standard: Yes _____ No _____ If no, what does the applicant propose?

f. Second and third level decks shall be allowed to extend to the engineered width of a structure and encroach five (5) feet into the front and rear setbacks. Second and third level articulations shall be allowed to encroach into side setbacks three (3) feet but in no case may be closer than five (5) feet from the property line. Enclosed articulations are limited to twenty-five (25%) percent of the width of the elevation they are located on. Meets standard: Yes _____ No _____ If no, what does the applicant propose?
g. Screened porches shall be allowed a five (5)-foot rear setback and a ten (10)-foot side setback providing impervious surface coverage does not exceed fifty (50%) percent of the total for square footage and the maximum height is less than twelve (12) feet.

Meets standard: Yes _____ No _____ If no, what does the applicant propose?

h. Swimming pools or screened pool enclosures shall be allowed a five (5)-foot rear and side setback, except if a pool is built to the five (5)-foot setback and the owner later desires to screen the pool, the screen will not be permitted into the five (5)-foot setback.

Meets standard: Yes _____ No _____ If no, what does the applicant propose?

i. Exterior colors shall be in accordance with the approved color palettes adopted by City ordinance for Community Appearance Standards. These color palettes are located in the City's Building and Zoning Department.

Meets standard: Yes _____ No _____ If no, what does the applicant propose?
2. **SITE REQUIREMENTS**

a. Landscaping shall be at the owner's discretion. The City shall require that landscaping enhances the aesthetics of the streets and neighborhoods and recommends the use of native or Florida-friendly plants. An intermixing of grasses, xeriscape plants and ground cover such as mulches, gravel, and pine straw is required. Applicant is to describe the proposed landscaping for the project.

b. Connection to the St. Johns County Utility System is required.

c. For lots located in the Velocity Zones, any fill added to the lot shall require a professional engineer to design the fill procedure and materials. The procedure shall be acceptable to the City and approved by the Florida Department of Environmental Protection.

### Definition—Overlay District Application

This application is used for the beachside medium density overlay district, an overlay district created within that portion of medium density land use districts located east of A1A Beach Boulevard and lying between 16th Street and those portions south of F Street and north of Ponce Landing, and also for the overlay district for all medium density residential lots platted prior to the adoption of the City’s Land Development Regulations. Per Section 3.08.00 of the City of St. Augustine Beach Land Development Regulations, the purpose of the overlay district is to provide for the enhancement or replacement of existing non-conforming structures located within the medium density land use district. The overlay also provides for new construction on the vacant, platted lots within the overlay districts. Structures currently deemed nonconforming in accordance with the current Land Development Regulations will lose non-conforming designation by the overlay. The documentation required for consideration of the request by the Comprehensive Planning and Zoning Board is listed on the previous pages of this application.

### Instructions for Applying for an Overlay District Application

Per Section 3.08.00.A.2 of the City’s Land Development Regulations, the Comprehensive Planning and Zoning Board shall be responsible for reviewing all applications. The Board shall be required to approve any and all applications that clearly meeting the requirements set forth in Section 3.08.00. Consequently, the Board shall be required to deny any and all applications that do not meeting the requirements of this section. Applications that do no meet the requirements can be addressed by the variance process or the City’s appeal process. Approval is not required if all other sections of the Land Development Regulations are adhered to nor is a Comprehensive Planning and Zoning Board review required.
Notification of all property owners within a radius of 300 feet of the property for which the overlay district application is being sought is required. 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 overlay district development 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 approval of the overlay district development, 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 overlay district application.

A fee of $310.00 will be charged for the overlay district development administrative procedure, which includes the legal notice sign and legal advertising. Staff will post the legal notice sign on the property for which the overlay district application is submitted within clear view of the street and not more than 10 feet inside the property line, no later than 15 days before the meeting date at which the overlay district application will be heard by the Comprehensive Planning and Zoning Board.

A final order on each approved overlay district application shall be made within thirty (30) days of the last 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 prescribed by the Board for the approval of the matter, including reasonable time limits which action pursuant to such order shall be begun or completed or both.

Appeal of decisions on overlay district applications granted by the Comprehensive Planning and Zoning Board shall be made to the City Commission for a fee of $310.00, which includes the legal notice sign and legal advertising. Staff will post the legal notice sign on the property for which the appeal application is submitted within clear view of the street and not more than 10 feet inside the property line, no later than 15 days before the meeting date at which the overlay district appeal application will be heard by the City Commission.

Per Sections 12.06.02.12—12.06.03 of the City of St. Augustine Beach Land Development Regulations: “A developer, an adversely affected party, or any person who appeared orally or in writing before the Comprehensive Planning and Zoning Board and asserted a position on the merits in a capacity other than as a disinterested witness, may appeal the decision on a development plan, variance, conditional use permit for a home occupation, or an appeal under Section 12.06.01 reached at the conclusion of an administrative hearing to the City Commission by filing a notice of appeal under Section 12.06.01 reached at the conclusion of an administrative hearing to the City Commission by filing a notice of appeal with the Department within thirty (30) days of the date of the decision.” The notice of appeal shall contain a statement of the decision to be reviewed, and the date of the decision, a statement of the interest of the person(s) seeking review, and the specific error alleged as the grounds of the appeal.