



AGENDA
PLANNING AND ZONING BOARD MEETING
CITY OF ST. AUGUSTINE BEACH
TUESDAY, FEBRUARY 21, 2017 7:00 PM.

City Hall
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 JANUARY 17, 2017
- V. PUBLIC COMMENT
- VI. NEW BUSINESS
 - A. Vacating Alley File No. V 2017-01, to vacate the 15-foot-wide alley adjacent to and abutting or adjoining Lots 2-14 and Lot 16, Block 19, Chautauqua Beach Subdivision, located north of 3rd Street, south of 4th Street, east of 2nd Avenue, and west of A1A Beach Boulevard, David Mullins, Applicant
 - B. Conditional Use File No. CU 2017-01, for renewal of conditional use permits for food and/or beverage service or consumption outside of an enclosed building and the sale and consumption of canned beer outside of an enclosed building on the premises of a restaurant, The Oasis, in a commercial land use district at 4000 A1A South, Peter Messler, Agent for Oasis on the Island LLC, Applicant
- VII. OLD BUSINESS
- VIII. BOARD COMMENT
- IX. ADJOURNMENT

NOTICES TO THE PUBLIC

In accordance with the Americans with Disabilities Act, persons requiring special accommodations to participate in this proceeding should contact the City Manager's Office at least 24 hours in advance of the meeting date and time at the address listed above, or telephone 904-471-2122, or email sabadmin@cityofstab.org

For more information on any of the above agenda items, please call the City of St. Augustine Beach Building & Zoning Department at 904-471-8758. The agenda information may also be accessed from the meeting schedule information on the City's website at: www.staughch.com



**MINUTES
CITY OF ST. AUGUSTINE BEACH
PLANNING AND ZONING BOARD
REGULAR MONTHLY MEETING
TUESDAY, JANUARY 17, 2017, 7:00 P.M.**

City Hall
2200 A1A South
St. Augustine Beach, FL 32080

I. CALL TO ORDER

Chairperson Jane West called the meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

BOARD MEMBERS PRESENT: Chairperson Jane West, Vice-Chairperson David Bradfield, Steve Mitherz, Roberta Odom, Elise Sloan, Zachary Thomas, Senior Alternate Hester Longstreet.

BOARD MEMBERS ABSENT: Jeffrey Holleran, Junior Alternate Kevin Kincaid.

STAFF PRESENT: Building Official Gary Larson, City Attorney James Wilson, City Manager Max Royle, Police Commander James Parker, Police Officer Ed Martinez, Recording Secretary Bonnie Miller.

IV. APPROVAL OF MINUTES OF DECEMBER 20, 2016 REGULAR MEETING

Motion: to approve the minutes of the December 20, 2016 regular monthly meeting. **Moved** by Elise Sloan, **seconded** by Roberta Odom, **passed 7-0** by unanimous voice-vote.

V. PUBLIC COMMENT

There was no public comment on any issue not on the agenda.

VI. NEW BUSINESS

- A. Election of Chairperson and Vice-Chairperson of the Board, per Section 11.02.01.H, the election of officers will take place every year as the first order of business at the regularly scheduled meeting for the month of January

Mr. Thomas nominated Jane West for chairperson. There were no other nominations. The Board voted unanimously 7-0 to re-elect Ms. West as chairperson for the next one-year term.

Ms. West nominated Steve Mitherz for vice-chairperson, but Mr. Mitherz declined to accept the nomination.

Mr. Thomas nominated David Bradfield for vice-chairperson. There were no other nominations. The Board voted unanimously 7-0 to re-elect Mr. Bradfield as vice-chairperson for the next one-year term.

- B. Request for approval of tree removal, pertaining to the removal of an oak tree having a trunk greater than thirty (30) inches in diameter at breast height (DBH), per Section 5.01.02.A.10 of the City of St. Augustine Beach Land Development Regulations, for proposed new construction of a single-family residence at 115 14th Street, St. Augustine Beach, Florida, 32080

Mr. Larson said the Board members were provided copies of the site plan for this new residence, which shows a 36-inch DBH oak tree in the footprint of the proposed two-story frame house. Staff recommendation is to approve the removal of this tree to allow for the construction of this home, as there is no way to modify the setbacks or build it without removing this tree.

Gabe Kling, 5 Surfcrest Street, St. Augustine Beach, Florida, 32080, said he's the owner, with his wife, of this property. They'd love to save this tree, but unfortunately, it's in the middle of the site plan of the house. They're trying to save every tree outside the footprint of the house that they can.

Ms. West asked the Board members to disclose any ex parte communications they may have had with the applicant. Some of the Board members said they visited the site, but had no one had any ex parte communications with the applicant.

Motion: to approve the removal of the 36-inch DBH oak tree in question as requested for new construction of a single-family residence at 115 14th Street, St. Augustine Beach, Florida, 32080. **Moved** by Mr. Bradfield, **seconded** by Mr. Mitherz, **passed 7-0** by unanimous voice-vote.

- C. Continuation of discussion of possible changes to parking regulations on public streets, pertaining to the numbered and lettered streets east and west of A1A Beach Boulevard, continued from the Board's regular monthly meeting held Tuesday, December 20, 2016

Ms. West said at the Board's last meeting, they took a baby step in the process of revising the current parking regulations by recommending to the City Commission that the City start a pilot resident parking permit program for the area east of A1A Beach Boulevard, between the hours of 8:00 a.m. to 5:00 p.m. daily, and also, to clarify the public parking spaces the City has. Added to the information the Board received for this are three different classes of parking permit passes.

Mr. Thomas said he submitted designs of parking passes that are functional on different levels for different needs, and included suggestions as to how to charge appropriately. He thought this might help with the inconsistencies in the current parking regulations and options, which seem to be all or nothing, so he created three prominent designs addressing how a parking permit would be used.

Ms. West asked if staff has any additional presentation or information for the Board on this issue.

Mr. Larson said no, Mr. Royle covered everything very closely in his memorandum to the Board.

Ms. West asked for public comment on this agenda item. There was no public comment.

Mr. Bradford said he's put together some information about the three streets in the City, 3rd Street, 8th Street, and D Street, that have 60-foot rights-of-way. He spent about three to four hours today doing his own as-built surveying on the east side of 8th Street, which has a 60-foot right-of-way that isn't centered on the paved asphalt of the road, but has quite a bit of the right-of-way, some 30 to 40 feet, on the south side of the center line, so the right-of-way goes into the driveways and landscaping of the property owners on the south side. He submitted some aerial observations and photographs he got off the internet to get a bearing as to where the right-of-way encroachments on these three streets are. Most of the homeowners he talked to on 8th Street weren't problematic about giving up the right-of-way in front of their properties for parking, in fact, several had been expecting this for many years and were shocked the City was just getting around to it. He doesn't think there will be problems with homeowners understanding where their properties end and the rights-of-way begin, or with the willingness to allow people to park on the right-of-way. He went down 8th Street and put up stakes and drew ribbon along the 60-foot right-of-way all the way down the street to show the significant amount of right-of-way property being taken and used by several property owners. There were maybe four or five minimal obstacles, consisting of some bushes, shrubs, and rocks, in the right-of-way between A1A Beach Boulevard and the beach, so if these were removed, there could be parking all the way down both sides of the street from A1A Beach Boulevard to the beach. There are City plazas on each corner of 8th Street and the Boulevard, which could certainly offer an opportunity to develop parking, though there seems to be a mindset that plazas are for parks or landscaping, not for parking and beach access. He can't argue to the contrary more that they are unquestionably designed to provide public access to a community that's near the beach, and any concept contrary to this is just indifferent to their design. That being said, the same kind of circumstances exist on the 60-foot right-of-way of 3rd Street.

Ms. West said what the Board is tackling tonight involves the existing public parking spaces in the City and any vacant lots that could conceivably be purchased by the City for the creation of parking areas. The Board received an extensive memo from City Manager Max Royle which essentially says the City doesn't have money to purchase any more property for additional parking at this time, though concerns were voiced at the Board's last meeting as to how the number of public parking spaces the City has ties into federal funding for beach renourishment. There was a legitimate concern that the City was somehow jeopardizing its federal, state, and local funding for beach renourishment, because of parking spaces. In doing research on parking spaces, several times she came across the number of 350 spaces, so for clarification purposes, she passed out copies of Resolution No. 2013-230, passed by the Board of County Commissioners of St. Johns County to basically codify exactly what the local government funding request was for Fiscal Year 2014-2015. This resolution includes a chart which identifies the access points, so yes, there is a tie-in, as there has to be a certain amount of public access in order for the City to receive federal dollars for beach renourishment. That's a nebulous number at the federal level, as it simply has to satisfy the need for peak demand, and with the proper amount of traffic modeling, this can definitely be tweaked. However, the agreement the County has entered into does require a certain number of parking spaces. In the chart included in Resolution 2013-230, the 350 parking spaces she kept seeing was specified as the total number of parking spaces in Anastasia State Park. She cross-referenced the number of public parking spaces identified in this chart with the excellent work staff did in identifying City-owned off-beach parking spaces, per the memo provided to the

Board from Public Works Director Joe Howell, and found some huge discrepancies. At the Pope Road overlook, on the east side of A1A Beach Boulevard, the County identifies 15 spaces, while the City identifies 19 spaces, when this parking area is open, which it is currently not. At Pier Park, the County identifies 170 parking spaces, while the City identifies 190 parking spaces; on 16th Street, the City identifies 37 spaces, while the County only identifies 16 spaces; and on 11th Street, the City count is 8 spaces while the County count is 34. The discrepancies go down the line, so they need clarification as to why the number of parking spaces for each of these physical addresses doesn't really match up. At the end of the day, however, what they're looking at, in terms of the total number of parking spaces, is 972 spaces. This number includes the 350 parking spaces in Anastasia State Park, because it is public access. There has to be a certain amount of public access for the appropriation of federal funding for beach renourishment, and there are two different levels: primary parking sources, which are 100 spaces and more plus a bathroom, and secondary parking sources, with less than 100 parking spaces and no bathrooms, and points are also given for providing public access to the beach. Anastasia State Park, with 350 parking spaces and bathrooms, and Pier Park, with 170, or 190, whichever is correct, parking spaces and bathrooms, are both primary parking sources. The swath of beach they're talking about, in terms of beach renourishment, number of parking spaces, and public access within the City limits, runs from Ocean Hammock Park to Anastasia State Park. The County didn't count the 21 spaces in Ocean Hammock Park, maybe because the City hadn't purchased this property as of yet in 2013.

Mr. Mitherz said he doesn't think the County has included the additional parking spaces that have been put in on 16th Street west of the Boulevard, and there are probably a few other places where parking spaces have been added since 2013 and therefore aren't included in the County's count.

Ms. West said she thinks some of the inconsistencies in the number of parking spaces in the County and City counts may be attributed to the City counting the number of parking spaces based on the estimated size of the parking area and/or observed use, as notated in the staff memo from Public Works Director Joe Howell. This may be pretty accurate, as staff went out and counted as many vehicles as were parked in a certain area and said this is the number the City was going to use for its count of that parking area. She thinks this is fair, so all that being said, she honestly believes that the jeopardization of the City's federal funding dollars for beach renourishment is not the threat that they perceived it to be at the Board's last meeting. She'd encourage this discussion, unless anyone has any information to the contrary, to continue without that threat breathing down their necks, in terms of the identification of additional parking areas. After reading Mr. Royle's memo, it seems to her the writing is on the wall in terms of the financial constraints the City is facing, and from the research she's done, there's actually nothing that is all that peculiar about the problem they're facing as a beach community, as all beach municipalities face the congestion of parking and the hesitancy to invest dollars in parking surfaces. She really appreciated the way Mr. Royle's memo ended, in terms of encouraging the Board to come up with some more innovative ways to solve the parking problem issue. For example, the City could alert potential visitors with some sort of notification on the bridges leading to the beach that parking in the City has reached full capacity. By notifying people of this in advance, so they don't come here and further congest the streets looking around for places to park, they could then choose to go to a different beach.

Mr. Mitherz said he brought this up at the Board's last meeting, as he still thinks there might be some chance for putting in parking in some spots along 2nd Avenue. Some residents may not want

parking in their neighborhoods, which he can understand, but the City already owns the 60-foot right-of-way along 2nd Avenue, so it's not something the City has to purchase. While the County provides parking in the City at Pier Park, and the State provides parking in Anastasia State Park, the County is still always promoting the beach as a tourist destination, so he thinks the City Commission should be asking the County to partner with the City to provide more parking.

Mr. Thomas said he lives off 2nd Avenue, and he'd be cool with parking in this area, but if this is done, some quality sidewalks are needed. Right now, the shoulders along 2nd Avenue are weak and there really isn't anyplace to walk, as you're either avoiding palm trees or stepping into a ditch.

Mr. Bradfield said one obvious solution to the parking problem is the City-owned plazas that are designated as no-parking.

Ms. West said Mr. Royle's memo also addressed this, in stating the City's Beautification Advisory Committee would likely have a problem with the City converting these plazas into actual parking spaces. There's a tradeoff between the aesthetics of A1A Beach Boulevard and just paved parking.

Mr. Bradfield said you can landscape a parking lot and beautify it also. As a matter of fact, most of the parking lots submitted for approval have obligations of landscaping in their design, and hopefully, obligations of saving trees as well. That being said, there is room to park cars, and there is room on property the City owns, as a public beach, though the City chooses not to do this, because the City wants it to look pretty. Once again, the dysfunction trumps the logical decision-making. The City can still have beautiful plazas that have lovely rocks and landscaping and some pavers here and there to park 12-15 cars per plaza, so with half-a-dozen plazas, this could provide parking for 60 cars. Most of the onus of forbidding parking on plazas has probably come from residents living around them, who don't want people parking there and going to the beach. He thinks they should consider every plaza that's platted in the City as an opportunity for parking, as with landscaping, this could create beautiful little parking lots. The plazas are designed in a very specific way with the alleys that have previously been vacated to allow pedestrian access and flow.

Motion: to recommend to the City Commission that every existing plaza in the City east of 2nd Avenue be considered as an opportunity to create parking. **Moved** by Mr. Bradfield, **seconded** by Ms. Odom, **failed 3-4** by roll-call vote, with Mr. Thomas, Mr. Bradfield, and Ms. Odom in favor and Ms. Sloan, Ms. Longstreet, Mr. Mitherz, and Ms. West against the motion as stated.

Mr. Mitherz said he voted against the motion as stated because he doesn't want to see all of the plazas go for parking, even though the motion didn't necessarily say they all had to be developed for parking, just considered for parking. He doesn't think City residents have a problem parking to use the beach, it's the tourists and visitors who have a problem, so he doesn't know why the City should change its whole way of operating to accommodate that limited audience. He doesn't see the City necessarily buying lots at \$350,000--\$500,000 each to provide additional parking, nor should the onus be on the City to do so. The City Commission should make an effort to get the County to work with the City on the parking issue, as the County really needs to do more.

Mr. Larson said he has engineering designs and plans for a parking area by the Marriott Courtyard between 7th Street and 8th Street west of the Boulevard and east of 2nd Avenue, which could accom-

moderate 40-50 parking spaces. Mr. Royle and he have discussed looking into a joint ownership of this property. Also, Sunset Grille will be developing the former Coquina Beach Surf Club site into paved parking, which will all be fenced, adding approximately another 46 parking spaces.

Ms. West said it's really challenging to be tasked with making recommendations to the City Commission when the Board is clearly in the dark about negotiations the City is engaged in to secure exactly what they've been tasked to solve. She's almost inclined to make a recommendation that staff figure this out, as they're clearly being circumvented from a truly transparent process.

Mr. Bradfield asked if it would be prudent or possible for the Board to get a copy of the designs of the parking lot proposed between 7th Street and 8th Street, to have some understanding as to the number of parking spaces, access to the public, and whether or not there will be bathrooms and/or showers. Bathrooms and showers are probably the most important things for hotel guests and beach visitors, as there's an overwhelming number of people going to the beach between Anastasia State Park and Ocean Trace Road, yet there are only two public bathrooms and two showers for several thousand people on any given day. The section of the City from Pier Park to F Street probably has more people going to the beach than any other area, but the City is developing parking, bathrooms and showers at Ocean Hammock Park, which only has 21 parking spaces, and hardly anybody there. Once again, he doesn't understand why the City is focusing its monies and attention in directions that are different from the problems the Board is being asked to solve.

Ms. West asked Mr. Larson if the public/private partnership agreement the City is negotiating right now with the Marriott Courtyard is something that will come before this Board, or not.

Mr. Larson said there will be more upcoming discussions about this before he can comment on it.

Mr. Bradfield asked if there is still a 75-unit Holiday Inn Express approved between 4th Street and 5th Street, on the west side of the Boulevard, south of the Marriott Courtyard.

Mr. Larson said no, nothing's been approved.

Motion: to recommend that the off-beach parking spaces identified by the City, per Public Works Director Joe Howell's memorandum dated March 17, 2016, to City Manager Max Royle, be reconciled with the County's identification and count, as adopted by Resolution No. 2013-230, as this directly affects millions of dollars of beach renourishment funding. **Moved** by Ms. West, **seconded** by Steve Mitherz, **passed 7-0** by unanimous voice-vote.

Motion: to recommend the three pages of supplemental information created and provided to the Board by Mr. Thomas, detailing sample permit passes and costs consisting of Class A, B, and C, be included as an addendum to the recommendation the Board made to the Commission at its December 20, 2016 meeting, for the City to start a pilot resident parking permit program on public rights-of-way east of A1A Beach Boulevard, between the hours of 8:00 a.m. to 5:00 p.m. daily. **Moved** by Ms. West, **seconded** by Mr. Thomas, **passed 7-0** by unanimous voice-vote.

Mr. Bradfield said if the City is going to ask property owners on 8th Street, 3rd Street, and D Street to remove their mailboxes, driveways, and landscaping in the rights-of-way in front of their prop-

erties to allow public access and parking on these streets, he thinks surveys of these particular streets need to be done, so property owners know where the rights-of-way are. With a copy of the survey and a letter from the City, the City can then ask property owners to move their mailboxes or whatever obstacles they have in the rights-of-way back 10 feet or so onto their own properties.

Ms. West said her concern is with the expenditure of funds for surveys, and the fact that surveys have already been done, when property owners purchased and took title to their properties. As property owners should already know where their property lines are in relation to the right-of-way, she doesn't really want to spend taxpayer dollars to duplicate something that already exists.

Mr. Bradfield asked who's paying for the opening of 8th Street west of A1A Beach Boulevard.

Mr. Larson said the owners of the properties adjacent to 8th Street are paying to open the street.

Motion: to recommend the City have the right-of-way of 8th Street surveyed if the City has any intentions of opening up the public right-of-way for parking on this street. **Moved** by Mr. Bradfield, the motion **failed** for lack of a second.

Ms. West said the only other thing she'd suggest they add to the two motions the Board passed earlier, both of which are basically housekeeping issues, would be to recommend using some innovative and creative technology to alert the public that parking in the City has been maxed out.

Mr. Thomas asked if there is an order to how parking at the beach fills up. For example, does the pier parking lot fill up first, and then the parking lots at 8th Street, A Street, etc., he asked?

Commander Parker said parking space at Pier Park always starts filling up first. On most weekends and holidays, parking capacity at the pier has been filled by noon, and then other parking lots and areas continue to fill up as you go along the A1A Beach Boulevard corridor.

Ms. Longstreet said residents from the City of St. Augustine, Hastings, and other parts of St. Johns County pay taxes along with residents of the beach, and they too want to come to the beach and find a place to park, so they shouldn't be excluded, as it's their beach also. This City needs to consider parking for these residents as well, so they're not parking in the driveways of St. Augustine Beach residents. She was on the City's Beautification Advisory Committee for many years and it's very frustrating when you're told to beautify something and then the next thing you know, it's been turned into a parking lot. On the flip side however, they were often told to beautify something but then were given no money to do so. The Beautification Advisory Committee actually has plans designed and drawn to beautify the 8th Street plazas for over 10 years, even though only one plaza, to date, has been beautified, and the other three are just sitting there with nothing done to them. The Commission might actually be proactive and throw some money at it if it was recommended that some pretty landscaping with parking be done on these plazas. She suggested this Board work in conjunction with the Beautification Advisory Committee to see if they could beautify the frontage of the plazas along the Boulevard, and still have parking on them.

Ms. West asked if Ms. Longstreet's recommendation would be to extend an invitation to a representative of the Beautification Advisory Committee to speak with the Board about how some

of these plazas could be beautified and provide parking at the same time.

Ms. Longstreet said yes, but she's only talking about the undeveloped 8th Street plazas, as 3rd Street is in a wetlands area, and therefore is off the table, and D Street is also off the table.

Mr. Larson said that's correct, 3rd Street is a wetlands area.

Mr. Thomas asked how many more parking spaces the City is trying to get, as it would be nice to have a goal number in mind as they're working to get additional parking.

Ms. West said that's actually a very difficult number to quantify. There's some modeling involved with that, per a document she has that estimates peak demand for beach parking spaces, under capacity constraints, which sounds exactly like what they're facing. The modeling, called the Tobit model, which looks very complicated, basically estimates, per past telephone and data usage, what the ideal number is to handle the City's peak load. She doesn't know if they've done that sort of modeling yet, or if that number exists, and if it does, she suspects it's probably out of date. However, the question of how many parking spaces the City's aiming for is a really good one.

Mr. Bradfield said a study certainly would've had to be done for the beach renourishment requirements.

Ms. Sloan said she thinks the Commission did some studying, because Andrea Samuels was working on getting the trolleys and buses running to shuttle people back and forth on weekends from satellite parking areas like City Hall, Winn-Dixie, and the Betty Griffin shopping center to the beach, which is one solution. There's also parking on the beach, which usually is only for four-wheel drive vehicles. The beach is also the area where signs are put out to tell people if beach parking is open and whether only four-wheel drive vehicles are allowed on the beach.

Motion: to recommend to the City Commission that the City explore new ways to communicate with the public through use of traditional physical signage and social media applications. **Moved** by Mr. Thomas, **seconded** by Ms. Sloan, **passed 7-0** by unanimous voice-vote.

Ms. West asked if there were any other recommendations regarding possible revisions to the City's current parking regulations. There were none. As this Board functions in an advisory capacity to the Commission, without being privy to a lot of what's going on behind the scenes, out of respect to her fellow Board members, she suggested they formally close their discussion on this agenda item, as she doesn't feel the Board is utilizing its time wisely, given the circumstances. The Board so agreed, by general oral consensus, to finalize its discussion on recommendations to the Commission regarding possible revisions to the City's current parking regulations.

VII. OLD BUSINESS

There was no old business.

VIII. BOARD COMMENT

Mr. Mitherz asked for an update on the parking at the east end of Pope Road, by the County's overlook park, which has been closed for about four months now. He doesn't know if the recent hurricane was the reason for its closing, but whatever the reason, he asked when it will be reopened.

Mr. Larson said the County has failed to clean up all the loose sand in this parking area, which is why it's still closed. The County is aware of what needs to be done, but they just haven't done it.

Ms. West said she understands the County owns this parking area, but it's a bit of a safety hazard, and she'd like to echo that it needs to be fixed.

Mr. Thomas said he's not too happy about losing the Wednesday morning Farmers Market at the pier. Even though the City may not have any say over this, as the Farmers Market takes place in the County-owned pier parking lot, he's curious as to how much money the County plans to make on Wednesday mornings, at various times of the year, for a four-hour period. If the County wants to get rid of the market in the summer, that would be okay, as nobody likes walking around the market when it's hot, but maybe the County could allow a permit for eight months of the year, when the weather's cooler and people aren't parking at the pier to go to the beach anyway.

Mr. Bradfield said the Farmers Market could also be moved to Ron Parker Park.

Ms. Sloan said another thing to consider is that if the City loses the Farmers Market, this is what generates the money for all the Music-By-The-Sea concerts, as the vendors who sell goods at the market pay a fee to do so. These concerts generate a lot of tourist as well as local interest.

Ms. Odom asked if the two lots on F Street, where Mayor O'Brien is currently building two new houses, are going to have swimming pools. She's been told by a pretty good source that this is the case, but if so, she thinks the plans would have to come before the Board for setback approvals.

Mr. Larson said he's not seen anything on the surveys of these lots for pools as of yet.

Ms. West thanked everyone for voting for her for chairperson again. She appreciates the votes of confidence, and thanked the Board members for their volunteer time, and for being here every single month, as she thinks this says a lot about the community that this Board is so engaged.

IX. ADJOURNMENT

The meeting was adjourned at 8:28 p.m.

Jane West, 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 VIDEO CAN BE FOUND AT WWW.STAUGBCH.COM OR BY CONTACTING THE OFFICE OF THE CITY MANAGER AT 904-471-2122.)

Memorandum

TO: Members of the Comprehensive Planning and Zoning Board
FROM: Gary Larson, Building Official
DATE: February 15, 2017
RE: Vacating Alley File No. V 2017-01

Mr. Dave Mullins has placed before you for consideration, a request to vacate the unused alleyway between 3rd and 4th Streets, west of the Boulevard to 2nd Avenue. The required signatures are with the application. The subject parcels are within Block 19, Chautauqua Beach Subdivision.

You will provide a recommendation to the City Commission regarding your decision following review and discussion.

APPLICATION FOR VACATING STREET/ALLEY/EASEMENT
CITY OF ST. AUGUSTINE BEACH, FLORIDA

APPLICATION AND ZONING SIGN FEE: \$257.50 DATE: 1/19/17

NAME OF APPLICANT: David Mullins

ADDRESS: 605 Stafford Lane, St Augustine, FL 32086

PHONE: 904-669-1650

LEGAL DESCRIPTION OF ALLEY/STREET TO BE VACATED: _____

3rd and 4th Street (Block 19 Alley, Chautauqua Beach)

LOCATION: ON The West SIDE OF A1A Beach Blvd

BETWEEN 3rd Street AND 4th Street

RECORDED IN MAP BOOK: 2 PAGE(S): 5 OF THE PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLORIDA

REASON FOR VACATION OR ABANDONMENT OF STREET/ALLEY/EASEMENT: _____

Alley Way Unused

THE FOLLOWING ITEMS ARE INCLUDED WITH THIS APPLICATION:

- ☒ PLAT, MAP OR LOCATION DRAWING OF ALLEY/STREET TO BE VACATED
- ☒ NAMES AND ADDRESS OF OWNERS OF REAL PROPERTY ABUTTING AND ADJOINING THE ALLEY/STREET FOR WHICH THE VACATION IS REQUESTED (To be acquired from St. Johns County Real Estate/Survey Department, telephone number 904-209-0760)
- ☒ STAMPED AND ADDRESSED ENVELOPES OF OWNERS OF REAL PROPERTY ABUTTING AND ADJOINING THE ALLEY/STREET TO BE VACATED
- ☐ OTHER RELEVANT INFORMATION WHICH MAY BE REQUIRED BY THE CITY:

NAME:

ADDRESS:

1. The Mullins Group - 605 Stafford Lane, St Augustine, FL 32086
2. Kevin and Jo Ann Vahey - 40 Jessica Lynn Place, St Augustine, FL 32080
3. Dwight L Preheim Trust - P.O. Box 208, St Augustine, FL 32080
4. Wayne Tregler - 106 3rd Street, St Augustine, FL 32080
5. Nick Deren Rev Living Trust - 108 3rd Street, St Augustine, FL 32080
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____

Per Ordinance No. 15-05, Section 18-51(e) of the St. Augustine Beach Code, which is attached to this application, the names and addresses of the owners of the real property bounding and abutting the property for which the vacation is requested and shall be taken from the current tax assessment roll. The written consent of each owner shall be obtained by the applicant and filed upon application with the office of the City Manager, but if 100% of the real property owners do not sign written consent, **then a minimum of 70% of the real property owners must sign a written consent and the applicant must demonstrate that the vacation will not adversely affect nor negatively impact those property owners who have not signed a written consent, which demonstration may necessitate the applicant obtaining the opinion of a traffic engineer, surveyor or other professional.** Nothing about this subsection changes the way in which vacated streets, alleys and/or easements vest property rights.

David C. Mullins
SIGNATURE OF APPLICANT

1/19/17
DATE

STATE OF FLORIDA
COUNTY OF St. Johns

Sworn to (or affirmed) and subscribed before me this 19th day of January
2017, by David Mullins
who is personally known to me _____ or who has produced identification _____.

Type of identification produced _____

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

Bonnie J. Miller
Name of Notary Public Typed, Printed or Stamped



Bonnie Jean Miller
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF942381
Expires 3/30/2020

FEE CHARGES

VACATING ALLEY/STREET APPLICATION FEE: \$250.00 (Acct. #34120)

ZONING SIGN FEE: \$7.50 (Acct. #50471.515)

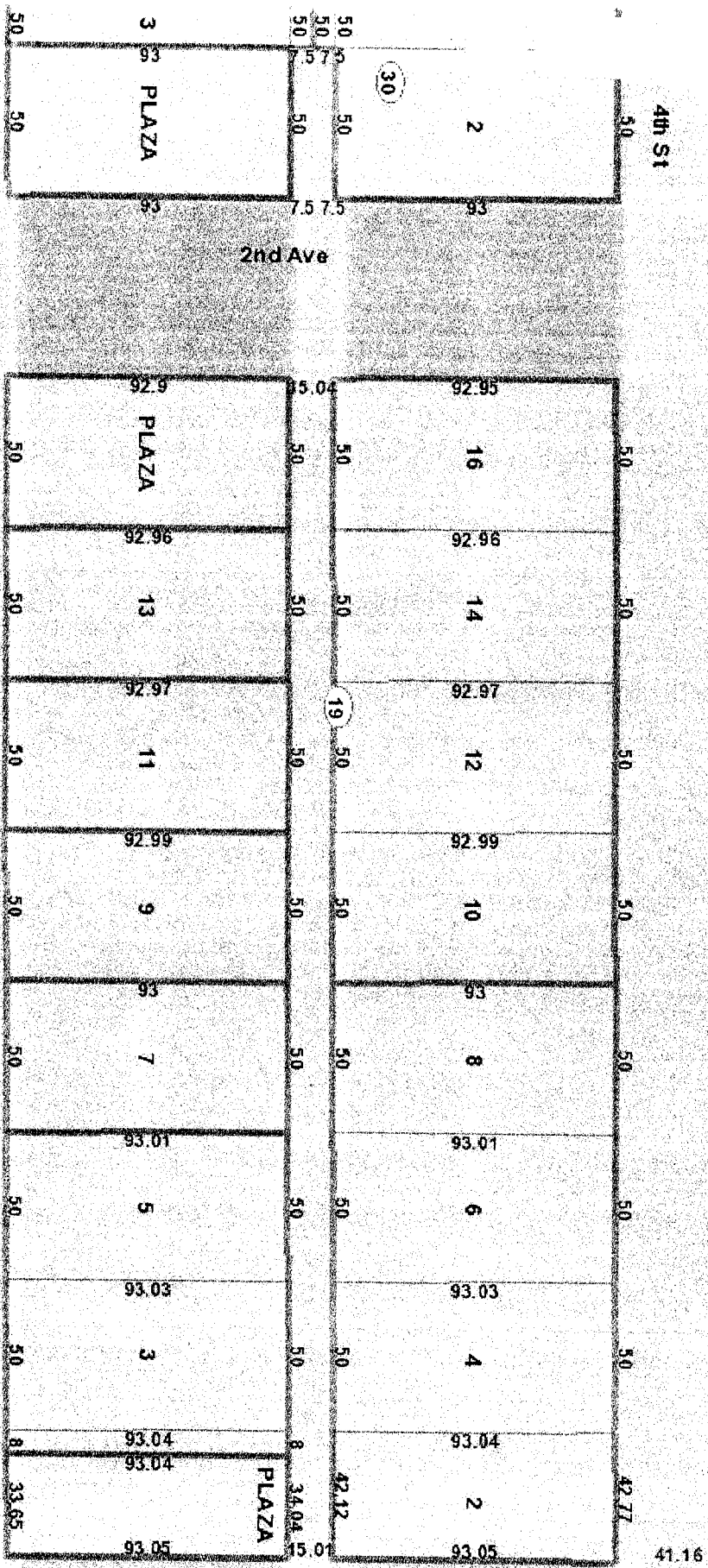
DATE PAID: 1-19-2017 CASH/CHECK #: 5187

RECEIVED BY: BM RECEIPT #: 26535

Tools Navigation Find Data Measurement Draw

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- Identify
- Clear
- Print
- Export
- Disclaimer

I want to...

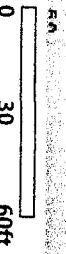


Chautauqua Beach Subdivision
of the Anastasia
Methodist Assembly Inc.

1683200003
2421AC
(4-)

3rd St

CITY OF ST.
AUGUSTINE
BEACH



ORDINANCE 15-05

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, AMENDING THE CITY CODE, CHAPTER 18, STREETS AND SIDEWALKS, ARTICLE III, PROCEDURES FOR VACATING STREETS, ALLEYS AND EASEMENTS, AMENDING SECTION 18-51, APPLICATION REQUIRED; FORM; SPECIFICALLY AMENDING SUBSECTION 18-51(e), REGARDING THE WRITTEN CONSENT OF OWNERS ABUTTING THE VACATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Chapter 18, of the Code of the City of St. Augustine Beach, Florida, regulating Streets and Sidewalks, Article III, Procedures for Vacating Streets, Alleys and Easements, Section 18-51, Application Required; Form, be, and the same is hereby amended to specifically amend Subsection 18-51(e), as follows:

(e) The names and addresses of the owners of the real property bounding and abutting the property for which the vacation is requested. The names and addresses shall be taken from the current tax assessment roll. The written consent of each owner shall be obtained by the applicant and filed with the office of the city manager prior to final passage of any ordinance vacating any street, alley or other public easement. If 100% of the real property owners do not sign written consent, then a minimum of 70% of the real property owners must sign a written consent and the applicant must demonstrate that the vacation will not adversely affect nor negatively impact those property owners who have not signed a written consent, which demonstration may necessitate the applicant obtaining the opinion of a traffic engineer, surveyor or other professional. Nothing about this subsection changes the way in which vacated streets, alleys and easements vest property rights.

Section 2. Other Code Sections Unchanged. Any section or sections of the Code of the City of St. Augustine Beach not specifically modified herein shall survive in full force and effect and remain unchanged unless a conflict arises in which case this Ordinance shall control.

Section 3. Severability. If any phrase, clause, sentence, subsection, section, or provision of this Ordinance is held to be invalid, or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid, or unconstitutional the remaining phrases, clauses, subsections, or provisions of this Ordinance.

Section 4. Codification. Other than Section 1 hereof, this Ordinance shall not be codified, but a copy of this Ordinance shall be maintained in the offices of the City Manager.

Section 5. This ordinance shall take effect ten days following passage.

PASSED by the City Commission of the City of St. Augustine Beach, Florida, upon
Second Reading this 28 day of September, 2015.

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

ATTEST


City Manager

By:


Mayor-Commissioner

First reading: August 3, 2015
Second reading: September 28, 2015

December 21, 2016

Mullins Group LLC
605 Stafford Ln.
St. Augustine, FL 32086

Dear Property Owner,

Subject: Proposed splitting of vacant alley situated behind your property.

Property Address: 645 A1A Beach Blvd. St Augustine Beach, FL 32080

Strap #1692800000

2-5 Chautauqua Bch Lot 3,5 Block 19

102 3rd Street St Augustine Beach, FL 32080

Strap #1693000000

2-5 Chautauqua Bch Lot 7 Block 19

As property owner in the City of St. Augustine Beach, you are being notified of an intention to subdivide the vacant alley between 3rd and 4th street (Block 19 Alley, Chautauqua Beach). This alley is not used by the city (or anyone) and thus serves no real purpose. The Alley that is adjacent to your property is fifteen feet wide; thus each property owner's lot would become seven and a half feet longer.

Should you have any questions regarding this petition, please call. 904-669-1650

Thank you,
David Mullins

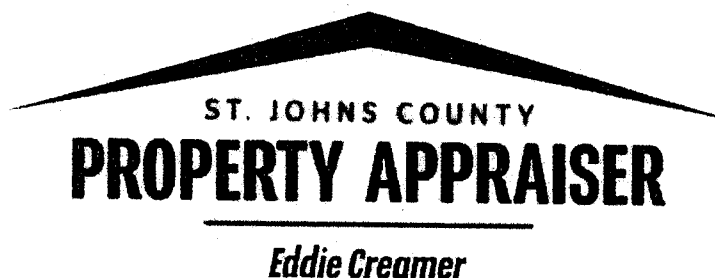
Please sign below accepting to vacate the alley and add the additional property to your current lot size.

ACCEPT David C. Mullins DATE 1/1/17
Signature

ACCEPT DAVID MULLINS DATE 1/1/17
Print

ACCEPT Lisa Mullins DATE 12/21/16
Signature

ACCEPT Lisa Mullins DATE 12/21/16
Print

**Parcel Information**

Strap: 1692800000
Mailing Address: 605 STAFFORD LN SAINT AUGUSTINE FL 32086-0000
Site Address: 645 A1A BEACH BLVD SAINT AUGUSTINE FL 32080-0000
Property Map: [Click here for Map](#)

Tax District: 551
Neighborhood Code: 717.02
Use Code/Description: 1105/Owner Occupied Stores
Sec-Town-Range: 34 - 7 - 30
Acreage: 0.23

Valuation Information

	2016 Certified Values	2017 Working Values
Total Land Value:	\$ 203,391	\$ 266,794
Total Extra Features Value:	\$ 1,478	\$ 1,478
Total Building Value:	\$ 28,480	\$ 28,480
Total Market(Just) Value:	\$ 233,349	\$ 296,752
Assessed Value:	\$ 233,349	\$ 256,684
Homestead Exemption:	\$ 0	\$ 0
Taxable Value:	\$ 233,349	\$ 256,684

Legal Information

2-5 CHAUTAUQUA BEACH LOTS 3 &
 5 BLK 19 & 8FT LYING E TO RD
 A1A VACATED OR3848/666

Owner Information

MULLINS GROUP LLC

Exemptions**Sales Information**

Date of Sale	Sales Price	Sales Ratio	Book & Page	Instrument Code	Qualified	Vacant or Improved	Reason Code
02/13/2014	\$ 300,000	98.92	3848 & 666	WD	U	I	30
06/28/2006	\$ 0	0.00	2743 & 1160	WD	U	I	11
06/28/2006	\$ 0	0.00	2743 & 1162	WD	U	I	11
07/15/1992	\$ 120,000	247.29	949 & 1287	WD	Q	I	01
07/01/1981	\$ 38,000	0.00	500 & 90		U	I	11

Building Information**Building Details**

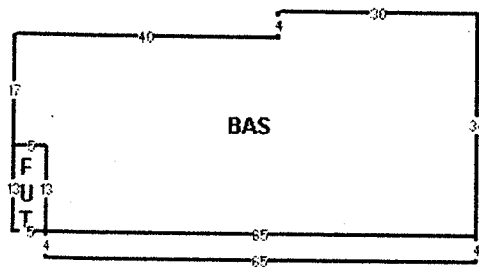
Building Number: 1
Building Type/Desc: 1101/Stores (Retail)
Building Model/Desc: 04 /Commercial Buildings

Year Built: 1955
Gross Area: 2480
Heated/Cooled Area: 2155
Building Value: \$ 28,480

Structural Elements

Element:	Element Desc:	Type:	Type Desc:
EW	Exterior Wall	15	Concrete Stucco
EW	Exterior Wall	11	Concrete Block
RS	Roofing Structure	9	Rigid Frame

Site address: 645 A1A BEACH BLVD SAINT AUGUSTINE FL 32080-0000



RC	Roofing Cover	2	Built Up
IW	Interior Walls	3	Drywall
IF	Interior Flooring	5	Carpet
HT	Heating Type	7	Forced Air
AC	Air Conditioning	8	Window
FR	Frame	3	Masonry
PL	Plumbing	7	7 Fixtures
EL	Electrical	2	Average
FN	Foundation	5	Concrete Perimeter Footing
FS	Floor System	1	Concrete Slab
CN	Condition	4	Average

Structural Elements Classifications

[Click here to enlarge](#)

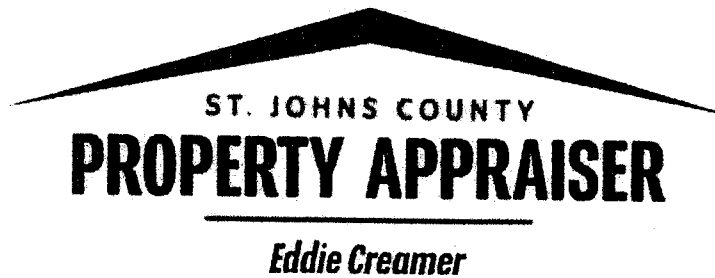
[Building Sketch Descriptions](#)

Extra Feature Information

Code	Description	Year Built	Units	Unit Price	Adj Unit Price	Condition	Depreciated Value
SHED	Shed	1992	120	\$3.30	\$3.30	20.0 %	\$ 79
CONC	CONC PAV 4	1996	3268	\$2.14	\$2.14	20.0 %	\$ 1,399

[Previous Parcel \(1692700000\)](#)

[Next Parcel \(1693000000\)](#)

**Parcel Information**

Strap: 1693000000
Mailing Address: 605 STAFFORD LN SAINT AUGUSTINE FL 32086-0000
Site Address: 102 3RD ST SAINT AUGUSTINE FL 32080-0000
Property Map: [Click here for Map](#)

Tax District: 551
Neighborhood Code: 675.00
Use Code/Description: 0000/Vacant Residential
Sec-Town-Range: 34 - 7 - 30
Acreage: 0.11

Valuation Information

	2016 Certified Values	2017 Working Values
Total Land Value:	\$ 105,000	\$ 105,000
Total Extra Features Value:	\$ 0	\$ 0
Total Building Value:	\$ 0	\$ 0
Total Market(Just) Value:	\$ 105,000	\$ 105,000
Assessed Value:	\$ 82,500	\$ 90,750
Homestead Exemption:	\$ 0	\$ 0
Taxable Value:	\$ 82,500	\$ 90,750

Legal Information

2-5 CHAUTAUQUA BCH LOT 7
BLK 19 OR3848/668

Owner Information

MULLINS GROUP LLC

Exemptions**Sales Information**

Date of Sale	Sales Price	Sales Ratio	Book & Page	Instrument Code	Qualified	Vacant or Improved	Reason Code
02/13/2014	\$ 50,000	210.00	3848 & 668	WD	U	V	30
06/29/2006	\$ 0	0.00	2743 & 1181	WD	U	V	11
06/28/2006	\$ 0	0.00	2743 & 1177	WD	U	V	11
06/28/2006	\$ 0	0.00	2743 & 1179	WD	U	V	11
05/29/2001	\$ 40,000	262.50	1607 & 907	WD	Q	V	01
01/01/1979	\$ 6,700	0.00	403 & 794		U	V	11

Building Information**Building Details****Structural Elements**

This property is Vacant

Extra Features

December 21, 2016

Dwight L Preheim Trust
P.O Box 208
St. Augustine, FL 32080

Dear Property Owner,

Subject: Proposed splitting of vacant alley situated behind your property.


Property Address: 104 3rd Street St Augustine Beach, FL 32080
Strap #1693000090
2-5 Chautauqua Bch Lot 9 Block 19

As property owner in the City of St. Augustine Beach, you are being notified of an intention to subdivide the vacant alley between 3rd and 4th street (Block 19 Alley, Chautauqua Beach). This alley is not used by the city (or anyone) and thus serves no real purpose. The Alley that is adjacent to your property is fifteen feet wide; thus each property owner's lot would become seven and a half feet longer.

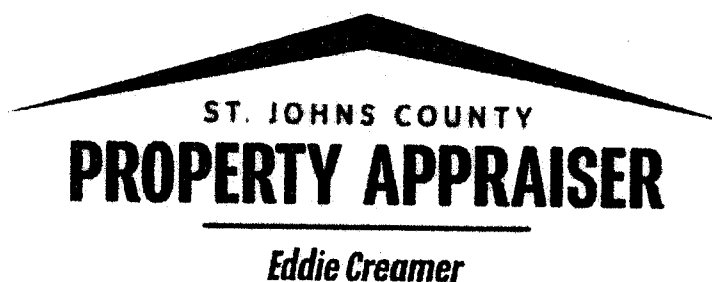
Should you have any questions regarding this petition, please call. 904-669-1650

Thank you,
David Mullins

Please sign below accepting to vacate the alley and add the additional property to your current lot size.

ACCEPT  DATE 1/9/17
Signature

ACCEPT _____ DATE _____
Print

**Parcel Information**

Strap: 1693000090
Mailing Address: PO BOX 208 SAINT AUGUSTINE FL 32085-0208

Site Address: 3RD ST SAINT AUGUSTINE FL 32080-0000

Property Map: [Click here for Map](#)

Tax District: 551
Neighborhood Code: 675.00
Use Code/Description: 0000/Vacant Residential
Sec-Town-Range: 34 - 7 - 30
Acreage: 0.11

Valuation Information

	2016 Certified Values	2017 Working Values
Total Land Value:	\$ 105,000	\$ 105,000
Total Extra Features Value:	\$ 0	\$ 0
Total Building Value:	\$ 0	\$ 0
Total Market(Just) Value:	\$ 105,000	\$ 105,000
Assessed Value:	\$ 71,874	\$ 79,061
Homestead Exemption:	\$ 0	\$ 0
Taxable Value:	\$ 71,874	\$ 79,061

Legal Information

2-5 CHAUTAUQUA BCH LOT 9 BLK
 19 OR2350/1785

Owner Information

PREHEIM DWIGHT L TRUST
 PREHEIM DWIGHT L

Exemptions**Sales Information**

Date of Sale	Sales Price	Sales Ratio	Book & Page	Instrument Code	Qualified	Vacant or Improved	Reason Code
12/15/2004	\$ 139,900	75.05	2350 & 1785	WD	Q	V	01
04/02/2001	\$ 40,000	262.50	1584 & 1825	WD	Q	V	01

Building Information**Building Details****Structural Elements**

This property is Vacant

Extra Features

There are no Extra Features

Previous Parcel (1693000000)

Next Parcel (1693100000)

December 21, 2016

Wayne Tregler
106 3rd Street
St. Augustine Beach, FL 32080

Dear Property Owner,

Subject: Proposed splitting of vacant alley situated behind your property.

Property Address: 103 3rd Street St Augustine Beach, FL 32080
Strap #1693200000
2-5 Chautauqua Bch Lot 11 Block 19

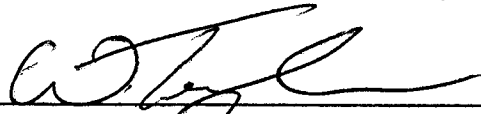
As property owner in the City of St. Augustine Beach, you are being notified of an intention to subdivide the vacant alley between 3rd and 4th street (Block 19 Alley, Chautauqua Beach). This alley is not used by the city (or anyone) and thus serves no real purpose. The Alley that is adjacent to your property is fifteen feet wide; thus each property owner's lot would become seven and a half feet longer.

Should you have any questions regarding this petition, please call. 904-669-1650

Thank you,
David Mullins

Please sign below accepting to vacate the alley and add the additional property to your current lot size.

ACCEPT

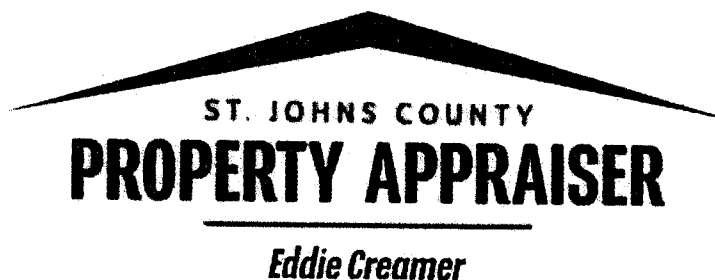

Signature

DATE 1/12/17

ACCEPT

Wayne Tregler
Print

DATE 1/12/17

**Parcel Information**

Strap: 1693200000
Mailing Address: 106 3RD ST SAINT AUGUSTINE FL 32080-0000

Site Address: 106 3RD ST SAINT AUGUSTINE FL 32080-0000

Property Map: [Click here for Map](#)

Tax District: 551
Neighborhood Code: 675.00
Use Code/Description: 0100/Single Family
Sec-Town-Range: 34 - 7 - 30
Acreage: 0.11

Valuation Information

	2016 Certified Values	2017 Working Values
Total Land Value:	\$ 105,000	\$ 105,000
Total Extra Features Value:	\$ 0	\$ 0
Total Building Value:	\$ 157,705	\$ 155,990
Total Market(Just) Value:	\$ 262,705	\$ 260,990
Assessed Value:	\$ 200,925	\$ 206,953
Homestead Exemption:	\$ 50,000	\$ 50,000
Taxable Value:	\$ 150,925	\$ 156,953

Legal Information

2-5 CHAUTAUQUA BEACH LOT 11
 BLK 19 OR1590/1530

Owner Information

TREGLER WAYNE M ETUX
 JUCKER JUDY A

Exemptions

HB Homestead Band
 HX Homestead

Sales Information

Date of Sale	Sales Price	Sales Ratio	Book & Page	Instrument Code	Qualified	Vacant or Improved	Reason Code
04/09/2001	\$ 38,000	276.32	1590 & 1530	WD	Q	V	01

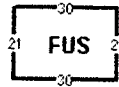
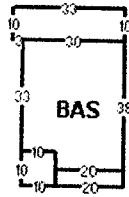
Building Information**Building Details**

Building Number: 1
Building Type/Desc: 0100/Single Family Residence
Building Model/Desc: 01 /Residential
Site address: 106 3RD ST SAINT AUGUSTINE FL 32080-0000

Year Built: 2006
Gross Area: 2250
Heated/Cooled Area: 1720
Building Value: \$ 155,990

Structural Elements

Element	Element Desc:	Type:	Type Desc:
EW	Exterior Wall	15	Concrete Stucco
RS	Roofing Structure	4	Gable Hip
RC	Roofing Cover	7	Composite Shingle
IW	Interior Walls	3	Drywall
IF	Interior Flooring	7	Ceramic Tile
IF	Interior Flooring	5	Carpet
HT	Heating Type	1	Air Duct
AC	Air Conditioning	1	Central



FR	Frame	3	Masonry
PL	Plumbing	8	8 Fixtures
EL	Electrical	3	Good
FN	Foundation	5	Concrete Perimeter Footing
FS	Floor System	1	Concrete Slab
WI	Wind	22	2 Story Masonry

Structural Elements Classifications

[Click here to enlarge](#)

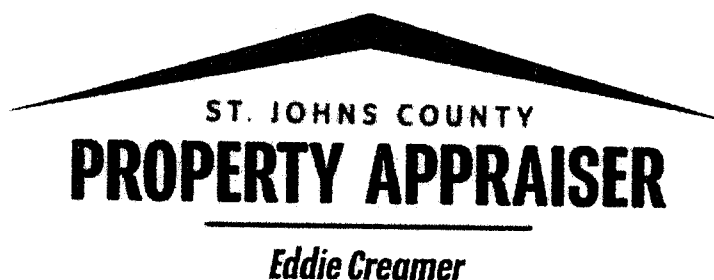
[Building Sketch Descriptions](#)

Extra Features

There are no Extra Features

[Previous Parcel \(1693100000\)](#)

[Next Parcel \(1693200130\)](#)

**Parcel Information**

Strap: 1693200130
Mailing Address: 108 3RD ST SAINT AUGUSTINE FL 32080-1330

Tax District: 551
Neighborhood Code: 675.00
Use Code/Description: 0100/Single Family
Sec-Town-Range: 34 - 7 - 30
Acreage: 0.11

Site Address: 108 3RD ST SAINT AUGUSTINE FL 32080-0000

Property Map: [Click here for Map](#)

Valuation Information

	2016 Certified Values	2017 Working Values
Total Land Value:	\$ 105,000	\$ 105,000
Total Extra Features Value:	\$ 1,575	\$ 1,575
Total Building Value:	\$ 91,881	\$ 91,881
Total Market(Just) Value:	\$ 198,456	\$ 198,456
Assessed Value:	\$ 133,773	\$ 137,786
Homestead Exemption:	\$ 50,000	\$ 50,000
Taxable Value:	\$ 83,273	\$ 87,286

Legal Information

2-5 CHAUTAUQUA BCH LOT 13 BLK
 19 OR1204/228 & 4059/635(Q/C)

Owner Information

DEREN NICK REV LIVING TRUST
 DEREN NICK TRUSTEE

Exemptions

HB Homestead Band
 HX Homestead
 WR Widower

Sales Information

Date of Sale	Sales Price	Sales Ratio	Book & Page	Instrument Code	Qualified	Vacant or Improved	Reason Code
07/08/2015	\$ 0	0.00	4059 & 635	QC	U	I	11
10/25/1996	\$ 7,500	0.00	1204 & 228	WD	U	I	11
10/07/1996	\$ 500	0.00	1204 & 224	WD	U	I	11
03/27/1996	\$ 22,300	0.00	1163 & 109	CT	U	I	11
11/01/1990	\$ 0	0.00	883 & 893		U	I	11
11/01/1990	\$ 15,500	1,280.36	883 & 897		Q	I	01
10/01/1990	\$ 0	0.00	874 & 19		U	I	11
01/01/1983	\$ 29,000	684.33	571 & 333		Q	I	01
04/01/1981	\$ 4,000	0.00	489 & 704		U	V	11

Building Information**Building Details****Structural Elements**

Element:	Element Desc:	Type:	Type Desc:
EW	Exterior Wall	32	Wood
RS	Roofing Structure	4	Gable Hip
RC	Roofing Cover	7	Composite Shingle
IF	Interior Flooring	5	Carpet
IF	Interior Flooring	10	Hardwood
HT	Heating Type	1	Air Duct
AC	Air Conditioning	1	Central
FR	Frame	8	Wood Frame
PL	Plumbing	5	5 Fixtures
EL	Electrical	3	Good
FN	Foundation	6	Pilings
FS	Floor System	3	Wood Frame
WI	Wind	11	1 Story Frame
CN	Condition	4	Average

Building Sketch Descriptions

Code	Description	Year Built	Units	Unit Price	Adj Unit Price	Condition	Depreciated Value
WDFNCE	Wood Fence	1997	228	\$9.87	\$9.87	70.0 %	\$ 1,575

Next Parcel (1693300000)

December 21, 2016

J
Kevin ~~V~~ and Jo Ann ~~V~~ Vahey Etal
40 Jessica Lynn Place
St. Augustine, FL 32080

Dear Property Owner,

Subject: Proposed splitting of vacant alley situated behind your property.


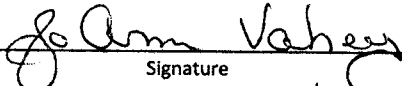
Property Address: 641 A1A Beach Blvd. St Augustine Beach, FL 32080
Strap #1692700000 & 1693100000
2-5 Chautauqua Bch Lot 2,4,6,8,10,12,14,16 Block 19

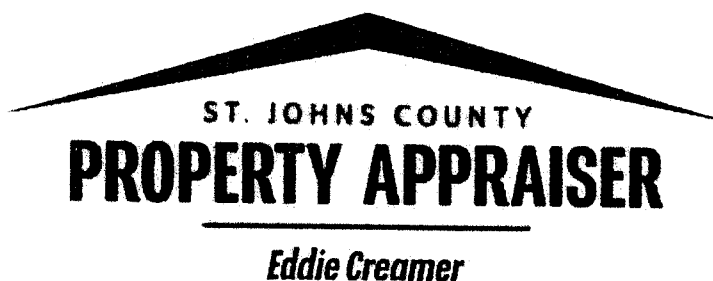
As property owner in the City of St. Augustine Beach, you are being notified of an intention to subdivide the vacant alley between 3rd and 4th street (Block 19 Alley, Chautauqua Beach). This alley is not used by the city (or anyone) and thus serves no real purpose. The Alley that is adjacent to your property is fifteen feet wide; thus each property owner's lot would become seven and a half feet longer.

Should you have any questions regarding this petition, please call. 904-669-1650

Thank you,
David Mullins

Please sign below accepting to vacate the alley and add the additional property to your current lot size.

ACCEPT	<u></u>	DATE	<u>1-11-2017</u>
	Signature		
ACCEPT	<u>KEVIN VAHEY</u>	DATE	<u>1-11-2017</u>
	Print		
ACCEPT	<u></u>	DATE	<u>Jan. 11, 2017</u>
	Signature		
ACCEPT	<u>Jo Ann Vahey</u>	DATE	<u>Jan 11, 2017</u>
	Print		



Parcel Information

Strap: 1692700000
Mailing Address: 40 JESSICA LYNN PL SAINT AUGUSTINE FL 32080-8426
Site Address: 641 A1A BEACH BLVD SAINT AUGUSTINE FL 32080-0000
Property Map: [Click here for Map](#)

Tax District: 551
Neighborhood Code: 675.03
Use Code/Description: 2105/Restaurants & Cafeterias (Owner Occupied)
Sec-Town-Range: 34 - 7 - 30
Acreage: 0.43

Valuation Information

	2016 Certified Values	2017 Working Values
Total Land Value:	\$ 302,250	\$ 302,250
Total Extra Features Value:	\$ 5,720	\$ 5,720
Total Building Value:	\$ 136,981	\$ 140,640
Total Market(Just) Value:	\$ 444,951	\$ 448,610
Assessed Value:	\$ 444,951	\$ 448,610
Homestead Exemption:	\$ 0	\$ 0
Taxable Value:	\$ 444,951	\$ 448,610

Legal Information

2-5 CHAUTAUQUA BCH LOT 2 (EX
R/W OF RD A1A) & ALL OF LOTS 4
6 8 BLK 19 OR1124/905

Owner Information

VAHEY KEVIN F,JO ANN H ETAL
VAHEY JO ANN H ETAL
HARRINGTON ROBERT J & CHERIE L

Exemptions

Sales Information

Date of Sale	Sales Price	Sales Ratio	Book & Page	Instrument Code	Qualified	Vacant or Improved	Reason Code
08/14/1995	\$ 278,000	0.00	1124 & 905	WD	U	I	11
05/10/1994	\$ 250,000	0.00	1055 & 323	CT	U	I	11
01/01/1988	\$ 0	0.00	796 & 824		U	I	11
01/01/1983	\$ 176,000	254.89	568 & 598		Q	I	01
04/01/1982	\$ 0	0.00	536 & 667		U	I	11

Building Information

Building Details

Building Number: 1
Building Type/Desc: 2100/Restaurants & Cafeterias

Year Built:
Gross Area:

1955
 4641

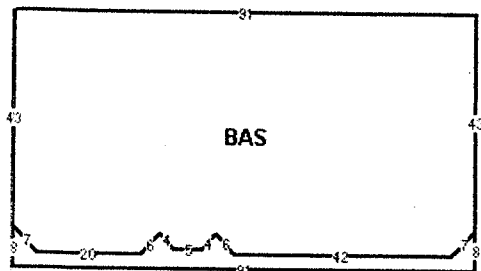
Structural Elements

Element:	Element Desc:	Type:	Type Desc:
EW	Exterior Wall	15	Concrete Stucco
EW	Exterior Wall	11	Concrete Block

Building Model/Desc: 04 /Commercial Buildings **Heated/Cooled Area:**
Building Value:
Site address: 641 A1A BEACH BLVD SAINT AUGUSTINE FL 32080-0000

4307	RS	Roofing Structure	9	Rigid Frame
\$ 140,640	RS	Roofing Structure	6	Mansard
	RC	Roofing Cover	2	Built Up
	RC	Roofing Cover	10	Modular Metal
	IW	Interior Walls	3	Drywall
	IF	Interior Flooring	10	Hardwood
	HT	Heating Type	1	Air Duct
	AC	Air Conditioning	1	Central
	FR	Frame	3	Masonry
	PL	Plumbing	14	14 Fixtures
	EL	Electrical	2	Average
	FN	Foundation	5	Concrete
				Perimeter Footing
	IN	Insulation	22	1" Fiberglass
	CN	Condition	1	Very Poor
	FS	Floor System	1	Concrete Slab

Structural Elements Classifications



[Click here to enlarge](#)

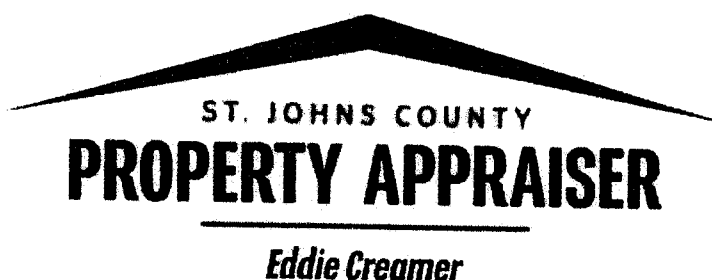
[Building Sketch Descriptions](#)

Extra Feature Information

Code	Description	Year Built	Units	Unit Price	Adj Unit Price	Condition	Depreciated Value
CONC	CONC PAV 4	1983	6755	\$2.00	\$2.00	40.0 %	\$ 5,404
WDFNCE	Wood Fence	1995	80	\$9.87	\$9.87	40.0 %	\$ 316

[Previous Parcel \(1692500030\)](#)

[Next Parcel \(1692800000\)](#)

**Parcel Information**

Strap: 1693100000
Mailing Address: 40 JESSICA LYNN PL SAINT AUGUSTINE FL 32080-8426
Site Address: 105 4TH ST SAINT AUGUSTINE FL 32080-0000
Property Map: [Click here for Map](#)

Tax District: 551
Neighborhood Code: 675.00
Use Code/Description: 0000/Vacant Residential
Sec-Town-Range: 34 - 7 - 30
Acreage: 0.43

Valuation Information

	2016 Certified Values	2017 Working Values
Total Land Value:	\$ 210,000	\$ 210,000
Total Extra Features Value:	\$ 0	\$ 0
Total Building Value:	\$ 0	\$ 0
Total Market(Just) Value:	\$ 210,000	\$ 210,000
Assessed Value:	\$ 143,748	\$ 158,123
Homestead Exemption:	\$ 0	\$ 0
Taxable Value:	\$ 143,748	\$ 158,123

Legal Information

2-5 CHAUTAUQUA BEACH LOTS 10
12 14 16 BLK 19 OR1124/905

Owner Information

VAHEY KEVIN F,JO ANN H ETAL
VAHEY JO ANN H ETAL
HARRINGTON ROBERT J & CHERIE L

Exemptions**Sales Information**

Date of Sale	Sales Price	Sales Ratio	Book & Page	Instrument Code	Qualified	Vacant or Improved	Reason Code
08/14/1995	\$ 278,000	0.00	1124 & 905	WD	U	V	11
05/10/1994	\$ 250,000	0.00	1055 & 323	CT	U	I	11
01/01/1988	\$ 0	0.00	796 & 824		U	V	11
06/01/1985	\$ 45,000	466.67	676 & 1118		Q	V	01
01/01/1979	\$ 15,000	0.00	402 & 583		U	V	11

Building Information**Building Details****Structural Elements**

This property is Vacant

Extra Features

Memorandum

TO: Members of the Comprehensive Planning and Zoning Board
FROM: Gary Larson, Building Official
DATE: February 15, 2017
RE: Conditional Use File No. CU 2017-01

The new owners of the Oasis Restaurant are applying to renew and transfer the conditional use permits for the restaurant. There is one for outside seating and another for the sale of canned beer from the T-Shirt shop outside the restaurant building. Both conditional use permits have been in effect since December 2007, with no issues or complaints regarding the conditions of the orders. The current orders is a non-transferable document and has expired.

Staff recommends approval of the two orders excepting it should be condensed into one order that is attached and run for a period of no less than 10 years based on past history of the two recorded conditional use orders. There are no changes requested to the conditions of the former conditional use orders with the exception of the requested extension date.

THE CITY OF ST. AUGUSTINE BEACH
CONDITIONAL USE PERMIT APPLICATION

THE UNDERSIGNED PARTY REQUESTS A CONDITIONAL USE PERMIT:

1. LEGAL DESCRIPTION OF THE PARCEL OF LAND UPON WHICH THE PERMIT IS SOUGHT: 95299.65 FT of N 1/2 of GL 5 Lying E of Rd A1A and West of Sabor de Sal Sub (EXPT IN OR 356/261) OR 4271/669
LOT(S): _____ BLOCK: _____ SUBDIVISION: Sabor de Sal
STREET ADDRESS: 4000 A1A South St. Augustine, FL 32080
2. LOCATION: East SIDE OF A1A South
(North, South, East, or West) (Street Name)
BETWEEN Ocean Trace and Sabor de Sal Sub
(Street Name) (Street Name)
3. REAL ESTATE PARCEL NUMBER(S): 1748500000
4. NAME AND ADDRESS OF OWNER(S) AS SHOWN IN ST. JOHNS COUNTY PUBLIC RECORDS: John and Josephine Phelan
Oasis on The Island, LLC
5. DESCRIPTION OF CONDITIONAL USE: Selling of beer from and Serving of Food + Beverages on outdoor patio. Also to extend the permit with no expiration unless there is a change of ownership.
6. LAND USE CLASSIFICATION: Restaurant/Cafeteria Owner Occupied
7. SECTION OF THE LAND DEVELOPMENT REGULATIONS FROM WHICH THE PERMIT IS BEING SOUGHT: outdoor patio / T Shirt Shack
3.02.02
8. SUPPORTING DATA WHICH SHOULD BE CONSIDERED BY THE BOARDS:
The conditional use permit has been in place for 10 years without any issues, complaints or disturbances.

9. HAS AN APPLICATION FOR CONDITIONAL USE PERMIT BEEN SUBMITTED DURING THE PAST YEAR? Yes () or No (✓)

IF YES, WHAT WAS THE FINAL RESULT? _____

10. PLEASE CHECK IF THE FOLLOWING INFORMATION HAS BEEN INCLUDED:

- (✓) LEGAL DESCRIPTION OF PARCEL
- (✓) LIST OF ALL PROPERTY OWNERS WITHIN RADIUS OF 300 FEET OF PROPERTY FOR WHICH CONDITIONAL USE PERMIT IS REQUESTED
- (✓) STAMPED AND ADDRESSED LEGAL SIZE ENVELOPES OF PROPERTY OWNERS WITHIN 300 FEET OF CONDITIONAL USE PERMIT LOCATION
- (✓) SURVEY (Not over two years old)
- (✓) OTHER DOCUMENTS OR INFORMATION TO BE CONSIDERED

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

(Owner or his/her agent)

EGM
(Applicant or his/her agent)

(Owner/agent address)

4000 A1A
(Applicant/agent address)

(Owner/agent phone number)

904 471 3424
(Applicant/agent phone number)

(Date)

1-23-2017
(Date)

****ALL AGENTS MUST HAVE NOTARIZED WRITTEN AUTHORIZATION****

THE CITY OF ST. AUGUSTINE BEACH
BUILDING AND ZONING DEPARTMENT

PERMIT NO. C172017-01 RECEIPT NO.: 226549 DATE: 1-24-2017
NAME OF APPLICANT: Oasis on the Island LLC
ADDRESS: 4000 A1A South St. Augustine, FL 32080
FOR PERMIT ADVERTISING LOCATED AT: 4000 A1A South
St. Augustine, FL 32080

CHARGES

PERMIT FEE: \$200.00 (Account #34120)

ZONING SIGN FEE: \$7.50 (Account #50471)

DATE PAID: 1-24-2017

CHECK NO.: 1524

SIGNED BY: BM

DEFINITION - CONDITIONAL USE PERMIT

A use that would not be appropriate generally or without restriction throughout a land use district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, order, comfort, convenience, appearance or prosperity. Such uses may be permitted in a land use district only in accordance with the provisions of this Code, and if the Code allows a conditional use in a particular land use category. The application for a conditional use permit shall be the same as for a concept review, except that the Comprehensive Planning and Zoning Board shall make a recommendation to the City Commission, which has final approval. The Building Official may delete submittals required in the concept application outlined in Article XII that are not applicable.

INSTRUCTIONS FOR APPLYING FOR A CONDITIONAL USE PERMIT

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

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 CONDITIONAL USE PERMIT APPLICATION

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 lot and block number. Include street address and location by indicating 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. This person's name should agree with the public records of St. Johns County as they exist on the application. If the names are different, attach a clarifying statement.
3. Indicate the current land use classification of the parcel under consideration. Current land use maps are on public 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. The person(s) seeking the permit is (are) mandated by law to notify all land and homeowners

within a radius of 300 feet of the parcel under consideration in the conditional use permit application. The St. Johns County Real Estate and Survey Department, telephone number 904-209-0760, will provide a list of the names and addresses of all property owners within a 300-foot radius of the parcel for which the conditional use permit application is submitted. The list of names and addresses (which must include the applicant), along with stamped, addressed legal-size envelopes are to be included with the permit application. (NOTE: Do not fill in a return address on the envelopes. The Building and Zoning Department will stamp the return address and mail the legal notices to the property owners.)

Signatures and approvals of those within 300 feet are not necessary, but their names and addresses must be provided. The person seeking the permit may provide a separate petition containing the signatures of adjoining property owners, but these persons should not sign the application itself. Be sure to provide correct names and addresses, as incorrect information will delay or nullify any action on the application.

5. Provide the section of the Land Use Code from which the permit is being sought. Personnel in the Building Department will assist you in this matter if needed.

A fee of \$207.50 will be charged for the conditional use permit administrative procedure, which includes the zoning notice sign, and legal advertising. The applicant will be required to post the zoning notice sign on the property for which the conditional use permit application is submitted within clear view of the street and not more than 10 feet inside the property line, no later than 15 days before the first meeting date at which the conditional use permit application will be heard.

A final order on each request for a conditional use permit shall be made within thirty (30) days of the last hearing at which such request was considered. Each final order shall contain findings upon which the City Commission's order is based, and may include such conditions and safeguards as prescribed by the Commission as appropriate in the matter, including reasonable time limits within which action pursuant to such order shall be begun or completed or both.

Appeal of decisions on conditional use permits made by the City Commission shall be made to the Circuit Court of St. Johns County.

The application must be signed by either the owner or by the owner's authorized agent. If an authorized agent's signature is used, a notarized written authorization approving such representation must accompany the application.

LIMITATIONS ON GRANTING CONDITIONAL USE PERMITS

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

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

ST. JOHNS COUNTY PROPERTY APPRAISER

Eddie Creamer

Parcel Information

Strap: 1748500000
Mailing Address: 9310 OLD KINGS RD S UT 1101 JACKSONVILLE FL 32257-0000

Site Address: 4000 A1A S SAINT AUGUSTINE FL 32080-0000

Property Map: [Click here for Map](#)

Tax District: 551
Neighborhood Code: 2305.03
Use Code/Description: 2100/Restaurants & Cafeterias
Sec-Town-Range: 10 - 8 - 30
Acreage: 0.78

Valuation Information

	2016 Certified Values	2017 Working Values
Total Land Value:	\$ 374,473	\$ 510,645
Total Extra Features Value:	\$ 30,789	\$ 29,949
Total Building Value:	\$ 285,273	\$ 344,267
Total Market(Just) Value:	\$ 690,535	\$ 884,861
Assessed Value:	\$ 690,535	\$ 884,861
Homestead Exemption:	\$ 0	\$ 0
Taxable Value:	\$ 690,535	\$ 884,861

Legal Information

9 S299.65FT OF N1/2 OF GL 5
LYING E OF RD A1A & W OF SABOR
DE SAL SUB (EX PT IN
OR356/261) OR4271/669

Owner Information

OASIS ON THE ISLAND RE LLC

Exemptions

Sales Information

Date of Sale	Sales Price	Sales Ratio	Book & Page	Instrument Code	Qualified	Vacant or Improved	Reason Code
10/14/2016	\$ 2,600,000	34.03	4271 & 669	WD	Q	I	05
03/07/1994	\$ 387,200	228.53	1042 & 197	WD	Q	I	01
04/01/1989	\$ 0	0.00	816 & 1544		U	I	11
09/01/1986	\$ 0	0.00	719 & 1561		U	I	11
01/01/1979	\$ 55,000	0.00	399 & 639		U	V	11

Building Information

Building Details

Building Number: 1
Building Type/Desc: 2100/Restaurants & Cafeterias
Building Model/Desc: 04 /Commercial Buildings

Year Built: 1979
Gross Area: 7571
Heated/Cooled Area: 5002

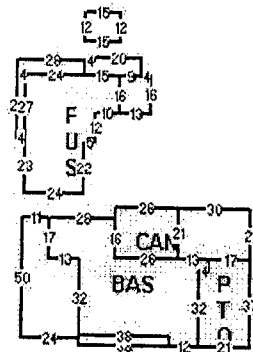
Structural Elements

Element: Element Desc: Type: Type Desc:
EW Exterior Wall 11 Concrete Block
EW Exterior Wall 32 Wood

Site address:

Building Value:
4000 A1A S SAINT AUGUSTINE FL 32080-0000

\$ 344,267



RS	Roofing Structure	13	Wood Truss
RC	Roofing Cover	10	Modular Metal
IW	Interior Walls	3	Drywall
IF	Interior Flooring	4	Concrete Finish
HT	Heating Type	1	Air Duct
AC	Air Conditioning	1	Central
FR	Frame	3	Masonry
PL	Plumbing	18	18 Fixtures
EL	Electrical	2	Average
FN	Foundation	3	Concrete Slab
IN	Insulation	23	2" Fiberglass
CN	Condition	4	Average
FS	Floor System	1	Concrete Slab

Structural Elements Classifications[Click here to enlarge](#)[Building Sketch Descriptions](#)**Extra Feature Information**

Code	Description	Year Built	Units	Unit Price	Adj Unit Price	Condition	Depreciated Value
ASP	2 ASPH 2BS	1979	13043	\$1.09	\$1.09	65.0 %	\$ 9,241
WDFNCE	Wood Fence	1997	230	\$9.87	\$9.87	60.0 %	\$ 1,362
MSWALL	MS/CB WALL	1997	736	\$8.53	\$8.53	65.0 %	\$ 4,081
CMWSPG	SPRNKL WET	2005	4728	\$2.22	\$4.44	65.0 %	\$ 13,645
DFOP	DET FOP	2005	144	\$15.00	\$15.00	75.0 %	\$ 1,620

Previous Parcel (1748300010)**Next Parcel (1748500020)**



City of St. Augustine Beach

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

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

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

Owner's Authorization Form

Peter Messler is hereby authorized TO ACT ON BEHALF OF

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

Food + Beverage Sales Shack T Shirt / outdoor patio

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

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

Signature of Owner(s) John Phelan Josephine Phelan

Printed Name(s) JOHN PHELAN JOSEPHINE PHELAN

Address of Owner(s) 2657 Oakgrove Ave., St Augustine, FL 32092

Telephone Number of Owner(s) (904) 657-9150 & (904) 657-9424

State of Florida
County of St. Johns

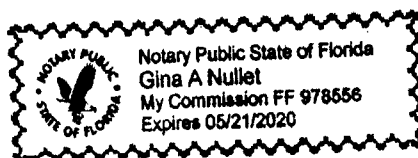
The foregoing instrument was acknowledged before me this 19 day of January, 2017.

by John Phelan Josephine Phelan, who is personally known or who has produced identification (type of identification produced) _____

Signature of Notary Public—State of Florida Gina A Nullet

Notary Stamp/Seal/Commission Expiration Date:

1/19/17



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

**IN RE: APPLICATION FOR CONDITIONAL
USE PERMIT FOR OUTSIDE SERVING OF FOOD
AND BEVERAGES IN A GROUND FLOOR DECK
OF OASIS RESTAURANT, 4000 A1A SOUTH, ST.
AUGUSTINE BEACH, FLORIDA, PETER MESSLER,
APPLICANT.**

Public Records of
St. Johns County, FL
Clerk # 2007084721,
O.R. 3023 PG 911-912
12/26/2007 at 11:40 AM,
REC. \$9.00 SUR. \$9.50

ORDER

THE ABOVE MATTER having come on to be heard upon the Application of Peter Messler for a Conditional Use Permit for the outside serving of food and beverages on a ground floor deck of the Oasis Restaurant,

And the City Commission having received public comments, and upon Motion duly made and seconded, the above application was approved subject to the following conditions:

1. The requested outside seating shall not exceed eight (8) tables with four (4) seats per table, or 32 seats maximum.
2. Outside service and consumption of both food and beverages shall be allowed in this designated area.
3. Hours of drink service for the outside seating area shall be limited to 8 a.m. – 9 p.m. daily.
4. A permanent barrier, secured by bolts or tie downs, shall be maintained between the outside seating area and the parking area.
5. The conditional use permit shall be non-transferable and subject to renewal after one year, at which time, applicant will be required to reapply to the Planning and Zoning Board.
6. A new eight (8) foot high fence shall be constructed and maintained by the applicant along the entire east, or rear, property line of the Oasis Restaurant.
7. A vegetative buffer, including the planting of palm trees, shall be constructed and maintained by the applicant on east side of the new eight (8) foot high fence.
8. Until such time that the new eight (8) foot high fence is constructed, the existing fence and gate on the rear property line of the Oasis Restaurant shall be permanently

maintained and locked, so as to allow no access to Sabor de Sal Road and the residential neighborhood located directly behind the restaurant property.

9. No outdoor speakers, music or television shall be allowed. Mr. Miller's motion was seconded by Mr. Guido and passed 7-0 by the Board by unanimous roll-call vote.

Dated, this 20 day of December, 2007

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

ATTEST:


City Manager

BY:


Mayor-Commissioner

City of St. Augustine Beach
2200 AlA South
St. Augustine Beach, FL 32080

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

Public Records of
St. Johns County, FL
Clerk # 2007084720,
O.R. 3023 PG 910-910
12/26/2007 at 11:40 AM,
REC. \$5.00 SUR. \$5.00

**IN RE: APPLICATION FOR CONDITIONAL
USE PERMIT FOR PROPOSED SALE AND
CONSUMPTION OF CANNED BEER OUTSIDE
OF ENCLOSED BUILDING AT THE OASIS
RESTAURANT, 4000 A1A SOUTH, ST. AUGUSTINE
BEACH, FLORIDA, APPLICANT PETER MESSLER.**

ORDER

THE ABOVE MATTER having come on to be heard upon the Applicant of the Oasis Restaurant for a Conditional use Permit for the sale and consumption of canned beer at the above address and location,

And the City commission having received public comments, and upon Motion duly made and seconded, the above application was approved subject to the following conditions:

1. The Conditional Use Permit will be subject to review after one (1) year.

Dated, this 20 day of December, 2007.

CITY COMMISSION OF THE CITY OF
ST. AUGUSTINE BEACH

ATTEST:


City Manager

BY:


Mayor-Commissioner

City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, FL 32080

1. **Conditional Use Permit: Request for Renewal of Permits for Food and/or Beverage Service/Consumption on Outside Deck and Sale/Consumption of Canned Beer Outside of T-Shirt Shack at Oasis Restaurant, 4000 A1A South, Mr. Peter Messler, Applicant**

Mayor Charles commented that the previous permit was approved for only one year and asked if this could be a three- year permit.

Janelle Bryant, 3960 A1A South, was concerned with the noise from the Oasis and said the windows at the business have been open recently. Selling beer from the outside location, she said, seemed like a drive-in liquor store.

Ms. Patricia Gill of the Planning and Zoning board said there were two separate requests. The Board, she said, had recommended a one-year extension for the first, noting that the business did not live up to all the requirements of the original permit. Regarding selling beer outside the building, she said a three-year extension had been recommended.

Vice Mayor Helhoski said he understood the windows were to be closed, and Mr. Peter Messler said they were closed once the band started. He said the outside TVs are usually off by 10:00 PM.

Commissioner George was concerned about the Commission's recourse if problems occur within the three-year period. Mr. Dobson said that the Code Enforcement could review violations of the permit conditions and could revoke the permit.

Motion: to approve both permits with a three-year expiration, **Moved by** Mayor Frank Charles, Seconded by Commissioner Rich O'Brien.

Vote: Motion carried by unanimous voice vote (**summary: Yes = 5**).

Yes: Commissioner Andrea Samuels, Vice Mayor Brud Helhoski, Commissioner Edward George, Mayor Frank Charles, Commissioner Rich O'Brien.

2. **Ordinance 08-33, Public Hearing and Final Reading: to Allow Package Stores and Sale of Packaged Alcoholic Beverages**

Mr. Dobson read the ordinance by title only.

Mr. Albert Holmberg, 11 Lake Shore Drive, opposed the ordinance, because it relaxed the regulations that made this a family-oriented community, and he noted that the majority of police calls involve alcohol.

Commissioner O'Brien asked if new businesses could get a conditional use permit for a package store, and Mr. Dobson replied that allowing that would require a separate ordinance.

Motion: to approve Ordinance 08-33, **Moved by** Vice Mayor Brud Helhoski, **Seconded by** Commissioner Andrea Samuels.

Vote: Motion carried by unanimous voice vote (**summary: Yes = 5**).

Yes: Commissioner Andrea Samuels, Vice Mayor Brud Helhoski, Commissioner Edward George, Mayor Frank Charles, Commissioner Rich O'Brien.

suggested recognition at the next meeting for public employees who may have saved a life at Beach Blast Off by performing the Heimlich maneuver.

[There was a short break from 8:25 to 8:40 p.m.]

PUBLIC HEARINGS

1. Conditional Use Permits: Request by Mr. Peter Messler of the Oasis Restaurant, 4000 A1A South, to Renew Permits for Selling of Beer from T-/Shirt Shack and Serving of Food/Beverages on Outside Deck

Mr. Messler said the previous permit had been for three years, and he hoped to have the conditional use approved permanently.

There was no public comment. Vice Mayor O'Brien commented that no complaints had been received about the business.

Motion, to renew the Conditional Use Permit under the same conditions for five years.

Moved by Commissioner Brud Helhoski, **Seconded by** Commissioner Andrea Samuels.

Vote: Motion carried by unanimous voice vote (**summary:** Yes = 5).

Yes: Commissioner Brud Helhoski, Commissioner Undine Pawlowski, Commissioner Andrea Samuels, Mayor Gary Snodgrass, Vice Mayor Rich O'Brien

2. Conditional Use Permit: Request to Allow Outside Consumption of Food and Beverages at the Ripe Bistro in Anastasia Shopping Center (1097 A1A Beach Boulevard, Mr. Jeffrey M. Holleran, Applicant)

Mr. Halloran said he wanted seating under covered porches in both the front and back of the business.

Bruce Wright, 118 15th St., noted that vehicles have run into the building in that area in the past, and people need to be protected. He asked for a buffer between the seating area and cars.

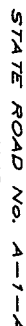
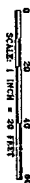
Mr. Larson said bollards are to be added at the front and back of the business.

Mayor Snodgrass recommended accepting the permit for three years.

Commissioner Pawlowski said this is not in a residential area but the Planning and Zoning Board has recommended the same limitations as businesses that are. Discussion ensued regarding restrictions, and Mr. Holleran said he would like four tables instead of three. Mr. Larson recommended only three at each entrance.

Motion: to approve the Conditional Use Permit for three years, with the conditions recommended by the Planning and Zoning Board excepting conditions 2 and 5, **Moved by** Commissioner Undine Pawlowski, **Seconded by** Commissioner Andrea Samuels.

1076



DEED ASSIGNMENT ON 2002 464 445
A PARTY OF TWO (THE BUYER) HAS SET UP THE NORTH 1/2 OF
SECTION 10, T4N, R10E, S10W IN TOWNSHIP 4 NORTH, 10 WEST,
COUNTY OF LAMAR, SOUTH DAKOTA, TO 464,071.
S. JAMES CONLEY, ALABAMA MOBILE PULL, OCCURRED AS FOLLOWS:
BEING ON THE INTERSECTION OF THE SOUTH LINE OF T4N NORTH 1/2
SECTION 10, TOWNSHIP 4 NORTH, 10 WEST, AND THE WEST LINE OF
SECTION 10, TOWNSHIP 4 NORTH, 10 WEST, THE BUYER HAS SAVED
EAST HALF OF SAID LINE 1/2 SECTION 10, TOWNSHIP 4 NORTH, 10
WEST, 1/2 SECTION 11, TOWNSHIP 4 NORTH, 10 WEST, THE WEST
HALF OF SAID NORTH LINE 1/2 SECTION 10, TOWNSHIP 4 NORTH, 10
WEST, AND THE SOUTH LINE OF THE NORTH 1/2 OF SECTION 10, T.

[illegible][illegible]

ACS SURVEYORS • ENGINEERS
LAND PLANNERS
4426 U.S. HIGHWAY No. 1 SOUTH, SUITE 401
ST. AUGUSTINE, FLORIDA 32086
PHONE: 804-787-9987 FAX: 804-787-9027

4000 & 4050 A1A SOUTH AND
108 SANDPIPER BOULEVARD
ST. AUGUSTINE, FLORIDA

01/11/2014 - URBAN SHERIFF - PG 362/371
