

CITY OF ST. AUGUSTINE, FLORIDA

Planning and Zoning Board Meeting  
December 4, 2007

The Planning and Zoning Board met in formal session at 2:00 P.M., Tuesday, December 4, 2007, in the Alcazar Room at City Hall. The meeting was called to order by Deltra Long, Chairperson, and the following were present:

**1. ROLL CALL**

Deltra Long, Chairperson  
John Valdes, Vice-Chairman  
Gerald Dixon  
William Leary  
Carl Blow  
Leanna Freeman  
Grant Misterly

City Staff:

Mark Knight, Director, Planning & Building Department  
David Birchim, Planning Manager  
Robin Upchurch, Assistant City Attorney  
Sharon O'Keefe, P & B Administrative Coordinator

The City staff was sworn in.

**2. APPROVAL OF MINUTES**  
**November 6, 2007)**

Corrections:

Ms. Long- Pg 2. 1<sup>st</sup> paragraph Ms. Freeman stated there were 31 responses (Not Ms. Long), also pg 7. paragraph 2, again Ms. Freeman (not Ms. Long) indicated 21 responses.

Mr. Leary: Pg 18. Mr. Leary suggested it be retroactive, (more accurate was that he noted the ordinance would be retroactive). Also pg 19, Mr. Leary's name should be replaced with "the Board".

Mr. Misterly: Pg 4. "Mr. Misterly said he did not think the property would be

utilized for residential purposes" A more accurate representation of what he said was that he did not believe it was as intensive as a typical residential use because of the lack of kitchen and showers.

**MOTION**

**Mr. Blow moved to approve the minutes with the corrections. The motion was seconded by Mr. Leary and approved by a unanimous voice vote.**

**AGENDA ITEM ADJUSTMENTS:**

Ms. Long reported that Rob Mathews requested his application for the Oasis Marina at 256 Riberia Street be tabled until January 2, 2008.

## **MOTION**

**Mr. Valdes moved to table item 2007-0333 to January 2, 2008. The motion was seconded by Mr. Blow and approved by a unanimous voice vote.**

Ms. Long reported that Ms. Avery Smith requested her application for rezoning of King Street and Ovieda Street (2007-0317) be tabled.

## **Motion**

**Mr. Leary moved to table item 2007-0317 to a special meeting on January 9, 2008 at 5:00 P. M. The motion was seconded by Mr. Valdes and approved by a unanimous vote.**

Mr. Knight reported that a representative of Walgreens, (case 2007-0315) asked to withdraw the application due to a scheduling conflict. He recommended that the Board deny the application without prejudice.

## **MOTION**

**Mr. Valdes moved to deny case 2007-0315 without prejudice. The motion was seconded by Mr. Blow and approved by a unanimous vote.**

### **3. Variance/Exception**

**Item 3 (a) 2007- 0328  
Don Crichlow, Architect – Applicant  
Diocese of St. Augustine – Owner  
259 and 265 St. George Street**

To exceed the maximum building size for a new kindergarten and gymnasium

addition (expansion of a use by exception).

## **MOTION**

**Mr. Leary moved to table case 2007-0328 to January 2, 2008. The motion was seconded by Ms. Long and approved by a unanimous vote.**

### **4. Exception**

**Item 4 (a) 2007-0291  
James McCune/Kevin Partel –  
Applicants  
(Previously Tabled) Kevin Partel  
– Owner  
38 Grant Street**

To allow a professional office as a permissible use by exception

## **MOTION**

**Mr. Blow moved to approve case 2007-0291. The motion was seconded by Mr. Dixon and approved by a unanimous vote.**

**Item 4 (b) 2007-0325  
Curtis Hands – Applicant  
Cuban Corner Cigar Company  
CHW LLC, etal – Owner  
1 King Street, Suite 105**

To allow a bar as a permissible use by exception.

## **MOTION**

**Ms. Freeman moved to approve case 2007-0325. The motion was**

seconded by Mr. Valdes and approved by a unanimous vote.

**Item 4 (c) 2007-0330**  
**Duane Hill – Applicant**  
**Woodcraft Custom Service, Inc.**  
**Duane and Katherine Hill – Owners**  
**92 Chapin Street**

To allow a woodworking business as a permissible use by exception.

**MOTION**

Mr. Leary moved to approve case 2007-0330, with the condition that audible working hours be limited to 8:00 A.M. to 5:00 P.M. The motion was seconded by Mr. Blow and approved by a unanimous vote.

**5. Conservation Zone Development**

**Item 5 (a) 2007-0320**  
**Charles Hotchkin – Owner/Applicant**  
**32 Lewis Boulevard**

To construct a single family residence in conservation overlay zone two.

**MOTION**

Mr. Valdes moved to approve case 2007-0320. The motion was seconded by Mr. Blow and approved by a majority vote. (Mr. Leary abstained from the voting)

**Item 5 (b) 2007-0327**  
**John Valdes and Associates – Applicant**  
**Daniel J. Campbell, etal – Owner**  
**133 Marine Street**

To construct a dock extension (70 feet) and install a boat lift.

(Mr. Valdes recused himself from this case)

**MOTION**

Ms. Freeman moved to approve case 2007-0327 with the condition that the dock be limited to 55'. The motion was seconded by Mr. Blow and approved by a unanimous vote.

**Item 5 (c) 2007-0329**  
**Peritus Civil, Inc.**  
**Cameron Jacobs, Owner**  
**19 Florida Avenue**

To approve the site plan for a multi-family/assisted living facility in conservation overlay zone two, to remove trees and to approve a viewing platform over the wetlands.

**MOTION**

Mr. Leary moved to table case 2007-0329 to February 5, 2008. The motion was seconded by Ms. Long and approved by a majority vote.

*Ms. Freeman and Mr. Dixon had to leave at this time and were not present for the remainder of the meeting.*

**Item 5 (d) 2007-0332**  
**St. Johns Welfare Federation**  
**St. Johns County- Owner**  
**161 Marine Street**

To construct a pier with a viewing platform

**MOTION**

**Mr. Leary moved to approve case 2007-0332 conditional upon the platform being reduced to 50' x 20' and the applicant record an acknowledgment that this would be the only dock for the property during his lease. The motion was seconded by Mr. Blow and approved by a unanimous vote.**

*Mr. Blow had to leave the meeting at this time (6:00 PM) and was not present for the remainder of the cases.*

**Item 5 (e) 2007-0333**  
**Rob Mathews Design Group**  
**Beta Two of Alachua LLC- Owner**  
**256 Riberia Street**

Tabled at beginning of meeting.

**6. Conservation Zone Development /Variance.**

**Item 6 (a) 2007-0315**  
**Paradise Development**  
**Walgreen Co. - Owner**  
**2801 Ponce de Leon Blvd**

Denied without prejudice at beginning of meeting.

**7. Rezoning/Land Use Plan Amendment**  
**Item 7 (a) 2007-0276**  
**The river's View Hotel, LLC**

**Marshall Jones living Trust – Owner**  
**311 & 333 So. Ponce de Leon Blvd.**

To rezone the property from Commercial Medium two (CM-2) to Planned Unit Development (PUD) and to amend the land use from Commercial Medium Intensity to Residential Medium Density Mixed Use for development of a hotel.

**MOTION**

**Mr. Leary moved to approve case 2007-0276 with the conditions that Tower A be moved back from Ponce de Leon Boulevard., if possible, to soften the elevation and details regarding the colors and finishes be submitted for approval to the City Commission. The motion was seconded by Mr. Valdes and approved by a unanimous vote.**

**8 Rezoning**

**Item 8 (a) 2007-0317**  
**Donna Wendler**  
**Donna & Scott Wendler- owners**  
**130, 132, 134, 136 King St.**  
**131, 133, 135 Ovieda Street**

Tabled at beginning of meeting.

**9. Modifications to a Planned Unit Development**

**Item 9 (a) 2007-0331**  
**Covenant Homes**  
**Jill Salgado & Anne Majure :- Owners**  
**Indian Mound Drive**

To modify the site plan and building plan and remove trees for a single family residence.

#### **MOTION**

**Mr. Leary moved to approve case 2007-0331 with the condition that the building plan be reversed, moving the garage to the north, avoiding two 18" cedar trees. The motion was seconded by Ms. Long and approved by a unanimous vote.**

#### **10. Other business**

- a) Consideration of Alternative Front Building Setback for Properties in CM-2 Zoning, Located on Multi-Lane Divided Roadways
- b) Consideration of an Ordinance Regulating Dock Lighting

Both items were tabled until January 9, 2008 after case 2007 0317

#### **11. Appeals**

- a) 36 May Street, Denial of a dock with 3 boat slips and lifts was noted as going before the City Commission for appeal.

#### **12. Conflict of Interest Statements**

(None)

#### **13. ADJOURNMENT**

#### **MOTION**

**Mr. Valdes moved to adjourn the meeting. The motion was seconded by Leary**

Meeting was adjourned at 7:45 P.M.

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Deltra Long, Chairperson