



AGENDA

REGULAR CITY COMMISSION MEETING MONDAY, JANUARY 4, 2021 AT 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

NOTICE TO THE PUBLIC

THE CITY COMMISSION 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 COMMISSION UNDER "PUBLIC COMMENTS."

RULES OF CIVILITY FOR PUBLIC PARTICIPATION

1. The goal of Commission meetings is to accomplish the public's business in an environment that encourages a fair discussion and exchange of ideas without fear of personal attacks.
2. Anger, rudeness, ridicule, impatience, and lack of respect for others is unacceptable behavior. Demonstrations to support or oppose a speaker or idea, such as clapping, cheering, booing, hissing, or the use of intimidating body language are not permitted.
3. When persons refuse to abide by reasonable rules of civility and decorum or ignore repeated requests by the Mayor to finish their remarks within the time limit adopted by the City Commission, and/or who make threats of physical violence shall be removed from the meeting room by law enforcement officers, either at the Mayor's request or by an affirmative vote of a majority of the sitting Commissioners.

"Politeness costs so little." – ABRAHAM LINCOLN

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **SWEARING IN CITY COMMISSIONERS FOR SEATS 1 AND 2**
 - A. Mr. Ernesto Torres (Seat 1)
 - B. Mr. Dylan Rumrell (Seat 2)
- IV. **ROLL CALL**
- V. **ELECTION OF MAYOR AND VICE MAYOR FOR 2021**
- VI. **APPROVAL OF MINUTES OF REGULAR COMMISSION MEETING ON DECEMBER 7, 2020 AND SPECIAL BUDGET COMMISSION MEETING ON DECEMBER 7, 2020**
- VII. **ADDITIONS OR DELETIONS OF THE AGENDA**

VIII. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

IX. PRESENTATIONS

- A. Presentation of Plaque to Sheriff Robert Hardwick for Eight Years of Service to the City as its Police Chief.
- B. Presentation of Plaque to Commissioner Ernesto Torres for Six Years of Service to the City on its Code Enforcement Board

X. PUBLIC COMMENTS

XI. COMMISSIONER COMMENTS

XII. PUBLIC HEARINGS

- 1. Request to Vacate Alley on the West Side of A1A Beach Boulevard between 13th and 14th Streets (Adjoining Lots 22-27, Minorca Subdivision, and Lots 65-67, 78-79, Atlantic Beach Subdivision) (Presenter: Brian Law, Building Official)
- 2. Request for Extension of Current Conditional Use Permit for Outside Serving / Consumption of Food and Beverages at Island Donuts, 400 A1A Beach Boulevard (Lots 136 and 137, Atlantic Beach Subdivision, Michael Stauffer, Agent for HVG Properties, LLC) (Presenter: Brian Law, Building Official)
- 3. Ordinance 20-14, Second Public Hearing and Final Reading, to Change Section 4.01.06, Recreation Standards, of the Land Development Regulations (Presenter: Brian Law, Building Official)
- 4. Ordinance 20-15, First Public Hearing and Second Reading, to Amend the Land Development Regulations Regarding Occupancy Permits, Impervious Surface Coverage, Unsafe Buildings, and Number of Code Enforcement Board Members (Presenter: Brian Law, Building Official)
- 5. Ordinance 20-16, Public Hearing and Final Reading, to Adopt the Florida Building Code (Presenter: Brian Law, Building Official)

XIII. CONSENT

- 6. Re-Appointment to Three-Year Term of Three Sustainability and Environmental Planning Advisory Committee Members: Lana Bandy, Ann Palmquist, and Craig Thomson
- 7. Resolution 21-04, to Declare as Surplus Several Police Department Assets and Authorize their Disposal

XIV. OLD BUSINESS

- 8. Ordinance 21-01, First Reading, to Amend the Land Development Regulations to Allow Mobile Food Sales in the City (Presenter: Brian Law, Building Official)

XV. NEW BUSINESS

- 9. Proposed Changes to the Personnel Manual: Review of Resolutions 21-01, 21-02 and 21-03 (Presenter: Beverly Raddatz, City Clerk)
- 10. Scheduling Workshops for 2021: Discussion of Topics and Dates (Presenter: Max Royle, City Manager)

11. Ocean Walk Subdivision Drainage Improvements: Approval of Ranking of Engineering Consultants (Presenter: Bill Tredik, Public Works Director)

XVI. STAFF COMMENTS

XVII. ADJOURNMENT

NOTICES TO THE PUBLIC

1. **RON PARKER MEMORIAL CEREMONY:** It will be held at Ron Parker Park, 607 Old Beach Road, on Tuesday, January 12, 2021, at 11 a.m. The ceremony is to honor St. Augustine Beach Police Officer Ron Parker, who was killed while on duty in 1975.
2. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE (SEPAC).** It will hold its monthly meeting on Wednesday, January 13, 2021, at 6:00 p.m. in the Commission meeting room at city hall.
3. **HOLIDAY.** It is Dr. Martin Luther King, Jr. Day on Monday, January 18, 2021. CITY OFFICES CLOSED. There will be no pickup of household waste. Monday's pickup will be done on Tuesday, January 19th. There will be no change to the pickup of recyclables and yard trash/ special waste.
4. **COMPREHENSIVE PLANNING AND ZONING BOARD.** It will hold its monthly meeting on Tuesday, January 19, 2021, at 6 p.m. Topics on the agenda may include a. election of Chairman and Vice Chairman for 2021; b. variance to reduce front, rear, and side setbacks for a new house at #9 11th Street; c. request for a conditional use permit to build a residence in a commercial land use district and request to reduce front and side setbacks for new house at 105 3rd Street; d. review of ordinance to adopt by reference the School District's five-year facilities workplan.

NOTE:

The agenda material containing background information for this meeting is available on a CD in pdf format upon request at the City Manager's office for a \$5 fee. Adobe Acrobat Reader will be needed to open the file.

NOTICES: In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities act, persons needing a special accommodation to participate in this proceeding should contact the City Manager's Office not later than seven days prior to the proceeding at the address provided, or telephone 904-471-2122, or email sabadmin@cityofsab.org.

MEMORANDUM

TO: Commissioner England
Commissioner George
Commissioner Samora
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: December 21, 2020

SUBJECT: Agenda for January 4th

You'll note in the memo to you that we've prepared for each agenda item, we have designated each of you as "Commissioner" because we don't know who you will elect as Mayor and Vice Mayor for 2021. Mayor England's term as Mayor ends at midnight on December 31, 2020, as does Vice Mayor Kostka's term.

The first item of business on the agenda for your January meeting will be the swearing in of Commissioners Rumrell and Torres to their four-year terms by the City Attorney.

Then, the second item of business will be your election of the Mayor and Vice Mayor for 2021.



MINUTES

REGULAR CITY COMMISSION MEETING

MONDAY, DECEMBER 7, 2020 AT 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

I. CALL TO ORDER

Mayor England called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Mayor England asked Vice Mayor Kostka to lead the Pledge of Allegiance.

III. ROLL CALL

Present: Mayor England, Vice Mayor Kostka, Commissioner George, Commissioner Rumrell, and Commissioner Samora.

Also present were: City Manager Royle, Assistant City Attorney Taylor, Interim Police Chief Carswell (remotely), City Clerk Raddatz, Finance Director Douylliez, Building Official Law, and Public Works Director Tredik.

IV. APPROVAL OF MINUTES OF THE REGULAR COMMISSION MINUTES OF NOVEMBER 9, 2020.

Motion: to approve the minutes for November 9, 2020. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor England moved on to Item V.

V. ADDITIONS OR DELETIONS OF THE AGENDA

Mayor England asked if there were any additions or deletions of the agenda.

City Manager Royle explained that due to a correction in the advertising of the millage, there will be a Special Commission meeting at 7:00 p.m. and then the Regular Commission meeting will reconvene. He also commented that Item 5 has been rescheduled for January 4, 2021 Commission meeting.

Mayor England moved on to Item VI.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

Mayor England asked if there were any changes of topics on the agenda. Being none, Mayor England moved to Item VII.

VII. PRESENTATIONS

- A. Presentation of Plaque to Vice Mayor Maggie Kostka for Service to the City as Commissioner 2017-2020 and as Vice Mayor 2020

Mayor England introduced Item VII.A. and then presented a plaque to Vice Mayor Kostka for her years of service with the City of St. Augustine Beach and thanked her for her dedication and loyalty as Commissioner and Vice Mayor to the City.

- B. Interview of Mr. Nicholas Binder as Candidate for Junior Alternate on the Code Enforcement Board

Mayor England introduced Item VII.B. and asked Mr. Nicolas Binder to the podium. She advised that Mr. Binder has come to many meetings and thanked him for dedicating his time.

Nicholas Binder, 232 Big Magnolia Drive, St. Augustine Beach, FL, explained his background and the years of service he has done volunteering.

Commissioner George commented that she is grateful to Mr. Binder for donating his time to the City.

Vice Mayor Kostka remarked that Mr. Binder has a wealth of knowledge of the City. She asked if his wife supported his decision to be on the Code Enforcement Board.

Mr. Binder advised yes.

Commissioner Samora asked what took him so long and explained that when Mr. Binder comments he thinks it through, and he would be an asset to the Code Enforcement Board.

Commissioner Rumrell thanked Mr. Binder for his volunteer work and dedicating his service to the City.

Mayor England asked for a motion.

Motion: to approve Mr. Binder as a member of the Code Enforcement Board. **Moved by** Mayor England, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor England moved on to Item VIII.

VIII. PUBLIC COMMENTS

Mayor England opened the Public Comments section. The following addressed the Commission:

Nicholas Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, wished everyone happy holidays and thanked staff for the new lights on A1S SOUTH; he asked before instituting the stormwater fees that staff found out how other municipalities initiated their stormwater fees; and asked about the status of the resolution on flying non-government flags.

Merrill Hawk, 213 11th Street, St. Augustine Beach, FL, asked the Commission if she could delegate a committee to address having lockers at the beach to stop theft from happening.

Mayor England advised Ms. Hawk that she would have to discuss this with the St. Johns County since they own the beach; however, she instructed City Manager Royle to talk with St. Johns County to help the process move along.

City Manager Royle advised that he would contact St. Johns County regarding this issue.

Commissioner George explained that she liked the idea and said that Ms. Hawk could do fundraising and get others to help in the effort.

IX. COMMISSIONER COMMENTS

Mayor England introduced Item IX and asked Vice Mayor Kostka for her comments.

Vice Mayor Kostka wished the community a happy holiday and advised that it has been an honor and a privilege to serve the City as a Commissioner and the Vice Mayor.

Commissioner George wished Vice Mayor Kostka well and wished everyone a happy holiday season.

Commissioner Samora remarked that it was a pleasure serving with Vice Mayor Kostka and wished her well.

Commissioner Rumrell thanked Vice Mayor Kostka for the opportunity of working with him.

Mayor England thanked Vice Mayor Kostka for her service. She then thanked the Public Works staff and the Events Coordinator for doing such a good job on the two Art Walks, Night Market and Surf Illumination events.

Mayor England moved on to Item X.

X. PUBLIC HEARINGS

1. Public Hearing for Levying of Non-Ad Valorem Special Assessment: to Pay Costs to Open 2nd Street West of 2nd Avenue (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 1 and asked Public Works Director Tredik for his report.

Public Works Director Tredik advised that on November 9, 2021, the Commission passed Resolution 20-21, which explained the City's intent to levy a non-ad valorem assessment to open 2nd Street west of 2nd Avenue. He explained that the advertisement has now been done and it should be passed again after advertising. He commented the costs to open and build 2nd Street were explained in the backup materials. The western portion of the roadway would have to be expanded to 22 feet and the cost to extend west of 2nd Avenue for the roadway and drainage is \$211,714 and the costs for doing the water and sewer extensions are just under \$116,000. The estimated costs for the widening east of 2nd Avenue are \$108,553, which includes the curb, gutter, and sidewalks on that section and bringing it up to current City codes. He advised that he needs direction from the City whether to split the cost by the total number of lots, 16, or to split the cost by 13 since three of the lots will be donated to the City as a park. The total lots of 16 split individually would cost \$16,063. If any lots are given to the City, the costs would increase for each owner. If the three lots are donated for conservation, the remaining 13 owners would have to pay \$17,734. If the road construction, and utility costs are divided by 13 each owner would pay \$19,769 and the City's cost would remain at one-third of the overall cost (see Exhibit 1). He recommended that the City not pay for utilities on the three donated lots because they would be used for conservation and suggested that the City pay for a portion of the lots that are donated to the City, but that would be a Commission decision. He explained that the Commission needs to determine the amount of the assessment and whether it should be by non-ad valorem assessment in the future. He suggested using a special assessment for those that could pay right away and using the non-ad valorem assessment for those owners who need to pay the costs over time. He

explained that either way, the non-ad valorem resolution needs to be passed tonight. He commented that the Commission needs to decide whether the funds should be used from the Impact Fees Fund or whether to wait until all the funds are collected before starting construction.

Discussion ensued regarding underground utilities approximate costs being \$40,000; the costs of \$108,553 did not include the underground utilities; only having a rough cost from Florida Power and Light on underground utilities until a design plan has been done; not having a status report on dedicating the three lots to conservation; sending a letter with the approved resolution to St. Johns County Tax Collector; staff needing to reach out to the lot owners to see if they want a special assessment or a non-ad valorem assessment and what the owners want for the term of three or five years; waiting to collect the money from the owners would increase the costs of the project; costs have a contingency of 20 percent built in; and the budget costs did not include preserving the trees in the right-of-way.

Commissioner George suggested splitting the costs for the roadway and drainage by the 13 lot owners because the donated lots would not be developed and the parkettes would give access. She was in favor for undergrounding the utilities because it would increase the value of the properties. She commented that she was in favor of getting some of the money before construction, but not wait for all the money because of increase costs to the project. She does not want to use all the money in the Impact Fee Fund because other projects throughout the City need to be done.

Commissioner Samora commented that the reason why this project was brought up to the Commission was because some owners wanted to develop their lots quickly. He advised that he did not want to have this be brought back up to the Commission again years from now. He said that the lot owners need to develop within 18 months, not years later. He asked Finance Director Douylliez if she had a preference between a special assessment or a non-ad valorem assessment.

Finance Director Douylliez recommended a hybrid methodology that would allow both special assessments to pay in full and those who could not pay in full could do a non—ad valorem assessment. She explained that staff would have a meeting with the lot owners and tell them the costs, then bill the full costs to those who are willing to pay it upfront, and the lot owners who could not pay could take a non-ad valorem assessment and pay it off over time, which the Commission could decide.

Commissioner Samora commented that he liked that approach and asked what the timeline would be for those who wanted the non-ad valorem assessment.

Finance Director Douylliez advised that it would be like the solid waste non-ad valorem assessment and would follow the same procedures. She asked not to delay this to budget season because of the time factor and asked that it would be completed by the first quarter.

Commissioner Samora asked the staff to have accurate figures in the next couple of months. He asked if the North Florida Land Trust accepted the three lots that were being donated to the City.

City Manager Royle advised that the North Florida Land Trust deals with multiple acreage and they did not want these small of parcels. He commented that the lot owners have gone to the Alachua Land Trust, but there has been no decision yet, but indicated that they would be interested in accepting those lots.

Commissioner Samora asked if the Alachua Land Trust would take over these lots, would they take over the responsibilities of any assessments that goes with them.

City Manager Royle advised that he did not have an answer to that question.

Commissioner Samora asked City Manager Royle to investigate that.

City Manager Royle advised that he would know the answer before the public hearing on this issue.

Commissioner Rumrell asked Public Works Director Tredik about the impact fees on the widening of the street.

Public Works Director Tredik advised that a case could be made that the sidewalks are needed due to increased traffic. He said that it should not be a problem to widen the road according to St. Johns County. He explained that developed roads are not required to have sidewalks so it is a grey area that he would investigate.

Commissioner Rumrell agreed with the hybrid plan and suggested 50 percent down and assess the rest. If someone is pulling permits or selling the property, the owner would have to pay off the assessment before allowing the permits to be processed or the home to be sold. He said that that would get the money to the City faster and suggested assessing for only five years.

Mayor England suggested moving forward by settling the terms of the assessments. She agreed with Commissioner George dividing by the 13 lots for the assessments and would like to start the project with at least one-third the money upfront. She commented that she wants the project to start quickly. She approved of the five-year term for the assessments. She advised that the Commission needs to hold a workshop to advise the residents what the Commission's decisions are. She commented that she wants the sidewalks to be done.

Mayor England recessed the meeting at 6:55 p.m. to hold the Special Commission meeting on the budget and reconvened the meeting at 7:08 p.m. and asked if there were any additional comments from the Commission.

Vice Mayor Kostka advised that the City's budget is in a very sensitive position right now and asked the Commission to be very conscious that the City is very tight on funds. She agrees with moving the project forward, but at this meeting the only decision that is needed is to pass the resolution.

Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments section and then made a motion.

Mayor England asked for a motion for Resolution 20-21.

Motion: to approve Resolution 20-21. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell.

Roll call vote was as follows:

Commissioner George	Yes
Vice Mayor Kostka	Yes
Commissioner Samora	Yes
Commissioner Rumrell	Yes

Mayor England

Yes

Motion passed unanimously.

Mayor England moved on to Item 2.

2. Ordinance 20-14, First Public Hearing and Second Reading: to Change Section 4.01.06, Recreation Standards, of the Land Development Regulations (Presenter: Brian Law, Building Official)

Mayor England introduced Item 2 and asked Building Official Law for his staff report.

Building Official Law advised no changes were made and Comprehensive Planning and Zoning Committee recommended adoption as written.

Mayor England opened the Public Hearing to the public. Being none, Mayor England closed the Public Hearing and asked if there were any further comments for the Commission.

City Attorney Taylor read the title of the ordinance.

Mayor England asked for a motion.

Motion: to approve Ordinance 20-14. **Moved by** Mayor England, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor England moved on to Item 3.

XI. CONSENT

None

XII. OLD BUSINESS

3. Alvin's Island Driveway to Versaggi Drive: Request for Approval of Public Works Director's Decision to Allow it for Ingress and Egress (Bill Tredik, Public Works Director)

Mayor England introduced Item 3 and asked for a staff report from Public Works Director Tredik.

Public Works Director Tredik explained the history of the item and the settlement agreement that was established where the property owner could build a left in only off Versaggi. In January 2020, the engineers submitted a plan. When looking at the plan, he noticed several safety concerns. Cars going 45 mph off A1A South with this plan can swipe into Versaggi and go directly into Alvin's Island left turn ingress across the oncoming traffic lanes and cause an accident. It would be bad for pedestrians and traffic coming out of Versaggi. He was very concerned over the egress and ingress being confusing. Traffic is increasing and stacking up off A1A South. He met with the engineer to come up with a standard driveway and something safer. He showed his plan that would help to standardize the egress and ingress (see Exhibit 2). He requested to have a 90-degree angle so drivers will slow down. The settlement agreement allowed for an ingress not an egress, but this is much safer. The owner agreed to move the dumpster for better visibility, would have better signage, and a fence to shield the neighborhood. He recommended his design plan.

Mayor England opened the Public Comments section. The following addressed the Commission:

Albert Kaidor, 18 Versaggi Drive, St. Augustine Beach, FL, advised he was here during the settlement agreement, which caused this problem of allowing Alvin's Island to put in the ingress to the property. He gave an example of an accident where a motorcycle hit someone on Versaggi Drive. He advised that the A1A South is a Department of Transportation's responsibility and it should be discussed by them with the owner. He explained that this would be a greater risk of liability in the future to the City.

James Collie, 10 Versaggi Drive, St. Augustine Beach, FL, advised that the owner is saying that the settlement agreement gives him the right to the driveway. He advised that the settlement agreement only gives him the right to ask for a driveway. It is not guaranteed that the owner gets the driveway, and this is a safety concern. He mentioned that there have been problems with people going into Verizon on Versaggi Drive already and this will cause more problems to the neighborhood. He did not agree with a problem getting out of Versaggi Drive because of the two lanes on A1A South.

Steve Edmonds, 12412 San Jose Blvd., St. Augustine Beach, FL, advised that he requested a left-in only and Public Works Director Tredik said it would be safer to have an ingress and egress. He agreed to move the dumpster to make it more appealing to the residents with an enclosure and change the fencing for the neighbor that lives behind Alvin's Island property. He agreed that the UPS truck should not park to drop off package on Versaggi Drive. He agrees that cars go the wrong way even though it is a right turn only and with an egress they would not have that problem.

Amanda Rodriquez, 32 Versaggi Drive, St. Augustine Beach, FL, did not agree with the ingress and egress, because she feels pedestrians are not safe and wants a pedestrian study done. She explained that she was at the meeting and it was told to the neighbors that they did not have a choice not to have the driveway, only what would be the safest way to put on in. She said that signage is needed.

Margaret O'Connell, 10 Versaggi Drive, St. Augustine Beach, FL, the Commission received my letters and photos (Exhibit 3-10) and letter and signatures (Exhibit 11-12). Signs are needed and have been neglected.

Mayor England asked if the Commission received the pictures.

Ms. O'Connell showed the photos to the Commission.

Michelle Kaidor, 18 Versaggi Drive, St. Augustine Beach, FL, advised that Versaggi Drive has been dangerous because of Verizon and the signage is so small. There are children being left off the school buses on Versaggi Drive and children walking, running, bicycling on Versaggi Drive to get to the school buses or walking home. Alvin's Island does not need a new driveway because they already have an entrance and exist.

Mayor England asked if Public Works Director Tredik had any comments.

Public Works Director Tredik advised that when he sees that something is not safe, he tries to come up with a safe solution. The ingress is allowed because of the settlement agreement. He explained that the Land Development Codes allow two points of access and Alvin's Island has one exit as a right turn only, so there is only one ingress point. The photos show that people do not obey non-standardized access points, which causes more accidents.

Mayor England closed the Public Comments section and then asked for any further comments from the Commission.

Commissioner George asked if Exhibit 2 that was presented by Public Works Director Tredik was at a 90-degree angle.

Public Works Director Tredik advised no, but he just did this today to give options to the Commission. He explained that it is the minimum radius that would allow a fire truck.

Commissioner George asked would it allow people to slow down like a 90-degree turn would.

Public Works Director Tredik advise no, it is further from A1A South, but it would slow traffic down. He advised that his first choice would be a traditional driveway access. He moved the signage out for more visibility for pedestrians.

Discussion ensued regarding City Code 6.02.06 regarding access that mandates two points of ingress for new development; what was the old code was in the 1990's when Alvin's Island was constructed; no traffic studies done regarding accidents in this area; the settlement agreement has conflicting language and was not well written; recommendation not to litigate the settlement agreement because the City may not win; and school bus picks up on east Versaggi Drive, but parents are going into Versaggi Drive to bring their children to the school bus.

Mr. Edmonds, the applicant, advised that he had not mentioned a lawsuit and only wants a left in driveway, he would move the dumpster and enclose it, and fence the property from the neighbor right behind the building. He explained that he did not understand about the signage being neglected.

Mayor England advised that the Commission understands that.

Commissioner Samora asked why Mr. Edmonds is requesting this driveway.

Mr. Edmonds stated to get better access to Alvin's Island. He advised that the settlement agreement says that he can ask for a left-in driveway and explained that there is only one ingress on A1A South. He advised that this limits people from going into the Versaggi neighborhood because people think they can get in from Versaggi Drive.

Commissioner Samora asked if the current egress could be improved.

Mr. Edmonds advised that he has spoken with the Florida Department of Transportation and he was able to increase the size of the driveway to make it easier.

Mayor England commented that the ingress and egress should be balanced. She suggested more enforcement for the Verizon building and signage needs to be improved.

Public Works Director Tredik advised that the City could do an ingress only and tighten up the radius and keep it further from A1A South. The key is to slow the vehicles down before they turn in. The radius needs to be large enough for large trucks (i.e., fire truck or garbage truck) to get into the property. He would like to have a traditional plan design.

Mayor England advised for purposes of moving this item along, she suggested that the Commission thinks about ingress only, improving the signage, and calling attention to traffic, not to egress.

Commissioner Samora asked what the normal procedure would be for ingress and egress.

Public Works Director Tredik advised that this originally went to the Comprehensive Planning and Zoning Board and was approved. The Commission denied the applicant's request and it

went through the appeal process. It usually would have been handled in the development phase if it were not been denied by the Commission.

Commissioner Samora advised that the application should have gone through normal procedures in the development process.

Building Official Law advised because of the contentious nature it was brought in front of the Commission to make the decision and the residents would be able to come to the Commission with their concerns.

Public Works Director Tredik's recommendation is a left in and a right out and to allow the right turn out.

Commissioner Rumrell commented that safety is the most important concern. He advised that the City needs to place more signage up like "No Parking" signs down Versaggi Drive. He believed in following the Public Works Director's recommendation, who is the expert in this.

Commissioner George agreed with Commissioner Rumrell with the signage and the owner needs to abide by the signage as well. The experts are telling us that a 90-degree turn is needed to slow down the traffic for safety reasons as well as the ingress and egress needs to be done. It is not working now in the neighborhood, but the engineers are telling the Commission how to correct it. She commented that Ocean Trace has the same design and there have not been any issues.

Commissioner Rumrell advised that people are coming out of Verizon anyways and he would rely on the expert in this case and the property owner is entitled to his rights.

Mayor England asked for a motion.

Motion: to approve the design as recommended by the City's Public Works Director to provide for a 90-degree ingress north from Versaggi Drive and a 90-degree egress heading west on Versaggi along with improved signage by the applicant and the City. **Moved by** Commissioner George, **Seconded by** Commissioner Samora.

Roll call vote was as follows:

Commissioner George	Yes
Vice Mayor Kostka	No
Commissioner Samora	Yes
Commissioner Rumrell	Yes
Mayor England	Yes

Motion passes 4 to 1.

Mayor England moved on to Item 4.

4. Ordinance 20-15, First Reading, to Amend the Land Development Regulations Regarding Occupancy Permits, Impervious Surface Coverage, Unsafe Buildings, and Number of Code Enforcement Board Members (Presenter: Brian Law, Building Official)

Mayor England introduced Item 4 and then asked Building Official Law for his staff report.

Building Official Law advised there were no changes from last hearing.

Mayor England opened the Public Hearing to the public. Being none, Mayor England closed the Public Hearing to the public and asked City Attorney Taylor to read the title of the ordinance.

City Attorney Taylor read title.

Mayor England asked for a motion.

Motion: to approve Ordinance 20-15. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Roll call vote was as follows:

Commissioner George	Absent during the vote
Vice Mayor Kostka	Yes
Commissioner Samora	Yes
Commissioner Rumrell	Yes
Mayor England	Yes

Motion passed 4 to 0.

Mayor England moved on to Item 6.

5. Ordinance 20-16, First Reading, to Amend the Land Development Regulations Regarding Allowing Mobile Food Sales in the City (Presenter: Lex Taylor, City Attorney)

This item will be discussed at the January Regular Commission meeting.

6. Use of the City Meeting Rooms: Review of Proposed Regulations and Fees (Presenter: Max Royle, City Manager)

Mayor England introduced Item 6 and asked City Manager Royle for his staff report.

City Manager Royle advised that due to COVID-19 the public has not been using the meeting rooms. He proposed a policy that he can bring back in January 2021 with new charges for use and the number of people allowed in each meeting room.

Mayor England asked if this would be an interim policy that could sunset if COVID-19 changes.

City Manager Royle advised yes, or this item could wait until after the pandemic.

Mayor England opened the Public Hearing to the public. The following addressed the Commission:

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, asked to keep Saturdays open for homeowners' associations.

Mayor England closed the Public Hearing and asked if there were any further comments for the Commission.

City Manager Royle advised that there is a Public Works Department employee who works from 7:00 a.m. to 1:00 p.m. on Saturdays and the employee could clean the room if a group meets.

Commissioner George advised that on paragraph 4 should be removed because it does not show four-hour intervals.

City Manager Royle will remove paragraph 4.

Discussion ensued regarding waiting until the COVID-19 pandemic is over before opening the meetings rooms; adopting policy with an effective date of February 1, 2021; and AA groups meeting elsewhere.

City Manager Royle advised that he would create a resolution to bring back to the Commission at the Regular Commission meeting in February 2021 and make it effective according to CDC guidelines.

7. City Manager's Annual Performance: (Presenter: Mayor Margaret England)

Mayor England introduced Item 9 and advised that City Manager Royle has provided a review. She encouraged every Commissioner to review his evaluation and respond in writing.

Vice Mayor Kostka advised that the City Charter does not say that the City Manager or Police Chief should do their own evaluations. She said it is the duty of the Commission to give them an evaluation.

Mayor England advised that the City Manager gave information to the Commissioner so they could do an evaluation. This was only the starting point for the Commission.

Commissioner Samora advised that he would schedule an evaluation meeting with the City Manager and the suggested comparing the notes from the City Manager's information to the Commission's evaluation.

It was the consensus of the Commission to schedule meetings with the City Manager and do an evaluation.

Mayor England moved on to Item 10.

8. Ordinance 20-17, First Reading, to Adopt 2020 Florida Building Code (Presenter: Brian Law, Building Official)

Mayor England introduced Item 12 and asked Building Official Law for his staff report.

Building Official Law advised that every three years the Building Code 105.2 as to be adopted by the City because of changes that was made to the Florida Building Code and will take effect January 2021 (see Exhibit 13).

Commissioner George asked about fencing on A1A Beach Boulevard and asked whether the City is not eliminating the allowance of an eight-foot fence.

Building Official Law advised no, he used the St. Johns County exception for A1A Beach Boulevard and would follow the City's zoning rules.

Mayor England opened the Public Hearing to the public. Being none, Mayor England closed the Public Hearing and asked Building Official Law to read the title of the ordinance.

Building Official Law read the title of the ordinance.

Mayor England asked for a motion.

Motion: to approve the ordinance adopting the Florida Model Building Code. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

XIII. NEW BUSINESS

None

XIV. STAFF COMMENTS

Mayor England asked City Manager Royle to comment.

City Manager Royle advised Chief Carswell gave his regrets for not attending tonight due to Police business. City Manager Royle thanked and sent best wishes to Vice Mayor Kostka for her service to the City and wished the Commission happy holidays. He reminded that the Night Market event will be Saturday and the final Art Walk will be on December 19th. He commented that the first Art Walk went very well.

Finance Director Douylliez advised that the first Art Walk was a success and that she and the Events Coordinator will have a full report to the Commission at the Regular Commission meeting in February. She wished everyone a happy holiday.

Vice Mayor Kostka asked about the state revenues.

Finance Director Douylliez advised that they are coming in like last year prior to COVID-19.

Building Official Law advised that Embassy Suites started the southeast parking lot and Phase II will start soon.

Mayor England wanted to thank Embassy Suites for contributing to the lighting of the palm trees for the Art Walk.

Public Works Director Tredik advised that the Request for Qualifications for Ocean Walk are due tomorrow. He mentioned that only one company has sent their package so far.

Mayor England asked about the Vulnerability Study.

Public Works Director Tredik advised it is coming.

City Attorney Taylor advised that the State of Florida passed a fireworks law that trumps our local fireworks laws for New Year's Eve and New Year's Day and July 4th, so the City needs to follow the State of Florida's guidelines for those days.

Vice Mayor Kostka asked limiting the hours for fireworks.

City Attorney Taylor advised that the noise ordinance would take precedence.

Commissioner George asked City Attorney Taylor to investigate the enforcement of the noise ordinance.

City Clerk Raddatz said it was a pleasure working with Vice Mayor Kostka and wished happy holidays to everyone.

XV. ADJOURNMENT

Mayor England asked for a motion.

Motion: to adjourn to meeting. **Moved by** Mayor George, **Seconded by** Commissioner George. Motion passed unanimously.

Meeting was adjourned at 9:09 p.m.

Margaret England, Mayor

Attest:

Beverly Raddatz, City Clerk

MEMORANDUM

TO: Commissioner England
Commissioner George
Commissioner Samora
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: December 16, 2020

SUBJECT: Presentations:

- A. Presentation of Plaque to Sheriff Robert Hardwick for Eight Years of Service to the City as Its Police Chief
- B. Presentation of Plaque to Commissioner Ernesto Torres for Six Years of Service to the City on Its Code Enforcement Board

ITEM A. SHERIFF ROBERT HARDWICK


Sheriff Hardwick was selected by the City Commission to be the City's Police Chief on January 7, 2013. He served in that position consistently being rated by the Commission as "Superior" on his performance evaluation. He obtained accreditation for the Police Department and made many other improvements to it. In November 2020, he was elected Sheriff of St. Johns County and he assumed that office on January 1, 2021.

ITEM B. COMMISSIONER TORRES

Commissioner Torres was appointed by the City Commission as an alternate to the Code Enforcement Board on April 7, 2014. He became a regular member to fill a vacancy and was elected by the Board to serve as its Chair from April 2017 to April 2019. He served on the Board until November 2020, when he was elected to the City Commission. He assumed that position in January 2021.

MEMORANDUM

TO: Commissioner England
Commissioner George
Commissioner Samora
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: December 16, 2020

SUBJECT: Request to Vacate Alley on West Side of A1A Beach Boulevard between 13th and 14th Streets Adjoining Lots 22-27, Minorca Subdivision, and Lots 65-67 and 78-79, Atlantic Beach Subdivision

INTRODUCTION

As noted above, the alley requested for vacation is on the west side of the Boulevard between 13th and 14th Streets. The alley begins on the west side of the A1A Beach Boulevard right-of-way, goes through the newly renovated Beachside Diner property, and ends at the east boundary of the Ocean Woods subdivision. It goes through two older subdivisions: Atlantic Beach and Minorca. The majority of the adjacent property owners have requested that the alley be vacated.

The Comprehensive Planning and Zoning Board reviewed the application at its November 17, 2020, meeting, and by a 7-0 vote recommended that the alley be vacated subject to the condition that "the preservation of the functionality of the drainage and utility easement be unimpeded in the vacated alley".

ATTACHMENTS

Attached for your review is the following:

- a. Pages 1-17, the application that was submitted to the Planning Board and on which the Board based its recommendation to you.
- b. Page 18, a memo from the Building Department's Executive Assistant, Ms. Bonnie Miller, in which she states to you the Board's recommendation that the alley be vacated.

ACTION REQUESTED

It is that you hold the public hearing and that you decide whether to have the alley vacated.

If you agree with the vacation request, then the City Attorney will prepare an ordinance for first reading at your February 1st meeting. Section 18-53 (c) (1) of the City's General Code requires that the ordinance have a full legal description of the property to be vacated and have from a legal plat book or map an exhibit that shows the alley's exact location.

If you pass the ordinance on first reading, it will be scheduled for a public hearing and final reading at your March 1st meeting.



City of St. Augustine Beach Building and Zoning Department

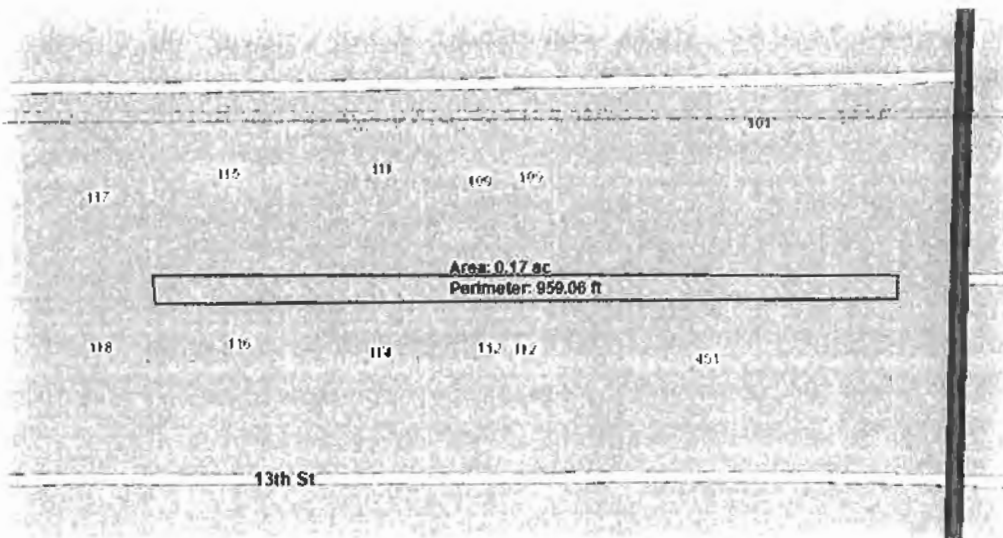
TO: Comprehensive Planning and Zoning Board and Max Royle, City Manager

FROM: Brian Law, Building Official

SUBJECT: Vacating Alley between 13th and 14th street west of A1A Beach Boulevard

DATE: 12-11-2020

An application has been submitted by Kyle and Elizabeth Morin, who reside at 111 14th Street, for the vacating of an alley lying between 13th and 14th street west of A1A Beach Boulevard. The illustration below is the alley being requested to vacate.



The illustration below is aerial imagery from 2019 depicting the current buildings adjacent to the alley.



The west side of Beachside Diner's parking lot is separated from the residential houses by a solid fence which is part of the conditional use order for outside dining for that facility. The west side of the alley to be vacated is landlocked by homes addressed as 117 14th Street and 118 13th Street. This specific scenario appears to create a non-accessible alley by City staff without removing the Beachside Diner's fence. In the event access was needed the fence could be removed to grant access as it is a site-built wooden fence. At this time, the alley is currently being utilized for overhead utilities and as such the City would be remiss to vacate this alley without a utility easement. A site visit on December 8, 2020 with Alyssa Fink, Engineer II for Florida Power & Light (FPL), Public Works Director Bill Tredik, and Bonnie Miller, Building and Zoning Department, was conducted and the comments from Ms. Fink are included with the application information, stating FPL has no objection to the alley vacation provided FPL is granted an easement from the property owners covering their facilities, which are adjacent to three properties on the north side of the alley. These properties are 109 14th Street, 111 14th Street, which is the applicant, Kyle Morin's, property, and 115 14th Street.

Comments are also included from Mr. Tredik, Commander Daniel Carswell, City's Police Department, PJ Webb, St. Johns County Fire Rescue, and Melissa Caraway, St. Johns County Utility Department.

City of St. Augustine Beach Building and Zoning Department
Vacating Alley/Easement/Street Application

2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080

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

1. Legal description of the alley/easement/street for which the vacation is being sought:

Minorca Subdivision, Lot 1677800001

1670700002

Atlantic Beach
Subdivision

2. Location (N, S, W, E). West Side of A1A Beach Blvd Between 13th and 14th Street

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

4. Name and address of applicant(s):

Kyle and Elizabeth Morin, 111 14th Street, St. Augustine, FL 32080

5. Recorded in Map Book _____ Page(s) _____ of the Public Records of St. Johns County, Florida:

6. Reason(s) for vacation or abandonment of alley/easement/street:

Easement is no longer maintained by public works and the majority of owners wish to maintain the property by gaining an additional 7.5 feet each.

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

☒ Plat, map, or site location drawing of alley/easement/street to be vacated

☒ List of names and addresses of owners of real property abutting and/or adjoining the alley/easement/street for which the vacation is requested (to be acquired from St. Johns County Real Estate/Survey Department, telephone number 904-209-0804)

☒ Owner Permission Form (if applicable)

☒ First-class postage stamped legal-size (4-inch-by-9½-inch) envelopes with names and addresses of owners of real property abutting and/or adjoining the alley/easement/street to be vacated

☒ Other documents or relevant information to be considered

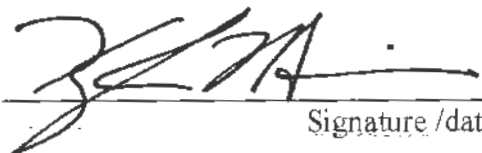
☒ Fourteen (14) copies of the completed application including supplemental documentation and relevant information

Per Ordinance No. 15-05, Section 18-51-e of the St. Augustine Beach Code, the names and addresses of the owners of the real property bounding and abutting the property for which the vacation is requested shall be obtained from the current tax assessment roll. The written consent of each owner shall be obtained by the applicant and filed upon submittal of the application to vacate, but if 100% of the real property owners do not submit their 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 alleys, easements, or streets vest property rights.

KYLE MORIN

Print name (owner or his/ her agent)

Print name (applicant or his/her agent)



10/12/20

Signature /date

Signature /date

111 14th St. ST. AUGUSTINE, FL 32080

Owner/agent address

Applicant/agent address

603-801-4137

Phone number

Phone number

Charges

Application Fee: \$300.00

Date Paid:

10/13/2020

Legal Notice Sign: \$10.00

Date Paid:

10/13/2020

Received by

Bonnie Miller

Date

10/13/2020

Invoice #

I2002628

Check # or type of credit or debit card

518

14th STREET



13th STREET



10th St

KLINS

MORIN

DARIOS

SOMEWHERE ON
A1A PARTNERS LLC

-9-

CITY OF ST. AUGUSTINE BEACH

ROBBINS

KULYK/
KACZMARSKY

COHEN

SOMEWHERE ON
A1A PARTNERS LLC

10th St

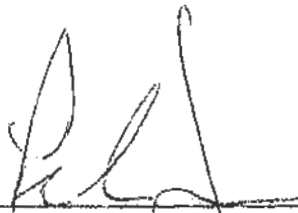
September 30th, 2020

City of St. Augustine Beach
Planning and Zoning Board
2200 A1A South
St. Augustine Beach, FL
32080

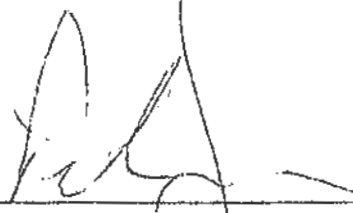
To Whom It May Concern,

By signing below, we are acknowledging our formal request to have the utility easement behind our properties in the Minorca Subdivision vacated by the city. We understand that in doing this, we will be taking possession of the property. We are asking for this vacation per the town regulations to do so and will be submitting the Vacating Alley/Easement/Street Application along with this petition.

Thank you for your consideration.



Peter Darios, Partner
Somewhere on A1A Partners LLC
2-50 ATLANTIC BCH LOTS 65 66 & 67 78 & 79 OR4278/1608



Peter Darios
8-99 MINORCA SUBD LOT 25 OR3972/1937



Kyle Morin
8-99 MINORCA SUBD LOT 26 OR4910/126



Gabe Kling

8-99 MINORCA SUBD LOT 27 OR4243/466



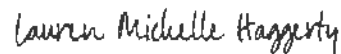
Celeste Cohen

8-99 MINORCA SUB LOT 24 OR1703/1942 & 2460/628(Q/C)

Sonia Kulyk

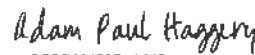
8-99 MINORCA SUBD LOT 23 OR3489/203

DocuSigned by:


5015A0B20DBB42F

Lauren Michelle Haggerty

DocuSigned by:


DEDB00136FAA44D

Adam Paul Haggerty



Elizabeth Robbins

8-99 MINORCA SUB LOT 22 OR3727/1480(S/A) & 3817/1103(Q/C) & 3817/1104

From: Bill Tredik
To: Bonnie Miller
Cc: Brian Law; Lex Taylor; Max Royle
Subject: RE: Vacating Alley Application between 13th and 14th Streets
Date: Wednesday, December 9, 2020 12:55:30 PM

Bonnie:

In discussion with the City Attorney and the City Manager, it seems it may be better to have the easement dedicated to the City concurrent with the vacation of the alley. I would, therefore, like to modify my previous statement to read:

"Public Works has no objection to the vacation of the 14th Lane right-of-way, as proposed, provided that an appropriate drainage and utility easement over the vacated right-of-way is concurrently dedicated in perpetuity to the City. "

This would allow the city to continue to permit FPL and Comcast to utilize the City easement for utilities, as well as give the City the ability to prevent private property grade changes which could negatively impact other properties.

Bill

William Tredik PE, Public Works Director / City Engineer

*City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, Florida 32080
Ph: (904) 471-1119
email: btredik@cityofsab.org*

PLEASE NOTE: Under Florida law, most communications to and from the City are public records. Your emails, including your email address, may be subject to public disclosure.

From: Bill Tredik
Sent: Wednesday, December 09, 2020 12:05 PM
To: Bonnie Miller <bmillier@cityofsab.org>
Cc: Brian Law <blaw@cityofsab.org>; 'Lex Taylor' <lex@dhclawyers.com>
Subject: RE: Vacating Alley Application between 13th and 14th Streets

Bonnie:

Bill

William Tredik PE, Public Works Director / City Engineer

City of St. Augustine Beach

From: [Daniel Carswell](#)
To: [Bonnie Miller](#); [Brian Law](#)
Subject: Re: Vacating Alley Application between 13th and 14th Streets
Date: Friday, October 30, 2020 7:43:14 AM
Attachments: [Outlook-sbau2mks.png](#)
[Outlook-Obndky24.png](#)

I have no objections or comments regarding this. Thank you.

Commander Daniel Carswell

St. Augustine Beach Police Department
2300 A1A South
St. Augustine Beach, FL 32080
Work: (904) 471-3600
Cell: (904) 599-7670



From: Bonnie Miller <bmiller@cityofsab.org>
Sent: Thursday, October 29, 2020 2:25 PM
To: Robert Hardwick <hardwickra@sabpd.org>; Daniel Carswell <carswelldp@sabpd.org>
Cc: Brian Law <blaw@cityofsab.org>
Subject: Vacating Alley Application between 13th and 14th Streets

Hi Chiefs Hardwick and Carswell,

Attached is a vacating application to vacate the alleyway between 13th and 14th Streets directly west of A1A Beach Boulevard just north of the Beachside Diner property at 451 A1A Beach Boulevard.

The applicant, Kyle Morin, has submitted the written consent of all the adjacent property owners with the exception of Longin Kaczmarzsky and Sonia Kulyk, who own 114 13th Street.

The Building Department supports the vacation of this alley. If you have any comments or recommendations, please forward them to me, and staff will include them in the information copied to both the Planning and Zoning Board, which will hear the application at its regular monthly meeting on November 17, 2020, and the City Commission, which will hear the application at its regular monthly meeting on December 7, 2020.

Give me or Building Official Brian Law a call or email if you have questions or need more information. If you have no objections to the vacating of this alley, please reply via email, and if you have objections, comments or recommendations please also reply by Monday, November 9, 2020, so staff can include them in the information copied to the Planning and Zoning Board and City

Commission.

Thanks,

***Bonnie Miller, Executive Assistant
City of St. Augustine Beach
Building & Zoning Department
2200 State Road A1A South
St. Augustine Beach, Florida 32080
Telephone Number : 904-471-8758 Extension 204
Fax Number: 904-471-4470
Email Address: bmiller@cityofsab.org***

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From: PJ Webb
To: Bonnie Miller
Cc: Brian Law
Subject: RE: Vacating Alley Application between 13th and 14th Streets
Date: Tuesday, November 17, 2020 3:11:29 PM

Hey Bonnie, sorry for the delay in getting back to you. I sent this up the flagpole to get a response when you sent it to me originally. I just heard back from them and we do not have any objection to the proposed vacation. Please let me know if you need anything else from us. Have a good afternoon.

PJ Webb

St. Johns County Fire Rescue
Plans Examiner
Office: 904-209-1744
4040 Lewis Speedway
St. Augustine, FL 32084

Fire Rescue Headquarters
3657 Gaines Road
St. Augustine, FL 32084



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OIIIIIIIO

From: Bonnie Miller [mailto:bmiller@cityofsab.org]
Sent: Tuesday, November 17, 2020 12:50 PM
To: PJ Webb <pwebb@sjcfl.us>
Cc: Brian Law <blaw@cityofsab.org>
Subject: FW: Vacating Alley Application between 13th and 14th Streets

From: Melissa Caraway
To: Bonnie Miller; Phillip Gaskins
Subject: RE: Vacating Alley Application between 13th and 14th Streets
Date: Tuesday, November 17, 2020 1:09:38 PM

Bonnie,

The SJCUUD has no issues with the vacation of this alleyway.

Melissa Caraway, M.P.A

Utility Review Coordinator

St. Johns County Utility Department

St. Johns County Board of County Commissioners

1205 State Road 16, St. Augustine, FL 32084

(904) 209-2606 (904) 209-2607 Fax

mcaraway@sjcfl.us email www.sjcfl.us website

From: Bonnie Miller <bmillier@cityofsab.org>

Sent: Tuesday, November 17, 2020 12:54 PM

To: Melissa Caraway <mcaraway@sjcfl.us>; Phillip Gaskins <pgaskins@sjcfl.us>

Subject: Vacating Alley Application between 13th and 14th Streets

Good Afternoon St. Johns County Utility Department,

Attached is a vacating alley application pertaining to the vacation of the alleyway between 13th and 14th Streets directly west of A1A Beach Boulevard just north of the Beachside Diner property at 451 A1A Beach Boulevard.

The applicant, Kyle Morin, has submitted the written consent of all the adjacent property owners with the exception of Longin Kaczmarzsky and Sonia Kulyk, who own 114 13th Street.

This application will be presented to the City's Planning and Zoning Board meeting next month on December 15, 2020, with final consideration given by the City Commission at the Commission's regular meeting on January 4, 2021.

If you have no objections to the vacating of this alley, please reply via email, and if you have objections, comments or recommendations please also reply by Monday, December 7, 2020, so staff can include them in the information copied to the Planning and Zoning Board and City Commission.

Give me or Building Official Brian Law a call or email if you have questions or need more information.

From: Fink, Alyssa
To: Kyle Morin; Bonnie Miller
Subject: OUTSIDE ATTACHMENT:RE: FLP Site Visit 12/8/20 at 9AM
Date: Wednesday, December 9, 2020 4:26:59 PM
Attachments: Easement - Exhibit A.pdf
Easement for Individuals - non-exclusive.doc

* * * * * This message originated from outside of your organization! DO NOT click any links or open any attachments unless you validate the sender and know the content is safe. Please forward this email to IT@cityofsab.org if you believe the email is suspicious. * * * * *

Good afternoon,

Per our discussion yesterday, FPL has no objection to the alley vacation provided that we are granted an easement from the property owners covering our existing facilities.

Attached is our standard easement cover letter and example exhibit. A surveyed exhibit and/or legal description of the property is acceptable. The form must be signed by the property owner and recorded with St. Johns County.

Please let me know if you have any questions.

Thank you,

Alyssa Fink

Engineer II
Florida Power & Light
St. Augustine Service Center
303 Hastings Rd
St. Augustine, FL 32084
Office: 904-824-7689 Cell: 904-295-5665
Email: Alyssa.Fink@FPL.com



FPL Please contact me with any questions or concerns. If you cannot reach me, please contact my Engineering Leader Scott Lewis at (o) 904-824-7647, (c) 904-484-4256 or Scott.Lewis@fpl.com
Visit the new FPL Project - rta: at FPL.com/construction to manage your FPL Residential and Commercial construction projects. Get information on construction services and project types, apply for your construction project, track project milestones, manage your project team and more.
Visit **ESS** for FPL's Electric Service Standards.

From: Kyle Morin . <kylemorin9@gmail.com>
Sent: Thursday, December 03, 2020 1:42 PM
To: Bonnie Miller <bmillier@cityofsab.org>; Fink, Alyssa <Alyssa.Fink@fpl.com>
Subject: FLP Site Visit 12/8/20 at 9AM

Alyssa,

Work Request No. _____

Sec. __, Twp __ S, Rge __ E

Parcel I.D. _____
(Maintained by County Appraiser)

**EASEMENT
(INDIVIDUAL)**
This Instrument Prepared By

Name: _____
Co. Name: _____
Address: _____

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 20____.

Signed, sealed and delivered in the presence of:

By: _____

(Witness' Signature)

Print Name: _____

Print Name: _____
(Witness)

Print Address: _____

(Witness' Signature)

By: _____

Print Name: _____
(Witness)

Print Name: _____

Print Address: _____

STATE OF _____ AND COUNTY OF _____

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization,

this ____ day of _____, 20____, by _____

and _____ who is (are) personally known to me or has (have)

produced _____ as identification.

[Notary Seal]

Notary Public, Signature

Print Name: _____

Title or Rank

Serial Number, if any

From: [Brian Law](#)
To: [Bonnie Miller](#)
Subject: FW: Vacating Alley Application between 13th and 14th Streets
Date: Monday, December 14, 2020 4:54:02 PM

From: Bill Tredik <btredik@cityofsab.org>
Sent: Monday, December 14, 2020 4:34 PM
To: sonia kulyk <soniakulyk@hotmail.com>
Cc: Brian Law <blaw@cityofsab.org>
Subject: RE: Vacating Alley Application between 13th and 14th Streets

Ms. Kulyk:

I was planning to call you back this afternoon. In order to vacate the right of way, the City will require a drainage and utility easement to be created in its stead. The drainage and utility easement will be the same 15' width as the current right-of-way. This will allow utilities to continue to serve the properties; and will also allow the city to protect the existing drainage flow patterns. Owners will not be allowed to place structures in the 15' drainage and utility easement which block drainage.

Fences would be allowed, provided they are constructed in a manner to allow sufficient drainage between or under the boards, and with the understanding that the city or utility companies may need to remove them to perform work in the future. Items which impede drainage (e.g. walls, planters, pool decks, fences without openings for flow, fill, etc. will not be allowed in the easement.

The bottom line is the property would become the individual homeowners', but their use would be limited to activities which do not impede drainage. If the City's drainage easements rights are not respected, the City could enforce the easement requirements through code enforcement or actual removal of the offending obstruction.

Bill

William Tredik PE, Public Works Director / City Engineer

*City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, Florida 32080
Ph: (904) 471-1119
email: btredik@cityofsab.org*

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From: sonia kulyk <soniakulyk@hotmail.com>

Sent: Monday, December 14, 2020 4:02 PM

To: Bill Tredik <btredik@cityofsab.org>

Subject: Vacating Alley Application between 13th and 14th Streets

Mr. Tredik,

We are contacting you in regard to the application to vacate the above mentioned alley. It will be before the PNZ board tomorrow.

We live at 114 13th St and are the holdouts for the signatures on the application. We object to having this alley vacated because we are concerned that the drainage and flooding issues we have experienced in the past will significantly worsen if the alley is permitted to be vacated.

In reading your memo regarding this, it is unclear to us what your recommendation is, specifically in regard to "giving the city the ability to prevent private property grade changes which could negatively impact other properties"

We are the property directly to the south of the applicant's property and we believe that we will be the most directly impacted if this vacation is permitted.

What is of further concern to us, is that since this application was originally submitted in October 2020, the 2 properties adjacent to ours (115 14th St and 111 14th St) have installed in-ground swimming pools. According to the building department, this puts the ISR for both properties (49.8% and 49%) at just about the allowable 50% for our medium density area.

Since we have already had severe flooding issues, most recently during this summer's heavy rain, we are trying to avoid this problem getting worse and know that the 15 ft easement between our properties is the low spot.

In regard to the city's ability to "prevent property grade changes", we are not sure how this can be monitored, as this was exactly what happened in November 2016, when the property changed hands and the lot was filled and graded, without permitting (pictures attached). Since that time, and with the addition of the new house at 115 14th St, the flooding has been noticeably worse in our back yard.

If you can provide some clarification to us regarding your recommendation before the PNZ meeting takes place tomorrow, that would be greatly appreciated.

Thanks in advance for your assistance with this,

Lonnie Kaczmarzsky and Sonia Kulyk

904 460 5540

Sent from [Mail](#) for Windows 10

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Vacating Alley File No. V 2020-01
Date: Wednesday, December 16, 2020


Please be advised that at its regular monthly meeting held Tuesday, December 15, 2020, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve an application to vacate the 15 (fifteen)-foot-wide alley between 13th Street and 14th Street, adjacent to and west of A1A Beach Boulevard.

The application was filed by Kyle and Elizabeth Morin, 111 14th Street, St. Augustine Beach, Florida, 32080, per Article III, Sections 18-50--18-56 of St. Augustine Beach Code, as amended by Ordinance No. 15-05, PERTAINING TO THE 15 (FIFTEEN)-FOOT-WIDE STRIP OF LAND BETWEEN 13TH STREET AND 14TH STREET, ADJACENT TO AND WEST OF A1A BEACH BOULEVARD AND ABUTTING LOTS 22, 23, 24, 25, 26, AND 27, MINORCA SUBDIVISION, PARCEL IDENTIFICATION NUMBER 1677800001, AND LOTS 65, 66, 67, 78, AND 79, ATLANTIC BEACH SUBDIVISION, PARCEL IDENTIFICATION NUMBER 1670700002, ALL IN SECTION 34, TOWNSHIP 7, RANGE 30, AS RECORDED IN MAP BOOK 8, PAGE 99, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

The motion to recommend the City Commission approve the vacation of the 15 (fifteen)-foot-wide alley described above was made by Mr. Pranis subject to the condition that the preservation of the functionality of the drainage and utility easement be unimpeded in the vacated alley. Mr. Pranis' motion was seconded by Ms. Odom and passed 7-0 by unanimous voice-vote.

MEMORANDUM

TO: Commissioner England
 Commissioner George
 Commissioner Samora
 Commissioner Rumrell
 Commissioner Torres

FROM: Max Royle, City Manager 

DATE: December 16, 2020

SUBJECT: Request for Extension of Current Conditional Use Permit for Outside Serving/Consumption of Food and Beverages at Island Donuts, 400 A1A Beach Boulevard (Lots 135 and 137, Atlantic Beach Subdivision, Michael Stauffer, Agent for HVG Properties, LLC)

INTRODUCTION

Please note that this request is an extension of an existing conditional use permit for Island Donuts. The original permit was approved by the City Commission on February 3, 2019. The term was for two years. The request is that the permit be extended for 10 years.

This request was reviewed by the Comprehensive Planning and Zoning Board at its December 15, 2020, meeting. The Board by a unanimous vote recommended that the Commission approve the permit subject to the conditions that it be non-transferable and for a five-year term.

ATTACHMENTS

Attached for your review is the following information:

- a. Pages 1-20, the application for the extension with the memo (page 1) that the Planning Board reviewed at its December 15th meeting.
- b. Page 21, a memo from the Building Department's Executive Assistant, Ms. Bonnie Miller, in which she states the Board's recommendation that you approve the permit subject to it being non-transferable and for a five-year term.

ACTION REQUESTED

It is that you hold the public hearing and decide whether or not to grant the extension and for how many years.



City of St. Augustine Beach Building and Zoning Department

TO: Comprehensive Planning and Zoning Board

FROM: Bonnie Miller, Executive Assistant

SUBJECT: Conditional Use File No. CU 2020-05, Island Donuts, 400 A1A Beach Boulevard

DATE: December 7, 2020

Conditional Use File No. CU 2020-05 is for extension of a current conditional use permit that expires February 4, 2021, issued for food and/or beverage service and consumption outside of an enclosed building, per Section 3.02.02 of the City's Land Development Regulations, on the premises of Island Donuts, at 400 A1A Beach Boulevard. The current conditional use permit for Island Donuts was granted by the City Commission on February 4, 2019 for two years, and this conditional use order specifically states the applicant shall be required to apply to extend the conditional use beyond February 4, 2021. Michael Stauffer, agent for HVG Properties LLC, which owns the property at 400 A1A Beach Boulevard, has submitted this new conditional use application requesting the conditional use for outdoor seating and food and/or beverage consumption be extended for 10 years.

Island Donuts recently opened for business in October 2020, and to date, the Building and Zoning Department has received no complaints or had any issues with the outdoor seating and consumption of food and/or beverages at Island Donuts. Mr. Stauffer has included a floor plan of the donut shop showing the outdoor seating on the covered porch area on the south side of the building.

The Building and Zoning Department has no objection to the renewal of the conditional use permit for outdoor food and/or beverage service and consumption for 10 years, or for as long as Island Donuts is in operation under its current ownership.

Sincerely,

Bonnie Miller

Bonnie Miller
Executive Assistant
Building and Zoning Department

City of St. Augustine Beach Building and Zoning Department
Conditional Use Permit Application

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

1. Legal description of the parcel for which the conditional use permit is being sought:

Lot(s) 136/137 Block(s) _____ Subdivision ATLANTIC BEACH SUBDIVISION

Street Address 400 A1A BEACH BLVD.

2. Location (N, S, W, E): E Side of (Street Name): BEACH BLVD.

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

4. Real estate parcel identification number: 1676600000

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

HVG PROPERTIES LLC

2289 DABNEY RD., RICHMOND, VA 23230

6. Current land use classification: COMMERCIAL

7. Section of land use code from which the conditional use permit is being sought: SEC 3.02.02

8. Description of conditional use permit being sought: _____

OUTDOOR SEATING ON A COMMERCIAL LOT

FOR DONUT SHOP

REQUESTING 10 YEAR EXTENSION OF CURRENT CU

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

SEE ATTACHED PHOTOS + FLOOR PLAN

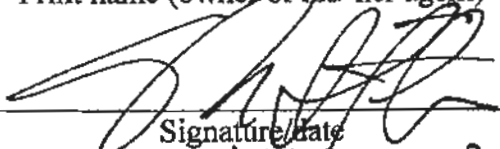
10. Has an application for a conditional use permit been submitted in the past year? Yes ☒ No (Circle one)

If yes, what was the final result? _____

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

- (☒) Legal description of property
- (☒) Copy of warranty deed
- (☒) Owner Permission Form (if applicable)
- (☒) List of names and addresses of all property owners within 300-foot radius
- (☒) First-class postage-stamped legal-size (4-inch-by-9½-inch) envelopes with names and addresses of all property owners within 300-foot radius
- (☒) Survey to include all existing structures and fences
- (☒) PHOTOS & FLOOR PLAN Elevations and overall site plan of proposed structure if conditional use is requested for construction of a residential structure in a commercial land use district
- (☒) Other documents or relevant information to be considered FLOOR PLAN
- (☒) Fourteen (14) copies of the completed application including supplemental documentation and/or relevant information

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

<u>MICHAEL STAUFFER</u>	<u>SAME</u>
Print name (owner or his/ her agent)	Print name (applicant or his/her agent)
	<u>SAME</u>
Signature/date <u>11/1/2020</u>	Signature/date
<u>1093 A1A BEACH BND #330</u>	<u>SAME</u>
<u>ST. AUGUSTINE BEACH, FL 32080</u>	<u>SAME</u>
Owner/agent address	Applicant/agent address
<u>904.540.6059</u>	<u>SAME</u>
Phone number	Phone number

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

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

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

City of St. Augustine Beach Conditional Use Permit Application 08-20

Date: 11-16-2020

Conditional Use File #: CU 2020-05

Applicant's name: HUG Properties LLC / Michael Stauffer

Applicant's address: 2289 Dabney Rd., Richmond, Va. 23230-0000

For conditional use permit at: 400 AIA Beach Blvd., St. Augustine Beach, Florida, 32080

Charges

Application Fee: \$400.00 Date Paid: 11-16-2020

Legal Notice Sign: \$10.00 Date Paid: 11-16-2020

Received by: Bonnie Miller

Date: 11-16-2020

Invoice #: I2002846

Check # or type of credit or debit card: 1219

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, please 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 a Conditional Use Permit

- 1) The legal description of the parcel of land for which the permit is requested shall be shown on the deed of the property or as determined on a survey. If the parcel of land is in a recorded subdivision, use lots and block number. Include street address and location by indication street(s) boundary and side (south, east, etc.) and nearest intersecting street. If the land is a portion of the lot, indicate what portion of the lot, i.e. south 1/2, west 1/3, etc. If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.
- 2) Provide the name and address of the owner of the property. The person's name on the application should agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.
- 3) Indicate the current land use classification of the parcel under consideration. Current land use map are on display in the office of the Building and Zoning Department and the personnel there will assist you in finding the current land use district classification.
- 4) Notification of all property owners within a radius of 300 feet of the property for which the conditional use permit is being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone

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

- 5) Provide the section of the land use code from which the conditional use permit is being sought. Personnel in the Building and Zoning Department will assist you in this matter if needed.
- 6) A fee of \$410.00 will be charged for the conditional use permit administrative procedure, which includes the legal notice sign, and legal advertising. The applicant will be required to post the legal notice sign on the property for which the conditional use permit 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.
- 7) A final order on each request for a conditional use permit shall be made within thirty (30) days of the last hearing at which the application was considered. Each final order shall contain findings upon which the City Commission's order is based and may include such conditions and safeguards prescribed by the Commission as appropriate in the matter, including reasonable time limits which action pursuant to such order shall be begun or completed or both.
- 8) Appeal of decisions on conditional use permits granted by the City Commission shall be made to the Circuit Court of St. Johns County, Florida.
- 9) The application must be signed by the owner of the property for which the conditional use permit is requested and/or the owner's authorized agent. All authorized agents must provide notarized written authorization, which must accompany the application, approving such representation.

Limitations on Granting a Conditional Use Permit

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.

DONUT SHOP
(CU)

St. Johns County, FL

Tax Bill

Estimate Taxes

2020 TRIM Notice

2019 TRIM Notice

Summary

Parcel ID 1676600000
 Location Address 400 A1A BEACH BLVD
 SAINT AUGUSTINE 32090-0000
 Neighborhood Restaurant A1A (COM) (675.03)
 Tax Description* 2-50 ATLANTIC BCH LOTS 136 & 137 (EX R/W OF A1A) OR4536/164
 *The Description above is not to be used on legal documents.
 Property Use Code Restaurants & Cafeterias (2100)
 Subdivision Atlantic Beach Subdivision Of Anastasia
 Sec/Twp/Rng 34-7-30
 District City of St Augustine Beach (District 551)
 Millage Rate 16.3239
 Acreage 0.210
 Homestead N

Owner Information

Owner Name Hvg Properties LLC 100%
 Mailing Address 2289 DABNEY RD
 RICHMOND, VA 23230-0000

Map



DONUT SHOP

(C4)

Valuation Information

Building Value	2021
Extra Features Value	\$120,916
Total Land Value	\$4,788
Agricultural (Assessed) Value	\$412,380
Agricultural (Market) Value	\$0
Just (Market) Value	\$0
Total Deferred	\$538,084
Assessed Value	\$0
Total Exemptions	\$538,084
Taxable Value	\$0
	\$538,084

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2020	\$122,306	\$5,254	\$412,380	\$0	\$0	\$539,940	\$539,940	\$0	\$539,940
2019	\$103,263	\$5,721	\$412,380	\$0	\$0	\$521,364	\$521,364	\$0	\$521,364
2018	\$38,317	\$3,610	\$284,115	\$0	\$0	\$326,042	\$326,042	\$0	\$326,042
2017	\$21,587	\$2,063	\$284,115	\$0	\$0	\$307,765	\$307,765	\$0	\$307,765
2016	\$21,587	\$2,063	\$284,115	\$0	\$0	\$307,765	\$307,765	\$0	\$307,765
2015	\$22,667	\$2,063	\$284,115	\$0	\$0	\$308,845	\$308,845	\$0	\$308,845
2014	\$22,857	\$2,063	\$284,115	\$0	\$0	\$309,035	\$309,035	\$0	\$309,035
2013	\$24,127	\$2,063	\$284,115	\$0	\$0	\$310,305	\$310,305	\$0	\$310,305
2012	\$25,397	\$2,063	\$284,115	\$0	\$0	\$311,575	\$311,575	\$0	\$311,575
2011	\$26,666	\$2,063	\$314,712	\$0	\$0	\$343,441	\$343,441	\$0	\$343,441
2010	\$27,937	\$2,063	\$349,680	\$0	\$0	\$379,680	\$379,680	\$0	\$379,680

Building Information

Building 1
 Actual Area 1600
 Conditioned Area 1440
 Actual Year Built 1980
 Use Small Local Restaurants
 Style 04
 Class N
 Exterior Wall Concrete Stucco
 Roof Structure Wood Truss

Roof Structure Wood Truss
 Roof Cover Composite Shingle
 Interior Flooring Carpet
 Interior Wall Wall Board
 Heating Type Air Duct
 Air Conditioning Central
 Bedrooms
 Baths

Category	Type	Pct
Exterior Wall	Concrete Stucco	100%
Roofing Structure	Wood Truss	100%
Roofing Cover	Composite Shingle	100%
Interior Walls	Wall Board	100%
Interior Flooring	Carpet	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	5 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Concrete Slab	100%
Condition	Good	100%
Insulation	4" Fiberglass	100%

Description	Conditioned Area	Actual Area
CANOPY (COMMERCIAL)	0	160
BASE AREA	1440	1440
Total SqFt	1440	1600

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Asphalt Paving	0	0	0	0	3400
Curb	0	0	0	0	50

Land Information

Use Description
Restaurants & Cafeterias

Front
93

Depth
94

Total Land Units
9164

Unit Type
SF

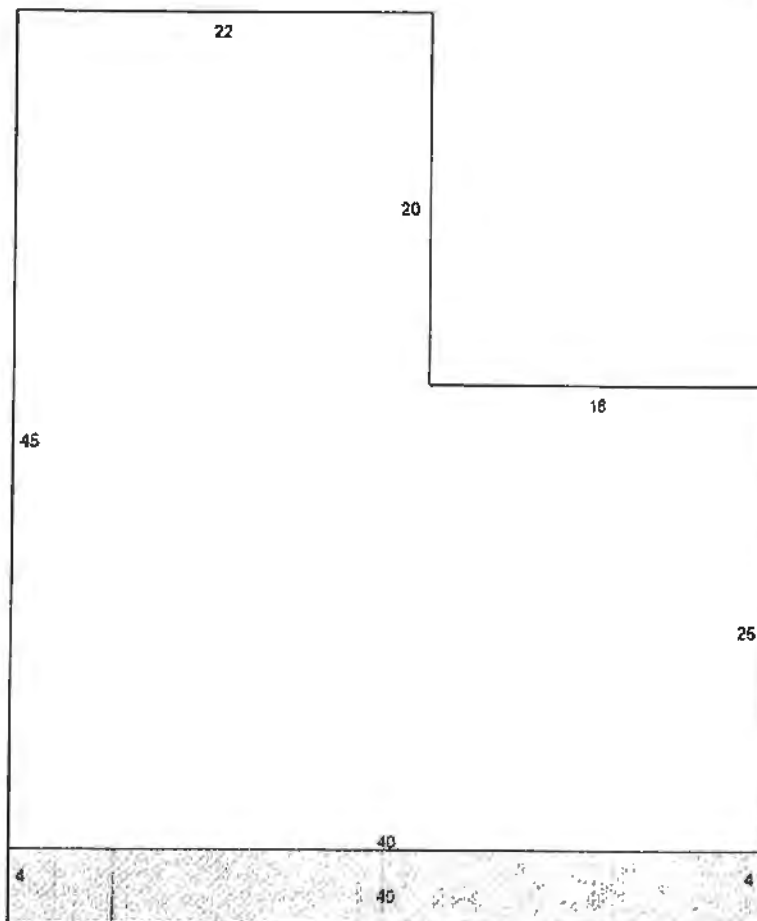
Land Value
\$412,380

DO NOT STOP
(CU)

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
4/24/2018	4/23/2018	\$675,000.00	WD	<u>4336</u>	<u>164</u>	Q	I	DELORENZO TRUST UAD:01-07-2002	HVG PROPERTIES LLC
3/7/2018	3/6/2018	\$100.00	WD	<u>4513</u>	<u>484</u>	U	I	DELORENZO DAVID A	DELORENZO TRUST UAD:01-07-2002
1/9/2018	1/8/2018	\$100.00	WD	<u>4488</u>	<u>245</u>	U	I	DELORENZO ARNOLD R REVOCABLE TRUST OF 1995 ETAL	DELORENZO WILMAR REVOCABLE TRUST OF 1995 ETAL
1/8/2018	1/5/2018	\$0.00	SA	<u>4487</u>	<u>1645</u>	U	I	DELORENZO ARNOLD R ESTATE	DELORENZO ARNOLD R REVOCABLE TRUST OF 1995 ETAL
	4/1/1986	\$200,000.00		<u>701</u>	<u>1768</u>	Q	I		DE LORENZO ARNOLD
	11/1/1983	\$225,000.00		<u>613</u>	<u>480</u>	Q	I		

Sketch Information



Room Type
Base
CCN

Prepared by: .
Kim Collins
Paradise Title of St. Augustine, LLC
2225 A1A SOUTH, SUITE C-8
Saint Augustine, Florida 32080
File Number: 18-4029
Documentary Stamps:\$4,725.00

DONUT
SHOP

General Warranty Deed

Made this April 23, 2018 A.D. By **Wilma R. DeLorenzo, Individually and as Trustee of the Wilma R. DeLorenzo Revocable Trust of 1995, as amended and restated on June 17, 2005 and David A. DeLorenzo and Annabella C. DeLorenzo, Individually and as Trustees of the DeLorenzo Trust u/a dated January 7, 2002**, hereinafter called the grantor, to **HVG Properties, LLC, a Virginia limited liability company** whose post office address is: **2289 Dabney Road, Richmond, Virginia 23230**, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Six Hundred Seventy Five Thousand dollars & no cents Dollars, (\$675,000.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in St. Johns County, Florida, viz:

Lots 136 and 137, Atlantic Beach Subdivision of Anastasia Methodist Assembly Grounds, as recorded in Map Book 2, Page 50, public records of St. Johns County, Florida, excepting therefrom that part of Lot 136 within the right of way of State Road A1A.

Parcel ID Number: 167660-0000

SUBJECT TO COVENANTS, RESTRICTIONS, EASEMENTS AND RESERVATIONS of record, if any; However, this reference does not operate to reimpose same; Subject to zoning Ordinances that may affect subject property.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2017.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Kim Collins
Witness Printed Name KIM COLLINS

Kayla Matthews
Witness Printed Name Kayla Matthews

Wilma R. DeLorenzo, Jr.
Wilma R. DeLorenzo, Individually and as Trustee of the
Wilma R. DeLorenzo Revocable Trust of 1995, as amended
and restated on June 17, 2005
Address: 20 Ocean Way, St Augustine, Florida 32080

State of Florida
County of St. Johns

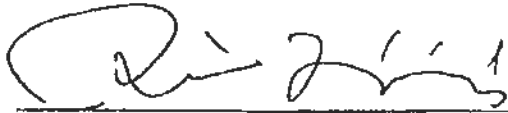
The foregoing instrument was acknowledged before me this 23rd day of April, 2018, by Wilma R. DeLorenzo, Individually and as Trustee of the Wilma R. DeLorenzo Revocable Trust of 1995, as amended and restated on June 17, 2005, who is/are personally known to me or who has produced a valid driver's license as identification.

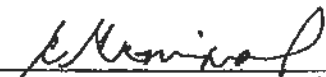



KIMBERLEE COLLINS
MY COMMISSION # FF 200365
EXPIRES: June 14, 2019
Bonded Thru Budget Notary Services

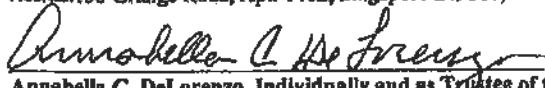
Kimberlee Collins
Notary Public
Print Name: _____
My Commission Expires: _____

Signed, sealed and delivered in our presence:


Witness Printed Name Retko Numajiri


Witness Printed Name Emelia Gormier

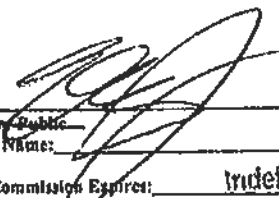

David A. DeLorenzo, Individually and as Trustee of the
DeLorenzo Trust u/a dated January 7, 2002
Address: 138 Grange Road, Apt. 1402, Singapore 249617,


Annabella C. DeLorenzo, Individually and as Trustee of the
DeLorenzo Trust u/a dated January 7, 2002
Address: 138 Grange Road, Apt. 1402, Singapore 249617,

REPUBLIC OF SINGAPORE)
CITY OF SINGAPORE) S.S.
EMBASSY OF THE
UNITED STATES OF AMERICA)
State of _____

County of _____

The foregoing instrument was acknowledged before me this 17 APR 2018 day of April, 2018, by David A. DeLorenzo and Annabella C. DeLorenzo, Individually and as Trustees of the DeLorenzo Trust u/a dated January 7, 2002, who ~~is/are~~ personally known to me or who has produced a valid driver's license as identification.


Elizabeth Jones
Consul
Notary Public _____ U.S. Embassy Singapore
Print Name: _____
My Commission Expires: Indefinite



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

MICHAEL STAUFFER is hereby authorized TO ACT ON BEHALF OF
HVG PROPERTIES LLC, the owner(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:

CONDITIONAL USE PERMIT (OUTDOOR SEATING)

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) [Signature]

Printed Name(s) Harold V. Croome, III

Address of Owner(s) 2289 Dabney Rd Richmond, VA 23230

Telephone Number of Owner(s) 804-307-1206

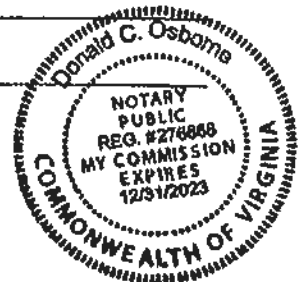
State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me this 5 day of November, 2020, by
Harold V. Croome, III, who is personally known or who has produced identification.

Type of identification produced

Signature of Notary Public—State of Florida [Signature]

Notary Stamp/Seal/Commission Expiration Date: 12/31/2023



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

Public Records of St. Johns County, FL
Clerk number: 2019013896
BK: 4687 PG. 326
2/28/2019 1:42 PM
Recording \$18.50

In re:

**APPLICATION FOR A CONDITIONAL USE
PERMIT FOR THE HVG PROPERTIES AT 400
A1A BEACH BOULEVARD, ST. AUGUSTINE
BEACH, FLORIDA.**

ORDER APPROVING CONDITIONAL USE (2019-01)

The application of HVG Properties, LLC., for a conditional use permit to allow for a food and / or beverage service or consumption outside of an enclosed building, per Sections 3.02.02 and 10.03.00-10.03.03 of the City of St. Augustine Beach Land Development Regulations, on the premises of a proposed donut shop in a commercial land use district at 400 A1A Beach Boulevard, St. Augustine Beach, Florida 32080, having come on to be heard before the City Commission on February 4, 2019, and the City Commission having received the recommendations of the Comprehensive Planning and Zoning Board, having taken public comments, and having considered said application fully, it is therefore:

ORDERED that the application is hereby approved as follows:

1. The documentation for granting of a conditional use as detailed in the Application and discussed at the hearing are incorporated herein as findings of fact.
2. The conditional use granted shall conform to all materials submitted with the Application and which were provided by the Applicant to supplement the Application, including all drawings, sketches and renderings.
3. The use shall expire two (2) years after the approval hereof, and the Applicant shall be required to apply to extend the Conditional Use beyond February 4, 2021.
4. The use shall be conducted in such a way as to not violate City Code or become a nuisance and this Conditional Use approval shall not be transferable without application to the City Commission.
5. The use shall be commenced within one (1) year and shall not lapse for more than one (1) year.
6. A violation of the conditions listed above shall void the conditional use granted herein.

7. Alcohol sales shall not be permitted on the subject property.

Any appeal of this decision may be made by filing an appropriate action with a court of competent jurisdiction within thirty (30) days of the date of this Order.

DONE AND ORDERED this 4th day of February, 2019, at St. Augustine Beach, St. Johns County, Florida.

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

By: _____

Undine C. George, Mayor

ATTEST: _____

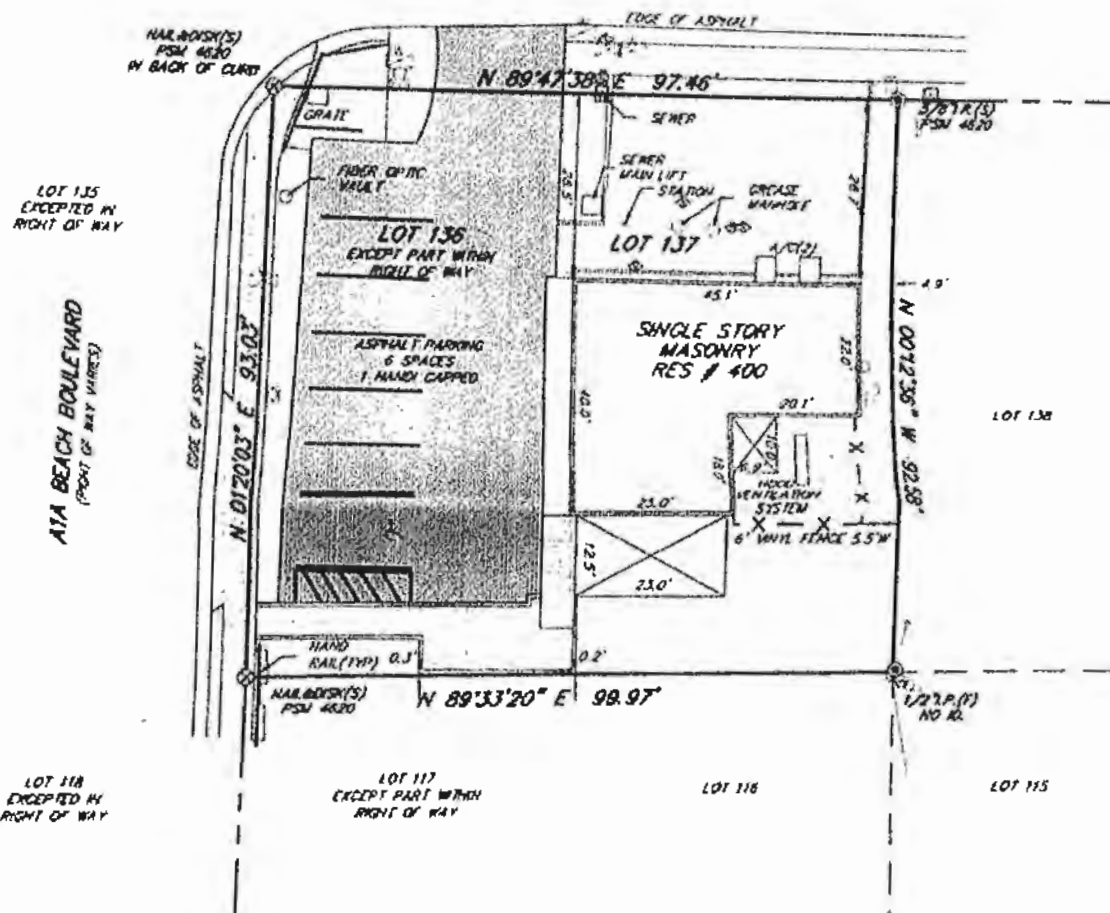
Max Royle, City Manager

MAP SHOWING SURVEY OF
LOTS 136 AND 137, ATLANTIC BEACH SUBDIVISION OF ANASTASIA METHODIST ASSEMBLY GROUNDS, AS
RECORDED IN MAP BOOK 2, PAGE 50 PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, EXCEPTING
THEREFROM THAT PART OF LOTS 112, 118, 133, AND 136 WITHIN THE RIGHT OF WAY OF ST. ROAD 41A

CERTIFIED TO
HIG PROPERTIES LLC
BY CORNER CONSTRUCTION LLC

DONUT
SHOP

16TH STREET
(FRONT OF WAY VARIETY)

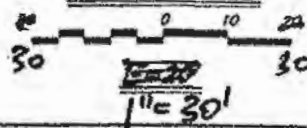


1/2" - AIR CONDITIONER PAD
 10. - IDENTIFICATION
 N.A.V.D. - NORTH AMERICAN VERTICAL DATUM
 sq. ft. - SQUARE FEET
 I.P.(F) - IRON PIPE FOUND
 I.R.(F) - IRON ROD FOUND
 L.R.(S) - 3/8" IRON ROD SET (PSW #4520)
 WOOD POWER POLE
 TELEPHONE RISER
 FIRE HYDRANT
 GUY ANCHOR

- RES. -- RESIDENCE
- CE -- CENTERLINE
- DN -- DENOTES NOT TO SCALE
- WM -- WATER METER
- CC -- EXPOSED CONCRETE
- CA -- COVERED AREA
- WELL -- WELL
- OE -- OVERHEAD ELECTRIC
- WH -- WATER VALVE
- EL -- ELECTRIC METER
- HC -- HANDY CAPPED

AREA = 0.21 ± ACRES
OR 8143 ± sq ft

GRAPHIC SCALE



SYNOPSIS NOTES

- [illegible]

The Agency is entitled to the last word with
its words and will speak to its own words.
The Agency is entitled to the last word with
its words and will speak to its own words.

5272

THIS SURVEY IS PROTECTED BY COPYRIGHT AND IS CERTIFIED ONLY TO THE PARTIES LISTED ABOVE AND ONLY FOR THIS PARTICULAR TRANSACTION. ANY USE OR REPRODUCTION OF THIS SURVEY WITHOUT THE EXPRESS PERMISSION OF THE SURVEYOR IS PROHIBITED. USE OF THIS SURVEY IN ANY SUBSEQUENT TRANSACTION IS NOT AUTHORIZED. THE SURVEYOR EXPRESSLY DISCLAIMS ANY CERTIFICATION TO ANY PARTIES IN FUTURE TRANSACTIONS, NO PERSON OTHER THAN THOSE LISTED, SHALL RELY UPON THIS SURVEY.

Excluded by the Bureau Longevity Management Report, FPM No. 82 10/16-0322
 Starting date 12/01/2011 This property was first reported 1982 and 72-10-17-AD J. W.
 Bureau of Economic Analysis BEARING BEST AVAILABLE

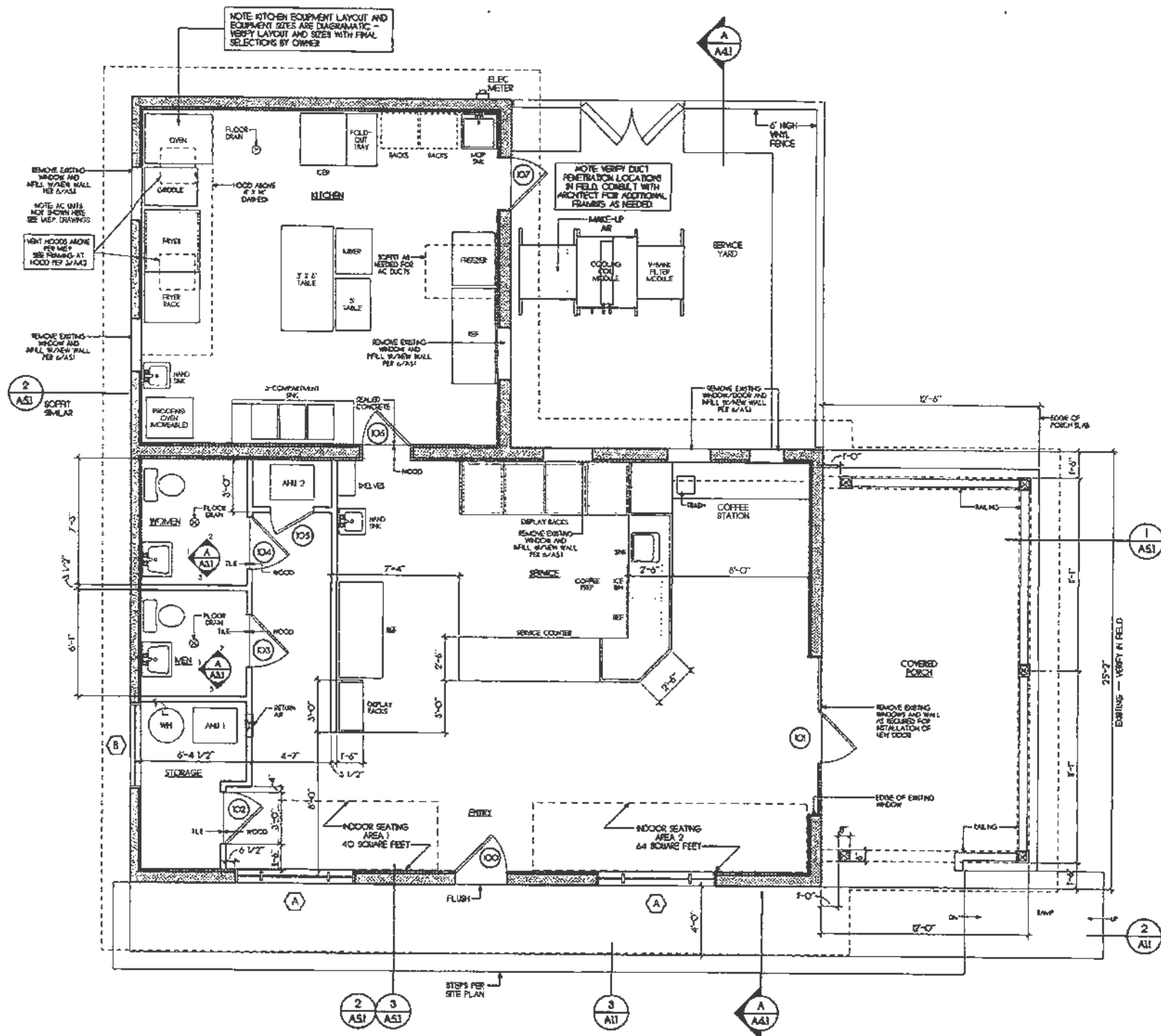
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CONFIDENTIAL 2010, ALL RIGHTS RESERVED.

NICHOLAS B. FRANKLIN
6170 AIA SOUTH #316
ST. AUGUSTINE, FLORIDA 32086
(407) 281-8877 FAX (407) 471-8878

NICHOLAS H. FRANKLIN, P.L.S. 4020
FOR LANDTECH AND ASSOCIATES



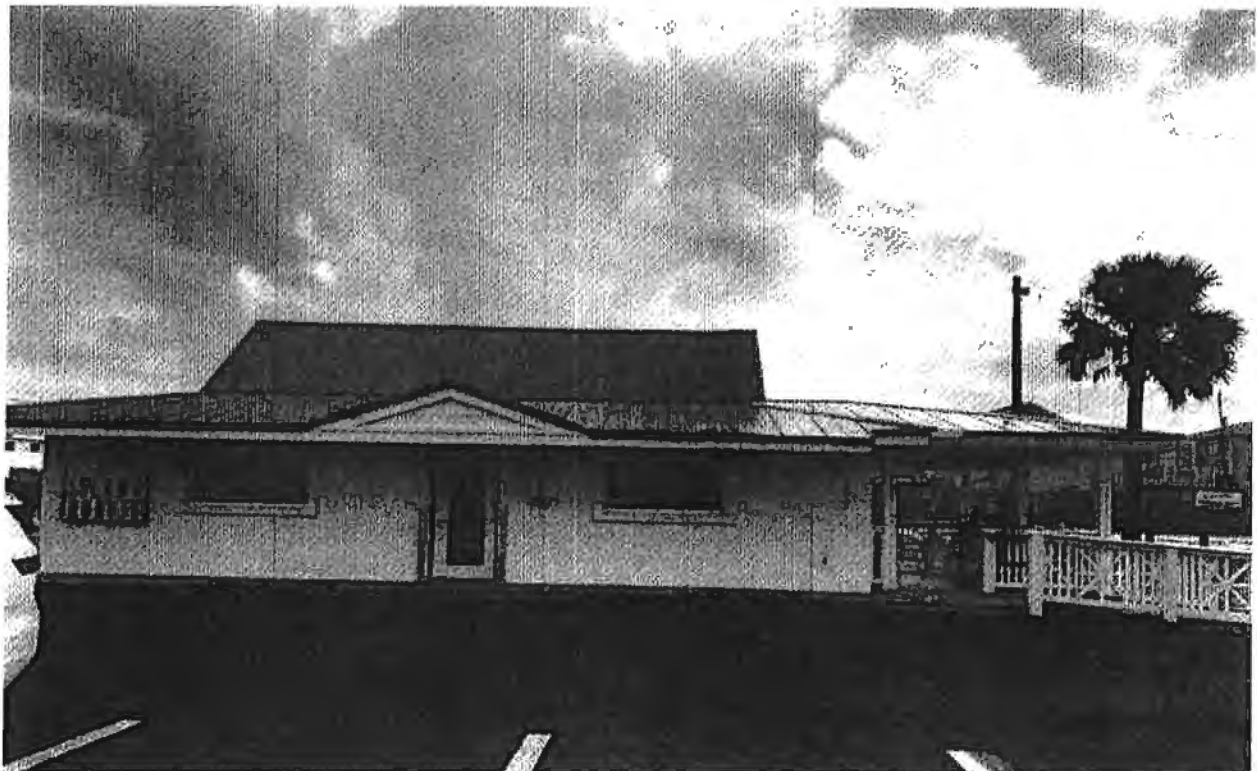
DONUT SHOP

FLOOR PLAN

$$\sqrt{4} = 2 - 0$$

Donut Shop

Conditional Use Application 2020



MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Conditional Use File No. CU 2020-05
Date: Wednesday, December 16, 2020

Please be advised that at its regular monthly meeting held Tuesday, December 15, 2020, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted to recommend the City Commission approve a conditional use application submitted for food and/or beverage service and consumption outside of an enclosed building on the premises of an existing restaurant, Island Donuts, in a commercial land use district at 400 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080.

The application was filed by Michael Stauffer, 1093 A1A Beach Boulevard #330, St. Augustine Beach, Florida, 32080, agent for Harold V. Groome III, HVG Properties LLC, 2289 Dabney Road, Richmond, Virginia, 23230-0000, applicant, per Sections 3.02.02 and 10.03.00-10.03.03 of the City of St. Augustine Beach Land Development Regulations, PERTAINING TO ATLANTIC BEACH LOTS 136 & 137, REAL ESTATE PARCEL NUMBER 167660-0000, AKA 400 A1A BEACH BOULEVARD, SECTION 34, TOWNSHIP 7, RANGE 30, AS RECORDED IN MAP BOOK 2, PAGE 5, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

Ms. Longstreet made the motion to recommend the City Commission approve the conditional use application described above for Island Donuts, subject to the condition that the conditional use permit be granted as non-transferable for a period of five (5) years. Ms. Longstreet's motion was seconded by Ms. Odom and passed 7-0 by unanimous voice-vote.

MEMORANDUM

TO: Commissioner England
Commissioner George
Commissioner Samora
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: December 8, 2020

SUBJECT: Ordinance 20-14, Second Public Hearing and Final Reading: to Change Section 4.01.06, Recreation Standards, of the Land Development Regulations

Mr. Law presented these proposed changes to you at your October 5th meeting. The changes are part of his goal to bring the Land Development Regulations into conformity with the policies in the Comprehensive Plan that you adopted in January 2020.

You agreed with the changes. The City Attorney then prepared an ordinance to adopt the changes for your November 9th meeting, when you approved the ordinance on first reading.

The Comprehensive Planning and Zoning Board reviewed the ordinance at its November 17th meeting and by a 7-0 vote recommended that you adopt it. The Board's motion and vote is stated in the attached memo (page 5) from the Board's Executive Assistant, Ms. Bonnie Miller.

You reviewed Ordinance 20-14 again at your December 7, 2020, meeting, when you held a public hearing concerning it. There were no public comments. You then passed the ordinance on second reading.

It has now been scheduled for the required second public hearing and final reading at your January 4, 2021, meeting.



City of St. Augustine Beach Building and Zoning Department

TO: Max Royle

FROM: Brian Law

SUBJECT: Section 4.01.06 Recreation Standards for Facilities

DATE: 9-15-2020

Max

As a result of the new Comprehensive Plan being adopted in January of 2020 there has been some modifications to the City of St. Augustine Beach Land Development Regulations that must take place for conformity of the code. The levels of service for recreation need to be modified for conformity with the Comprehensive Plan. I am including the markup so the Commission and the Planning and Zoning Board can easily identify the changes, I am also including the final copy with a water mark indicating "Draft" for ease of understanding. Below is a copy of R.1.11 of the adopted Comprehensive Plan.

R.1.1.11 The City of St. Augustine Beach adopts the following level of service standards for recreation:

<u>Park Sites</u>	<u>Standard</u>
City/County Parks	1 acre per 5,000 population

<u>Facilities</u>	<u>Standard</u>
Courts	1 per 3,500 population
Baseball/Softball Field	1 per 8,000 population

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

ORDINANCE NO. 20¹⁴

AN ORDINANCE OF THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA, MAKING FINDINGS OF FACT; AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS SECTION 4.01.06 RECREATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WITNESSETH:

WHEREAS, a new Comprehensive Plan was adopted in January of 2020.

WHEREAS, the City Commission is responsible for keeping its land development regulations in compliance with the Comprehensive Plan.

NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE CITY OF SAINT AUGUSTINE BEACH:

SECTION 1. The foregoing recitals are incorporated as legislative findings of fact.

SECTION 2. From and after the effective date of this ordinance, Land Development Regulations of Saint Augustine Beach section R.4.01.06 is amended as follows:

Sec. 4.01.06. - Recreation.

~~Development activities shall not be approved unless there is sufficient available capacity to sustain the following levels of service for the recreational facilities as established in the recreation and open space element of the St. Augustine Beach Comprehensive Plan:~~

~~RECREATION STANDARDS FOR FACILITIES~~

~~EXPAND~~

<i>Park Sites</i>	<i>Standard</i>	<i>Size (Acre)</i>
Neighborhood	1 per 5,000 population	5.0
<i>Facilities</i>	<i>Standard</i>	
Tennis court	1 per 3,500 population	
Basketball court	1 per 5,000 population	

Baseball/softball field	1 per 6,000 population
Paddleball court	1 per 2,500 population
Volleyball court	1 per 2,500 population

Development activities shall not be approved unless there is sufficient available capacity to sustain the following levels of service for the recreational facilities as established in the recreation and open space element of the St. Augustine Beach Comprehensive Plan:

RECREATION STANDARDS FOR FACILITIES

<u>Park Sites</u>	<u>Standard</u>
City/County Parks	1 acre per 5,000 population
<u>Facilities</u>	<u>Standard</u>
Courts	1 per 3,500 population
Baseball/Softball Field	1 per 8,000 population

(Ord. No. 91-7, § 2; Ord. No. 20-____, § 1, -____-20)

SECTION 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 4. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the City of Saint Augustine Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 5. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this ____ day of _____ 2020.

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 2020.

MAYOR

Published in the _____ on the ____ day of _____,
2020. Posted on www.staugbch.com on the ____ day of _____, 2020.

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Ordinance No. 20-__
Date: Wednesday, November 17, 2020


Please be advised at its regular monthly meeting held Tuesday, November 17, 2020, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve passage of Ordinance No. 20-__ on final reading.

Passed on first reading by the City Commission at its regular monthly meeting held Monday, November 9, 2020, this proposed ordinance amends Section 4.01.06, Recreation, of the City's Land Development Regulations, to amend the levels of service for recreation for conformity to the City's Comprehensive Plan.

The motion to recommend the City Commission approve passage of Ordinance No. 20-__ on final reading was made by Mr. King, seconded by Ms. Odom, and passed 7-0 by the Board by unanimous voice-vote.

MEMORANDUM

TO: Mayor England
Vice Mayor Kostka
Commissioner George
Commissioner Samora
Commissioner Rumrell

FROM: Max Royle, City Manager 

DATE: December 16, 2020

SUBJECT: Ordinance 20-15, First Public Hearing and Second Reading, to Amend the Land Development Regulations Regarding Occupancy Permits, Impervious Surface Coverage, Unsafe Buildings, and Number of Code Enforcement Board Members

BACKGROUND

Mr. Law presented these proposed amendments to you at your November 9th meeting. You agreed with them and by consensus asked the City Attorney to draft an ordinance.

Attached as pages 1-9 is information from Mr. Law about each suggested amendment.

You reviewed the ordinance (pages 10-15) at your December 7th meeting, when you passed it on first reading.

The Comprehensive Planning and Zoning Board reviewed the ordinance at its December 15th meeting and by unanimous vote recommended that you approve it. The Board's recommendation is stated in the memo (page 16) from the Building Department's Executive Assistant, Ms. Bonnie Miller.

ACTION REQUESTED

It is that you hold the public hearing and pass Ordinance 20-15 on second reading.

The ordinance will then be scheduled for its second public hearing and final reading at your February 1, 2021, meeting.



City of St. Augustine Beach Building and Zoning Department

TO: Max Royle

FROM: Brian Law

SUBJECT: Section 6.01.02 Impervious Surface Coverage

DATE: 10-12-2020

The table of allowable impervious surface ratio as listed in section 6.01.02 of the City Land Development Regulations does not include the zoning districts of medium low density or the mixed use district. As medium low district properties are to be regulated the same as medium density zoning district with the exception that multifamily residences are prohibited, the ISR shall be limited to 50%. The mixed-use district which is referenced in the Cities Comprehensive Plan Policy L.1.7.1 allowing for a maximum site coverage of 70%. The Building & Zoning Department recommends the following modification to section 6.01.02 of the Cities Land Development Regulations:

Sec. 6.01.02. - Impervious surface coverage.

- A. *Generally.* Impervious surface on a development site shall not exceed the ratios provided in the table in paragraph D. of this section.
- B. *Ratio calculation.* The impervious surface ratio is calculated by dividing the total impervious surface area by the gross site area.
- C. *Alternative paving materials.* If porous paving materials are used, then the area covered with porous paving materials shall not be counted as impervious surface for high density residential and commercial only. Low and Medium density residential shall be allowed a 15% increase in impervious surface ratio if the materials used have a 10% or greater permeability.
- D. *Table of impervious surface ratios.*

Land Use District	Maximum Impervious Surface Ratio ¹
Low density residential	0.40*
Medium density residential	0.50
<u>Medium Low density residential</u>	<u>0.50</u>
High density residential	0.70

Mixed Use District	<u>0.70</u>
Commercial	0.70

¹ The maximum impervious surface ratio is given for each district, regardless of the type of use proposed and allowable pursuant to Article III.

*In Low Density Residential land use district a 465 square feet allowance shall be provided for the construction and installation of a pool and pool decking only.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18; Ord. No. 20-02, § 6(Exh. 1), 3-2-20)



City of St. Augustine Beach Building and Zoning Department

TO: Max Royle

FROM: Brian Law

SUBJECT: Section 6.07.07 Unsafe Buildings

DATE: 10-12-2020

Section 6.07.07 of the Cities Land Development Regulations references the 2017 Florida Building Code, as this code is changed every three years it is prudent to modify the code to the phrase "the currently adopted Florida Building Code". The Building and Zoning Department recommends the following code change:

Sec. 6.07.07. - Unsafe buildings.

- A. There is adopted by reference the 2017 currently adopted Florida Building Code, with the exception of section 113 pertaining to the composition and procedures of the board of adjustments and appeals.
- B. The comprehensive planning and zoning board shall serve as the board of adjustments and appeals in accordance with the provisions of the 2017 currently adopted Florida Building Code.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18)



City of St. Augustine Beach Building and Zoning Department

TO: Max Royle

FROM: Brian Law

SUBJECT: 6.07.10 Occupancy Permits

DATE: 10-12-2020

Section 6.07.10 reflects occupancy permits and the ability for city staff to inspect rentals prior to renting. This section does not affect section 3.09.00 transient lodging establishments within the medium density land use district. The city no longer issues occupancy permits nor does it inspect rentals other than the transient rental program and as such this section appears to be obsolete. It is the recommendation of the Building & Zoning Department that this section be removed from the Cities Land Development Regulations and the section be labeled as reserved.

Sec. 6.07.10. - ~~Occupancy permits.~~ Reserved

- ~~A. It shall be unlawful for the owner of any dwelling unit to permit the occupation of the dwelling unit by a person who rents or leases the dwelling unit or a room therein unless such occupation has been authorized by an occupancy permit.~~
- ~~B. An occupancy permit shall be issued only when both of the following conditions have been met:
 - ~~1. The owner or his agent makes application for an occupancy permit on a form prescribed by the city City Manager or designee accompanied by a fee in the amount of twenty-five dollars (\$25.00) for each dwelling unit.~~
 - ~~2. The dwelling unit has been inspected and determined to be in compliance with all applicable provisions of the housing and residential property maintenance standards established by sections 6.07.00 through 6.07.08, inclusive.~~~~
- ~~C. The procedure for issuance of an occupancy permit is as follows:
 - ~~1. The owner of any dwelling unit or his agent shall apply to the city City Manager or designee for an occupancy permit and shall provide such information as required by the city City Manager or designee to render a decision. Such application shall be submitted at least five (5) working days prior to the proposed occupancy date. It shall be unlawful for any person knowingly to make any false statement in an application for an occupancy permit.~~
 - ~~2. After receipt of an application for an occupancy permit, but prior to the proposed occupancy date, the city City Manager or designee shall cause an inspection to be made of the dwelling unit specified in the application. After the inspection, the owner or his agent will be provided a list of violations, if any, that must be corrected before the dwelling unit can be occupied. If the owner or his agent fails to correct all of the violations within ninety (90) days after the original application was filed, said owner or agent shall file a new application and pay the fee prescribed by section 6.07.10B.~~
 - ~~3. Upon determination that the conditions of section 6.07.10B. have been met, an occupancy permit shall be issued to the applicant.~~~~
- ~~D. An occupancy permit for a long term rental dwelling unit shall remain valid for a period of two (2) years from the date of issuance. During the period of validity of the occupancy permit, the owner may permit a change in occupancy of the dwelling unit without further application to the City Manager or designee.~~

~~The occupancy permit shall remain valid past the two-year period for the duration of any occupancy which commences during the two-year period.~~

- ~~E.—An occupancy permit for a short term rental dwelling unit shall remain valid for a period of three (3) years from the date of issuance. During the period of validity of the occupancy permit, the owner may permit a change in occupancy of the dwelling unit without further application to the City Manager or designee. The occupancy permit shall remain valid past the three-year period for the duration of any occupancy which commences during the three-year period.~~
- ~~F.—The occupancy permit shall state:~~
- ~~1. The date of issuance;~~
 - ~~2. The address of the dwelling unit; and~~
 - ~~3. The name and address of the owner.~~
- ~~G.—An occupancy permit shall terminate without any action on the part of the city upon expiration of the term of its validity as determined by section 6.07.10.D. or E. However, if a complaint is filed by an occupant or other person with the city City Manager or designee, and the city City Manager or designee finds any violation of the housing and residential property maintenance standards exists, the City Manager or designee may terminate the occupancy permit by issuance of a notice to the owner of such termination. The current occupant is not required to vacate a dwelling unit solely because of termination of any occupancy permit, but the owner shall not allow occupancy by a new tenant until the owner corrects the violation and is issued a new occupancy permit.~~
- ~~H.—Prior to the consummation of the sale of any dwelling unit for which an occupancy permit has been in effect at any time within two (2) years preceding the sale, the owner, or his authorized agent, shall obtain from the city City Manager or designee a status of occupancy permit report. Such status of occupancy permit report shall be delivered by the owner or his authorized agent to the buyer of said property prior to the consummation of the sale thereof. Nothing in this section shall effect the validity of the title as between the grantor and grantee. The status of occupancy permit report shall contain the date of last occupancy permit inspection and results thereof.~~
- ~~I.—Temporary occupancy permits may be issued by the city City Manager or designee when he determines that an existing violation poses no serious or immediate threat to the health or safety of an occupant and when all of the following conditions are determined to exist:~~
- ~~1. The owner has been delayed in correcting violations necessary to permit the issuance of an occupancy permit but has a valid contract in writing with a qualified person or firm for the performance of work and the furnishing of the materials to correct such violations and the contract specifies the dates for commencement and completion of the work; or the owner provides an affidavit stipulating that the work is to be accomplished by the owner, specifying the date by which the work is to be completed, and furnishes copies of all applicable permits required to enable the owner to make the necessary corrections.~~
 - ~~2. The owner or his agent requests the City Manager or designee in writing for a temporary waiver of compliance with prescribed housing and residential property maintenance standards.~~
 - ~~3. The city City Manager or designee finds that the delay in the correction of the violations and the plans for such correction are reasonable and the work can be undertaken and completed while the premises are occupied.~~
- ~~J.—The temporary occupancy permit shall expire at the time set forth therein. On or before the expiration of the temporary occupancy permit, a reinspection shall be made.~~
- ~~K.—The provisions of this section shall not effect any right or obligation imposed by law or by agreement between any owner and occupant, but no agreement shall relieve any person of a duty or obligation imposed by this section.~~
- ~~L.—This section shall not apply to motels and hotels.~~
- ~~M.—An occupancy permit shall not be required for occupancy of any dwelling unit by a tenant in possession of such dwelling unit on the effective date of this section. Any dwelling unit vacant or vacated after the effective date of this section shall not be occupied pursuant to an oral or written rental agreement or lease until an occupancy permit has been issued by the city City Manager or designee.~~

~~N. The owner of an adversely affected person may appeal any final decision of the city City Manager or designee under this section by filing a notice of appeal with the building and zoning department within thirty (30) days of the decision. The comprehensive planning and zoning board shall hear the appeal. The notice of appeal shall be accompanied by a fee as provided in section 13.00.00 of this Code.~~

~~(Ord. No. 18-08, § 1(Exh. 1), 7-2-18)~~



City of St. Augustine Beach Building and Zoning Department

TO: Max Royle

FROM: Brian Law

SUBJECT: Section 11.03 of the City Land Development Regulations

DATE: 10-12-2020

1) The current section 11.03.02 of the Cities Land Development Regulations states the following:

"The municipal code enforcement board shall consist of five (5) members and two (2) alternates appointed by the city commission."

This is in direct conflict with Florida Statute 162.05 for a population greater than 5000 persons. The statute is provided for your convenience below:

162.05 Local government code enforcement boards; organization.—

(1) The local governing body may appoint one or more code enforcement boards and legal counsel for the enforcement boards. The local governing body of a county or a municipality that has a population of less than 5,000 persons may appoint five-member or seven-member code enforcement boards. The local governing body of a county or a municipality that has a population equal to or greater than 5,000 persons must appoint seven-member code enforcement boards. The local governing body may appoint up to two alternate members for each code enforcement board to serve on the board in the absence of board members.

As the current Code Enforcement Board currently has 7 members with 2 alternates no action is needed other than to amend the code.

2) The current section 11.03.04 states that "The regular meetings of the board shall be the fourth Wednesday of each month at 3:00 p.m. in the City Hall of the City of St. Augustine Beach, Florida." Currently the meetings start at 2:00 p.m. on the fourth Wednesday of the month. As current operations are not in accordance with the code it is recommended to change the code to the following "The regular meetings of the board shall be held on the fourth Wednesday of each month, unless otherwise ordered by the board."

Proposed code modifications are on page 2.

Sec. 11.03.02. - Membership.

- A. The municipal code enforcement board shall consist of ~~five (5)~~ seven (7) members and two (2) alternates appointed by the city commission.
- B. Any person of voting age residing in the City of St. Augustine Beach shall be eligible for membership.
- C. Members of the board shall serve a term of three (3) years. Terms of office shall end on April 1 three (3) years following appointment to a full term. Existing members of the board shall serve until April 1 three (3) years following their respective appointments. Future vacancies created by death, resignation, or disqualification to serve of a member shall be filled for the unexpired term. Any member may be reappointed to successive terms at the discretion of the city commission.
- D. If any member fails to attend two (2) of three (3) successive meetings without cause and without prior approval of the chairman, the board shall declare that member's seat vacated and such vacancy shall be filed as for any other vacancy.
- E. Any member may be removed from office for cause by the city commission. Vacancies occurring due to death, resignation or other inability to serve resulting from change of residence or otherwise, shall be filled within thirty (30) days after the vacancy occurs by the city commission for the remainder of the term, in accordance with the City Code and F.S. § 162.01.
- F. The city commission shall review the applications of volunteers for appointment to the code enforcement board. All applicants to fill a vacancy shall be informed that a financial disclosure statement must be filed with the county supervisor of elections. If an applicant should have an objection to this procedure, he should reconsider the appointment.
- G. Each individual board member shall file financial disclosure statements with the office of the supervisor of elections no later than July 1 of each year or thirty (30) days after their appointment in accordance with Florida Statutes.

(Ord. No. 91-7, § 2; Ord. No. 92-7, § 11; Ord. No. 93-7, § 2; Ord. No. 04-06, § 1, 6-7-04; Ord. No. 06-29, § 1, 1-2-07)

Sec. 11.03.04. - Meetings:

- A. ~~The regular meetings of the board shall be the fourth Wednesday of each month at 3:00 p.m. in the City Hall of the City of St. Augustine Beach, Florida. The regular meetings of the board shall be held on the fourth Wednesday of each month, unless otherwise ordered by the board.~~
- B. Special meetings, committee meetings or workshops may be called by the chairman of the board.
- C. Emergency hearings may be called by the code inspector or chairman.
- D. All actions before the board shall be initiated by a code inspector filing a statement of violation and request for hearing with the secretary of the board. No member of the board shall initiate actions before the board.
- E. If any member fails to attend two (2) of three (3) consecutive meetings without cause and without prior approval of the chairman, the chairman shall notify the city commission in writing and request that the replacement process take place. A copy of this notification shall also be forwarded to the absent member.
- F. A quorum of the board shall consist of four (4) members. An affirmative vote of a majority of those members present and voting shall be necessary to pass any motion or adopt any order, except that at least four (4) members of the board must vote in order for the action to be official.
- G. Voting requirements.
 - 1. No member of the board present at any meeting at which an official decision, ruling or other official act is to be taken or adopted may abstain from voting in regard to any such decision, ruling or act; and a vote shall be recorded or counted for each such member present except when there may be a possible conflict of interest as outlined in F.S. § 286.012(8).

2. No board member shall vote in his official capacity upon any measure which inures to his special private gain. Such member shall, prior to the vote being taken, publicly state to the board the nature of his interest in the matter from which he is abstaining from voting and within fifteen (15) days after the vote occurs, disclose the nature of his interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes (F.S. § 112.3143).
3. Voting may be by voice vote and shall be recorded by individual "aye" or "nay" for each board member present.
4. Voting on applicants to fill a vacancy shall be by official written ballot stating the names and addresses of those candidates to be voted upon. The highest number of votes cast shall constitute a majority. All ballots must be signed by board member casting the vote and kept on file as a matter of public record.

(Ord. No. 91-7, § 2)

ORDINANCE NO. 20-15

**AN ORDINANCE OF THE CITY OF SAINT AUGUSTINE BEACH,
FLORIDA, MAKING FINDINGS OF FACT; AMENDING THE CITY'S
LAND DEVELOPMENT REGULATIONS SECTIONS 6.07.10, 6.01.02,
6.07.07, 11.03.02, 11.03.04; REPEALING ALL ORDINANCES OR PARTS
OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION;
AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

WITNESSETH:

WHEREAS, the City Commission is responsible for keeping its land development regulations up to date.

WHEREAS, Occupancy Permits are antiquated and should be removed for the Code.

WHEREAS, the table of allowable impervious surface ratios as listed in section 6.01.02 of the City Land Development Regulations does not include the zoning districts of medium low density or the mixed use district.

WHEREAS, corrections to the number of Code Enforcement Board Members needed to be changed to brought into compliance with Florida Statute 162.05.

NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE CITY OF SAINT AUGUSTINE BEACH:

SECTION 1. The foregoing recitals are incorporated as legislative findings of fact.

SECTION 2. From and after the effective date of this ordinance, Land Development Regulations of Saint Augustine Beach section R.6.07.10 is amended as follows:

Sec. 6.07.10. ~~Occupancy permits. Reserved.~~

~~A. It shall be unlawful for the owner of any dwelling unit to permit the occupation of the dwelling unit by a person who rents or leases the dwelling unit or a room therein unless such occupation has been authorized by an occupancy permit.~~

~~B. An occupancy permit shall be issued only when both of the following conditions have been met:~~

- ~~1. The owner or his agent makes application for an occupancy permit on a form prescribed by the city City Manager or designee accompanied by a fee in the amount of twenty-five dollars (\$25.00) for each dwelling unit.~~
- ~~2. The dwelling unit has been inspected and determined to be in compliance with all applicable provisions of the housing and residential property maintenance standards established by sections 6.07.00 through 6.07.08, inclusive.~~

~~C. The procedure for issuance of an occupancy permit is as follows:~~

- ~~1. The owner of any dwelling unit or his agent shall apply to the city City Manager or designee for an occupancy permit and shall provide such information as required by the city City Manager or~~

designee to render a decision. Such application shall be submitted at least five (5) working days prior to the proposed occupancy date. It shall be unlawful for any person knowingly to make any false statement in an application for an occupancy permit.

2. ~~After receipt of an application for an occupancy permit, but prior to the proposed occupancy date, the city City Manager or designee shall cause an inspection to be made of the dwelling unit specified in the application. After the inspection, the owner or his agent will be provided a list of violations, if any, that must be corrected before the dwelling unit can be occupied. If the owner or his agent fails to correct all of the violations within ninety (90) days after the original application was filed, said owner or agent shall file a new application and pay the fee prescribed by section 6.07.10B.~~
 3. ~~Upon determination that the conditions of section 6.07.10B. have been met, an occupancy permit shall be issued to the applicant.~~
- D. ~~An occupancy permit for a long term rental dwelling unit shall remain valid for a period of two (2) years from the date of issuance. During the period of validity of the occupancy permit, the owner may permit a change in occupancy of the dwelling unit without further application to the City Manager or designee. The occupancy permit shall remain valid past the two-year period for the duration of any occupancy which commences during the two-year period.~~
- E. ~~An occupancy permit for a short term rental dwelling unit shall remain valid for a period of three (3) years from the date of issuance. During the period of validity of the occupancy permit, the owner may permit a change in occupancy of the dwelling unit without further application to the City Manager or designee. The occupancy permit shall remain valid past the three-year period for the duration of any occupancy which commences during the three-year period.~~
- F. ~~The occupancy permit shall state:~~
1. ~~The date of issuance;~~
 2. ~~The address of the dwelling unit; and~~
 3. ~~The name and address of the owner.~~
- G. ~~An occupancy permit shall terminate without any action on the part of the city upon expiration of the term of its validity as determined by section 6.07.10.D. or E. However, if a complaint is filed by an occupant or other person with the city City Manager or designee, and the city City Manager or designee finds any violation of the housing and residential property maintenance standards exists, the City Manager or designee may terminate the occupancy permit by issuance of a notice to the owner of such termination. The current occupant is not required to vacate a dwelling unit solely because of termination of any occupancy permit, but the owner shall not allow occupancy by a new tenant until the owner corrects the violation and is issued a new occupancy permit.~~
- H. ~~Prior to the consummation of the sale of any dwelling unit for which an occupancy permit has been in effect at any time within two (2) years preceding the sale, the owner, or his authorized agent, shall obtain from the city City Manager or designee a status of occupancy permit report. Such status of occupancy permit report shall be delivered by the owner or his authorized agent to the buyer of said property prior to the consummation of the sale thereof. Nothing in this section shall effect the validity of the title as between the grantor and grantee. The status of occupancy permit report shall contain the date of last occupancy permit inspection and results thereof.~~
- I. ~~Temporary occupancy permits may be issued by the city City Manager or designee when he determines that an existing violation poses no serious or immediate threat to the health or safety of an occupant and when all of the following conditions are determined to exist:~~
1. ~~The owner has been delayed in correcting violations necessary to permit the issuance of an occupancy permit but has a valid contract in writing with a qualified person or firm for the performance of work and the furnishing of the materials to correct such violations and the contract specifies the dates for commencement and completion of the work; or the owner provides an affidavit stipulating that the work is to be accomplished by the owner, specifying the date by which~~

~~the work is to be completed, and furnishes copies of all applicable permits required to enable the owner to make the necessary corrections.~~

~~2. The owner or his agent requests the City Manager or designee in writing for a temporary waiver of compliance with prescribed housing and residential property maintenance standards.~~

~~3. The city City Manager or designee finds that the delay in the correction of the violations and the plans for such correction are reasonable and the work can be undertaken and completed while the premises are occupied.~~

~~J. The temporary occupancy permit shall expire at the time set forth therein. On or before the expiration of the temporary occupancy permit, a reinspection shall be made.~~

~~K. The provisions of this section shall not effect any right or obligation imposed by law or by agreement between any owner and occupant, but no agreement shall relieve any person of a duty or obligation imposed by this section.~~

~~L. This section shall not apply to motels and hotels.~~

~~M. An occupancy permit shall not be required for occupancy of any dwelling unit by a tenant in possession of such dwelling unit on the effective date of this section. Any dwelling unit vacant or vacated after the effective date of this section shall not be occupied pursuant to an oral or written rental agreement or lease until an occupancy permit has been issued by the city City Manager or designee.~~

~~N. The owner of an adversely affected person may appeal any final decision of the city City Manager or designee under this section by filing a notice of appeal with the building and zoning department within thirty (30) days of the decision. The comprehensive planning and zoning board shall hear the appeal. The notice of appeal shall be accompanied by a fee as provided in section 13.00.00 of this Code.~~

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18; Ord. No. 20- , § 1, - -20)

SECTION 3. From and after the effective date of this ordinance, Land Development Regulations of Saint Augustine Beach section R.6.01.02 is amended as follows:

Sec. 6.01.02. - Impervious surface coverage.

A. *Generally.* Impervious surface on a development site shall not exceed the ratios provided in the table in paragraph D. of this section.

B. *Ratio calculation.* The impervious surface ratio is calculated by dividing the total impervious surface area by the gross site area.

C. *Alternative paving materials.* If porous paving materials are used, then the area covered with porous paving materials shall not be counted as impervious surface for high density residential and commercial only. Low and Medium density residential shall be allowed a 15% increase in impervious surface ratio if the materials used have a 10% or greater permeability.

D. *Table of impervious surface ratios.*

Land Use District	Maximum Impervious Surface Ratio ¹
Low density residential	0.40*
Medium density residential	0.50

<u>Medium Low density residential</u>	<u>0.50</u>
High density residential	0.70
Commercial	0.70

¹ The maximum impervious surface ratio is given for each district, regardless of the type of use proposed and allowable pursuant to Article III.

^{*} In Low Density Residential land use district a 465 square feet allowance shall be provided for the construction and installation of a pool and pool decking only.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18; Ord. No. 20-02, § 6(Exh. 1), 3-2-20; Ord. No. 20- , § 1, - -20)

SECTION 4. From and after the effective date of this ordinance, Land Development Regulations of Saint Augustine Beach section R.6.07.07 is amended as follows:

Sec. 6.07.07. - Unsafe buildings.

- A. There is adopted by reference the 2017 currently adopted Florida Building Code, with the exception of section 113 pertaining to the composition and procedures of the board of adjustments and appeals.
- B. The comprehensive planning and zoning board shall serve as the board of adjustments and appeals in accordance with the provisions of the 2017 currently adopted Florida Building Code.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18; Ord. No. 20- , § 1, - -20)

SECTION 5. From and after the effective date of this ordinance, Land Development Regulations of Saint Augustine Beach section R.11.03.02 is amended as follows:

Sec. 11.03.02. - Membership.

- A. The municipal code enforcement board shall consist of ~~five (5)~~ seven (7) members and two (2) alternates appointed by the city commission.
- B. Any person of voting age residing in the City of St. Augustine Beach shall be eligible for membership.
- C. Members of the board shall serve a term of three (3) years. Terms of office shall end on April 1 three (3) years following appointment to a full term. Existing members of the board shall serve until April 1 three (3) years following their respective appointments. Future vacancies created by death, resignation, or disqualification to serve of a member shall be filled for the unexpired term. Any member may be reappointed to successive terms at the discretion of the city commission.
- D. If any member fails to attend two (2) of three (3) successive meetings without cause and without prior approval of the chairman, the board shall declare that member's seat vacated and such vacancy shall be filled as for any other vacancy.
- E. Any member may be removed from office for cause by the city commission. Vacancies occurring due to death, resignation or other inability to serve resulting from change of residence or otherwise, shall

be filled within thirty (30) days after the vacancy occurs by the city commission for the remainder of the term, in accordance with the City Code and F.S. § 162.01.

- F. The city commission shall review the applications of volunteers for appointment to the code enforcement board. All applicants to fill a vacancy shall be informed that a financial disclosure statement must be filed with the county supervisor of elections. If an applicant should have an objection to this procedure, he should reconsider the appointment.
- G. Each individual board member shall file financial disclosure statements with the office of the supervisor of elections no later than July 1 of each year or thirty (30) days after their appointment in accordance with Florida Statutes.

(Ord. No. 91-7, § 2; Ord. No. 92-7, § 11; Ord. No. 93-7, § 2; Ord. No. 04-06, § 1, 6-7-04; Ord. No. 06-29, § 1, 1-2-07; Ord. No. 20-____, § 1, ____ - ____-20)

SECTION 6. From and after the effective date of this ordinance, Land Development Regulations of Saint Augustine Beach section R.11.03.04 is amended as follows:

Sec. 11.03.04. - Meetings.

- A. The regular meetings of the board shall be the fourth Wednesday of each ~~month at 3:00 p.m. in the City Hall of the City of St. Augustine Beach, Florida unless otherwise ordered by the board.~~
- B. Special meetings, committee meetings or workshops may be called by the chairman of the board.
- C. Emergency hearings may be called by the code inspector or chairman.
- D. All actions before the board shall be initiated by a code inspector filing a statement of violation and request for hearing with the secretary of the board. No member of the board shall initiate actions before the board.
- E. If any member fails to attend two (2) of three (3) consecutive meetings without cause and without prior approval of the chairman, the chairman shall notify the city commission in writing and request that the replacement process take place. A copy of this notification shall also be forwarded to the absent member.
- F. A quorum of the board shall consist of four (4) members. An affirmative vote of a majority of those members present and voting shall be necessary to pass any motion or adopt any order, except that at least four (4) members of the board must vote in order for the action to be official.
- G. Voting requirements.
 - 1. No member of the board present at any meeting at which an official decision, ruling or other official act is to be taken or adopted may abstain from voting in regard to any such decision, ruling or act; and a vote shall be recorded or counted for each such member present except when there may be a possible conflict of interest as outlined in F.S. § 286.012(8).
 - 2. No board member shall vote in his official capacity upon any measure which inures to his special private gain. Such member shall, prior to the vote being taken, publicly state to the board the nature of his interest in the matter from which he is abstaining from voting and within fifteen (15) days after the vote occurs, disclose the nature of his interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes (F.S. § 112.3143).
 - 3. Voting may be by voice vote and shall be recorded by individual "aye" or "nay" for each board member present.
 - 4. Voting on applicants to fill a vacancy shall be by official written ballot stating the names and addresses of those candidates to be voted upon. The highest number of votes cast shall

constitute a majority. All ballots must be signed by board member casting the vote and kept on file as a matter of public record.

(Ord. No. 91-7, § 2; Ord. No. 20-____, § 1, ____ - ____-20)

SECTION 7. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 8. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the City of Saint Augustine Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 9. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this ____ day of _____, 2020.

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 2020.

MAYOR

Published in the _____ on the ____ day of _____, 2020. Posted on www.staugbch.com on the ____ day of _____, 2020.

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Ordinance No. 20-15
Date: Wednesday, December 16, 2020

Please be advised at its regular monthly meeting held Tuesday, December 15, 2020, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve passage of Ordinance No. 20-15 on final reading.

Passed on first reading by the City Commission at its regular monthly meeting held Monday, December 7, 2020, this proposed ordinance amends Sections 6.07.10, 6.01.02, 6.01.07, 11.03.02 and 11.03.04 of the City's Land Development Regulations.

The motion to recommend the City Commission approve passage of Ordinance No. 20-15 as drafted on final reading was made by Mr. Einheuser, seconded by Ms. Odom, and passed 7-0 by unanimous voice-vote.

MEMORANDUM

TO: Commissioner England
Commissioner George
Commissioner Samora
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: December 10, 2020

SUBJECT: Ordinance 20-16, Public Hearing and Final Reading, to Adopt the Florida Building Code

Mr. Law presented this ordinance to you at your December 7, 2020, meeting, when you passed it on first reading.

Attached as page B are the minutes from that part of the December 7th meeting when Mr. Law made his presentation. We have also attached as page C Mr. Law's explanation of the ordinance.

ACTION REQUESTED

It is that you hold the public hearing and pass Ordinance 20-16 on its second and final reading.

8. Ordinance 20-17, First Reading, to Adopt 2020 Florida Building Code (Presenter: Brian Law, Building Official)

Mayor England introduced Item 12 and asked Building Official Law for his staff report.

Building Official Law advised that every three years the Building Code 105.2 as to be adopted by the City because of changes that was made to the Florida Building Code and will take effect January 2021.

Commissioner George asked about fencing on A1A Beach Boulevard and asked whether the City is not eliminating the allowance of an eight-foot fence.

Building Official Law advised no, he used the St. Johns County exception for A1A Beach Boulevard and would follow the City's zoning rules.

Mayor England opened the Public Hearing to the public. Being none, Mayor England closed the Public Hearing and asked Building Official Law to read the title of the ordinance.

Building Official Law read the title of the ordinance.

Mayor England asked for a motion.

Motion: to approve the ordinance adopting the Florida Model Building Code. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell. Motion passed unanimously.



City of St. Augustine Beach Building and Zoning Department

TO: Max Royle

FROM: Brian Law

SUBJECT: 2020 Florida Building Code

DATE: 11-2-2020

As per the 553.73 Florida Statute the Florida Building Commission is required to update the Florida Building Code (FBC) every three years. In 2018 the City Commission adopted the Building Officials Association of Florida (BOAF) Model Code for the 2017 FBC with minor changes for continuity with the St. Johns County Building Department and allowing minor repairs to an existing house without permits. The BOAF has prepared a new model code for the 2020 FBC as was done before. The code submitted includes BOAF recommendations and minor changes to the model code indicated in red for ease of viewing.

The Building and Zoning Department asks that the City Commission approve this Chapter 1 of the 2020 FBC as amended.

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

ORDINANCE NO. 20-16

AN ORDINANCE OF THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA, MAKING FINDINGS OF FACT; ADOPTING THE FLORIDA MODEL BUILDING CODE WITH MINOR CHANGES TO THE CITY'S CODE; REPEALING ARTICLE I SECTION 6-4; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WITNESSETH:

WHEREAS, per Florida Statute 553.73 the City Commission is responsible for keeping its Building Code up to date.

WHEREAS, the Florida Building Commission updates the Florida Building Code every three years and the 2020 version of the Florida Model Building Code has been proposed for adoption by Florida Municipalities on October 1, 2020.

WHEREAS, the City of Saint Augustine Beach has previously adopted the Model Building Code by reference to the most recent version, but seeks to make minor changes where allowable to the 2020 Model Building Code to accommodate specific issues of importance to the City of Saint Augustine Beach.

NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE CITY OF SAINT AUGUSTINE BEACH:

SECTION 1. The foregoing recitals are incorporated as legislative findings of fact.

SECTION 2. From and after the effective date of this ordinance, Article I, Section 6-1 of the City of Saint Augustine Beach Code is adopted as follows:

Sec. 6-1 Adoption of the Florida Model Administrative Code

There is hereby adopted by reference, as though it were copied herein fully, The Building Officials Association of Florida Model Administrative Code for the 7th Edition (2020) Florida Building Code dated October 1, 2020. Specific modifications as follows:

Chapter 1 -- SCOPE AND ADMINISTRATION

PART 1—SCOPE AND APPLICATION

SECTION 101 -- GENERAL

[A] 101.1 Title. These regulations shall be known as the Florida Building Code, hereinafter referred to as “this code.”

[A] 101.2 Scope. The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exceptions:

1. Detached one-and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with the Florida Building Code, Residential.
2. Code requirements that address snow loads and earthquake protection are pervasive; they are left in place but shall not be utilized or enforced because Florida has no snow load or earthquake threat.

[A] 101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

Florida Building Code- Building:

Appendix F – Rodent Proofing

Florida Building Code- Residential:

Appendix A – Sizing and Capacities of Gas Piping

Appendix B – Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances and Appliances Listed For Use With Type B Vents

Appendix C – Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems

101.2.2 Florida Building Code, Residential Construction standards or practices which are not covered by Florida Building Code, Residential volume shall be in accordance with the provisions of Florida Building Code, Building.

[A] 101.3 Intent. The purpose of this code is to establish the minimum requirements to provide a reasonable level of safety, public health and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to

provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

101.3.1 Quality control. Quality control of materials and workmanship is not within the purview of this code except as it relates to the purposes stated herein.

101.3.2 Warranty and Liability. The permitting, plan review or inspection of any building, system or plan by this jurisdiction, under the requirements of this code, shall not be construed in any court as a warranty of the physical condition of such building, system or plan or their adequacy. This jurisdiction shall not be liable in tort for damages or hazardous or illegal condition or inadequacy in such building, system or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting.

[A] 101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.9 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

[A] 101.4.1 Gas. The provisions of the Florida Building Code, Fuel Gas shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

[A] 101.4.2 Mechanical. The provisions of the Florida Building Code, Mechanical shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy related systems.

[A] 101.4.3 Plumbing. The provisions of the Florida Building Code, Plumbing shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

[A] 101.4.4 Property maintenance. The provisions of the 2018 International Property Maintenance Code shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

[A] 101.4.5 Fire prevention. For provisions related to fire prevention, refer to the Florida Fire Prevention Code. The Florida Fire Prevention Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

[A] 101.4.6 Energy. The provisions of the Florida Building Code, Energy Conservation shall apply to all matters governing the design and construction of buildings for energy efficiency.

[A] 101.4.7 Existing buildings. The provisions of the Florida Building Code, Existing Building shall apply to matters governing the repair, alteration, change of occupancy, addition to and relocation of existing buildings.

101.4.8 Accessibility. For provisions related to accessibility, refer to the Florida Building Code, Accessibility.

101.4.9 Manufactured buildings. For additional administrative and special code requirements, see Section 458, Florida Building Code, Building, and Rule 61-41 F.A.C.

SECTION 102 -- APPLICABILITY

[A] 102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

102.1.1 The Florida Building Code does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of the Florida

Building Code. Additionally, a local code enforcement agency may not administer or enforce the Florida Building Code, Building to prevent the siting of any publicly owned facility, including, but not limited to, correctional facilities, juvenile justice facilities, or state universities, community colleges, or public education facilities, as provided by law.

102.2 Building. The provisions of the Florida Building Code shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in the Florida Building Code, Existing Building. The following buildings, structures and facilities are exempt from the Florida Building Code as provided by law, and any further exemptions shall be as determined by the legislature and provided by law:

- (a) Building and structures specifically regulated and preempted by the federal government.
- (b) Railroads and ancillary facilities associated with the railroad.
- (c) Nonresidential farm buildings on farms.
- (d) Temporary buildings or sheds used exclusively for construction purposes.
- (e) Mobile or modular structures used as temporary offices, except that the provisions of Part II (Sections 553.501-553.513, Florida Statutes) relating to accessibility by persons with disabilities shall apply to such mobile or modular structures. Permits shall be required for structural support and tie-down, electric supply and all other such utility connections to such mobile or modular structures as required by this jurisdiction.
- (f) Those structures or facilities of electric utilities, as defined in Section 366.02, Florida Statutes, which are directly involved in the generation, transmission, or distribution of electricity.
- (g) Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.
- (h) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other nonwood features.
- (i) Family mausoleums not exceeding 250 square feet (23 m²) in area which are prefabricated and assembled on site or preassembled and delivered on site and

have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

(j) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

(k) A building or structure having less than 1,000 square feet (93 m²) which is constructed and owned by a natural person for hunting and which is repaired or reconstructed to the same dimension and condition as existed on January 1, 2011, if the building or structure:

1. Is not rented or leased or used as a principal residence;
2. Is not located within the 100-year flood plain according to the Federal Emergency Management Agency's current Flood Insurance Rate Map; and
3. Is not connected to an off-site electric power or water supply.

102.2.1 In addition to the requirements of Sections 553.79 and 553.80, Florida Statutes, facilities subject to the provisions of Chapter 395, Florida Statutes, and Part II of Chapter 400, Florida Statutes, shall have facility plans reviewed and construction surveyed by the state agency authorized to do so under the requirements of Chapter 395, Florida Statutes, and Part II of Chapter 400, Florida Statutes, and the certification requirements of the federal government.

102.2.2 Residential buildings or structures moved into or within a county or municipality shall not be required to be brought into compliance with the state minimum building code in force at the time the building or structure is moved, provided:

1. The building or structure is structurally sound and in occupiable condition for its intended use;
2. The occupancy use classification for the building or structure is not changed as a result of the move;
3. The building is not substantially remodeled;
4. Current fire code requirements for ingress and egress are met;
5. Electrical, gas and plumbing systems meet the codes in force at the time of construction and are operational and safe for reconnection; and
6. Foundation plans are sealed by a professional engineer or architect licensed to practice in this state, if required by the Florida Building Code, Building for all residential buildings or structures of the same occupancy class.

102.2.3 The building official shall apply the same standard to a moved residential building or structure as that applied to the remodeling of any comparable residential building or structure to determine whether the moved structure is substantially remodeled. The cost of the foundation on which the moved building or structure is placed shall not be included in the cost of remodeling for purposes of determining whether a moved building or structure has been substantially remodeled.

102.2.4 This section does not apply to the jurisdiction and authority of the Department of Agriculture and Consumer Services to inspect amusement rides or the Department of Financial Services to inspect state-owned buildings and boilers.

102.2.5 Each enforcement district shall be governed by a board, the composition of which shall be determined by the affected localities.

1. At its own option, each enforcement district or local enforcement agency may adopt rules granting to the owner of a single-family residence one or more exemptions from the Florida Building Code relating to:

- a. Addition, alteration, or repairs performed by the property owner upon his or her own property, provided any addition or alteration shall not exceed 1,000 square feet (93 m²) or the square footage of the primary structure, whichever is less.
- b. Addition, alteration, or repairs by a nonowner within a specific cost limitation set by rule, provided the total cost shall not exceed \$5,000 within any 12-month period.
- c. Building and inspection fees.

2. However, the exemptions under subparagraph 1 do not apply to single-family residences that are located in mapped flood hazard areas, as defined in the code, unless the enforcement district or local enforcement agency has determined that the work, which is otherwise exempt, does not constitute a substantial improvement, including the repair of substantial damage, of such single-family residences.

3. Each code exemption, as defined in sub-subparagraphs 1a, 1b, and 1c shall be certified to the local board 10 days prior to implementation and shall only be effective in the territorial jurisdiction of the enforcement district or local enforcement agency implementing it.

102.2.6 This section does not apply to swings and other playground equipment accessory to a one- or two-family dwelling.

Exception: Electrical service to such playground equipment shall be in accordance with Chapter 27 of this code.

[A] 102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

[A] 102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

[A] 102.4.1 Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

[A] 102.4.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the Florida Codes listed in Section 101.4, the provisions of this code or the Florida Codes listed in Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or standard.

[A] 102.5 Partial invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

[A] 102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the Florida Building Code, Existing Building, 2018 International Property Maintenance Code or the Florida Fire Prevention Code.

[A] 102.6.1 Buildings not previously occupied. A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of the Florida Building Code, Building or Florida Building Code, Residential, as applicable, for new construction or with any current permit for such occupancy.

[A] 102.6.2 Buildings previously occupied. The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the Florida Fire Prevention Code, 2018 International Property Maintenance Code or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

102.7 Relocation of manufactured buildings.

- (1) Relocation of an existing manufactured building does not constitute an alteration.
- (2) A relocated building shall comply with wind speed requirements of the new location, using the appropriate wind speed map. If the existing building was manufactured in compliance with the Standard Building Code (prior to March 1, 2002), the wind speed map of the Standard Building Code shall be applicable. If the existing building was manufactured in compliance with the Florida Building Code (after March 1, 2002), the wind speed map of the Florida Building Code shall be applicable.
- (3) A relocated building shall comply with the flood hazard area requirements of the new location, if applicable.

102.8 Existing mechanical equipment. An agency or local government may not require that existing mechanical equipment located on or above the surface of a roof be installed in compliance with the requirements of the Florida Building Code except during reroofing when the equipment is being replaced or moved and is not in compliance with the provisions of the Florida Building Code relating to roof-mounted mechanical units.

PART 2—ADMINISTRATION AND ENFORCEMENT

SECTION 103 -- DEPARTMENT OF BUILDING SAFETY

103.1 Creation of enforcement agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the building official.

103.2 Appointment. The building official shall be appointed by the chief appointing authority of the jurisdiction.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a

deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official.

For the maintenance of existing properties, see the 2018 International Property Maintenance Code.

SECTION 104 -- DUTIES AND POWERS OF BUILDING OFFICIAL

[A] 104.1 General. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

[A] 104.2 Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. For applications for reconstruction, rehabilitation, repair, alteration, addition or other improvement of existing buildings or structures located in flood hazard areas, the building official shall determine if the proposed work constitutes substantial improvement or repair of substantial damage. Where the building official determines that the proposed work constitutes substantial improvement or repair of substantial damage, and where required by this code, the building official shall require the building to meet the requirements of Section 1612 or R322 of the Florida Building Code, Residential, as applicable.

[A] 104.3 Notices and orders. The building official shall issue all necessary notices or orders to ensure compliance with this code.

[A] 104.4 Inspections. The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is

authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

[A] 104.5 Identification. The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

[A] 104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

[A] 104.7 Department records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records per FS 119.

104.8 Liability. The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be civilly or criminally rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

[A] 104.8.1 Legal defense. Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representatives of the jurisdiction until the final termination of the proceedings. The building official or any

subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

[A] 104.9 Approved materials and equipment.

Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

[A] 104.9.1 Used materials and equipment. The use of used materials that meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.

[A] 104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

104.10.1 Flood hazard areas. The building official shall coordinate with the floodplain administrator to review requests submitted to the building official that seek approval to modify the strict application of the flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 117.

[A] 104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.

[A] 104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

[A] 104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

104.12 Requirements not covered by code. Any requirements necessary for strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this or other technical codes, shall be determined by the building official.

SECTION 105 -- PERMITS

[A] 105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

[A] 105.1.1 Annual facility permit. In lieu of an individual permit for each alteration to an existing electrical, gas, mechanical, plumbing or interior nonstructural office system(s), the building official is authorized to issue an annual permit for any occupancy to facilitate routine or emergency service, repair, refurbishing, minor renovations of service systems or manufacturing equipment installations/relocations. The building official shall be notified of major changes and shall retain the right to make inspections at the facility site as deemed necessary. An annual facility permit shall be assessed with an annual fee and shall be valid for one year from date of issuance. A separate permit shall be obtained for each facility and for each construction trade, as applicable. The permit application shall contain a general description of the parameters of work intended to be performed during the year.

[A] 105.1.2 Annual Facility permit records. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated.

105.1.3 Food permit. In accordance with Section 500.12, Florida Statutes, a food permit from the Department of Agriculture and Consumer Services is required of any person who operates a food establishment or retail store.

105.1.4 Public swimming pool. The local enforcing agency may not issue a building permit to construct, develop, or modify a public swimming pool without proof of application, whether complete or incomplete, for an operating permit pursuant to Section 514.031, Florida Statutes. A certificate of completion or occupancy may not be issued until such operating permit is issued. The local enforcing agency shall conduct their review of the building permit application upon filing and in accordance with Chapter 553, Florida Statutes. The local enforcing agency may confer with the Department of Health, if necessary, but may not delay the building permit application review while awaiting comment from the Department of Health.

[A] 105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction, to include work in any special flood hazard area. Exemptions granted under this section do not relieve the owner or contractor from their duty to comply with applicable provisions of the Florida Building Code, and requirements of the local floodplain management ordinance. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m2) and not in a special flood hazard area..
2. Fences not over 7 feet (1829 mm) high. of all materials other than masonry over 6 feet in height and not located on the A1A Beach Boulevard right of way boundary.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.

6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support, of Groups R-3 and U occupancies.
13. Non fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
14. Roofing repairs or reroofs not exceeding 2 squares.
15. Siding repairs less than 100 square feet in area, including the area of door and window that are within the work area.
16. Gutters and downspouts
17. Pool re-concrete for one and two family dwellings.
18. Flag poles less than 35 feet in height for one and two family dwellings.

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.
8. The installation, replacement, removal or metering of any load management control device.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

[A] 105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

[A] 105.2.2 Minor repairs. Ordinary minor repairs may be made with the approval of the building official without a permit, provided the repairs do not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical codes.

[A] 105.2.3 Public service agencies. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

[A] 105.3 Application for permit. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the building department for that purpose.

Permit application forms shall be in the format prescribed by a local administrative board, if applicable, and must comply with the requirements of Sections 713.135(5) and (6), Florida Statutes.

Each application shall be inscribed with the date of application, and the code in effect as of that date. For a building permit for which an application is submitted prior to the effective date of the Florida Building Code, the state minimum building code in effect in the permitting jurisdiction on the date of the application governs the permitted work for the life of the permit and any extension granted to the permit.

Effective October 1, 2017, a local enforcement agency shall post each type of building permit application on its website. Completed applications must be able to be submitted electronically to the appropriate building department. Accepted methods of electronic submission include, but are not limited to, e-mail submission of applications in portable document format or submission of applications through an electronic fill-in form available on the building department's website or through a third-party submission management software. Payments, attachments, or drawings required as part of the application may be submitted in person in a nonelectronic format, at the discretion of the building official.

[A] 105.3.1 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable. When authorized through contractual agreement with a school board, in acting on applications for permits, the building official shall give first priority to any applications for the construction of, or addition or renovation to, any school or educational facility.

105.3.1.1 If a state university, Florida college or public school district elects to use a local government's code enforcement offices, fees charged by counties and municipalities for enforcement of the Florida Building Code on buildings, structures, and facilities of state universities, state colleges, and public school districts shall not be more than the actual labor and administrative costs incurred for plans review and inspections to ensure compliance with the code.

105.3.1.2 No permit may be issued for any building construction, erection, alteration, modification, repair, or addition unless the applicant for such permit provides to the enforcing agency which issues the permit any of the following documents which apply to the construction for which the permit is to be issued and which shall be prepared by or under the direction of an engineer registered under Chapter 471, Florida Statutes:

1. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than \$125,000.
2. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. Personnel as authorized by chapter 633 Florida Statutes, may design a fire sprinkler system of 49 or fewer heads and may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of not more than 49 heads, notwithstanding the size of the existing fire sprinkler system.
3. Heating, ventilation, and air-conditioning documents for any new building or addition which requires more than a 15-ton-per-system capacity which is designed to accommodate 100 or more persons or for which the system costs more than \$125,000. This paragraph does not include any document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one-, two-, three-, or four-family structure.

An air-conditioning system may be designed by an installing air-conditioning contractor certified under Chapter 489, Florida Statutes, to serve any building or addition which is designed to accommodate fewer than 100 persons and requires an air-conditioning system with a value of \$125,000 or less; and when a 15-ton-per system or less is designed for a singular space of a building and each 15-ton system or less has an independent duct system. Systems not complying with the above require design documents that are to be sealed by a professional engineer.

Example 1: When a space has two 10-ton systems with each having an independent duct system, the contractor may design these two systems since each unit (system) is less than 15 tons.

Example 2: Consider a small single-story office building which consists of six individual offices where each office has a single three-ton package air conditioning heat pump. The six heat pumps are connected to a single water cooling tower. The cost of the entire heating, ventilation and air-conditioning work is \$47,000 and the office building accommodates fewer than 100 persons. Because the six mechanical units are connected to a common water tower, this is considered to be an 18-ton system.

Note: It was further clarified by the Commission that the limiting criteria of 100 persons and \$125,000 apply to the building occupancy load and the cost for the total air-conditioning system of the building.

4. Any specialized mechanical, electrical, or plumbing document for any new building or addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, halon, or fire detection and alarm system which costs more than \$5,000.
5. Electrical documents. See Florida Statutes 471.003(2)(h). Any electrical or plumbing or air-conditioning and refrigeration system meeting the following thresholds are required to be designed by a Florida Registered Engineer. The system, Requires an electrical system with a value of over \$125,000; and Requires an aggregate service capacity of over 600 amperes (240 volts) on a residential electrical system or over 800 amperes (240 volts) on a commercial or industrial electrical system;

NOTE: It was further clarified by the Commission that the limiting factor of 240 volt or over is required to be designed by an Engineer. Documents requiring an engineer seal by this part shall not be valid unless a professional engineer who possesses a valid certificate of registration has signed, dated, and stamped such document as provided in Section 471.025, Florida Statutes.

6. All public swimming pools and public bathing places defined by and regulated under Chapter 514, Florida Statutes.

[A] 105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned becoming null and void 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.3.3 An enforcing authority may not issue a building permit for any building construction, erection, alteration, modification, repair or addition unless the permit either includes on its face or there is attached to the permit the following statement: "NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies."

105.3.4 A building permit for a single-family residential dwelling must be issued within 30 working days of application therefor unless unusual circumstances require a longer time for processing the application or unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.

105.3.5 Identification of minimum premium policy. Except as otherwise provided in Chapter 440, Florida Statutes, Workers' Compensation, every employer shall, as a condition to receiving a building permit, show proof that it has secured compensation for its employees as provided in Sections 440.10 and 440.38, Florida Statutes.

105.3.6 Asbestos removal. Moving, removal or disposal of asbestos-containing materials on a residential building where the owner occupies the building, the building is not for sale or lease, and the work is performed according to the owner-builder limitations provided in this paragraph. To qualify for exemption under this paragraph, an owner must personally appear and sign the building permit application. The permitting agency shall provide the person with a disclosure statement in substantially the following form:

Disclosure Statement: State law requires asbestos abatement to be done by licensed contractors. You have applied for a permit under an exemption to that law. The

exemption allows you, as the owner of your property, to act as your own asbestos abatement contractor even though you do not have a license. You must supervise the construction yourself. You may move, remove or dispose of asbestos-containing materials on a residential building where you occupy the building and the building is not for sale or lease, or the building is a farm outbuilding on your property. If you sell or lease such building within 1 year after the asbestos abatement is complete, the law will presume that you intended to sell or lease the property at the time the work was done, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. Your work must be done according to all local, state and federal laws and regulations which apply to asbestos abatement projects. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances.

105.3.7 Applicable Code for Manufactured Buildings. Manufacturers should be permitted to complete all buildings designed and approved prior to the effective date of a new code edition, provided a clear signed contract is in place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

105.3.8 Public right of way. A permit shall not be given by the building official for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley or public lane, or for the placing on any lot or premises of any building or structure removed from another lot or premises, unless the applicant has received a right of way permit from the authority having jurisdiction over the street, alley or public lane.

105.4 Conditions of the permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinance of this jurisdiction.

105.4.1 Permit intent. A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 6 months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 6 months after the time the work is commenced.

105.4.1.1 If work has commenced and the permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work.

105.4.1.2 If a new permit is not obtained within 180 days from the date the initial permit became null and void, the building official is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new permit may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit.

105.4.1.3 Work shall be considered to be in active progress when the permit has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process.

105.4.1.4 The fee for renewal reissuance and extension of a permit shall be set forth by the administrative authority.

105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit holder and property owner shall be responsible to either complete all work in accordance with the permitted plans and inspection or remove any partially completed work in a safe and code compliant manner. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated as determined by the building official.

105.5.1 Additional options for closing a permit. Pursuant to Section 553.79(15), Florida Statutes, a property owner, regardless of whether the property owner is the one listed on the application for the building permit, may close a building permit by complying with the following requirements:

1. The property owner may retain the original contractor listed on the permit or hire a different contractor appropriately licensed in this state to perform the work necessary to satisfy the conditions of the permit and to obtain any necessary inspection in order to close the permit. If a contractor other than the original contractor listed on the permit is hired by the property owner to close the permit, such contractor is not liable for any defects in the work performed by the original contractor and is only liable for the work that he or she performs.
2. The property owner may assume the role of an owner- builder, in accordance with Sections 489.103(7) and 489.503(6), Florida Statutes.
3. If a building permit is expired and its requirements have been substantially completed, as determined by the local enforcement agency, the permit may be closed without having to obtain a new building permit, and the work required to close the permit may be done pursuant to the building code in effect at the time the local enforcement agency received the application for the permit, unless the contractor has sought and received approval from the local enforcement agency for an alternative material, design or method of construction.
4. A local enforcement agency may close a building permit 6 years after the issuance of the permit, even in the absence of a final inspection, if the local enforcement agency determines that no apparent safety hazard exists.

For purposes of this section, the term "close" means that the requirements of the permit have been satisfied.

105.5.2 For the purposes of this subsection, a closed permit shall mean a permit for which all requirements for completion have been satisfied or a permit that has been administratively closed by the building official.

105.5.3 For the purposes of this subsection, an open permit shall mean a permit that has not satisfied all requirements for completion as defined in 105.5.1.1.

[A] 105.6 Denial or revocation. Whenever a permit required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the Florida Building Code, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the permit applicant. If

the local building code administrator or inspector finds that the plans are not in compliance with the Florida Building Code, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the permit applicant.

105.6.1 Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building permit to; issue a notice of violation to; or fine, penalize, sanction or assess fees against an arm's-length purchaser of a property for value solely because a building permit applied for by a previous owner of the property was not closed. The local enforcement agency shall maintain all rights and remedies against the property owner and contractor listed on the permit.

105.6.2 Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building permit to a contractor solely because the contractor is listed on other building permits that were not closed. A local enforcement agency has the authority to deny a new permit application from an applicant for other reasons.

[A] 105.7 Placement of permit. The building permit or copy shall be kept on the site of the work until the completion of the project.

105.8 Notice of commencement. In accordance with Section 713.135, Florida Statutes, when any person applies for a building permit, the authority issuing such permit shall print on the face of each permit card in no less than 14-point, capitalized, boldfaced type:

“WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.”

105.9 Asbestos. The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003, Florida Statutes, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law.

105.1 Certificate of protective treatment for prevention of termites. A weather-resistant job-site posting board shall be provided to receive duplicate treatment certificates as each required protective treatment is completed, providing a copy for the person the permit is issued to and another copy for the building permit files. The treatment certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval.

105.11 Notice of termite protection. A permanent sign which identifies the termite treatment provider and need for reinspection and treatment contract renewal shall be provided. The sign shall be posted near the water heater or electric panel.

105.12 Work starting before permit issuance. Upon approval of the building official, the scope of work delineated in the building permit application and plan may be started prior to the final approval and issuance of the permit, provided any work completed is entirely at risk of the permit applicant and the work does not proceed past the first required inspection.

105.13 Phased permit approval. After submittal of the appropriate construction documents, the building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted. Corrections may be required to meet the requirements of the technical codes.

105.14 Permit issued on basis of an affidavit. Whenever a permit is issued in reliance upon an affidavit or whenever the work to be covered by a permit involves installation under conditions which, in the opinion of the building official, are hazardous or complex, the building official shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations shall supervise such work. In addition, they shall be responsible for conformity to the permit, provide copies of inspection reports as inspections are performed, and upon completion make and file with the building official written affidavit that the work has been done in conformity to the reviewed plans and with the structural provisions of the technical codes. In the event such architect or engineer is not available, the owner shall employ in his stead a competent person or agency whose qualifications are reviewed by the building official. The building official shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, Florida Statutes, and that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, Florida Statutes.

Exception: Permit issued on basis of an affidavit shall not extend to the flood load and flood resistance requirements of the Florida Building Code.

105.15 Opening protection. When any activity requiring a building permit, not including roof covering replacement or repair work associated with the prevention of degradation of the residence, that is applied for on or after July 1, 2008, and for which the estimated cost is \$50,000 or more for a site built single-family detached residential structure that is located in the wind-borne debris region as defined in this code and that has an insured value of \$750,000 or more, or, if the site built single-family detached residential structure is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of \$750,000 or more; opening protections as required within this code or Florida Building Code, Residential for new construction shall be provided.

Exception: Where defined wind-borne debris regions have not changed, single family residential structures permitted subject to the Florida Building Code are not required to comply with this section.

105.16 Inspection of existing residential building not impacted by construction.

(a) A local enforcing agency, and any local building code administrator, inspector, or other official or entity, may not require as a condition of issuance of a one- or two-family residential building permit the inspection of any portion of a building, structure, or real property that is not directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought.

(b) This subsection does not apply to a building permit sought for:

1. A substantial improvement as defined in s. 161.54, Florida Statutes or as defined in the Florida Building Code.
2. A change of occupancy as defined in the Florida Building Code.
3. A conversion from residential to nonresidential or mixed use pursuant to s. 553.507(2)(a), Florida Statutes or as defined in the Florida Building Code.
4. A historic building as defined in the Florida Building Code.

(c) This subsection does not prohibit a local enforcing agency, or any local building code administrator, inspector, or other official or entity, from:

1. Citing any violation inadvertently observed in plain view during the ordinary course of an inspection conducted in accordance with the prohibition in paragraph (a).

2. Inspecting a physically nonadjacent portion of a building, structure, or real property that is directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought in accordance with the prohibition in paragraph (a).
3. Inspecting any portion of a building, structure, or real property for which the owner or other person having control of the building, structure, or real property has voluntarily consented to the inspection of that portion of the building, structure, or real property in accordance with the prohibition in paragraph (a).
4. Inspecting any portion of a building, structure, or real property pursuant to an inspection warrant issued in accordance with ss. 933.20-933.30, Florida Statutes.

105.17 Streamlined low-voltage alarm system installation permitting.

- (1) As used in this section, the term:
 - (a) “Contractor” means a person who is qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the department under Part II of Chapter 489, Florida Statutes.
 - (b) “Low-voltage alarm system project” means a project related to the installation, maintenance, inspection, replacement, or service of a new or existing alarm system, as defined in s. 489.505, Florida Statutes, that is hardwired and operating at low voltage, as defined in the National Electrical Code Standard 70, Current Edition, or a new or existing low-voltage electric fence, and ancillary components or equipment attached to such a system, or fence, including, but not limited to, home-automation equipment, thermostats, closed-circuit television systems, access controls, battery recharging devices, and video cameras.
 - (c) “Low-voltage electric fence” means an alarm system, as defined in s. 489.505, that consists of a fence structure and an energizer powered by a commercial storage battery not exceeding 12 volts which produces an electric charge upon contact with the fence structure.
 - (d) “Wireless alarm system” means a burglar alarm system of smoke detector that is not hardwired.
- (2) Notwithstanding any provision of this code, this section applies to all low-voltage alarm system projects for which a permit is required by a local enforcement agency. However, a permit is not required to install, maintain, inspect, replace, or service a wireless alarm system, including any ancillary components or equipment attached to the system.

(3) A low-voltage electric fence must meet all of the following requirements to be permitted as a low-voltage alarm system project and no further permit shall be required for the low-voltage alarm system project other than as provided in this section:

(a) The electric charge produced by the fence upon contact must not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission Standard No. 60335-2-76, Current Edition.

(b) A nonelectric fence or wall must completely enclose the low-voltage electric fence. The low-voltage electric fence may be up to 2 feet higher than the perimeter nonelectric fence or wall.

(c) The low-voltage electric fence must be identified using warning signs attached to the fence at intervals of not more than 60 feet.

(d) The low-voltage electric fence shall not be installed in an area zoned exclusively for single-family or multi-family residential use.

(e) The low-voltage electric fence shall not enclose the portions of a property which are used for residential purposes.

(4) This section does not apply to the installation or replacement of a fire alarm if a plan review is required.

(5) A local enforcement agency shall make uniform basic permit labels available for purchase by a contractor to be used for the installation or replacement of a new or existing alarm system at a cost as indicated in s. 553.793, Florida Statutes. The local enforcement agency may not require the payment of any additional fees, charges, or expenses associated with the installation or replacement of a new or existing alarm.

(a) A local enforcement agency may not require a contractor, as a condition of purchasing a label, to submit information other than identification information of the licensee and proof of registration or certification as a contractor.

(b) A label is valid for 1 year after the date of purchase and may only be used within the jurisdiction of the local enforcement agency that issued the label. A contractor may purchase labels in bulk for one or more unspecified current or future projects.

(6) A contractor shall post an unused uniform basic permit label in a conspicuous place on the premises of the low-voltage alarm system project site before commencing work on the project.

(7) A contractor is not required to notify the local enforcement agency before commencing work on a low-voltage alarm system project. However, a contractor must submit a Uniform Notice of a Low-Voltage Alarm System Project as provided under subsection (7) to the local enforcement agency within 14 days after completing the

project. A local enforcement agency may take disciplinary action against a contractor who fails to timely submit a Uniform Notice of a Low-Voltage Alarm System Project.

(8) The Uniform Notice of a Low-Voltage Alarm System Project may be submitted electronically or by facsimile if all submissions are signed by the owner, tenant, contractor, or authorized representative of such persons. The Uniform Notice of a Low-Voltage Alarm System Project shall be in the format prescribed by the local enforcement agency and must comply with the requirements of s. 553.793(7), Florida Statutes.

(9) A local enforcement agency may coordinate directly with the owner or customer to inspect a low-voltage alarm system to ensure compliance with applicable codes and standards. If a low-voltage alarm system project fails an inspection, the contractor must take corrective action as necessary to pass inspection.

(10) A municipality, county, district, or other entity of local government may not adopt or maintain in effect any ordinance or rule regarding a low-voltage alarm system project that is inconsistent with this section.

(11) A uniform basic permit label shall not be required for the subsequent maintenance, inspection, or service of an alarm system that was permitted in accordance with this section.

The provisions of this act are not intended to impose new or additional licensure requirements on persons licensed in accordance with the applicable provisions of Chapter 489, Florida Statutes.

SECTION 106 -- FLOOR AND ROOF DESIGN LOADS

[A] 106.1 Live loads posted. In commercial or industrial buildings, for each floor or portion thereof designed for live loads exceeding 50 psf (2.40 kN/m²), such design live loads shall be conspicuously posted by the owner or the owner's authorized agent in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

[A] 106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

[A] 106.3 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

SECTION 107 -- SUBMITTAL DOCUMENTS

[A] 107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by Chapter 471, Florida Statutes & 61G15 Florida Administrative Code or Chapter 481, Florida Statutes & 61G1 Florida Administrative Code. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

[A] 107.2 Construction documents. Construction documents shall be in accordance with Sections 107.2.1 through 107.2.6.

107.2.1 Information on construction documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted where approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical codes. Such information shall be specific, and the technical codes shall not be cited as a whole or in part, nor shall the term "legal" or its equivalent be used as a substitute for specific information. All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design.

[A] 107.2.2 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance to this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

[A] 107.2.3 Means of egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress including the path of the exit discharge to the public way in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

[A] 107.2.4 Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system that was tested, where applicable, as well as the test procedure used.

107.2.5 Exterior balcony and elevated walking surfaces. Where balcony or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.

[A] 107.2.6 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

[A] 107.2.6.1 Design flood elevations. Where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1.

107.2.6.2 For the purpose of inspection and record retention, site plans for a building may be maintained in the form of an electronic copy at the worksite. These plans must be open to inspection by the building official or a duly authorized representative, as required by the Florida Building Code.

[A] 107.2.7 Structural information. The construction documents shall provide the information specified in Section 1603.

[A] 107.3 Examination of documents. The building official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

Exceptions:

1. Building plans approved pursuant to Section 553.77(5), Florida Statutes, and state-approved manufactured buildings are exempt from local codes enforcing agency plan reviews except for provisions of the code relating to erection, assembly or construction at the site. Erection, assembly and construction at the site are subject to local permitting and inspections. Photocopies of plans approved according to Rule 61-41.009, Florida Administrative Code, shall be sufficient for local permit application documents of record for the modular building portion of the permitted project.
2. Industrial construction on sites where design, construction and fire safety are supervised by appropriately licensed design and inspection professionals and which contain adequate in-house fire departments and rescue squads is exempt, subject to approval by the building official, from review of plans and inspections, providing the appropriate licensed design and inspection professionals certify that applicable codes and standards have been met and supply appropriate approved drawings to local building and fire-safety inspectors.

[A] 107.3.1 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

[A] 107.3.2 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise law- fully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

[A] 107.3.3 Phased approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

[A] 107.3.4 Design professional in responsible charge. Where it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner or the owner's authorized agent to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner or the owner's authorized agent shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner or owner's authorized agent if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

107.3.4.1 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official.

Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the building official.

107.3.4.2 Certifications by contractors authorized under the provisions of Section 489.115(4)(b), Florida Statutes, shall be considered equivalent to sealed plans and specifications by a person licensed under Chapter 471, Florida Statutes, or Chapter 481, Florida Statutes, by local enforcement agencies for plans review for permitting purposes relating to compliance with the wind- resistance provisions of the code or alternate methodologies approved by the Florida Building Commission for one- and two-family dwellings. Local enforcement agencies may rely upon such certification by contractors that the plans and specifications submitted conform to the requirements of the code for wind resistance. Upon good cause shown, local government code enforcement agencies may accept or reject plans sealed by persons licensed under Chapters 471, 481 or 489, Florida Statutes.

107.3.5 Minimum plan review criteria for buildings. The examination of the documents by the building official shall include the following minimum criteria and documents: a floor plan; site plan; foundation plan; floor/roof framing plan or truss layout; all fenestration and building envelope penetrations; flashing; and rough opening dimensions; and all exterior elevations:

Commercial Buildings:

Building:

1. Site requirements:
 - Parking Fire access
 - Vehicle loading
 - Driving/turning radius
 - Fire hydrant/water supply/post indicator valve (PIV)
 - Set back/separation (assumed property lines)
 - Location of specific tanks, water lines and sewer lines
 - Flood hazard areas, flood zones, and design flood elevations
2. Occupancy group and special occupancy requirements shall be determined (with cross check with the energy code submittal).
3. Minimum type of construction shall be determined (see Table 503).
4. Fire-resistant construction requirements shall include the following components:
 - Fire-resistant separations
 - Fire-resistant protection for type of construction
 - Protection of openings and penetrations of rated walls
 - Fireblocking and draftstopping and calculated fire resistance

5. Fire suppression systems shall include:
 - Early warning smoke evacuation systems
 - Schematic fire sprinklers tandpipes
 - Pre-engineered systems
 - Riser diagram.
6. Life safety systems shall be determined and shall include the following requirements:
 - Occupant load and egress capacities
 - Early warning
 - Smoke control
 - Stair pressurization
 - Systems schematic
7. Occupancy load/egress requirements shall include:
 - Occupancy load
 - Gross
 - Net
 - Means of egress
 - Exit access
 - Exit
 - Exit discharge
 - Stairs construction/geometry and protection
 - Doors
 - Emergency lighting and exit signs
 - Specific occupancy requirements
 - Construction requirements
 - Horizontal exits/exit passageways
8. Structural requirements shall include:
 - Soil conditions/analysis
 - Termite protection

Design loads

Wind requirements

Building envelope

Impact resistant coverings or systems

Structural calculations (if required)

Foundation

Flood requirements in accordance with Section 1612, including lowest floor elevations, enclosures, flood damage- resistant materials

Wall systems Floor systems

Roof systems

Threshold inspection plan

Stair systems

9. Materials shall be reviewed and shall at a minimum include the following:

Wood

Steel

Aluminum

Concrete

Plastic

Glass

Masonry

Gypsum board and plaster Insulating (mechanical)

Roofing

Insulation

Building envelope portions of the Energy Code

(including calculation and mandatory requirements)

10. Accessibility requirements shall include the following:

Site requirements

Accessible route

Vertical accessibility

Toilet and bathing facilities

Drinking fountains

Equipment

Special occupancy requirements

Fair housing requirements

11. Interior requirements shall include the following:

Interior finishes (flame spread/smoke development)

Light and ventilation (including corresponding portion of the energy code)

Sanitation

12. Special systems:

Elevators

Escalators

Lifts

13. Swimming pools:

Barrier requirements

Spas

Wading pools

14. Location and installation details. The specific location and installation details of each fire door, fire damper, ceiling damper and smoke damper shall be shown and properly identified on the building plans by the designer.

Electrical:

1. Electrical:

Wiring

Services

Feeders and branch circuits

Overcurrent protection

Grounding

Wiring methods and materials

GFCIs

Electrical portions of the Energy Code (including calculation and mandatory requirements)

2. Equipment
3. Special occupancies
4. Emergency systems
5. Communication systems
6. Low voltage
7. Load calculations
8. Design flood elevation

Plumbing:

1. Minimum plumbing facilities
2. Fixture requirements
3. Water supply piping
4. Sanitary drainage
5. Water heaters
6. Vents
7. Roof drainage
8. Back flow prevention
9. Irrigation
10. Location of water supply line
11. Grease traps
12. Environmental requirements
13. Plumbing riser
14. Design flood elevation
15. Water/plumbing portions of the Energy Code (including calculation and mandatory requirements)

Mechanical:

1. Mechanical portions of the Energy calculations
2. Exhaust systems: Clothes dryer exhaust

Kitchen equipment exhaust

Specialty exhaust systems

3. Equipment
4. Equipment location
5. Make-up air
6. Roof-mounted equipment
7. Duct systems
8. Ventilation
9. Combustion air
10. Chimneys, fireplaces and vents
11. Appliances
12. Boilers
13. Refrigeration
14. Bathroom ventilation
15. Laboratory
16. Design flood elevation

Gas:

1. Gas piping
2. Venting
3. Combustion air
4. Chimneys and vents
5. Appliances
6. Type of gas
7. Fireplaces
8. LP tank location
9. Riser diagram/shutoffs
10. Design flood elevation
11. Gas portions of the Energy Code (including calculation and mandatory requirements)

Demolition:

1. Asbestos removal

Residential (one- and two-family):

1. Site requirements:
Set back/separation (assumed property lines) Location of septic tanks
2. Fire-resistant construction (if required)
3. Fire
4. Smoke detector locations
5. Egress:
Egress window size and location stairs construction requirements
6. Structural requirements shall include:
Wall section from foundation through roof, including assembly and materials
connector tables wind requirements structural calculations (if required)
Termite protection
Design loads
Wind requirements
Building envelope
Foundation
Wall systems
Floor systems
Roof systems
Flood hazard areas, flood zones, design flood elevations, lowest floor elevations,
enclosures, equipment, and flood damage- resistant materials
7. Accessibility requirements:
Show/identify
Accessible bath
8. Impact resistant coverings or systems
9. Residential Energy Code submittal (including calculation and mandatory requirements)

Manufactured buildings/housing:

1. Site requirements
Setback/separation (assumed property lines)
Location of septic tanks (if applicable)
2. Structural
Wind zone
Anchoring
Blocking
3. Plumbing
List potable water source and meter size (if applicable)
4. Mechanical
Exhaust systems
Clothes dryer exhaust
Kitchen equipment exhaust
5. Electrical exterior disconnect location
Exemptions: Plans examination by the building official shall not be required for the following work:
 1. Replacing existing equipment such as mechanical units, water heaters, etc.
 2. Reroofs
 3. Minor electrical, plumbing and mechanical repairs
 4. Annual maintenance permits
 5. Prototype plans:
Except for local site adaptations, siding, foundations and/or modifications.
Except for structures that require waiver.
 6. Manufactured buildings plan except for foundations and modifications of buildings on site and as listed above in manufactured buildings/housing.

[A] 107.4 Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in

compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

[A] 107.5 Retention of construction documents. One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

107.6 Affidavits. The building official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. The building official may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the building official copies of inspection reports as inspections are performed and upon completion of the structure, electrical, gas, mechanical or plumbing systems a certification that the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with the requirements of the technical codes. Where the building official relies upon such affidavit, the architect or engineer shall assume full responsibility for compliance with all provisions of the technical codes and other pertinent laws or ordinances. The building official shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, Florida Statutes, and that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, Florida Statutes.

107.6.1 Building permits issued on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Parts 59 and 60), the authority granted to the building official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to Sections 105.14 and 107.6, shall not extend to the flood load and flood-resistance construction requirements of the Florida Building Code.

SECTION 108 -- TEMPORARY STRUCTURES AND USES

[A] 108.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

[A] 108.2 Conformance. Temporary structures and uses shall comply with the requirements in Section 3103.

[A] 108.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in NFPA 70.

[A] 108.4 Termination of approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 109 -- FEES

[A] 109.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

[A] 109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

109.2.1 Types of Fees Enumerated. Fees may be charged for but not limited to the following:

- Permits;
- Plans examination;
- Certificates of competency (including fees for applications, examinations, renewal, late renewal, and reciprocity);
- Re-inspections;
- Administrative fees (including fees for investigative and legal costs incurred in the context of certain disciplinary cases heard by the board);
- Variance requests;
- Administrative appeals;

- Violations; and
- Other fees as established by local resolution or ordinance.

[A] 109.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official.

[A] 109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits or without prior approval from the building official as permitted in Section 105.2.2 or 105.12 shall be subject to a fee established by the building official that shall be in addition to the required permit fees or as provided by local ordinance. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger. But in all such cases the required permit(s) must be applied for within three (3) business days and any unreasonable delay in obtaining those permit(s) shall result in the charge of a double fee. The payment of a double fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The building official may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

[A] 109.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

[A] 109.6 Refunds. The building official is authorized to establish a refund policy.

SECTION 110 -- INSPECTIONS

[A] 110.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain exposed and provided with access for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or

of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the owner or the owner's authorized agent to cause the work to remain exposed and provided with access for inspection purposes. The building official shall be permitted to require a boundary line survey prepared by a Florida licensed professional surveyor and mapper whenever the boundary lines cannot be readily determined in the field. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

110.1.1 Manufacturers and fabricators. When deemed necessary by the building official, he/she shall make, or cause to be made, an inspection of materials or assemblies at the point of manufacture or fabrication. A record shall be made of every such examination and inspection and of all violations of the technical codes.

110.1.2 Inspection service. The building official may make, or cause to be made, the inspections required by Section 110. He or she may accept reports of department inspectors, independent inspectors or of recognized inspection services, provided that after investigation he/she is satisfied as to their licensure, qualifications and reliability. A certificate required by any provision of this code shall not be based on such reports unless the same are recorded by the building code inspector or the architect or engineer performing building code inspections in a manner specified by the building official. The building official shall ensure that all persons making such inspections shall be certified in accordance to Chapter 468 Florida Statutes.

[A] 110.2 Preliminary inspection. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

[A] 110.3 Required inspections. The building official upon notification from the permit holder or his or her agent shall make the following inspections, or any other such inspection as deemed necessary and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

Building

1. Foundation inspection. To be made after trenches are excavated, any required reinforcing steel is in place, forms erected and shall at a minimum include the following building components:

- Stem-wall
- Monolithic slab-on-grade
- Piling/pile caps
- Footers/grade beams

1.1. Slab Inspection: Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

1.2. A foundation/form board survey prepared and certified by a Florida licensed professional surveyor and mapper may be required, prior to approval of the slab inspection. The survey shall certify placement of the building on the site, illustrate all surrounding setback dimensions and shall be available at the job site for review by the building inspector. In lieu of providing a survey, the contractor may elect to uncover all property line markers and string-up all property lines in preparation for inspection.

1.3. In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certification shall be submitted to the authority having jurisdiction.

2. Framing inspection. To be made after the roof, all framing, fireblocking and bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved and shall at a minimum include the following building components:

- Window/door framing
- Window U-factor/SHGC (as indicated on approved energy calculations)
- Vertical cells/columns
- Lintel/tie beams
- Framing/trusses/bracing/connectors (including truss layout and engineered drawings)
- Draftstopping/fireblocking
- Curtain wall framing
- Energy insulation (Insulation R-factor as indicated on approved energy calculations)
- Accessibility
- Verify rough opening dimensions are within tolerances.

- Window/door buck attachment

2.1 Insulation Inspection: To be made after the framing inspection is approved and the insulation is in place, according to approved energy calculation submittal. Includes wall and ceiling insulation.

2.2 Lath and gypsum board inspection for fire-resistance rated or shear assemblies. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before ant plastering is applied or gypsum board joints and fasteners are taped and finished.

3. Sheathing inspection. To be made either as part of a dry-in inspection or done separately at the request of the contractor after all roof and wall sheathing and fasteners are complete and shall at a minimum include the following building components:

- Roof sheathing
- Wall sheathing
- Continuous air barrier
- Exterior siding/cladding
- Sheathing fasteners
- Roof/wall dry-in

NOTE: Sheathing fasteners installed and found to be missing the structural member (shiners) shall be removed and properly reinstalled prior to installation of the dry-in material.

4. Exterior wall coverings. Shall at a minimum include the following building components in progress inspections:

- Exterior wall coverings and veneers
- Soffit coverings

5. Roofing inspection. Shall at a minimum be made in at least two inspections and include the following building components:

- Dry-in
- Insulation
- Roof coverings (including In Progress as necessary)
- Insulation on roof deck (according to submitted energy calculation)
- Flashing

5.1 Re-roof sheathing inspection. An affidavit with a notarized signature of a state or locally licensed roofing contractor for the installation of additional sheathing fasteners as required by the Existing Building Code may be accepted at the discretion of the building official.

6. Final inspection. To be made after the building is completed and ready for occupancy.

6.1. In flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation shall be submitted to the authority having jurisdiction.

7. Swimming pool inspection. First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete.

a. Steel reinforcement inspection

b. Underground electric inspection

c. Underground piping inspection including a pressure test.

d. Underground electric inspection under deck area (including the equipotential bonding)

b. Underground piping inspection under deck area

c. Deck inspection: to be made prior to installation of the deck material (with forms, deck drains, and any reinforcement in place

d. Safety Inspection; Made prior to filling the pool with the bonding connections made, the proper drain covers installed and the final barriers installed.

e. Final pool piping

f. Final Electrical inspection

g. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 454.2.17 of this code.

8. Demolition inspections. First inspection to be made after all utility connections have been disconnected and secured in such manner that no unsafe or unsanitary conditions shall exist during or after demolition operations.

Final inspection to be made after all demolition work is completed.

9. Manufactured building inspections. The building department shall inspect construction of foundations; connecting buildings to foundations; installation of parts identified on plans as site installed items, joining the modules, including utility cross-

overs; utility connections from the building to utility lines on site; and any other work done on site which requires compliance with the Florida Building Code. Additional inspections may be required for public educational facilities (see Section 453.27.20 of this code).

10. Where impact-resistant coverings or impact-resistant systems are installed, the building official shall schedule adequate inspections of impact-resistant coverings or impact-resistant systems to determine the following:

The system indicated on the plans was installed.

The system is installed in accordance with the manufacturer's installation instructions and the product approval.

Electrical

1. Underground inspection. To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.

2. Rough-in inspection. To be made after the roof, framing, fireblocking and bracing is in place and prior to the installation of wall or ceiling membranes.

3. Final inspection. To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.

4. Existing Swimming Pools. To be made after all repairs or alterations are complete, all required electrical equipment, GFCI protection, and equipotential bonding are in place on said alterations or repairs.

Plumbing

1. Underground inspection. To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.

2. Rough-in inspection. To be made after the roof, framing, fireblocking and bracing is in place and all soil, waste and vent piping is complete, and prior to this installation of wall or ceiling membranes.

Includes plumbing provisions of the energy code and approved energy calculation provisions.

3. Final inspection. To be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

Note: See Section 312 of the Florida Building Code, Plumbing for required tests.

Mechanical

1. Underground inspection. To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the roof, framing, fireblocking and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.

Includes mechanical provisions of the energy code and approved energy calculation provisions.

3. Final inspection. To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

Gas

1. Rough piping inspection. To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected.

Includes gas provisions of the energy code and approved energy calculation provisions.

2. Final piping inspection. To be made after all piping authorized by the permit has been installed and after all portions which are to be

concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.

3. Final inspection. To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes, to ensure compliance with all the requirements of this code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

Site Debris

1. The contractor and/or owner of any active or inactive construction project shall be responsible for the clean-up and removal of all construction debris or any other miscellaneous discarded articles during the course of the construction project and prior to receiving final inspection approval. Construction job sites must be kept clean and in a safe condition at all times.
2. All debris shall be kept in such a manner as to prevent it from being spread by any means.

[A] 110.3.1 Footing and foundation inspection.

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be

in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

[A] 110.3.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

[A] 110.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.4 and Section R322 of the Florida Building Code, Residential, shall be submitted to the building official.

[A] 110.3.4 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fire-blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

[A] 110.3.5 Lath, gypsum board and gypsum panel product inspection. Lath, gypsum board and gypsum panel product inspections shall be made after lathing, gypsum board and gypsum panel products, interior and exterior, are in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

Exception: Gypsum board and gypsum panel products that are not part of a fire-resistance-rated assembly or a shear assembly.

110.3.6 Weather-exposed balcony and walking surface waterproofing. Where balcony or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious-moisture-barrier system shall not be concealed until inspected and approved.

[A] 110.3.7 Fire and smoke-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

[A] 110.3.8 Energy efficiency inspections. Inspections shall be made to determine compliance with FBC, Energy Conservation and confirm with the approved energy code submittal (by appropriate trade) and corresponding mandatory requirements and shall include, but not be limited to, inspections for: corresponding envelope insulation R- and U-values, fenestration U-value, and Solar Heat Gain Coefficient, duct system R-value, and HVAC, lighting, electrical and water-heating equipment efficiency.

[A] 110.3.9 Other inspections. In addition to the inspections specified in Sections 110.3 through 110.3.8, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

[A] 110.3.10 Special inspections. Reserved.

110.3.11 Final inspection. The final inspection shall be made after all work required by the building permit is completed.

110.3.11.1 Flood hazard documentation.

If located in a flood hazard area, documentation of the elevation of the lowest floor as required in Section 1612.5 and Section R322 of the Florida Building Code, Residential, shall be submitted to the building official prior to the final inspection.

110.3.11.2 Commercial Energy Code documentation. If required by energy code path submittal, confirmation that commissioning result requirements have been received by building owner.

110.3.11.3 Residential Energy Code documentation. If required by energy code path submittal (R405), confirmation that the duct test requirements shall be received by building official.

110.3.12 Termites. Building components and building surroundings required to be protected from termite damage in accordance with Section 1503.7, Section 2304.12.9 or Section 2304.12.4, specifically required to be inspected for termites in accordance with Section 2114, or required to have chemical soil treatment in accordance with Section 1816 shall not be covered or concealed until the release from the building official has been received.

110.3.13 Impact-resistant coverings or systems. Where impact-resistant coverings or systems are installed to meet requirements of this code, the building official shall schedule adequate inspections of impact-resistant coverings or systems to determine the following:

1. The system indicated on the plans was installed.
2. The system is installed in accordance with the manufacturer's installation instructions and the product approval.

[A] 110.4 Inspection agencies. The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

[A] 110.5 Inspection requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

[A] 110.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

110.7 Shoring. For threshold buildings, shoring and associated formwork or falsework shall be designed and inspected by a Florida licensed professional engineer prior to any required mandatory inspections by the threshold building inspector.

110.8 Threshold building.

110.8.1 During new construction or during repair or restoration projects in which the structural system or structural loading of a building is being modified, the enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building permit for the construction of a threshold building. The purpose of the structural inspection plans is to provide

specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents. The special inspector may not serve as a surrogate in carrying out the responsibilities of the building official, the architect, or the engineer of record. The contractor's contractual or statutory obligations are not relieved by any action of the special inspector.

110.8.2 The special inspector shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency. A fee simple title owner of a building, which does not meet the minimum size, height, occupancy, occupancy classification, or number-of-stories criteria which would result in classification as a threshold building under s. 553.71(7), Florida Statutes may designate such building as a threshold building, subject to more than the minimum number of inspections required by the Florida Building Code.

110.8.3 The fee owner of a threshold building shall select and pay all costs of employing a special inspector, but the special inspector shall be responsible to the enforcement agency. The inspector shall be a person certified, licensed or registered under Chapter 471, Florida Statutes, as an engineer or under Chapter 481, Florida Statutes, as an architect.

110.8.4 Each enforcement agency shall require that, on every threshold building:

110.8.4.1 The special inspector, upon completion of the building and prior to the issuance of a certificate of occupancy, file a signed and sealed statement with the enforcement agency in substantially the following form: "To the best of my knowledge and belief, the above described construction of all structural load-bearing components complies with the permitted documents, and the shoring and reshoring conforms to the shoring and reshoring plans submitted to the enforcement agency."

110.8.4.2 Any proposal to install an alternate structural product or system to which building codes apply be submitted to the enforcement agency for review for compliance with the codes and made part of the enforcement agency's recorded set of permit documents.

110.8.4.3 All shoring and reshoring procedures, plans and details be submitted to the enforcement agency for recordkeeping. Each shoring and reshoring installation shall be supervised, inspected and certified to be in compliance with the shoring documents by the contractor.

110.8.4.4 All plans for the building which are required to be signed and sealed by the architect or engineer of record contain a statement that, to the best of the architect's or engineer's knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire-safety standards as determined by the local authority in accordance with this section and Chapter 633, Florida Statutes.

110.8.5 No enforcing agency may issue a building permit for construction of any threshold building except to a licensed general contractor, as defined in Section 489.105(3)(a), Florida Statutes, or to a licensed building contractor, as defined in Section 489.105(3)(b), Florida Statutes, within the scope of her or his license. The named contractor to whom the building permit is issued shall have the responsibility for supervision, direction, management and control of the construction activities on the project for which the building permit was issued.

110.8.6 The building department may allow a special inspector to conduct the minimum structural inspection of threshold buildings required by this code, Section 553.73, Florida Statutes, without duplicative inspection by the building department. The building official is responsible for ensuring that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, Florida Statutes, or certified as a special inspector under Chapter 471 or 481, Florida Statutes. Inspections of threshold buildings required by Section 553.79(5), Florida Statutes, are in addition to the minimum inspections required by this code.

SECTION 111 -- CERTIFICATE OF OCCUPANCY

[A] 111.1 Use and occupancy. A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception: Certificates of occupancy are not required for work exempt from permits in accordance with Section 105.2.

[A] 111.2 Certificate issued. After the building official inspects the building or structure and does not find violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. For buildings and structures in flood hazard areas, a statement that documentation of the as-built lowest floor elevation has been provided and is retained in the records of the authority having jurisdiction.
7. The name of the building official.
8. The edition of the code under which the permit was issued.
9. The use and occupancy, in accordance with the provisions of Chapter 3.
10. The type of construction as defined in Chapter 6.
11. The design occupant load.
12. If an automatic sprinkler system is provided, whether the sprinkler system is required.
13. Any special stipulations and conditions of the building permit.

[A] 111.3 Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

[A] 111.4 Revocation. The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

111.5 Certificate of completion. A certificate of completion is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility

system. This certificate does not grant authority to occupy a building, such as shell building, prior to the issuance of a certificate of occupancy.

SECTION 112 -- SERVICE UTILITIES

[A] 112.1 Connection of service utilities. A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official.

[A] 112.2 Temporary connection. The building official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel or power.

[A] 112.3 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 112.1 or 112.2. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 113 -- BOARD OF APPEALS

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

113.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

SECTION 114 -- VIOLATIONS

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

114.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

114.3 Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents, or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

SECTION 115 -- STOP WORK ORDER

[A] 115.1 Authority. Where the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order.

[A] 115.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

[A] 115.3 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 116 -- UNSAFE STRUCTURES AND EQUIPMENT

116.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

116.2 Record. The building official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

116.3 Notice. If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.

116.4 Method of service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure

affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

116.5 Restoration. Where the structure or equipment determined to be unsafe by the building official is restored to a safe condition, to the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions and change of occupancy shall comply with the requirements of Section 105.2.2 and the Florida Building Code, Existing Building.

SECTION 117 -- VARIANCES IN FLOOD HAZARD AREAS

117.1 Flood hazard areas. Pursuant to Section 553.73(5), Florida Statutes, the variance procedures adopted in the local flood plain management ordinance shall apply to requests submitted to the building official for variances to the provisions of Section 1612.4 of the *Florida Building Code, Building* or, as applicable, the provisions of Section R322 of the *Florida Building Code, Residential*. This section shall not apply to Section 3109 of the *Florida Building Code, Building*.

Editor's note— Section 6-1, mobile homes, was repealed in its entirety by Ord. No. 95-26, and previously derived from portions of Ord. Nos. 144 and 146.

SECTION 3. From and after the effective date of this ordinance, Article I, Section 6-4 of the City of Saint Augustine Beach Code is amended as follows:

Sec. 6-4. -Model Administrative Code-RESERVED

~~There is hereby adopted by reference, as though it were copied herein fully, The Building Officials Association of Florida Model Administrative Code for the 6th Edition (2017) Florida Building Code dated July 28, 2017.~~

~~(Ord. No. 18-04, § 1, 3-5-18; Ord. No. 20-, § 1, - -20)~~

Editor's note— ~~At the direction of the city, § 6-4 has been retained.~~

SECTION 4. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 5. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the City of Saint Augustine Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 6. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this ____ day of _____, 2020.

MAYOR

ATTEST:

CITY CLERK


EXAMINED AND APPROVED by me this ____ day of _____, 2020.

MAYOR

Published in the _____ on the ____ day of _____, 2020. Posted on www.staugbch.com on the ____ day of _____, 2020.

MEMORANDUM

TO: Commissioner England
Commissioner George
Commissioner Samora
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: December 8, 2020

SUBJECT: Re-Appointment to Three Year Term of Three Sustainability and Environmental Planning Advisory Committee Members: Ms. Lana Bandy, Ms. Ann Palmquist, and Mr. Craig Thomson

The term of each of these members expires in February 2021. Each has asked to be re-appointed. As there are no other applications for membership on SEPAC, we ask that you appoint these three members by a single motion and vote.

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: RESOLUTION 21-04
DATE: 12/21/2020

Resolution 21-04 is to surplus several Police Department assets, per Exhibit A. These assets will be traded for credit to one of our vendors for the purchase of updated replacement assets. Chief Carswell has submitted the request for the upcoming Commission meeting, January 4th, 2021.

If further information is needed, please let me know.

RESOLUTION 21-04

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY**

**RE: TO DECLARE AS SURPLUS
AND AUTHORIZE THEIR
DISPOSAL ITEMS LISTED ON
EXHIBIT A**

The City Commission of St. Augustine Beach, St. Johns County, Florida, in regular meeting duly assembled on Monday, January 4th, 2021, resolves as follows:

WHEREAS, from time to time the City's departments have items of property which have reached the end of their useful life, or are broken and for which the cost of repairs would exceed the value of the item(s), or are obsolete and/or no longer of use to the department, and

WHEREAS, Section 10 of the City's Capital Asset Policy requires that the City Commission approve the disposal of any property that is declared surplus.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida, does declare as surplus items from various departments listed on Exhibit A (attached), and authorizes their disposal.

RESOLVED AND DONE, this 4th day of January 2021 by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Margaret England, Mayor

ATTEST:

City Manager

EXHIBIT A



City of St. Augustine Beach Disposal/Retirement of Capital Asset

Date of Transaction: December 7, 2020

Asset Tag #	VIN/Serial #	Asset Description	Department	Location	To be completed by Finance only.	
					Sold/Destroyed/Donated	Proceeds Received
00359	W314641V	Remington 870	SABPD	GT Distributors	Sold	0
00360	W314701V	Remington 870	SABPD	GT Distributors	Sold	0
00358	W314629V	Remington 870	SABPD	GT Distributors	Sold	0
SJCSB SATC-6128	A872091M	Remington 870	SABPD	GT Distributors	Sold	0

Comments: _____

Dept Head Approval: _____

Date: 12/17/20

Finance Dept Approval: _____

Date: 12/21/20



St. Augustine Beach Police Department



TO: Finance Dept

RE: Memorandum for surplus of weapons

FROM: Chief D. Carswell

DATE: December 21, 2020

Finance Dept,

The below listed weapons and weapon accessories are to be listed at surplus and removed from our inventory. They will be turned in to GT Distributors (2285 Kingsley Ave., Orange Park, FL 32076) for store credit for the St. Augustine Beach Police Department to update the weapons and accessories inventory at minimal cost to the agency. All items have been properly accounted for in the City and Agency Annual Inventory.


CITY TAG NUMBER	WEAPON TYPE	SERIAL NUMBER
	BUSHMASTER AR-15	L350144
	BUSHMASTER AR-15	L350151
	BUSHMASTER AR-15	L350154
	BUSHMASTER AR-15	L350150
	BUSHMASTER AR-15	L350157
	BUSHMASTER AR-15	L349391
	BUSHMASTER AR-15	L350155
	BUSHMASTER AR-15	L350136
	BUSHMASTER AR-15	L349888
	BUSHMASTER AR-15	L349889
	BUSHMASTER AR-15	L350148
	BUSHMASTER AR-15	L349397
	BUSHMASTER AR-15	L350149
	BUSHMASTER AR-15	L349887
00359	REMINGTON 870	W314641V
00360	REMINGTON 870	W314701V
00358	REMINGTON 870	W314629V
SJCSB SATC-6128	REMINGTON 870	A872091M
	GLOCK 17	WGL844
	AIMPOINT PRO	W2899885
	AIMPOINT PRO	W2899208
	AIMPOINT PRO	W2899892
	AIMPOINT PRO	W2899889
	AIMPOINT PRO	W2899210
	WINCHESTER	UNKNOWN

Sincerely,

Daniel P. Carswell
Chief of Police

MEMORANDUM

TO: Commissioner England
Commissioner George
Commissioner Samora
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: December 21, 2020

SUBJECT: Ordinance 21-01, First Reading, to Amend the Land Development Regulations to Allow Mobile Food Sales in the City

INTRODUCTION

Section 3.02.03 of the Land Development Code lists a number of prohibited uses in the City. Subsection A.6 states that the following is prohibited: "The operation of a business from any temporary quarters, such as but not limited to: tents, pushcarts, sheds, carports, motor vehicles and trailers."

In its 2020 session, the Florida Legislature passed a 103-page bill. One small section of that bill amends Section 509.102, Florida Statutes, by creating a new section that concerns mobile food dispensing vehicles. Section 509.102 (2) states that "a municipality, county, or other local government entity may not prohibit mobile food dispensing vehicles from operating within the entirety of the entity's jurisdiction."

This means that a city or county cannot prohibit throughout their boundaries mobile food dispensing vehicles from conducting business. However, a city or county may regulate where mobile food dispensing vehicles can do business within their limits, such as allowing them only in commercial land use districts.

ATTACHMENTS

Attached for your review is the following:

- a. Page 1, Section 3.02.03.4 from the Land Development Code.
- b. Pages 2-3, Section 509.102, Florida Statutes, that was approved by the Legislature.
- c. Page 4-5, a list of regulations governing the operation of mobile food dispensing vehicles in the City of Venice, Florida.
- d. Pages 6-7, a list of regulations proposed for the City of Cocoa Beach, Florida.
- e. Pages 8-11, a newspaper article about regulations proposed for Tarpon Springs, Florida.
- f. Pages 12-13, the minutes of that part of your November 9th meeting when you discussed whether mobile food sales should be allowed in the City.
- g. Pages 14-20, a draft of Ordinance 21-01 that was prepared by the City Attorney

ACTION REQUESTED

It is that you discuss Ordinance 21-01. If it meets with your approval, then you can pass it on first reading.

Sec. 3.02.03. - Prohibited uses.

- A. In addition to the uses prohibited under section 3.02.02 and Table 3.02.02, and other provisions of this Code, the following uses are prohibited:
1. Keeping, breeding, or raising of bees, insects, reptiles, pigs, horses, cattle, goats, hogs, or poultry.
 2. The sale, offer for sale, rental, storage or display of any merchandise, outside of an enclosed building on the premises of any business except as provided herein.
 - a. As used herein the term "outdoor" shall mean any area which is outside of the heated or cooled area of a building and visible from a public street. Provided, however, that the outdoor display or sale of merchandise shall be permitted:
 - (1) In conjunction with and pursuant to any outdoor sale or display of merchandise authorized in conjunction with a special event pursuant to section 3.02.05 hereof:
 - (2) When the display is limited to merchandise identical to that actually in stock and available for purchase on the premises where the display is maintained, the display is limited in size to an area no greater than five (5) feet high, three (3) feet wide, and three (3) feet in length and is not located within six (6) feet of any other such display. No such display may be located within any public right-of-way, mandatory building setback under this chapter or so as to interfere with any fire exit required under any building code of the city. Any display rack, shelves or other device used in conjunction with the display of merchandise shall be made of wood which shall have either a natural finish or shall be painted only in colors which have been approved by the comprehensive planning and zoning board as a part of the supplemental criteria for community appearance standards or shall be made of brass, copper, bronze, nickel, tin or iron; provided, however, that painted, polished, anodized or chromed metals shall be prohibited.
 3. The sale, offer for sale, or rebuilding of secondhand merchandise on any business premises, including secondhand household and commercial goods, such as but not limited to: refrigerators, stoves, sinks, plumbing fixtures, carports, tents, air conditioners, windows, vehicle parts, and the like.
 4. The manufacture, assembly or preparation of any merchandise, food or beverages outside of an enclosed building on any business premises.
 5. The sale, offer for sale, or rental of any merchandise, food or beverages from a motorized or nonmotorized vehicle or trailer of any type on any business premises.
 6. The operation of a business from any temporary quarters, such as but not limited to: tents, pushcarts, sheds, carports, motor vehicles, and trailers.
 7. Package stores; provided, however, that package stores having an area of less than eight thousand (8,000) square feet and located within a shopping center having greater than fifteen thousand (15,000) square feet under roof and package stores operated in conjunction with a restaurant having a 4-COP license as of the effective date of this section shall be an authorized use within commercially zoned areas.

ENROLLED

CS/HB 1193, Engrossed 3

2020 Legislature

2276 final order.

2277 Section 74. Section 492.115, Florida Statutes, is amended
2278 to read:

2279 492.115 Roster of licensed professional geologists.—A
2280 roster showing the names and places of business or residence of
2281 all licensed professional geologists and all properly qualified
2282 firms, corporations, or partnerships practicing ~~holding~~
2283 ~~certificates of authorization to practice~~ professional geology
2284 in the state shall be prepared annually by the department. A
2285 copy of this roster must be made available to ~~shall be~~
2286 ~~obtainable by~~ each licensed professional geologist and each
2287 firm, corporation, or partnership qualified by a professional
2288 geologist ~~holding a certificate of authorization~~, and copies
2289 thereof shall be placed on file with the department.

2290 Section 75. Section 509.102, Florida Statutes, is created
2291 to read:

2292 509.102 Mobile food dispensing vehicles; preemption.—

2293 (1) As used in this section, the term "mobile food
2294 dispensing vehicle" means any vehicle that is a public food
2295 service establishment and that is self-propelled or otherwise
2296 movable from place to place and includes self-contained
2297 utilities, including, but not limited to, gas, water,
2298 electricity, or liquid waste disposal.

2299 (2) Regulation of mobile food dispensing vehicles
2300 involving licenses, registrations, permits, and fees is

Page 92 of 103

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb1193-05-er

ENROLLED

CS/HB 1193, Engrossed 3

2020 Legislature

2301 preempted to the state. A municipality, county, or other local
 2302 governmental entity may not require a separate license,
 2303 registration, or permit other than the license required under s.
 2304 509.241, or require the payment of any license, registration, or
 2305 permit fee other than the fee required under s. 509.251, as a
 2306 condition for the operation of a mobile food dispensing vehicle
 2307 within the entity's jurisdiction. A municipality, county, or
 2308 other local governmental entity may not prohibit mobile food
 2309 dispensing vehicles from operating within the entirety of the
 2310 entity's jurisdiction.

2311 (3) This section may not be construed to affect a
 2312 municipality, county, or other local governmental entity's
 2313 authority to regulate the operation of mobile food dispensing
 2314 vehicles other than the regulations described in subsection (2).

2315 (4) This section does not apply to any port authority,
 6 aviation authority, airport, or seaport.

2317 Section 76. Paragraph (i) of subsection (2) of section
 2318 548.003, Florida Statutes, is amended to read:

2319 548.003 Florida State Boxing Commission.—

2320 (2) The Florida State Boxing Commission, as created by
 2321 subsection (1), shall administer the provisions of this chapter.
 2322 The commission has authority to adopt rules pursuant to ss.
 2323 120.536(1) and 120.54 to implement the provisions of this
 2324 chapter and to implement each of the duties and responsibilities
 2325 conferred upon the commission, including, but not limited to:

Page 93 of 103

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb1193-05-er

EXECUTIVE ORDER NO. 2020-05
COVID-19
MOBILE FOOD DISPENSING VEHICLE

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order No. 20-52, declaring a state of emergency in the State of Florida for COVID-19;

WHEREAS, on March 16, 2020, the City Manager of the City of Venice issued Executive Order No. 2020-01, as extended by Extension Nos. 1 and 2, that declared a Local State of Emergency due to COVID-19 which constitutes a potential life threatening situation for the citizens and visitors to the City for an undefined period of time;

WHEREAS, on March 16, 2020, the White House issued a new nationwide guideline calling all people to avoid gatherings of more than 10 people;

WHEREAS, on April 1, 2020, Governor Ron DeSantis issued Executive Order No. 20-91 which directed all persons in Florida to limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities, but encouraged businesses to provide delivery, carry-out or curbside service;

WHEREAS, Section 252.38, Florida Statutes, authorizes the City of Venice to take whatever prudent action is necessary to ensure the health, safety and welfare of the community during a declared emergency;

WHEREAS, the Code of Ordinances of the City of Venice does not provide for the operation of mobile food dispensing vehicles;

WHEREAS, mobile food dispensing vehicles licensed by the State of Florida may facilitate the safe provision of essential services to the residents of the City of Venice during the COVID-19 emergency.

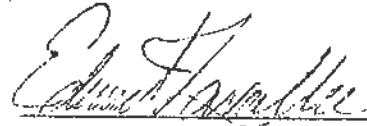
NOW, THEREFORE, I, Edward Lavalley, City Manager of the City of Venice, in accordance with the provisions of the State of Florida Office of the Governor Executive Order No. 20-52, Chapter 252.38, Florida Statutes, and Executive Order No. 2020-01, as extended, hereby order the following:

1. Any and all provisions of the City's Code of Ordinances that could be construed as prohibiting the operation of a mobile food dispensing vehicle are hereby waived. For purposes of this Executive Order, a "mobile food dispensing vehicle" shall mean any vehicle that is a public food service establishment that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal, and is licensed by the State of Florida. The following requirements and restrictions shall apply to the operation of a mobile food dispensing vehicle within the City of Venice:

- (a) No mobile food dispensing vehicle shall operate on publicly owned property or public rights-of-way/sidewalks unless allowed by the public entity that controls the property.
- (b) Mobile food dispensing vehicles shall be permitted to operate on privately owned property with the owner's consent providing the following are met:
 - (i) a valid license/permit from the Florida Department of Business and Professional Regulation or the Florida Department of Agriculture and Consumer Services, as applicable, is possessed;
 - (ii) the location of the mobile food dispensing vehicle shall not impede, endanger, or interfere with pedestrian or vehicular traffic;
 - (iii) the mobile food dispensing vehicle shall only operate between the hours of 6:00 a.m. and 10:00 p.m.;
 - (iv) the mobile food dispensing vehicle shall be set back from residential structures by at least 150 feet; and not be located within 500 feet of any actively operating restaurants;
 - (v) there may be no more than two (2) mobile food dispensing vehicles on any parcel.
- (c) Overnight parking of a mobile food dispensing vehicle shall be allowed on private property. Overnight parking of a mobile food dispensing vehicle may be allowed on City owned property or rights-of-way only with advance approval of the City.
- (d) The mobile food dispensing vehicle operator and the property owner shall be responsible for the proper disposal of waste and trash. No grease, waste, trash or other debris shall be deposited on or released onto public property, which includes streets, sidewalks or other public places nor into the gutter or storm drainage system.
- (e) A mobile food dispensing vehicle shall be no larger than 10 by 27 feet, with each separate mobile component no more than two axles.

2. This Executive Order shall expire upon the expiration of Governor DeSantis' Executive Order No. 20-52, including any extension thereof, unless terminated earlier by further Executive Order of the City.

DONE AND ORDERED this 9th day of April, 2020, at Venice, Florida.


Edward F. Lavallee, City Manager
City of Venice, Florida

ATTEST

City Clerk

Dariana Fitzgerald

From: facinfo@googlegroups.com on behalf of Loredana Kalaghchy
<lkalaghchy@cityofcocoabeach.com>
Sent: Thursday, September 24, 2020 3:45 PM
To: facinfo@googlegroups.com
Subject: [FACC Discussion Forum] RE: Mobile Vendor

Hi

October 1, the Commission will be considering the adoption of the following:

A. Mobile food dispensing vehicles.

1. The operation of a vehicle which dispenses food for the public shall not be permitted to operate within the public right of way or any city owned property, except when associated with a city approved special event.
2. Operations are prohibited on properties with single family or multifamily structures, except in connection with a private event.
3. Within the Towncenter zoning district, mobile food dispensing vehicles are only permitted on the site of a food establishment with a physical location. On all other sites within the Towncenter zoning district, approval of a special exception is required.
4. The type of food offered for sale by a mobile food dispensing vehicle shall not be identical to an existing restaurant within three hundred (300) feet.
5. On properties of where operations are permitted, mobile food dispensing vehicles shall be located least ten (10) feet from any property line, and no vehicle shall be permitted to interfere with sight visibility at intersections, as detailed in Section 3-07 of these regulations.
6. Except as may be provided as part of a special event, the following shall apply:
 - a. When a site is less than one half (1/2) acre in area there shall be a maximum of two (2) mobile food dispensing vehicles onsite at any one time.
 - b. When a site is greater than one half (1/2) acre in area, there shall be a maximum of four (4) mobile food dispensing vehicles onsite at any one time.
7. The location of a mobile food dispensing vehicle within a parking area shall not be permitted to reduce the available parking for the site beyond the minimum required for standard site operations.
8. Setup and operations are subject to inspection by the Chief Building Official (CBO) and/or Fire Marshal.
9. Appropriate trash and recycling containers shall be provided and all sidewalks, parking areas, and pedestrian spaces shall be kept clear of refuse or obstruction.
10. Any outdoor lighting shall be in compliance with the requirements of LDC Chapter III Article VI.
11. Outdoor signs shall meet the requirements of LDC Chapter V.
12. All outdoor areas, including seating and sidewalk areas, shall maintain the ADA required minimum five (5) foot unobstructed pathway at all times.
13. Any outdoor noise, music, or entertainment shall be in compliance with the requirements of City Code of Ordinances Section 15-23.
14. All mobile food dispensing vehicles shall be licensed to operate within the State of Florida and must u to date with all the requirements of the Florida Department of Business and Professional Regulations

(DBPR), the Florida Department of Health, the Florida Department of Agriculture and Consumer Services, and the City of Cocoa Beach.

15. When the operation of a mobile food dispensing vehicle is part of a special event, the requirements within the City Code of Ordinances Chapter 14 shall apply.



Loredana Kalaghchy | (MMC) | City Clerk
t: 321.868-3235 w: www.cityofcocoa beach.com

City of Cocoa Beach
P.O. Box 322430 | Cocoa Beach, FL 32932-2430

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From: faccinfo@googlegroups.com <faccinfo@googlegroups.com> **On Behalf Of** Jabari Hopkins
Sent: Thursday, September 24, 2020 3:00 PM
To: faccinfo@googlegroups.com
Subject: [FACC Discussion Forum] Mobile Vendor

Good afternoon,

With the HB 1193 states in Sec 75. Sec 509.102, F.S., is created to read:

(2) Regulation of mobile food dispensing vehicles involving licenses, registrations, permits, and fees is preempted to the state. A municipality, county, or other local governmental entity may not require a separate license, registration, or permit other than the license required under s. 509.241, or require the payment of any license, registration, or permit fee other than the fee required under s. 509.251, as a condition for the operation of a mobile food dispensing vehicle within the entity's jurisdiction. A municipality, county, or other local governmental entity may not prohibit mobile food dispensing vehicles from operating within the entirety of the entity's jurisdiction.

How do you all regulate these businesses? Being that this House Bill states that we cannot prohibit what do you have in this are we to just allow mobile vendors to just set up and operate? Please shed some guidance.

Kind Regards,

Jabari Hopkins, Deputy City Clerk

City of Fruitland Park

Phone: 352-901-6019

Web: www.fruitlandpark.org

Email: JXHopkins@fruitlandpark.org

506 W. Berckham St. Fruitland Park FL 34731

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2% Listing Commission



http://www.suncoastnews.com/news/tarpon-wrangles-with-new-food-truck-law/article_21501d68-f833-11ea-aa75-cb01d6337b88.html

Tarpon wrangles with new food truck law

A new state law prohibits cities from banning mobile food trucks, but Tarpon officials and residents are split as to where they should be allowed to operate

By JEFF ROSENFELD, Suncoast News
Sep 16, 2020



City commissioners recently voted 4-1 in favor of allowing mobile food trucks to operate in the city's industrial districts and on U.S. Highway 19, and not downtown or at the Sponge Docks. The decision comes in the wake of a new state law that prohibits municipalities from banning mobile food vendors. The second and final reading of the ordinance is scheduled for Tuesday, Sept. 22.

JEFF ROSENFELD

TARPON SPRINGS — In the wake of a new state law prohibiting cities from banning food trucks, officials throughout the Sunshine State have been scrambling to enact regulations regarding where mobile food vending vehicles should be allowed operate in their communities.

Following several discussions on the subject, the Tarpon Springs' Planning and Zoning Board and the City Commission came to a general consensus that the vehicles could operate in industrial areas and certain sections of U.S. Highway 19 only and not in the historic downtown district or at the Sponge Docks.

The issue drew considerable public feedback during the board's first reading of the proposed changes to the city's Land Development Code on Sept. 8, with roughly a half a dozen residents and merchants calling for more relaxed restrictions regarding food trucks.



"It comes to my attention that the food trucks must be on U.S. 19 only. This is very disappointing," Irene Manglis, owner of Meli Greek Street Donuts, wrote.

Noting she had an agreement in place with a business owner at the docks, Manglis' email said she "does not want to work on US Highway 19. That is not fair," and she said the trucks should be able to operate at the Sponge Docks and downtown with support, in the form of a lease or written agreement, from the businesses in the area.

The Tarpon Springs Merchants Association supported Manglis' position in an email that stated, in part, "We have spoken to many of our merchants (and) we are hearing that the majority of our food, drink and retail store owners are in favor of a food and beverage truck or cart on their own property," adding they hoped the board would "look at this as an opportunity to give the business owners a venue to create something new and exciting for their establishments that will help them stay open."

Several local business owners also weighed in support of allowing food trucks all over town.

"While some merchants feel the food trucks or added businesses take away from their own business, I strongly disagree," Ginger Alemaghides, owner of the Bohemian Gypsea gift shop at 740 N. Pinellas Ave., wrote, adding, "Food trucks done correctly in our downtown and Sponge Docks can only enhance the charm of Tarpon Springs. The more food and shopping we have in the area the more people will be attracted to the area, and everyone will win."

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Elijah Durham, owner of the SOL Burger food truck, argued that businesses such as his deserve to be treated as equal to brick and mortar establishments. "It is almost equally as expensive to open a food trailer or a food truck as it is to open a restaurant," he said. "It is certainly not a cheap endeavor."

Durham, who recently formed a partnership with the new Brighter Days Brewing Co., said, "we believe as locals in this community that we can start a food truck and still continue to have that charm that has brought us here and has wanted us to stay here."

Despite the pleas, Mayor Chris Alahouzos said he would not support allowing food trucks at the docks and downtown, and he said he was also against allowing the units as accessories for breweries, distilleries and other food and beverage establishments.

"I'm not convinced (it's) the right thing to have in Tarpon Springs," Alahouzos said. "But I do support (allowing them in the designated areas) and I'm flexible in regards to how late they stay open."

After much discussion the commission ultimately voted in favor of the ordinance, allowing mobile food trucks to operate in the designated areas between 7 a.m. and 10 p.m. with exemptions for breweries, wineries and distilleries and other food and drink establishments, by a vote of 4-1. Alahouzos voted against it.

The second and final reading of the item is scheduled for Tuesday, Sept. 22.

"In the city of Tarpon Springs, we've worked very hard to improve the CRA district and the Sponge Docks through façade and other grants as well as many beautification projects, to make these areas attractive to visitors and businesses to our community," Alahouzos said by phone a few days later. "Now you can have someone put a trailer in back of their business and become a restaurant in a matter of days, and I don't think that was fair. I like food trucks, when they're in the right place and at our special events and festivals, which will continue. But to have them in back (of places) right in the middle of town competing with other restaurants? I don't agree with that and I don't support it."

11. Mobile Food Sales: Discussion of Allowing Such in the City Because of New State Law (Presenter: Max Royle, City Manager)

Mayor England introduced Item 11 and asked for a staff report from City Manager Royle.

City Manager Royle explained due to state law the City cannot prohibit food trucks and recommends considering other cities' regulations that were supplied in the Commission books to allow vehicles in commercial districts, set time limits on operations, to only allow food trucks on public property only during special events, prohibit them from operating on the beach, set a size limit on food trucks, require food trucks to conform to the City sign regulations, require that have state licenses, and comply with health department regulations.

Mayor England asked the Commission if they have any suggestions to give to the City Attorney when drafting the ordinance. She suggested on pages 6 and 7 to put those items in the drafted ordinance. She advised that they could not use the parkettes.

City Manager Royle advised that the City should have the same regulations that St. Johns County has for consistency reasons.

Mayor England asked to think of the City as well because our City is smaller and has less public property. She advised that she would like the businesses also to review the ordinance.

Commissioner George agreed with using St. Johns County's ordinance and requested that the sample ordinances from other municipalities be provided again in the next Commission book for a checklist purpose.

Commissioner Rumrell suggested that the City Attorney look at the City of St. Augustine's ordinance as well.

Vice Mayor Kostka asked if a franchise fee could be added. She commented that she likes the City of Venice's ordinance, but it talks about COVID-19 and it made it confusing. She liked the City of Venice's language where they must be 150 feet away from a residential structure and consider only one food truck on a parcel. She also would not like overnight parking in the City.

Commissioner Rumrell advised that St. Johns County regulates the beaches, not the City.

City Manager Royle advised that the beaches within the City's limits are governed by the City, however, St. Johns County's ordinance says that there is no vending on the beach.

City Attorney Taylor advised that he would check about vending on the beach, per Commissioner George's request.

Commissioner George advised that vending on the beach would upset a lot of people.

Commissioner Samora asked why the City of Venice's ordinance is wrapped around the Governor's orders.

City Attorney Taylor advised that he would check into that.

Commissioner George advised that the City of Venice probably did a looser ordinance due to COVID-19 state of emergency.

Commissioner Samora suggested to allow them in only one place in the City and consider restrooms when the ordinance is considered.

Mayor England advised that the state regulations prohibit food trucks to one area with the City limits. She asked City Attorney Taylor to reach whether a food truck would be allowed on private property.

City Attorney Taylor advised he would.

Mayor England opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that previous Commissions have banned food trucks, which he disagreed with and wished the food truck at the time would have sued the City for not following anti-trust laws.

Mayor England closed the Public Comments section and asked for any further Commission discussion.

Vice Mayor Kostka asked to include that the food trucks give a copy of their state license and health department licensing to the City if they are in the City.

It was the consensus of the Commission to have City Attorney Taylor to draft an ordinance and bring it back to the Commission.

AT, 10/10/10

ORDINANCE NO. 21-01

AN ORDINANCE OF THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA, MAKING FINDINGS OF FACT; CREATING THE CITY'S POLICY ON MOBILE FOOD DISPENSING VEHICLES IN LAND DEVELOPMENT REGULATIONS, ARTICLE II OF SAINT AUGUSTINE BEACH; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WITNESSETH:

WHEREAS, the City of Saint Augustine Beach is required to comply with all requirements that are contained in Chapter 500, Florida Statutes (F.S.) and Chapter 5K-4, Florida Administrative Code (F.A.C.).

WHEREAS, the Florida legislature created Florida Statute §509.102, Mobile Food Dispensing; Preemption.

WHEREAS, the City of Saint Augustine Beach is desirous of the orderly regulation of mobile food establishments in the City of Saint Augustine Beach.

NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE CITY OF SAINT AUGUSTINE BEACH:

SECTION 1. The foregoing recitals are incorporated as legislative findings of fact.

SECTION 2. From and after the effective date of this ordinance, Land Development Regulations of Saint Augustine Beach Article II -- Definitions is amended as follows:

Minor Replat—The subdivision of a single lot or parcel of land into two (2) lots or parcels, or the subdivision of a parcel into two (2) or more lots solely for the purpose of increasing the area of two (2) or more adjacent lots or parcels of land, where there are no roadway, drainage or other required improvements, and where the resultant lots comply with the standards of this Code.

Mobile Food Dispensing Vehicle means any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to gas, water, electricity, or liquid waste disposal. (See Florida Statute 509.102)

Mobile Home—A structure, transportable in one (1) or more sections, that is eight (8) body feet, or more in width and is built on an integral chassis. It is designed to be used as a dwelling

when connected to the required utilities. All the plumbing, heating, air conditioning and electrical systems are contained within the unit.

SECTION 3. From and after the effective date of this ordinance, Land Development Regulations of Saint Augustine Beach Article III – Section 3.02.02 is amended to read:

<i>Services, Hotels, and Restaurants</i>								
Service establishments: barber and beauty shops, bakery (but not wholesale), bicycle rentals, costuming shops, dry cleaner (using nonflammable solvents only), electronic and light mechanical repair stores, florists, interior decorator, laundromat, photography studio, printing, shoe repair, tailor, travel agency, upholstery shop, and video rentals	X	X	X	X	P	X	X	X
Catering	X	X	X	X	C	X	X	X
Condominium hotels	X	X	X	X	C	X	X	X
Day care center	X	X	X	X	C	X	X	X
Equipment rental	X	X	X	X	C	X	X	X
Food and/or beverage service or consumption outside of an enclosed building on the premises of a restaurant or hotel/motel	X	X	X	X	C	X	X	X
Funeral home	X	X	X	X	C	X	X	X
Hotel/motel (including ancillary uses such as restaurants, lounges and night clubs)	X	X	X	X	P	X	X	X
Live theaters, satellite presentations, and motion pictures (not drive-in)	X	X	X	X	P	X	X	X
<u>Mobile Food Dispensing Vehicles</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
Mini-storage warehouses	X	X	X	X	C	X	X	X

Pest control	X	X	X	X	C	X	X	X
Pharmacy	X	X	X	X	P	C	X	X
Restaurant operated wholly within an enclosed building including servicing of alcoholic beverages incidental to the restaurant business only (no drive-up facility)	X	X	X	X	P	X	X	X
Restaurant operated wholly within an enclosed building with drive-up facilities (including serving of alcoholic beverage incidental to the restaurant business only within the restaurant, but not at the drive-up facility)	X	X	X	X	C	X	X	X
Services, hotels (but not hotels in a condominium form of ownership), and restaurants	X	X	X	X	P	X	X	X
Veterinarian and animal hospital (without an outside kennel)	X	X	X	X	C	X	X	X

SECTION 4. From and after the effective date of this ordinance, Land Development Regulations of Saint Augustine Beach Article III – Section 3.02.03 is amended to read:

Sec. 3.02.03. - Prohibited uses.

- A. In addition to the uses prohibited under section 3.02.02 and Table 3.02.02, and other provisions of this Code, the following uses are prohibited:
1. Keeping, breeding, or raising of bees, insects, reptiles, pigs, horses, cattle, goats, hogs, or poultry.
 2. The sale, offer for sale, rental, storage or display of any merchandise, outside of an enclosed building on the premises of any business except as provided herein.
 - a. As used herein the term "outdoor" shall mean any area which is outside of the heated or cooled area of a building and visible from a public street. Provided, however, that the outdoor display or sale of merchandise shall be permitted:
 - (1) In conjunction with and pursuant to any outdoor sale or display of merchandise authorized in conjunction with a special event pursuant to section 3.02.05 hereof:
 - (2) When the display is limited to merchandise identical to that actually in stock and available for purchase on the premises where the display is maintained, the display is limited in size to an area no greater than five (5) feet high, three (3)

feet wide, and three (3) feet in length and is not located within six (6) feet of any other such display. No such display may be located within any public right-of-way, mandatory building setback under this chapter or so as to interfere with any fire exit required under any building code of the city. Any display rack, shelves or other device used in conjunction with the display of merchandise shall be made of wood which shall have either a natural finish or shall be painted only in colors which have been approved by the comprehensive planning and zoning board as a part of the supplemental criteria for community appearance standards or shall be made of brass, copper, bronze, nickel, tin or iron; provided, however, that painted, polished, anodized or chromed metals shall be prohibited.

3. The sale, offer for sale, or rebuilding of secondhand merchandise on any business premises, including secondhand household and commercial goods, such as but not limited to: refrigerators, stoves, sinks, plumbing fixtures, carports, tents, air conditioners, windows, vehicle parts, and the like.
4. The manufacture, assembly or preparation of any merchandise, food or beverages outside of an enclosed building on any business premises with the exception of Mobile Food Dispensing Vehicles as defined in Article II definitions.
5. The sale, offer for sale, or rental of any merchandise, food or beverages from a motorized or nonmotorized vehicle or trailer of any type on any business premises with the exception of Mobile Food Dispensing Vehicles as defined in Article II definitions.
6. The operation of a business from any temporary quarters, such as but not limited to: tents, pushcarts, sheds, carports, motor vehicles, and trailers.

SECTION 5. From and after the effective date of this ordinance, Land Development Regulations of Saint Augustine Beach Article III – Section 3.11.00 is created to read:

Sec. 3.11.00. – Mobile Food Dispensing Vehicles (MFDV)

A. Purpose and intent; definitions.

1. **Purpose and intent.** The purpose and intent of this Ordinance is to implement F.S. § 509.102, by permitting Mobile Food Dispensing Vehicles within the City of St. Augustine Beach, Florida, subject to the terms and contained herein.
2. **Definitions.** See article II

B. Permit required; submittals.

1. **In order to protect the health, safety, and general welfare of the public, a Mobile Food Dispensing Vehicle is prohibited from operating in the City of Saint Augustine Beach unless it possesses a valid permit issued in accordance with this section.**
2. **The Mobile Food Dispensing Vehicle permit shall be fifty dollars (\$50.00).**

3. Applications for a permit under this section shall be made to the City of St. Augustine Beach on a form provided for such purpose by the St. Augustine Beach and shall include along with any other such information deemed reasonably necessary by the City of St. Augustine Beach in order to implement and enforce the provisions of this Section, including but not limited to the following:
 - a. The name and mailing address of the subject mobile food dispensing vehicle.
 - b. The name, mailing location, and telephone contact information of the permit applicant.
 - c. A description of the days of the week and hours of operation.
 - d. All application materials shall contain the proof of appropriate licenses required under Florida law which may include but are not limited to Florida Department of Agriculture and Consumer Services, Florida Department of Business and Professional Regulations (DBPR), the Florida Department of Health, and all local Fire Marshalls.
 - e. All applications must include proof of insurance as required by City Land Development Regulation 3-11-00(C)(3).

C. General regulations; cooperation; enforcement.

1. In order to protect the health, safety, and general welfare of the public, and pursuant to F.S. § 509.102, all permits issued pursuant to this section are subject to the following requirements:
 - a. Mobile Food Dispensing Vehicles are required to obtain and display all licensing required for the operation of such business in Florida which include but are not limited to licensing by the Florida Department of Agriculture and Consumer Services, the Florida Department of Business and Professional Regulations (DBPR), the Florida Department of Health, local Fire Marshalls, and the City of Saint Augustine Beach permit.
 - b. Mobile Food Dispensing Vehicles may only operate in Commercially Zoned areas unless special permission is granted by the City Manager.
 - c. Mobile Food Dispensing Vehicles may not obstruct vehicular or pedestrian traffic, may not obstruct handicapped access or obstruct vehicular parking, vehicular loading zones, taxi stands or franchised vehicles for hire stands.
 - d. No Mobile Food Dispensing Vehicle shall be permitted to interfere with sight visibility for traffic.

- e. The location of the Mobile Food Dispensing Vehicle shall not be permitted to reduce the available parking of the site beyond the minimum required for standard site operations.
 - f. Each location must be able to provide access to a restroom.
 - g. The type of food offered for sale by a Mobile Food Dispensing Vehicle shall not be identical to an existing restaurant within three hundred (300) feet.
 - h. Setup and operations are subject to inspections by the Chief Building Official and/or the fire marshal.
- 2. A permit issued pursuant to this section shall not be transferred to a subsequent owner upon the sale or transfer of a Mobile Food Dispensing Vehicle but shall expire automatically upon such sale or transfer. The subsequent owner shall be required to reapply for a permit pursuant to this section.
 - 3. No person shall operate a Mobile Food Dispensing Vehicle unless the business is covered by a comprehensive liability insurance policy in a form and content satisfactory to the City insuring the public against injury or damage occasioned by negligence arising from or incidental to the business activity. At a minimum, the policy shall provide coverage of one hundred thousand dollars (\$100,000.00) per person and three hundred thousand dollars (\$300,000.00) per incident. The policy shall list the City as a coinsured and shall provide that coverage shall not be cancelled or materially altered except after thirty (30) days' written notice has been received by the City. Proof that the insurance policy remains in full force and effect shall be provided upon the City Manager's request given on reasonable notice at any time that the Mobile Food Dispensing Vehicle's permit is valid and outstanding. Any failure to provide such proof shall render the Mobile Food Dispensing Vehicle's permit revoked, null and void and of no further use or effect.
 - 4. The holder's subsequent application for a new Mobile Food Dispensing Vehicle's permit shall be entitled to no special priority.
 - 5. Any Mobile Food Dispensing Vehicle that fails to comply with the requirements of this section shall be guilty of violating this section of the St. Augustine Beach City Code and shall be subject to any and all enforcement proceedings consistent with the applicable provisions of the St. Augustine Beach City Code and shall be subject to revocation by the city commission of the permit issued to the Mobile Food Dispensing Vehicle where the violation occurred. Each day a violation exists shall constitute a distinct and separate offense.
 - 6. Renewal. A city Mobile Food Dispensing Vehicle permit is subject to renewal on an annual basis. All application material should be updated with the City at that time. The renewal fee shall be \$50.00.

(Ord. No. _____, § 1(Exh. 1), _____)

SECTION 6. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 7. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the City of Saint Augustine Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 8. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this ____ day of _____, 2021.

MAYOR

ATTEST:

CITY CLERK


EXAMINED AND APPROVED by me this ____ day of _____, 2020.

MAYOR

Published in the _____ on the ____ day of _____, 2020. Posted on www.staugbch.com on the ____ day of _____, 2020.

MEMORANDUM

TO: Commissioner England
Commissioner George
Commissioner Samora
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: December 8, 2020

SUBJECT: Proposed Changes to the Personnel Manual: Review of Resolutions 21-01, 21-02 and 21-03

As part of her continuing updating of the City's Personnel Manual, Ms. Raddatz, the City Clerk/Human Resources Director, has prepared resolutions to amend three sections. Her memos are attached. She'll present the resolutions at your January meeting and will explain them in more detail.

ACTION REQUESTED

It is that you discuss the proposed changes with Ms. Raddatz and that you decide whether to approve the resolutions or whether some need revisions for submission to you at your February 1st meeting.



CITY OF ST. AUGUSTINE BEACH

Date: January 4, 2021

To: Commissioner England
Commissioner George
Commissioner Rumrell
Commissioner Samora
Commissioner Torres

From: Beverly Raddatz, MMC, City Clerk

Subject: Amending the Personnel Manual Regarding Sections II.4, III.2, IV.1 and IV.2

Background:

Resolution 20-01 states minor changes that are required according to the current state and federal guidelines. Best practices currently in the industry advises not doing a drug test, physical, or background checks before the City offers the position because a candidate could claim discrimination before the interview has been done. It is a requirement by law that all drug tests, physicals, and background checks must have the prospective employee's consent before the tests are done.

I reviewed these policies with Assistant City Attorney Taylor and City Manager Royle.

Staff Impact:

None

Budget Analysis:

None

Recommendation:

It is the recommendation of staff to adopt the proposed resolution to update the Personnel Manual.

RESOLUTION NO. 21-01

CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY

RE: AMENDING SECTIONS II.4, III.2, IV.1 AND
IV.2 IN THE PERSONNEL MANUAL OF THE CITY
OF ST. AUGUSTINE BEACH

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on January 4, 2021, resolves as follows:

To amend the Personnel Manual regarding amending Sections II.4 BASIC CONDITIONS FOR EMPLOYMENT, III.2 NOTIFICATION – REJECTION OF APPLICATION, IV.1 TEMPORARY, and IV.2 PART-TIME for the City of St. Augustine Beach and is hereby changed as shown in Exhibit A of this resolution, which shall be incorporated into the Personnel Manual.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida shall amend Section II.4 of St. Augustine Beach Personnel Manual to read as shown in Exhibit A, with the remainder of the policies remaining as adopted previously.

RESOLVED AND DONE, this 4th day of January, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Margaret England, Mayor

ATTEST:

Max Royle, City Manager

EXHIBIT A

II.4 BASIC CONDITIONS FOR EMPLOYMENT

- A. An employee shall satisfy the following requirements:
1. Complete a written application.
 2. Complete and file a Federal Withholding Tax Exemption form (W4).
 3. Secure an employment certificate if under eighteen (18) years of age.
 4. Show proof of a valid social security card within thirty (30) days of employment date.
 5. Complete a government form regarding U.S.A. citizenship (Form I-9) and must be accepted into E-Verify system.
 6. ~~Doctor's physical: As a condition of any job offer,~~ After a job offer is made, a doctor's physical, and a drug test the employee will be scheduled for an employment physical, drug test and background check will be required of applicants. The City shall pay for the physical examination and drug test. For the applicant to be hire they must pass the physical and drug test. If the employee works with cash payments or is a police officer they must get a background check and pass to become an employee of the City.
 7. Possess a valid Florida driver's license, ~~if job duties with City require driving a vehicle~~ or state issued identification card.
 8. For some positions, completion of an FBI background and fingerprint check is required. Employee must give written consent to investigate the employee's consumer reports.
 9. Employee oath must be signed as required by Florida Statutes, Section 876.05(1).

III.2 NOTIFICATION - REJECTION OF APPLICATION

Whenever an application or applicant is rejected, notice of such rejection shall be ~~given~~ mailed or emailed to the applicant by the City Manager/Chief of Police or Department Head.

IV. TYPES OF APPOINTMENTS

IV.1 TEMPORARY

- A. Temporary employees are to be hired only for estimated specific lengths of time. The salary and proposed length of employment shall be approved by the department head and the City Manager/Chief of Police through the budget process, ~~and to be reported at the next City Commission meeting.~~ Temporary employment shall never be used as a method of filling, even temporarily, a regular position in order to pay a salary lower or higher than that published for the regular position.

IV.2 PART-TIME

- A. "Part-time employee" shall be defined as a non-shift employee, either temporarily or regularly employed by the City, whose normal work week is less than ~~forty (40)~~ thirty (30) hours.
- B. ~~Fringe b~~Benefits for part-time employees shall be the same as stated in Section IV.1.B. However, regular, part-time employees shall be entitled to accrual and granting of vacation leave in accordance with Section ~~XI.15~~ 14 of this manual by the percentage of hours worked.
- C. When part-time employees are hired for other than a temporary assignment of specific duration, they shall be paid a pro-rata portion of the published full-time salary for the position.
- D. Regular part-time employees, temporary and seasonal employees shall be entitled to pay only for actual hours worked, and shall not be entitled to any other pay, such as pay while on jury duty or for holidays.



CITY OF ST. AUGUSTINE BEACH

Date: January 4, 2021

To: Commissioner England
Commissioner George
Commissioner Rumrell
Commissioner Samora
Commissioner Torres

From: Beverly Raddatz, MMC, City Clerk *BR*

Subject: Amending the Personnel Manual Regarding Section XI.5 Paternity Leave

Background:

This resolution states minor changes that are required according to the current state and federal guidelines and follows all ADA and FMLA guidelines best practices.

I reviewed this resolution with Assistant City Attorney Taylor and City Manager Royle.

Staff Impact:

Depending on the amount of time taken by the employee may affect the department, but a temporary employee could be hired until employee was able to return.

Budget Analysis:

If the employee uses their sick, vacation or compensation leave and the department needed a replacement, then it could affect the budget.

Recommendation:

It is the recommendation of staff to adopt Resolution 21-03 for the Personnel Manual.

RESOLUTION NO. 21-02

CITY OF ST. AUGUSTINE BEACH

RE: TO ADD SECTION IX.5 PARENTAL LEAVE IN THE CITY
ST. AUGUSTINE BEACH PERSONNEL MANUAL

ST. JOHNS COUNTY

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on January 4, 2021, resolves as follows:

1. To add Sections XI.5 of the Personnel Manual for the City of St. Augustine Beach is hereby added as shown in Exhibit A of this resolution and such language shall be incorporated into the Personnel manual.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida added Section XI.5, Parental Leave to the City of St. Augustine Beach Personnel Manual to read as shown in Exhibit A, with the remainder of the policies remaining as adopted previously.

RESOLVED AND DONE, this 4th day of January 2021, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Margaret England, Mayor

ATTEST:

Max Royle, City Manager

EXHIBIT A

XI.7 5 THE FAMILY AND MEDICAL LEAVE ACT PARENTAL LEAVE

- A. Federal guidelines on discrimination because of sex provide that absence due to maternity related reasons be considered and treated as temporary disability. Disability caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery is, for all job-related purposes, temporary disability. The medical leave plan shall be applied to disability due to pregnancy or childbirth on the same terms and conditions as it is applied to other temporary disabilities.
- B. Parental leave is a period of approved absence for incapacitation related to pregnancy and confinement. Parental leave may be charged to medical leave or to any combination of medical leave, annual leave and leave of absence without pay. Additionally, the City shall also count parental leave as part of an eligible employee's entitlement under the Family and Medical Leave Act.
- C. Parental leave notice shall be given in writing 30 days prior to the leave unless there is a medical emergency regarding the pregnancy.
- D. The time when a birth mother/father should return to work will be determined on an individual basis and will generally depend on the physical nature of the work, the needs of the City and the results of professional medical guidance.
- E. An employee will be allowed to continue working so long as the conditions of the pregnancy do not adversely impair her work performance or health as determined by the City with physician, and employee input, and on the needs of the City.
- F. The date on which the employee shall return to work following maternity leave shall be based on a medical statement from a certified physician stating that he/she is physically and mentally able to perform normal duties of he /her position with full efficiency.



CITY OF ST. AUGUSTINE BEACH

Date: January 4, 2021

To: Mayor England
Commissioner George
Commissioner Rumrell
Commissioner Samora
Commissioner Torres

From: Beverly Raddatz, MMC, City Clerk *BR*

Subject: Amending the Personnel Manual Regarding Section XI.9 Military Leave of Absence and Benefits

Background:

Several City employees are in the military as Reservists, National Guard members, etc. and they are called for active duty or training at different times during the year. The current Personnel Manual was not clear on questions of pay and benefits while on military leave and what procedures the City employees would need to follow.

I reviewed these policies with Assistant City Attorney Taylor and City Manager Royle.

Staff Impact:

Staff would be impacted by a loss of one or more employees if employees are on training or active duty in the military. The procedure clearly defines after 30 days a temporary replacement could be hired to maintain cohesiveness for the department. When the military duty is over and the City employee returns, they return to the City at the same rate of pay and ranking position if possible.

Budget Analysis:

At the present time the City pays the employee on military leave for the first 30 days and after the 30 days the employee has an option of using their accumulated vacation or compensation time during their military leave or classified as on military leave of absence without pay. This helps the department to hire a temporary replacement after 30 days or longer without paying double for the same position, which would increase their budget.

Recommendation:

It is staff's recommendation to adopt the proposed Resolution 21-03 for the Personnel Manual.

RESOLUTION NO. 21-03

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA CHANGING SECTION IX.9 OF THE PERSONNEL MANUAL REGARDING MILITARY LEAVE AND BENEFITS.

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on January 4, 2021, resolves as follows:

1. To change Section IX.9 of the Personnel Manual for the City of St. Augustine Beach is hereby changed as shown in Exhibit A of this resolution and such language shall be incorporated into the Personnel Manual.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida changed Section IX.9, Military Leave and Benefits to the City of St. Augustine Beach Personnel Manual to read as shown in Exhibit A, with the remainder of the policies remaining as adopted previously.

RESOLVED AND DONE, this 4th day of January 2021, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Margaret England, Mayor

ATTEST:

Max Royle, City Manager

EXHIBIT A

IX.9 MILITARY LEAVE

~~The City of St. Augustine Beach will grant a military leave of absence if you are absent from work because you are serving in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). You must give your City Manager/Chief of Police advance notice of upcoming military service, unless military necessity prevents advance notice or it is otherwise impossible or unreasonable.~~

- ~~A. Military leave for City employees shall be governed by Chapters 115 and 250.48, Florida Statutes.~~
- ~~B. Entitlement rights for City employees called to military service shall be in accordance with Title 38, U.S. Code Chapter 43.~~
- ~~C. Contributions made by the City to the Florida State Retirement System for City employees called to military service shall be in accordance with Chapter 121.111, Florida Statutes.~~

IX. 9 Military Leave of Absence and Benefits

The City of St. Augustine Beach is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the City's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment based on such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or this policy. If any employee believes that he or she has been subjected to discrimination in violation of this policy, the employee should immediately contact the City Manager or Chief of Police who is responsible for the employee and the City Clerk / HR Director.

IX.9.1 Eligibility

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists, National Guard members for training, (up to 240 per year), periods of active military service, and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

IX.9.2 Procedures for Military Leave

1. Unless military necessity prevents it, or is otherwise impossible or unreasonable, an employee should provide the City with notice of the need for leave as far in advance as is reasonable under the circumstances. Written notice is preferred, but not required under the law or this policy.
2. To request a temporary or extended military leave of absence, the employee should generally obtain a City of St. Augustine Beach Leave/Overtime/Comp Time Request form from their Department Head.
3. Department Head and City Manager or Chief of Police will review and sign the City of St. Augustine Beach Leave/Overtime/Comp Time Request form.
4. The Finance Department will pay the employee for 30 days from the date of active duty. After 30 days, the employee may use their vacation or compensation time until it ends. Training pay allotment of up to two-hundred and forty (240) hours will be paid to the employee during his training yearly.
5. If the employee does not return to work, the Department Head must notify Human Resources, so that appropriate action will be taken.

IX.9.3 Benefits

If an employee is absent from work due to military service, benefits will continue as follows:

1. An employee on extended military leave may elect to continue group health insurance coverage for the employee and covered dependents under the same terms and conditions for a period not to exceed 90 days from the date that the military active duty begins. The employee must pay monthly the premium normally paid by the employee for the first 90 days. After the initial 90-day period, the employee and covered dependents can continue group health, dental, and vision insurance up to 24 months at 102% of the overall premium rate under COBRA according to 20 C.F.R. Section 1002.163.
2. The group term life/AD&D (currently Sun Life Financial) provided by the City will end 30 days from the date the employee started active duty with the military. The employee may ask the City Clerk /HR Director to complete a conversion form for their life insurance and the employee would pay their payments to the life insurance company directly.
3. If the employee has a supplemental policy (currently with Colonial Life or AFLAC) through the City, they will have to continue their coverage directly through Colonial Life or AFLAC. The employee would have to contact the respective insurance company to continue paying for the insurance.
4. Employees do not accrue vacation; compensation leave; or sick leave while on military leave of absence status after 30 consecutive days of active duty.
5. With respect to the City's retirement plan, upon reemployment from active military duty, employees who have taken military leave will be credited for purposes of vesting with the time spent in military service and will be treated as not having incurred a break in service. Immediately upon returning from the military to the City, the employee may, at the employee's election, makeup all employee contributions that the employee would have been eligible to make had the employee's employment

not been interrupted by military service. Such contributions must be made within a period that begins with the employee's return to the City and that is not greater in duration than three times the length of the employee's military service. Employees will receive all associated City match for such contributions. Florida Retirement System (FRS) requires an honorable, administrative, general, entry level separation and/or medical separation discharge from military service when returning from active duty.

6. Supplemental insurance will end 30 days after the employee becomes active military. Converting to an individual policy may continue voluntary dependent supplemental insurance coverage. To exercise this conversion option, dependents must submit a written application (currently from Colonial Life or AFLAC) and the first premium payment within 31 days immediately following the loss of coverage

IX.9.4 Returning to the City after Military Leave of Absence

Upon an employee's prompt return to the City after active military duty (as defined below), an employee will be reinstated to active employment in the following manner depending upon the employee's period of military service:

1. Less than 91 days of military service - (i) in a position that the employee would have attained if employment had not been interrupted by military service; or (ii) if found not qualified for such position after reasonable efforts by the City, in the position in which the employee had been employed prior to military service.
2. More than 90 days and less than 5 years of military service - (i) in a position that the employee would have attained if employment had not been interrupted by military service or a position of like seniority, status and pay, the duties of which the employee is qualified to perform; or (ii) if proved not qualified after reasonable efforts by the City, in the position the employee left, or a position of like seniority, status and pay, the duties of which the employee is qualified to perform.
3. Employee with a service-connected disability - if after reasonable accommodation efforts by the employer, an employee with a service-connected disability is not qualified for employment in the position he or she would have attained or in the position that he or she left, the employee will be employed in (i) any other position of similar seniority, status and pay for which the employee is qualified or could become qualified with reasonable efforts by the City; or (ii) if no such position exists, in the nearest approximation consistent with the circumstances of the employee's situation.

IX.9.5 Application for Returning to the City

An employee who has engaged in military service must, to be entitled to the reemployment rights set forth above, apply for reemployment according to the following schedule:

1. If service is less than 31 days (or for the purpose of taking an examination to determine fitness for service) - the employee must report for to the City at the beginning of the first full regularly scheduled

working period on the first calendar day following completion of service and the expiration of eight hours after a time for safe transportation back to the employee's residence.

2. If service is for 31 days or more but less than 181 days - the employee must apply for reemployment with the City Clerk/HR or Chief of Police no later than 14 days following the completion of service.

3. If service is over 180 days - the employee must apply for reemployment with the City Clerk/HR or Chief of Police no later than 90 days following the completion of service.

4. If the employee is hospitalized or convalescing from a service-connected injury - the employee must apply for reemployment with the City Clerk / HR or Chief of Police no later than two years following completion of service.

IX.9.6 Exceptions to Employment

In addition to the employee's failure to come back to the City in a timely manner, an employee is not entitled to reinstatement as described above if any of the following conditions exist:

1. The City's circumstances have so changed as to make reemployment impossible or unreasonable.

2. Reemployment would pose an undue hardship upon the City of St. Augustine Beach.

3. The employee's employment prior to the military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period.

4. The employee did not receive an honorable, administrative, general, entry level separation, and medical separation discharge from military service.

IX.9.7 General Benefits Upon Returning to the City


Employees reemployed following military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have attained, with reasonable certainty, had the individual remained continuously employed. An employee's time spent on active military duty will be counted toward their eligibility for FMLA leave once they return to their job at the City of St. Augustine Beach. Additionally, upon reemployment, a covered employee will not be discharged except for cause for up to one year following reemployment.

IX.9.8 Documentation

An employee's Department Head will, upon the employee's reapplication for employment, request that the employee provide the City with military discharge documentation to establish the timeliness that the employee returned to the City, the duration of the military service, and the honorable, general, entry level separation, and medical separation discharge from the military service.

MEMORANDUM

TO: Commissioner England
 Commissioner George
 Commissioner Samora
 Commissioner Rumrell
 Commissioner Torres

FROM: Max Royle, City Manager 

DATE: December 8, 2020

SUBJECT: Scheduling Workshops for 2021: Discussion of Topics and Dates

INTRODUCTION

During 2020, individual Commissioners at your meetings would from time to time mention the need to have workshops to discuss particular topics. In November, the Finance Director and City Manager compiled a list of them by category and made a suggested schedule of the months in which you could consider holding workshop meetings. We use the plural "meetings" because as you'll see from the list, it may not be possible for you to discuss in one meeting all the topics listed for that month.

TOPICS AND SUGGESTED MEETING SCHEDULE

- A. For February 2021: Planning
 - Discussion of former city hall and planning for pier park
 - Restructuring Building Department and whether the City has a need and financial resources to hire a planner
 - Adopting strategic plan
- B. For March 2021: Personnel Matters
 - Review of Police Department operations and staffing
 - Review of employee pay ranges and salaries
 - Change performance evaluations
 - Discussion of succession planning
- C. For April 2021: Various
 - Joint meeting with Planning Board and SEPAC
 - Discussion of creating a land trust
 - Asset replacement schedule
 - Consideration of parking plan and paid parking
- D. For May 2021: Public Works and Infrastructure

- Discussion of solid waste outsourcing and recycling
- Review of capital projects for FY 22
- Levying stormwater utility fee

SUGGESTED ACTIONS

They are:

1. That you decide whether to add topics to above list or delete topics from it.
2. That you decide whether there are some topics that you want to discuss in February or March instead of April and May.
3. That you decide whether to schedule the workshops over the next four months and the particular topics you want to discuss at the workshops.

For example, you could decide to have a workshop later in January with both the Planning Board and SEPAC, to discuss the topics they want you to consider at workshops from February through May. SEPAC may suggest adding resiliency planning to the list. If you meet with the Planning Board and SEPAC in January, then you won't have to meet them in April.

4. That at your February regular meeting, you decide the topics you want to discuss at your workshop(s) during that month and the dates for the workshops.
5. At your March regular meeting you decide the topics you want to discuss at your workshop(s) during that month and the dates for the workshops.
6. The same request will be made at your April and May regular meeting.

ADDITIONAL CONSIDERATION

It is whether you want to have a joint meeting with the County Commission and, if so, what dates do you suggest for it and what topics do you want on the agenda?

MEMORANDUM

TO: Max Royle, City Manager

FROM: William Tredik, P.E. Public Works Director

DATE: December 22, 2020

SUBJECT: Ocean Walk Subdivision Drainage Improvements
Engineering Consultant Ranking
RFQ 20-05

BACKGROUND

Ocean Walk is an 18-acre subdivision built in the 1980s, consisting of 55 single family residential lots. The subdivision relies upon a non-functional "accreted-in" roadside swale system which drains Lee Drive to a single point, whereupon runoff is conveyed via a 24" pipe to the Mickler Boulevard drainage system. Due to the non-functional roadside swales, valleys at driveway aprons hold water for significant periods of time after a rainfall event. After reaching Mickler Boulevard, runoff travels via the new pipe south to 16th Street, where it continues both west (to a private pond on Old Beach Road) and south to the 11th Street canal. Both pathways converge at Lakeside Park, whereupon flow continues west under S.R. A1A to the Mizell Road pond, where natural processes remove nutrients prior to its discharge to the Matanzas River.

The western portion of Lee Drive is low-lying, with Lidar information indicating elevations as low as 4.0 NAVD. Heavy rains in early June 2020 and September 2020 led to localized significant street flooding on Lee Drive. Property owners assert that the street flooding in June was the most severe since Hurricane Matthew in 2016, and believe it was exacerbated by the installation of the new pipe along Mickler Boulevard.

After the street flooding in June 2020, Public Works developed a three-stage approach to improve the drainage in the Ocean Walk subdivision. The first stage was implemented immediately and included cleaning the downstream ditch system to improve stormwater conveyance. The second stage (interim) improvements are currently being undertaken and include installation of a backflow prevention device and a stormwater pump-out structure. The third stage of the improvements is the development of a long-term drainage solution for the Ocean Walk subdivision (the Project). The Project will be implemented in phases, including:

- Phase 1 - Drainage study and preliminary engineering
- Phase 2 - Design and Permitting
- Phase 3 - Construction

Phase 1 is currently included in the City's FY 2021 budget. Phases 2 and 3 are contingent upon future funding.

On October 5, 2020, the City Commission directed staff to advertise a Request for Qualifications (RFQ) to select a professional engineering consultant to assist the City with the Project. RFQ 20-05 was advertised On November 10, 2020 with submittals due on December 8, 2020. The RFQ asked for qualifications for all three Project phases, though only Phase 1 is currently funded. The city received three (3) submittals to the RFQ.

DISCUSSION

Per the RFQ, scoring of submittals was based upon the following matrix:

Review Item	Percent of Score
• Relevant Project Experience	25%
• Project Approach	20%
• Quality control and Experience	10%
• Proximity to and Familiarity with Project Area	5%
• Stormwater Engineering Design and Permitting Qualifications	20%
• Construction Project Management Qualifications	10%
• Roadway Design Qualifications	5%
• Utility Design and Permitting Qualifications	5%

Four (4) city staff (selection committee) independently reviewed and scored each RFQ submittal. The selection committee was composed of two (2) staff from the Public Works Department and two (2) staff from the Building Department. The selection committee met on December 22, 2020 to present their individual scores for tabulation. The maximum score for each firm by an individual reviewer was 500 points. The maximum combined score for each firm was thus 2,000 points (500 x 4 reviewers). The tabulation of scores from the three firms is as follows:

Firm Name	Combined Score
Matthews Design Group	1,510
Four Waters Engineering	1,380
Madrid Engineering Group	1,325

The firm receiving the most points was Matthews Design Group.

Per the 287.055 Florida Statutes – Consultants Competitive Negotiation Act (CCNA) – an agency shall negotiate a contract with the most qualified firm for professional services at compensation which the agency determines is fair, competitive, and reasonable. Should the agency be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price the agency determines to be fair, competitive and reasonable, negotiations with that firm must be formally terminated and the agency shall then undertake negotiations with the second most qualified firm.

ACTION REQUESTED

Approve the scores and ranking of submittals to RFQ 20-05 and authorize the City Manager or designee to negotiate with the top ranked firm (and lower ranked firms per CCNA requirements if a satisfactory contract cannot be reached) for engineering services related to the Ocean Walk Subdivision Drainage Improvements. Upon successful negotiation, a proposed contract will be presented to the City Commission for consideration.

RFQ 20-05
OCEAN WALK SUBDIVISION DRAINAGE IMPROVEMENTS
SUBMITTAL SCORING TABULATION SHEET 12/22/20

Firm	Reviewer 1	Reviewer 2	Reviewer 3	Reviewer 4	TOTAL	RANK
Four Waters Engineering	405	315	325	335	1380	2
Madrid Engineering Group	340	305	285	395	1325	3
Matthews Design Group	355	375	380	400	1510	1

**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING
JANUARY 4, 2021**

CODE ENFORCEMENT/BUILDING/ZONING

Please see pages 1-19.

COMPREHENSIVE PLANNING AND ZONING BOARD

The minutes of the Board's December 15, 2020 are attached as pages 20-34.

SUSTAINABILITY AND ENVIRONMENTAL ADVISORY PLANNING COMMITTEE

The minutes of the Committee's December 9, 2020, meeting are attached as pages 35-40.

POLICE DEPARTMENT

Please see page 41.

PUBLIC WORKS DEPARTMENT

Please see pages 42-46.

FINANCE/ADMINISTRATION

Please see page 47.

CITY MANAGER

1. Complaints

A. Parking by Construction Workers

A resident complained about workers constructing a house in the Spanish Oaks subdivision parking on the section of Woodland Avenue that dead ends at Spanish Oaks. The resident was told that such parking was legal unless the workers' vehicles blocked a driveway.

2. Major Projects

A. Road/Sidewalk Improvements

1) Opening 2nd Street West of 2nd Avenue

There has been no action by the owners of the lots on 2nd Street west of 2nd Avenue to open that street. The owners would have to sign an agreement and pay in advance the costs to construct the utilities and the road, just as the owners of the lots adjacent to 8th Street between the Boulevard and 2nd Avenue did. The Public Works Director has sent a letter to the owners of the lots along this section of 2nd Street, asking them if they would support the opening of 2nd Street and providing the utilities, knowing that they would be assessed the costs for the project. Thus far, the owners of 11 out of 16 lots have agreed to pay the

costs, the owners of two lots have said no, and the remaining three owners haven't responded. A possible solution may be for the City to construct the road and charge the property owners a special assessment in accordance with the long-standing policy that adjacent property owners must pay the cost of a new road that will benefit their properties. The Commission discussed this option at its September 14th meeting as well as the request of two property owners that their lots have a dedicated conservation easement on them administered by the North Florida Land Trust. Though the Commission did not approve a motion, the general consensus was for the City to proceed with plans for opening this section of 2nd Street, with the lot owners paying two-thirds of the cost and the City paying the remaining third. On October 21st, the City Manager met with representatives of the North Florida Land Trust about the conservation easement for the three lots. The representatives brought the proposal to their Board of Directors in November. It declined to provide the easement for the lots. At its November 9th meeting, the City Commission passed a resolution stating the City's intent to levy a non-ad valorem assessment as the means to get money from the lot owners to pay their share of the costs to open the street. At its December 7th meeting, the Commission reviewed cost estimates and other information provided by the Public Works Director and decided to have a hybrid plan: some lot owners could pay their share of the costs now or in the near future; owners of other lots would pay the costs by means of an assessment on their yearly property tax bills. The public hearing for the assessment was advertised for the Commission's December 7th meeting and the resolution stating the Commission intent to levy the assessment was passed again. At the Commission's February 4th meeting, the Public Works Director will ask the Commission to approve engaging the City's civil engineering consultant to do design work and approve a budget resolution to appropriate money for the engineer's services.

2) Sidewalk on A Street

A resident has suggested that a sidewalk is needed on A Street between the beach and the Boulevard because of the traffic and number of pedestrians and bicyclists along that section of A Street. However, because of the pandemic, the search for funding for this project will be suspended at this time.

B. Beach Matters

1) Off-Beach Parking

As the City Commission has decided for the time being not to have paid parking in the City, the focus concerning off-beach parking has shifted to improving the City's existing rights-of-way and plazas to improve the rights-of-way and areas where people can park. At its March 2, 2020, meeting, the Commission reviewed a report prepared by the Public Works Director of City-owned streets and plazas where parking improvements could be made. The Public Works Director and the City Manager asked the Tourist Development Council at its March 16th meeting for funding to improve three parking areas. However, as one TDC member said, revenue from the bed tax will likely decline significantly because of the coronavirus pandemic and the City is not likely to receive at this time any bed tax funds for the improvements. Possibly, road impact fees may be used for improving the right-of-way of certain streets for visitor parking. At a workshop in the spring of 2021, the Commission will again discuss a parking plan and whether to have paid parking.

C. Parks

1) Ocean Hammock Park

This Park is located on the east side of A1A Beach Boulevard between the Bermuda Run and Sea Colony subdivisions. It was originally part of an 18-acre vacant tract. Two acres were given to the City by the original owners for conservation purposes and for where the boardwalk to the beach is now located. The City purchased 11.5 acres in 2009 for \$5,380,000 and received a Florida Communities Trust grant to reimburse it for part of the purchase price. The remaining 4.5 acres were left in private ownership. In 2015, The Trust for Public Land purchased the 4.5 acres for the appraised value of \$4.5 million. The City gave the Trust a down payment of \$1,000,000. Thanks to a grant application prepared by the City's Chief Financial Officer, Ms. Melissa Burns, and to the presentation by then-Mayor Rich O'Brien at a Florida Communities Trust board meeting in February 2017, the City was awarded \$1.5 million from the state to help it pay for the remaining debt to The Trust for Public Land. The City received the check for \$1.5 million in October 2018. For the remaining amount owed to The Trust for Public Land, the Commission at public hearings in September 2018 raised the voter-approved property tax debt millage to half a mill. What remains to be done are improvements to the Park, such as restrooms. The Public Works Director is applied to the state for a Florida Recreation Development Assistance Program grant to pay half the costs of the restrooms. The City has received the grant. Construction of the restrooms will begin in early 2021. The City also requested money from the County's \$15.5 million surplus. However, the County Commission at its November 5, 2020 meeting decided to use the surplus money for County capital projects that have been delayed from previous fiscal years. For other improvements to the park, the City has applied for funding from a state grant and from a Federal grant from the National Oceanic and Atmospheric Administration. The Public Works Director's master plan for improvements to the Park was reviewed and by the Commission at its October 5, 2020, regular meeting. The plans for the improvements are now in the design and permitting phase.

2) Hammock Dunes Park

This 6.1-acre park is on the west side of A1A Beach Boulevard between the shopping plaza and the Whispering Oaks subdivision. The County purchased the property in 2005 for \$2.5 million. By written agreement, the City reimbursed the County half the purchase price, or \$1,250,000, plus interest. At its July 26, 2016, meeting, the County Commission approved the transfer of the property's title to the City, with the condition that if the City ever decided to sell the property, it would revert back to the County. Such a sale is very unlikely, as the City Charter requires that the Commission by a vote of four members approve the sale, and then the voters in a referendum must approve it. At this time, the City does not have the money to develop any trails or other amenities in the Park.

D. Changes to Land Development Regulations

The Building Department staff is now developing amendments to the Regulations to implement the policies in the revised Comprehensive Plan. The first of these, to adopt the levels of services for recreation facilities (parks, tennis courts, etc.) in the City. The Commission reviewed the proposal at its October 5th meeting and asked the City Attorney to prepare an ordinance. It was passed on first reading at the Commission's November 9th meeting. The ordinance had its first public hearing and second reading at the Commission's December 7, 2020, meeting. The second public hearing and final reading is scheduled for the Commission's January 4, 2021, meeting.

At its November 9th meeting, the Commission reviewed four changes proposed by the Building Official:

- a. Occupancy permits
- b. Impervious surface coverage

- c. Unsafe buildings
- d. Number of Code Enforcement Board members

The City Attorney prepared an ordinance, which the Commission reviewed and passed on first reading at its December 7, 2020, meeting. The ordinance has now been scheduled for its first public hearing and second reading at the Commission's January 4, 2021, meeting.

A third change to the Regulations is to allow mobile food vending or sales, such as food trucks, in the City. A new state law requires that cities and counties allow such sales. At this time, food trucks are allowed in the City only in connection with City-sponsored events, such as Beach Blast Off. The ordinance to amend the regulations will have its first reading at the Commission's January 4, 2021, meeting.

3. Finance and Budget

A. Fiscal Year 2020 Budget

September 30, 2020, marked the end of Fiscal Year 2020. The Finance Director will provide a year-end report in November, after final revenue and expenditure adjustments have been made to the budget. The audit will be done in the spring of 2021.

B. Fiscal Year 2021 Budget

FY 21 began on October 1, 2020 and will end on September 30, 2021. The monthly financial report for November 2020 shows that for the General Fund, the City had received \$1,010,978 by the end of the month and had spent \$1,026,959, or \$15,981 more than was received. This imbalance will disappear over the next several months as the City receives more money from its major revenue source, property taxes. In November, the Tax Collector sent the first payment, \$721,898, from property taxes.

C. Vendor Checks

Please see list on pages 47-67.

D. Alternative Revenue Sources

The City Commission has asked the administration to suggest potential sources of money. At its October 5th meeting, the Commission discussed a preliminary proposal from the Public Works Director to levy a stormwater fee. The Commission decided not to levy the fee but to review the proposal again at a workshop in the spring of 2021. At the October 5th meeting, a Commissioner suggested considering paid parking again. The topic could be discussed at a workshop meeting next spring.

4. Miscellaneous

A. Permits for Upcoming Events

On November 30th, the City Manager approved the permit for the Mid-Length Madness Surf Contest to be held on December 12, 2020. In early December, the City Manager approved the permit for the Civic Association's Surf Illumination on Saturday, December 5, 2020, and the permit for the Holiday Market at the pier park on December 12th.

B. Strategic Plan

The Commission decided at its January 7, 2019, meeting that it and the City staff would update the plan. The Commission agreed with the City Manager's suggestions for goals at its June 10th meeting and asked that the Planning Board and the Sustainability and Environmental Planning Advisory Committee be asked to provide their suggestions for the plan. The responses were reviewed by the Commission at its August 5th meeting. The Commission decided to have a mission statement developed. Suggestions for the statement were provided to the Commission for consideration at its September meeting. By consensus, the Commission asked the City Manager to develop a Mission Statement and provide it at a future meeting. This has been done along with a Vision Statement, a Values Statement, and a list of tasks. The City Commission reviewed the proposed plan at its January 14, 2020, continuation meeting, provided comments and asked that the plan be submitted for another review at the City Commission's April 6th meeting. However, because of the need to shorten the Commission meetings because of the pandemic, review of the strategic plan will be postponed for the time being.

Range: First to Last
Violation Date Range: 10/01/20 to 12/18/20
Ordinance Id Range: First to Last

Use Type Range: First to Last
User Code Range: First to Last

Open: Y
Completed: Y
Void: Y
Pending: Y

Customer Range: First to Last

Inc Violations With Waived Fines: Yes

violation Id: V2000128 Prop Loc: 202 A ST
Viol Date: 10/09/20 Status: Completed Status Date: 10/09/20
Comp Name: Chris Pennington - 203 A St Comp Phone: Comp Email:

Ordinance Id Description

Description: Chris Pennington called the building department on the morning of 10-9-2020. He stated that the contractors working on a new SFR at 202 A St were working and operating heavy machinery in the city parkette

Code enforcement drove by the property in the afternoon. No one was in the city parkette at the time, and there were only two workers working at 202 A St. The worksite appeared to be in order and free of debris and heavy machinery.

violation Id: V2000129 Prop Loc: 522 A ST
Viol Date: 10/12/20 Status: Completed Status Date: 10/09/20
Comp Name: Anonymous Comp Phone: Comp Email:

Ordinance Id Description

Description: An anonymous complaint was made on 10-9-2020 over a voicemail regarding the work site at 522 A St.

The complaint was regarding the logs that were present on site and stated that they were dangerous.

The trees on the property were being removed with the approval of an arborist's letter.

Code enforcement visited the job site at 522 A St. The logs and branches were stacked in a haul away trailer. The site appeared to be in order and not a danger to the public.

The complaintant also stated that the sidewalk was broken in front of the site. The general contractor on the job is aware that the sidewalk must be repaired prior to issuance of a C.O.

violation Id: V2000130 Prop Loc: 18 OCEAN WOODS DR W
Viol Date: 10/12/20 Status: Completed Status Date: 10/12/20
Comp Name: anonymous Comp Phone: Comp Email:

Ordinance Id Description

Description: 10-8-2020 an anonymous complaint was dropped off at the Building Dept. See attached.

Code Enforcement went by the house on 10-12-2020 and could see the boat on the side of the house, but not any debris.

The boat is very small (canoe sized or less). And it is propped up against the house, behind the face of the house, no where near the right of way.

As of now, the boat on the side of the house does not appear to be debris or junk.

Violation Id: V2000131 Prop Loc: 21 OCEAN TRACE RD
Viol Date: 10/15/20 Status: Completed Status Date: 11/10/20
Comp Name: Janice Lauroesch - 7 Sabor De Sal Comp Phone: (585)410-0725 Comp Email:

Ordinance Id Description

Description: Janice Lauroesch emailed on 10-14-2020 (see attached) regarding an alleged transient rental at 21 Ocean Trace. This complaint included an Airbnb listing :
https://www.airbnb.com/rooms/24370048?check_in=2020-10-11&check_out=2020-10-18&source_impression_id=p3_1598694263_jc%2Fc
which clearly shows that the home is available to rent with a 5 night minimum.

The same complaint was made earlier this year and the code case was closed out on 7-30-2020 (v2000116).

Created	Modified	Note
11/10/20	11/10/20	10-23-2020 Derrick Kelley the property manager for 21 Ocean Trace emailed, see attached. Apparently the listing was old. The owners changed the listing to only reflect 30 day + rentals. See attached snippet.

This case is closed as of 11-10-2020

10/19/20	10/19/20	Certified letter sent 10-19-2020
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Violation Id: V2000132 Prop Loc: 1029 A1A BEACH BLVD UNIT 10-A
Viol Date: 10/23/20 Status: Open Comp Name: Building Department
Comp Phone: Comp Email:

Ordinance Id Description

Description: The building official went to the property on 10-22-2020 for a scheduled electric inspection and noticed that framing work was being performed inside. No one was on the premise at the time, so the building official called the property management company Regency. They were unaware of any work being done on unit 10-A.
On the morning of 10-23-2020 Code Enforcement spoke with the electrician Donnie Pearce over the phone (Electric Pro LLC, permit P2001649). He stated that he told the framers that they probably needed a permit, but they were under the impression that they did not need one.
Code Enforcement posted a stop work order on 10-23-2020 at 9 am. See attached photos.

Created	Modified	Note
10/26/20	10/26/20	Mr. Whetstone with Regency Property Management came into the office on 10-26-2020 to get the information of the electrical contractor, Donnie Pearce. Mr. Whetstone is attempting to obtain more information about who was/is working in unit 10-A.

Violation Id: V2000133 Prop Loc: 461 A1A BEACH BLVD
Viol Date: 10/26/20 Status: Completed Status Date: 11/04/20
Comp Name: Building Official Comp Phone: Comp Email:

Ordinance Id Description

Description: The building official noticed on 10/26/2020 in the am that the stucco had been removed from the building at 461 A1A Beach Blvd.

On October 19th, 2020 A to Z Custom Homes had applied for a permit for wall/stucco repair. However, the application never made its way to plan review, because Charles Mchone is a residential contractor (see attached picture of licenses) and a roofing contractor and is unable to work on commercial buildings (besides roofs).

Currently there are no active permits on this property as of 10-26-2020.

Stop work order posted 10-26-2020 at 10:30 am. See attached photo.

Created	Modified	Note
11/10/20	11/10/20	Permit Issued 11-4-2020. This case is closed.

Violation Id: V2000134	Prop Loc: 112 2ND ST		
Viol Date: 11/04/20	Status: Open	Comp Name: BRIAN LAW	
Comp Phone:	Comp Email:		

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: UNPERMITTED SIDING REPLACEMENT ON 1ST AND 2ND FLOOR, WEST SIDE OF THE BUILDING

Created	Modified	Note
11/09/20	11/09/20	Posted a stop work order on November 4th, 2020. The owner then called the building department and is aware that he needs to obtain a permit. The owner is Mike Tolley 770-875-4553 mike@tolleycm.com
11/04/20	11/04/20	BUILDING OFFICIAL OBSERVED UNPERMITTED WORK. SIDING ON BOTH FLOORS, WEST SIDE OF THE RESIDENCE

Violation Id: V2000135	Prop Loc: 590 A1A BEACH BLVD		
Viol Date: 11/10/20	Status: Completed	Status Date: 11/09/20	
Comp Name: Obi's Filling Station	Comp Phone:	Comp Email:	

Ordinance Id	Description
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Description: On Nov 9, 2020, the Building Official noticed that Obi's had 5-6 temporary signs on their property. Previously, the Building Official had spoken to the staff at Obi's about this matter.

On Nov 9th, Brian Law spoke to the staff once more about this issue. They made corrections while he was on the property.

This case is closed as of Nov. 9, 2020.

Violation Id: V2000136	Prop Loc: 23 SUNFISH DR		
viol Date: 11/17/20	Status: Open	Comp Name: ANONYMOUS PHONE CALL	
Comp Phone:	Comp Email:		

Ordinance Id	Description
CC 19-37	Sec. 19-37. - Prohibiting the parking of tractor trailers, other large trucks and recreational vehicles on or within the right-of-way of city streets and

within residentially zoned areas.

Description: The week of November 2nd, Code Enforcement received an anonymous voicemail regarding an RV parked at 23 Sunfish Dr. The caller believed that someone was living in the RV.

On 11/17/2020 Code Enforcement visited the home and spoke with the owner. She stated that no one lives in the RV and they do not keep it plugged in and that they are working on extending their fence so that they can park the vehicle behind the face of the house and that it is taking some time to level out the dirt.

This case is being monitored as of 11/17/2020.

Violation Id: V2000137 Prop Loc: 119 15TH ST
Viol Date: 11/17/20 Status: Open Comp Name: Bri Scarborough
Comp Phone: (904)334-7339 Comp Email: 74scarborough@gmail.com

Ordinance Id Description

Description: A phone call came into the office from Bri Scarborough on 10-9-2020 regarding her neighbor at 119 15th St. She stated that the neighbor collects junk items such as ACS, refrigerators and other items and leaves them in the yard. She also stated that the neighbor, dumps the freon in his yard as well.

Created	Modified	Note
12/02/20	12/02/20	Code Enforcement has not heard back from the owner as of 12-2-2020. On 11-30-2020, code enforcement drove past the property and did not see any junk. Code Enforcement will continue to monitor the situation.
11/17/20	11/17/20	Code Enforcement visited the property on 11-17-2020. There was a junked washer and dryer present as well as other miscellaneous items. Code Enforcement attempted to knock on the front door, however the pathway to the door was obstructed with a bicycle, lawn mower and other items.

Certified Mail 7018-1130-0002-0083-3410 and regular USPS Mail sent 11-17-2020.

Violation Id: V2000138 Prop Loc: 490 RIDGEWAY RD
Viol Date: 11/19/20 Status: Open Comp Name: Howard Bernstein - 508 Ridgeway
Comp Phone: (901)482-1412 Comp Email:

Ordinance Id Description

FBC 105.1 PERMITS 105.1 Required.

Description: 11-9-2020, An anonymous complaint was made about a pergola erected without a building permit.

The next few days, Howard Bernstein called and identified himself as the "anonymous complainant". He then told me that I had permission to access his back yard anytime I needed to in order to view the violation. At this time, I advised Mr. Bernstein that his complaint was no longer anonymous since he had identified himself, his address, and his phone number.

On 11-17-2020, Code Enforcement visited the property, and was able to view the pergola from the road (see attached picture) and rang the doorbell. No one was home at the time,

but I later received a phone call from the homeowner. She said that we was unaware that she needed a permit for pergola that she purchased from a store. She stated she would fill out the application and send it in this week or early next week.

Created	Modified	Note
12/11/20	12/11/20	The homeowner submitted a permit application on 12/10/2020
12/02/20	12/02/20	The owner called the office on 12-2-2020 to let me know that she would be submitting paperwork later today.

Violation Id: v2000139 Prop Loc: 107 A 11TH ST
Viol Date: 11/23/20 Status: Completed Status Date: 11/24/20
Comp Name: Dennis Shepherd Electric Comp Phone: (904)808-1333 Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Dennis Shepherd Electric was issued a permit for this address on 11/23/2020 to replace a main breaker, install a 50 amp car charger, and refeed AC HPS. P2001867

Dennis Shepherd called the office on 11/23/2020 at 10 am. He said that over the weekend (after he had paid for his permit online) the owner of 107 11th St texted him to say that his services were no longer needed and that someone else had completed the work.

There are no other electrical permits pulled for this property at this time.

Created	Modified	Note
11/30/20	11/30/20	Permit issued on 11/24/2020 P2001887 Case is closed as of 11/24/2020
11/23/20	11/23/20	Code Enforcement spoke to Wayne Smith of Smith Electrical, he stated that his office employee was on vacation and that he had thought she had pulled a permit for the job prior to leaving. Mr Smith stated that he will apply for a permit today or tomorrow.
11/23/20	11/23/20	Undine George called back around 4pm on 11/23/2020. Ms George stated that she called Smith Electrical for a quote to do the electrical work. Over the weekend her tenant called to say that the power was out. When Ms. George arrived at the property Smith Electrical was performing the electrical work. Ms. George stated that she was unaware that Smith Electrical was working without a permit.
11/23/20	11/23/20	Code Enforcement and the Building Official visited the property on 11/23/2020 at 2:30. The owner was not there at the time. We spoke with an employee and let her know that the work that was completed was unpermitted and for the owner to give us a call.

Violation Id: v2000140 Prop Loc: 421 OCEAN DR
Viol Date: 12/02/20 Status: Completed Status Date: 12/14/20
Comp Name: Anonymous Comp Phone: Comp Email:

Ordinance Id	Description
SEC. 3.02.03	PROHIBITED USE

Description: An anonymous complaint was lodged with the city manager's office regarding a possible illegal transient rental facility at 421 Ocean Dr.5 -

The attached letter was sent the the homeowners on 12/2/2020.

Created	Modified	Note
12/14/20	12/14/20	Andrea Mendoza called on 12/14/2020 to let us know that she had previously been unaware of transient rentals not being allowed in low density areas. She stated that once she received our letter, she stopped short term rentals at this -address. (917-658-0065)

This case is closed as of 12-14-2020

Violation Id: V2000141	Prop Loc: 2572 A1A S	
Viol Date: 12/07/20	Status: Open	Comp Name: Building Department
Comp Phone:	Comp Email:	

Ordinance Id	Description
SEC.5.00.00	Removal of Trees

Description: The Building Official drove past the property on 12/7/2020 and noticed that the lot to the south was being cleared, parcel #1668200000. The owners at 2572 A1A S own this property.

The Building Official and Code Enforcement later visited the property. Florida's Tree Masters is the contractor removing the trees. They stated that they were unaware that they could not clear the lot and stated that they had an arborist on staff who will provide us a letter regarding the trees. Florida Tree Masters will provide the building department with a tree survey and arborist's letter.

Violation Id: V2000142	Prop Loc: 307 A ST	
Viol Date: 12/07/20	Status: Open	Comp Name: Building Official
Comp Phone:	Comp Email:	

Ordinance Id	Description
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Description: The building official noticed a new porch, siding, and metal roof being installed at 307 A St on 12/4/2020.

Code Enforcement visited the property and spoke to the contractor Richard Dickens. He later pulled a permit for siding on 12/7/2020 P2001935.

As of 4pm on 12/7/2020 permits for the roof and porch had not been applied for. Code Enforcement visited the property and spoke with the owner. He then came into the office and picked up paperwork to apply for the permits.

Violation Id: V2000143	Prop Loc: 11 7TH ST	
Viol Date: 12/11/20	Status: Open	Comp Name: Connie Oberman
Comp Phone: (904)460-0099	Comp Email: sidandconnie@bellsouth.net	

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: The homeowner at 13 7th St called the office on 12-4-2020 to report an unpermitted structure on the property at 11 7th St.

From the aerial imagery from St. Johns County, the structure appeared sometime between 2016 and 2019. The structure was not permitted according to our records.

Violation Id: V2000144 Prop Loc: 490 PYRUS ST
Viol Date: 12/14/20 Status: Open Comp Name: CHRIS CYGUL-493 PYRUS
Comp Phone: (904)290-1432 Comp Email: TRXCHRIS@GMAIL.COM

Ordinance Id	Description
SEC. 3.02.03	PROHIBITED USE

Description: Chris Cygul, the neighbor at 493 Pyrus sent an email on Saturday 12-12-2020 regarding the property directly across the street from him, a duplex 490 & 492 Pyrus St. According to Airbnb's website, this property is listed as a 2 night rental on the 492 side. This address is in the low density residential area and is a prohibited use. See attached from airbnb and Chris Cygul's email.

Created	Modified	Note
12/14/20	12/14/20	Certified Mail 7016-2140-0000-0271-6160 Sent on 12-14-2020 (See Attached).

Violation Id: V2000145 Prop Loc: 112 14TH ST
Viol Date: 12/14/20 Status: Open Comp Name: Airbnb website
Comp Phone: Comp Email:

Ordinance Id	Description
LDR 3.09	Sec. 3.09.00. - Transient lodging establishments within medium density land use districts.

Description: Previously, a complaint had been made about the same property V2000118. However, the address was confidential at the time and Code Enforcement was unable to make contact with the homeowner. The original complaint alleged that an illegal transient rental was operating at 112 14th St. As of 12/14/2020 Code Enforcement was able to locate a listing for the property on Airbnb. This listing is for a 2 night minimum stay. See attached pictures.

Created	Modified	Note
12/14/20	12/14/20	Notice of Violation sent via Cert Mail on 12/14/2020

Violation Id: V2000146 Prop Loc: 651 A1A BEACH BLVD
Viol Date: 12/16/20 Status: Open Comp Name: Building Department
Comp Phone: Comp Email:

Ordinance Id	Description
LDR 7.01.01	Sec. 7.01.01. - Accessory Structures
LDR 6.01.03	Sec. 6.01.03. - Building setback requirements.
FBC 105.1	PERMITS 105.1 Required.
LDR 7.01.03	Sec. 7.01.03. - Fences and retaining walls.

Description: On 12/16/2020 Code Enforcement noticed that an illegal structure with a roof that had previously been on the north side of the building has now moved to the west side of the building. It appears to be up against the property line (against 106 2nd St).

When the building was on the north side of the property, a code enforcement case had been initiated (V2000059). After about 6 weeks and a notice to appear before the code board, the owner had the structure removed and the case was closed.

This structure appears to be attached to the main building and up against the fence on the west side.

See attached photos from 12-16-2020.

Created	Modified	Note
12/16/20	12/16/20	Certified Mail 7016-2140-0000-0271-6177 and regular USPS mail sent on 12/16/2020 see attached letter.

Violation Id: V2000147	Prop Loc: 113 2ND ST	
Viol Date: 12/18/20	Status: Open	Comp Name: Code Enforcement- Airbnb
Comp Phone:	Comp Email:	

Ordinance Id	Description
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Description: While viewing Wendy Luebbe's other properties 490/492 Pyrus and 112 14th St on Airbnb, Code Enforcement came across another rental located at 113 2nd St.

This home is in the medium density residential area.

CITY OF ST. AUGUSTINE BEACH COMMERCIAL CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Certificate Type 1	Description	User Code 1
594	12 13TH STREET	P1915242	COMMERCIAL NEW	9/9/2019		MIXED USE BUILDING - 2 OFFICE SUITES BOTTOM FLOOR WITH 2 RESIDENTIAL SUITES ON THE SECOND FLOOR	COM
997	2100 A1A S	P2000125	COM BUILD OUT	10/23/2019		INTERIOR BUILDOUT FOR DENTAL FACILITY	COM
1044	860 A1A BEACH BLVD LIFT STATIO	P2000188	COMMERCIAL NEW	11/1/2019		SCREEN WALL ENCLOSURE FOR ST. JOHNS COUNTY LIFT STATION	COM
1740	116 SEA GROVE MAIN ST	P2000906	COM BUILD OUT	6/9/2020		COMMERCIAL INTERIOR BUILD-OUT FOR OFFICE SPACE/FUTURE TENANT SPACE	COM
1827	681 A1A BEACH BLVD	P2000843	COMMERCIAL NEW	4/7/2020		BUILDING-COMMERCIAL NEW BUILDING-BREWERY 1ST FLOOR AND STORAGE 2ND FLOOR	COM
2141	3930 A1A SOUTH	P2001353	COMMERCIAL NEW	8/7/2020		BUILDING ADDITION - SHELL CONSTRUCTION 4987 SQUARE FEET 6 UNITS	COM
2766	300 A1A BEACH BLVD	P2001725	COMMERCIAL NEW	10/23/2020		DEVELOPMENT OF SOUTH EAST PARKING LOTS AND OTHER IMPROVEMENTS AS PER FINAL DEVELOPMENT ORDER 2019-02	COM

Application Id Range: First to Last

Issue Date Range: 10/01/18 to 12/18/20

Expiration Date Range: First to 09/16/22

Applied For: Y Open: Y

Application Date Range: First to 12/18/20

Use Type Range: First to Last

Hold: Y

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: Y

Work Type Range: COM BUILD OUT to COMMERCIAL NEW

User Code Range: COM to COM

Denied: Y

Void: Y

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

CITY OF ST. AUGUSTINE BEACH NEW CONSTRUCTION SFR LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Certificate Type 1	Certificate Date 1	Description
71	892 OCEAN PALM WAY	P1914417	SFR-D	2/7/2019			NEW SINGLE FAMILY RESIDENCE-BUILDING
120	103 SANDPIPER BLVD	P1914404	SFR-D	2/4/2019			NEW SINGLE FAMILY RESIDENCE-BUILDING
222	6 F ST	P1914270	SFR-D	5/3/2019			NEW SINGLE FAMILY RESIDENCE-BUILDING
486	23 HIGH DUNE DR	P1914906	SFR-D	6/21/2019			NEW SINGLE FAMILY RESIDENCE-BUILDING
814	612 OCEAN PALM WAY	P1915252	SFR-D	9/10/2019			NEW SINGLE FAMILY RESIDENCE-BUILDING
924	108 8TH ST	P1915316	SFR-D	9/23/2019			NEW SINGLE FAMILY RESIDENCE-BUILDING
989	15 6TH ST	P2000023	SFR-D	10/3/2019			NEW SINGLE FAMILY RESIDENCE-BUILDING
1312	0000 A1A SOUTH	SFR00001	SFR-D	12/4/2019			NEW SINGLE FAMILY RESIDENCE-BUILDING
1341	1004 ISLAND WAY	P2000359	SFR-D	2/4/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
1414	473 OCEAN FOREST DR	P2000426	SFR-D	1/14/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
1419	196 RIDGEWAY RD	P2000430	SFR-D	1/3/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
1592	352 RIDGEWAY RD	P2000586	SFR-D	2/6/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
1619	77 HIGH DUNE DR	P2000615	SFR-D	2/27/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
1699	104 SPANISH OAKS LN	P2000692	SFR-D	4/2/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
1775	101 SPANISH OAKS LN	P2000766	SFR-D	6/15/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
1955	522 A ST	P2000944	SFR-D	10/5/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
1965	392 RIDGEWAY RD	P2000954	SFR-D	6/4/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
1966	378 RIDGEWAY RD	P2000955	SFR-D	5/21/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
2049	202 A ST	P2001396	SFR-D	8/14/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
2095	138 WHISPERING OAKS CIR	P2001973	SFR-D	12/18/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
2177	339 RIDGEWAY RD	P2001288	SFR-D	7/30/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
2178	212 RIDGEWAY RD	P2001167	SFR-D	6/30/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
2221	24 EWING ST	P2001260	SFR-D	7/17/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
2222	182 RIDGEWAY RD	P2001227	SFR-D	7/17/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
2339	434 RIDGEWAY RD	P2001477	SFR-D	9/3/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
2372	26 SABOR DE SAL RD	P2001362	SFR-D	8/6/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
2480	14 5TH STREET	P2001691	SFR-D	10/15/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
2635	314 B ST	P2001690	SFR-D	10/15/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
2826	138 RIDGEWAY RD	P2001927	SFR-D	12/4/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING
2827	394 OCEAN FOREST DR	P2001921	SFR-D	12/4/2020			NEW SINGLE FAMILY RESIDENCE-BUILDING

Application Id Range: First to Last

Issue Date Range: 10/01/18 to 12/18/20

Expiration Date Range: First to 09/16/22

Applied For: Y Open: Y

Application Date Range: First to 12/18/20

Use Type Range: First to Last

Hold: Y

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: Y

Work Type Range: SFR-A to SFR-D

User Code Range: RES to RES

Denied: Y

Void: Y

Customer Range: First to Last

Inc Permits With Permit No: Yes

inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

City of St. Augustine Beach Fiscal Year '21 Tree Inspections

Application Id	Property Location	Building Code 1	Contractor Name 1	Description of Work 1	Issue Date	Customer	Description
2754	1144 OVERDALE RD	TREE	DUGGAN WILLIAM A ETUX	RESIDENTIAL-TREE REMOVAL INSPECTION	10/16/2020	O-000177	RESIDENTIAL-TREE REMOVAL INSPECTION
2802	3900 A1A SOUTH	TREE	F & G CONSTRUCTION GENERAL CON	TREE REMOVAL INSPECTION	11/2/2020	FGCON005	RESIDENTIAL-TREE REMOVAL INSPECTION
2803	1200 MAKARIOS DR	TREE	TREE TROUBLE LLC	RESIDENTIAL-TREE REMOVAL INSPECTION	10/29/2020	TREET005	RESIDENTIAL-TREE REMOVAL INSPECTION
2900	685 POPE RD	TREE	BARNES STACY O,JENNIFER K	19 INCH OAK TREE AND 18 INCH MAGNOLIA	11/16/2020	O-000132	19 INCH OAK TREE AND 18 IN MAGNOLIA
Totals							

Application Id Range: First to Last

Issue Date Range: 10/01/20 to 12/18/20

Expiration Date Range: First to 09/15/22

Applied For: Y Open: Y

Application Date Range: First to 12/18/20

Use Type Range: First to Last

Hold: Y

Building Code Range: TREE to TREE

Contractor Range: First to Last

Completed: Y

Work Type Range: First to Last

User Code Range: First to Last

Denied: Y

Void: Y

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

Activity Date Range: 10/01/20 to 12/18/20

Activity Type Range: T-TREE REMOVAL to T-TREE REMOVAL

Inspector Id Range: BILL to LACEY P

'SENT LETTER': Y Open With No Date: N

CITY OF ST. AUGUSTINE BEACH FISCAL YEAR '21 ZONING REPORT

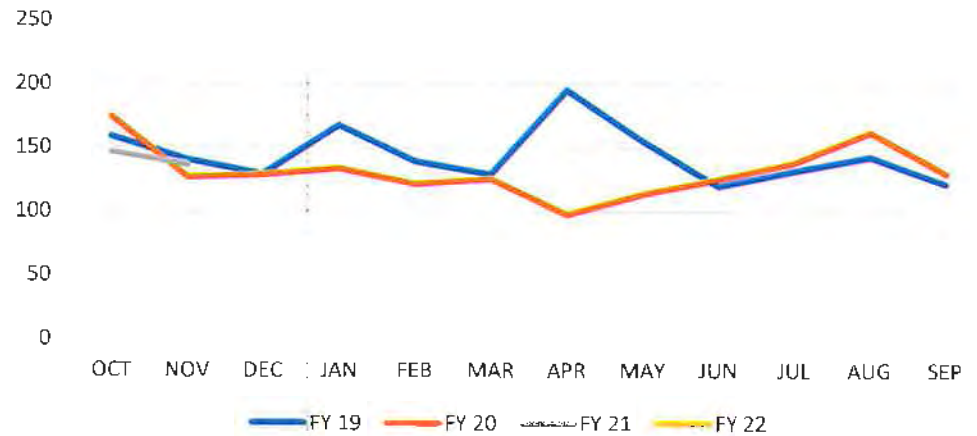
Application Id	Parcel Id	Property Location	Owner Name	Building Code	Activity Type	Date	Status
2577	1698900180	16 5TH ST	COLLIER MICHAEL SR ETAL YOUNG WAI Y	ZONING	Z-COND USE	10/13/2020	APPROVED
2577	1698900180	16 5TH ST	COLLIER MICHAEL SR ETAL YOUNG WAI Y	ZONING	Z-COND USE	11/9/2020	APPROVED
2625	1674000000	17 13TH ST	ANCIENT CITY VENTURES LLC	ZONING	Z-COND USE	10/13/2020	APPROVED
2625	1674000000	17 13TH ST	ANCIENT CITY VENTURES LLC	ZONING	Z-COND USE	11/9/2020	APPROVED
2626	1674000000	17 13TH ST	ANCIENT CITY VENTURES LLC	ZONING	Z-VARIANCE	10/13/2020	APPROVED
2627	1674000000	17 13TH ST	ANCIENT CITY VENTURES LLC	ZONING	Z-VARIANCE	10/13/2020	APPROVED
2735	1677800001	ALLEY BETWEEN 13TH ST & 14TH ST	MINORCA SUBDIVISION	ZONING	Z-VACATE ALLEY	12/15/2020	OPEN
2753	1699000000	7 4TH ST	MARZIANI PAUL J, CHERYL	ZONING	Z-VARIANCE	11/17/2020	APPROVED
2762	1698800000	7 6TH ST	PAUL DONALD, LINDA	ZONING	Z-VARIANCE	10/19/2020	APPROVED
2847	1629610940	455 HIGH TIDE DR	CULLOTTA PETER D, LAURIE L	ZONING	Z-VARIANCE	12/15/2020	OPEN
2897	1676600000	400 A1A BEACH BLVD	HVG PROPERTIES LLC	ZONING	Z-COND USE	11/16/2020	OPEN
2908	1629610950	459 HIGH TIDE DR	TAMMS ERIC VICTOR	ZONING	Z-VARIANCE	12/15/2020	OPEN

CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

OF PERMITS ISSUED

	FY 19	FY 20	FY 21	FY 22
OCT	158	174	147	
NOV	140	127	137	
DEC	129	129		
JAN	167	134		
FEB	139	122		
MAR	129	126		
APR	195	98		
MAY	155	114		
JUN	120	126		
JUL	132	139		
AUG	143	163		
SEP	122	131		
TOTAL	1729	1583	284	

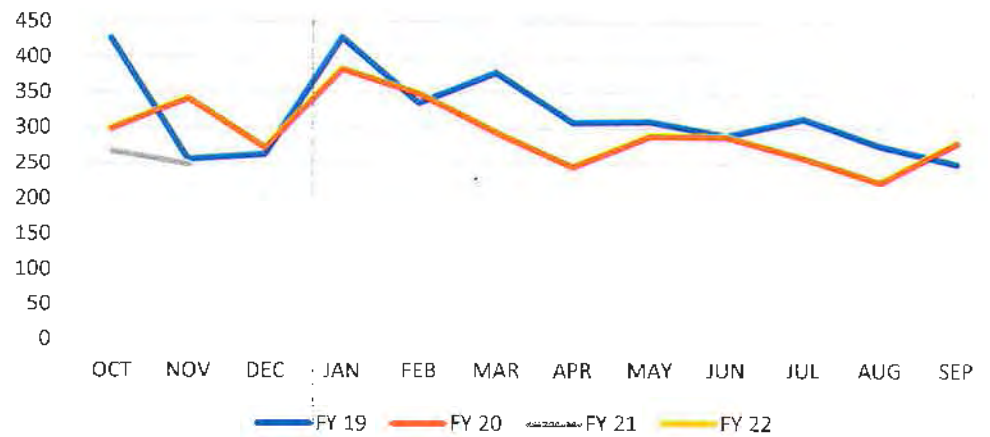
OF PERMITS ISSUED



OF INSPECTIONS PERFORMED

	FY 19	FY 20	FY 21	FY 22
OCT	424	298	268	
NOV	255	341	250	
DEC	262	272		
JAN	426	383		
FEB	334	348		
MAR	377	294		
APR	306	246		
MAY	308	289		
JUN	288	288		
JUL	312	259		
AUG	275	225		
SEP	250	281		
TOTAL	3817	3524	518	

OF INSPECTIONS PERFORMED

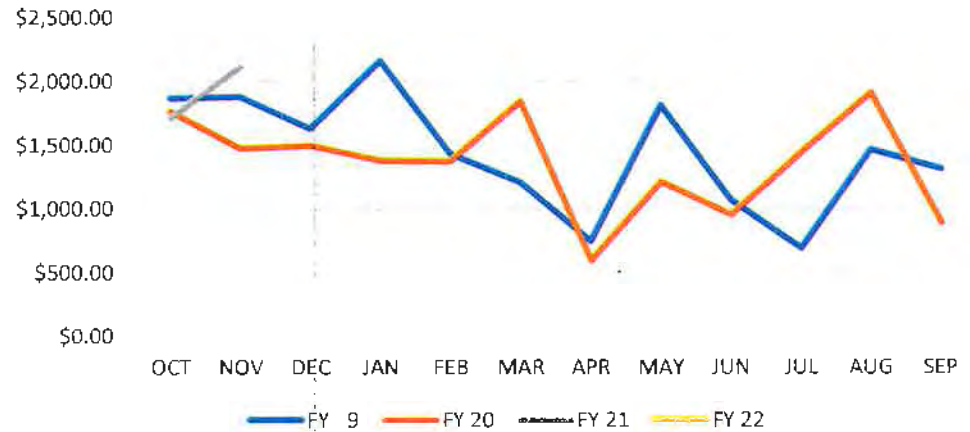


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

ELECTRICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$1,860.32	\$1,765.00	\$1,718.00	
NOV	\$1,872.66	\$1,475.00	\$2,115.00	
DEC	\$1,622.32	\$1,495.00		
JAN	\$2,151.66	\$1,380.00		
FEB	\$1,425.32	\$1,375.00		
MAR	\$1,203.33	\$1,843.00		
APR	\$743.00	\$600.00		
MAY	\$1,805.00	\$1,215.00		
JUN	\$1,065.00	\$955.00		
JUL	\$690.00	\$1,443.00		
AUG	\$1,460.00	\$1,910.00		
SEP	\$1,310.00	\$895.00		
TOTAL	\$17,208.61	\$16,351.00	\$3,833.00	

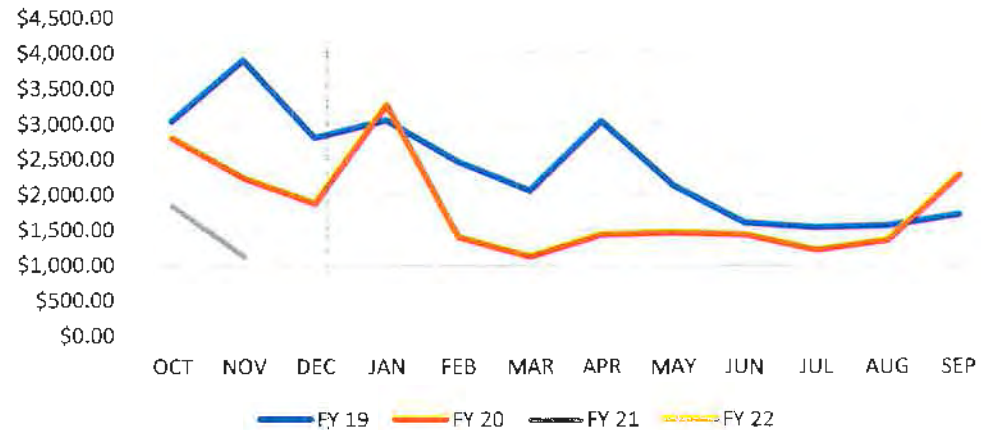
ELECTRICAL PERMIT FEE REPORT



PLUMBING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$3,016.37	\$2,786.00	\$1,844.00	
NOV	\$3,867.41	\$2,221.00	\$1,133.00	
DEC	\$2,783.10	\$1,869.00		
JAN	\$3,031.40	\$3,256.00		
FEB	\$2,440.44	\$1,395.00		
MAR	\$2,037.24	\$1,125.00		
APR	\$3,015.00	\$1,430.00		
MAY	\$2,110.00	\$1,459.00		
JUN	\$1,590.00	\$1,432.00		
JUL	\$1,525.00	\$1,218.00		
AUG	\$1,550.00	\$1,356.00		
SEP	\$1,706.00	\$2,270.00		
TOTAL	\$28,671.96	\$21,817.00	\$2,977.00	

PLUMBING PERMIT FEE REPORT

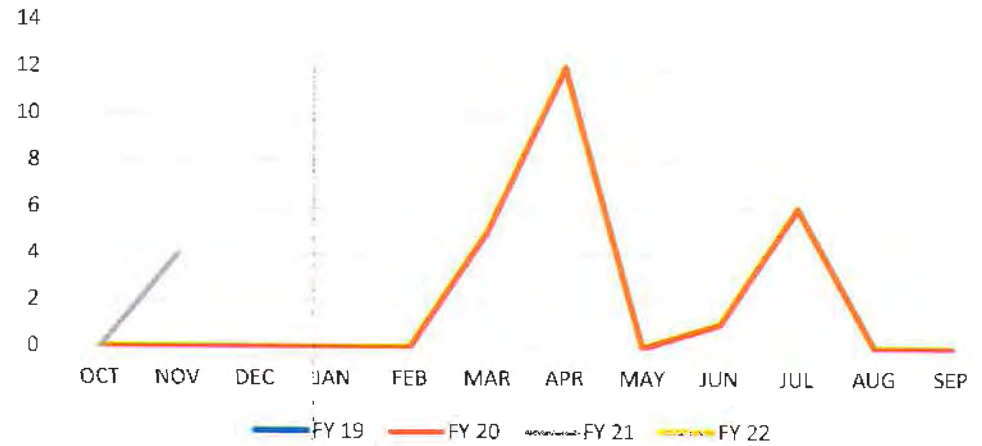


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

OF INSPECTIONS PERFORMED BY PRIVATE PROVIDER

	FY 19	FY 20	FY 21	FY 22
OCT		0	0	
NOV		0	4	
DEC		0		
JAN		0		
FEB		0		
MAR		5		
APR		12		
MAY		0		
JUN		1		
JUL		6		
AUG		0		
SEP		0		
TOTAL	0	24		

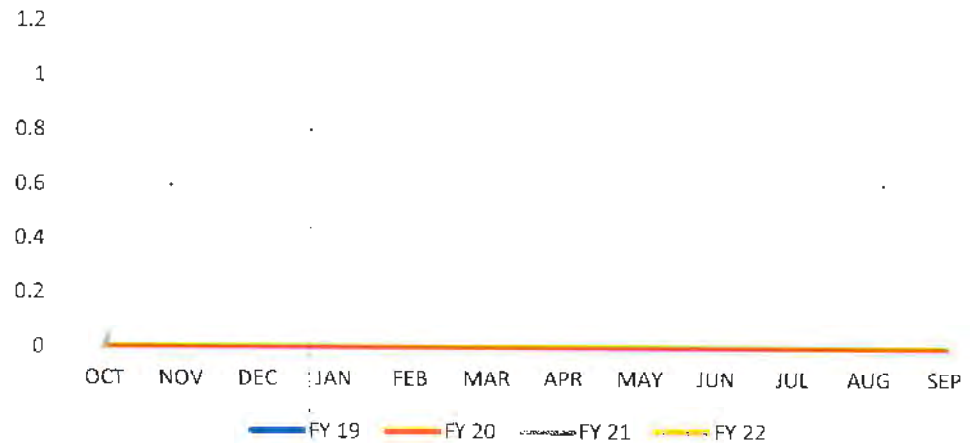
OF INSPECTIONS PERFORMED BY PRIVATE PROVIDER



OF PLAN REVIEWS PERFORMED BY PRIVATE PROVIDER

	FY 19	FY 20	FY 21	FY 22
OCT	0	0	0	
NOV	0	0	1	
DEC	0	0		
JAN	0	0		
FEB	0	0		
MAR	0	0		
APR	0	0		
MAY	0	0		
JUN	0	0		
JUL	0	0		
AUG	0	0		
SEP	0	0		
TOTAL	0	0		

OF PLAN REVIEWS PERFORMED BY PRIVATE PROVIDER

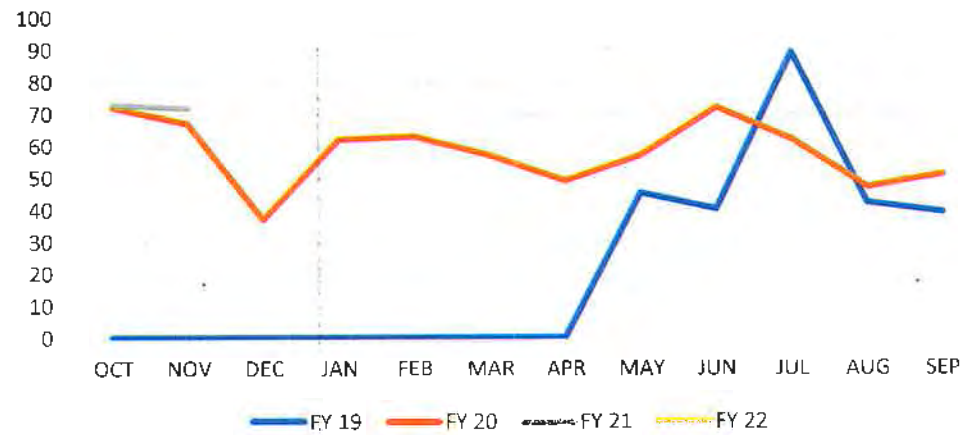


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

OF PLAN REVIEW ACTIVITIES PERFORMED BY BLDG. DEPT.

	FY 19	FY 20	FY 21	FY 22
OCT	0	72	73	
NOV	0	67	72	
DEC	0	37		
JAN	0	62		
FEB	0	63		
MAR	0	57		
APR	0	49		
MAY	45	57		
JUN	40	72		
JUL	89	62		
AUG	42	47		
SEP	39	51		
TOTAL	255	696	145	

OF PLAN REVIEW ACTIVITIES

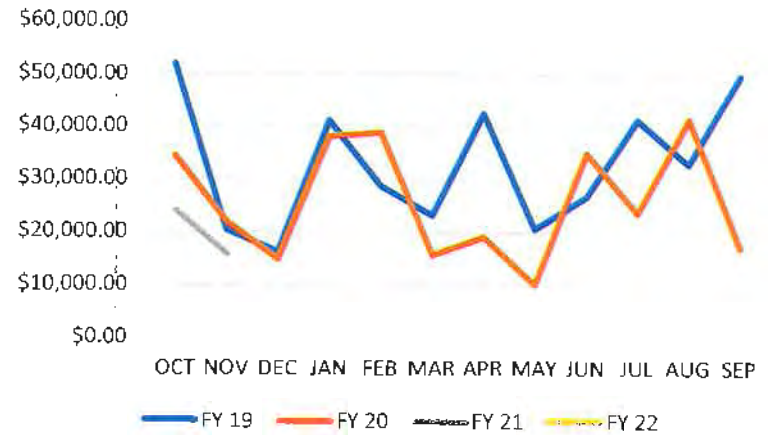


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

BUILDING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$51,655.01	\$34,277.62	\$24,139.90	
NOV	\$20,192.42	\$21,844.58	\$15,910.52	
DEC	\$16,104.22	\$14,818.54		
JAN	\$40,915.31	\$37,993.58		
FEB	\$28,526.70	\$38,761.13		
MAR	\$22,978.53	\$15,666.80		
APR	\$42,292.91	\$19,092.61		
MAY	\$20,391.12	\$10,194.02		
JUN	\$26,445.26	\$34,939.40		
JUL	\$41,120.86	\$23,555.36		
AUG	\$32,714.82	\$41,455.38		
SEP	\$49,543.66	\$17,169.56		
TOTAL	\$392,880.82	\$309,768.58	\$40,050.42	

BUILDING PERMIT FEE GRAPH

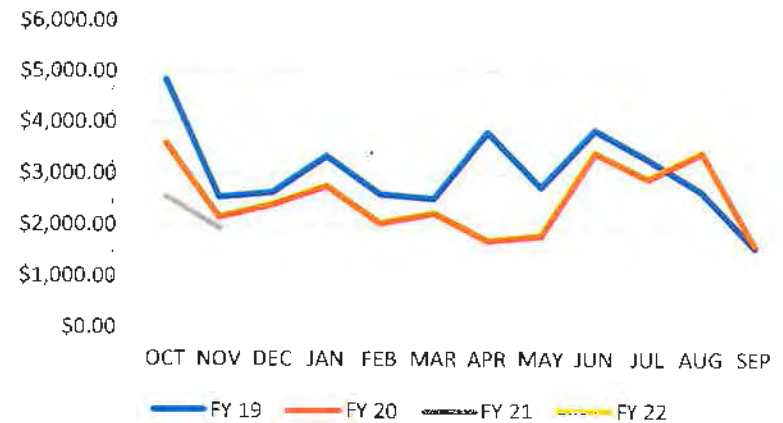


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MECHANICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$4,819.09	\$3,593.67	\$2,574.62	
NOV	\$2,541.44	\$2,160.00	\$1,963.00	
DEC	\$2,633.64	\$2,409.62		
JAN	\$3,338.69	\$2,768.47		
FEB	\$2,601.00	\$2,044.08		
MAR	\$2,515.33	\$2,237.73		
APR	\$3,801.26	\$1,716.00		
MAY	\$2,736.33	\$1,809.00		
JUN	\$3,844.54	\$3,417.00		
JUL	\$3,286.00	\$2,917.93		
AUG	\$2,663.49	\$3,430.11		
SEP	\$1,579.42	\$1,621.00		
TOTAL	\$36,360.23	\$30,124.61	\$4,537.62	

MECHANICAL PERMIT FEE REPORT

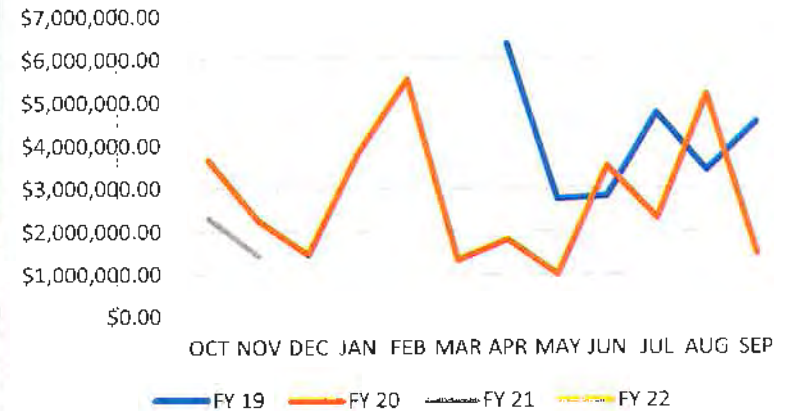


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

ALTERATION COST

	FY 19	FY 20	FY 21	FY 22
OCT		\$3,657,414.56	\$2,313,298.53	
NOV		\$2,242,421.52	\$1,440,841.88	
DEC		\$1,449,915.40		
JAN		\$3,789,363.81		
FEB		\$5,519,900.00		
MAR		\$1,321,570.04		
APR	\$6,338,617.35	\$1,803,157.19		
MAY	\$2,731,410.75	\$1,003,140.58		
JUN	\$2,792,442.43	\$3,519,844.50		
JUL	\$4,717,293.00	\$2,300,478.87		
AUG	\$3,393,250.74	\$5,175,949.96		
SEP	\$4,502,737.63	\$1,475,857.57		
TOTAL	\$24,475,751.90	\$33,259,014.00		

ALTERATION COST

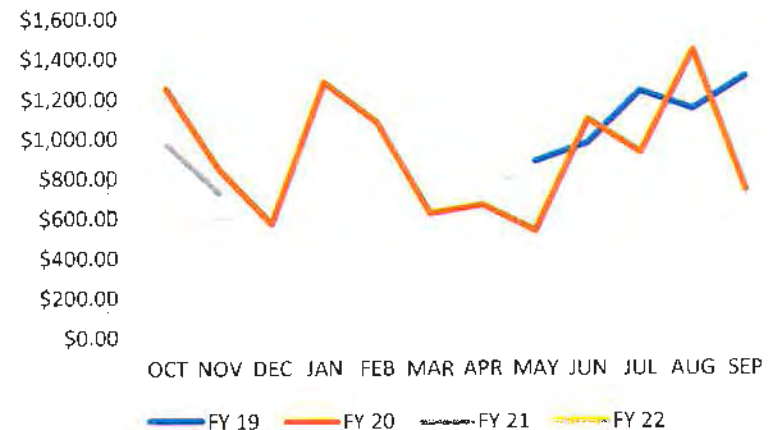


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STATE SURCHARGE PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT		\$1,247.45	\$973.01	
NOV		\$845.65	\$729.40	
DEC		\$569.37		
JAN		\$1,277.63		
FEB		\$1,079.31		
MAR		\$623.46		
APR		\$666.54		
MAY	\$881.45	\$537.83		
JUN	\$972.50	\$1,093.02		
JUL	\$1,230.25	\$928.44		
AUG	\$1,141.48	\$1,437.49		
SEP	\$1,303.66	\$740.55		
TOTAL	\$5,529.34	\$11,046.74		

STATE SURCHARGE PERMIT FEE REPORT



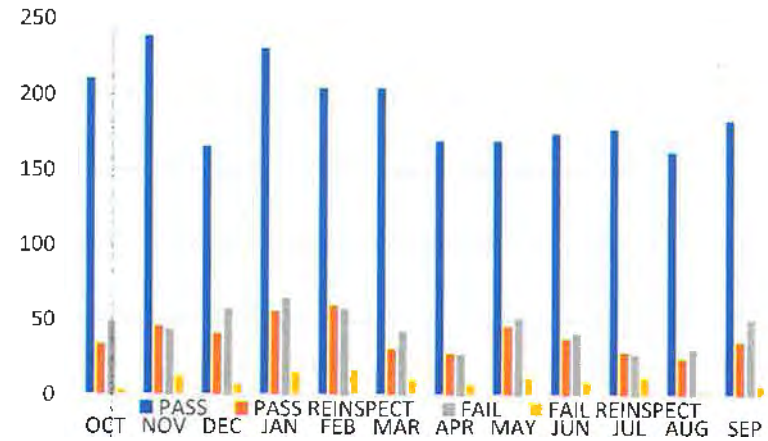
CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

FY 20 INSPECTION RESULTS

	PASS	PASS REINSPECT	FAIL	FAIL REINSPECT
OCT	210	34	49	3
NOV	238	46	44	12
DEC	165	41	58	7
JAN	230	56	65	15
FEB	204	60	58	17
MAR	204	31	43	10
APR	169	28	28	7
MAY	169	46	52	12
JUN	174	38	42	9
JUL	177	29	28	12
AUG	162	25	32	2
SEP	183	36	51	7
TOTAL	2285	470	550	113

RESULTS DO NOT INCLUDE CANCELLED/PERFORMED INSPECTIONS

FY 20 INSPECTION RESULTS



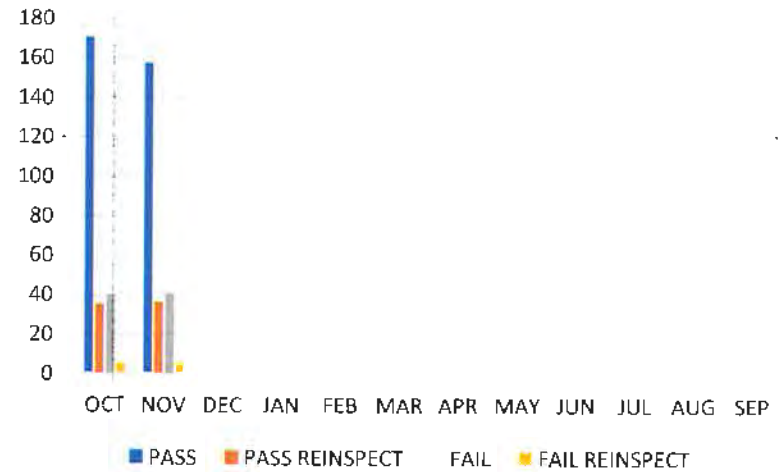
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FY 21 INSPECTION RESULTS

	PASS	PASS REINSPECT	FAIL	FAIL REINSPECT
OCT	170	35	40	5
NOV	157	36	41	5
DEC				
JAN				
FEB				
MAR				
APR				
MAY				
JUN				
JUL				
AUG				
SEP				
TOTAL	327	71	81	10

RESULTS DO NOT INCLUDE CANCELLED/PERFORMED INSPECTIONS

FY 21 INSPECTION RESULTS





MINUTES

PLANNING AND ZONING BOARD MEETING

TUESDAY, NOVEMBER 17, 2020 6:00 P.M.

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

I. CALL TO ORDER

Chairperson Kevin Kincaid called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

~~BOARD MEMBERS PRESENT:~~ Chairperson Kevin Kincaid, Vice-Chairperson Berta Odom, Larry Einheuser, Dennis King, Victor Sarris, Senior Alternate John Tisdall, Junior Alternate Scott Babbitt.

BOARD MEMBERS ABSENT: Hester Longstreet, Chris Pranis.

STAFF PRESENT: Building Official Brian Law, City Attorney Lex Taylor, Executive Assistant Bonnie Miller, Recording Secretary Lacey Pierotti.

IV. APPROVAL OF MINUTES OF PLANNING AND ZONING BOARD MEETING OF OCTOBER 13, 2020

Motion: to approve the minutes of the October 13, 2020 meeting. **Moved** by Ms. Odom, **seconded** by Mr. Tisdall, **passed 7-0** by unanimous voice-vote.

V. PUBLIC COMMENT

Karen Leslie, 13-A 6th Street, St. Augustine Beach, Florida, 32080, said when the McMansions were built in her neighborhood it flooded, and a drainage system was put in along the alleyway, because they filled in behind Obi's Restaurant and that is where they dug the dirt out to make the road and where the water went and then they filled it in. She thinks the whole alleyway is higher on one side and goes lower in her lot because her lot just holds water that comes down from the beach and has nowhere to go. There was a small pothole that got bigger and when it rained, it became a big puddle that people stepped and fell into. She saw a little girl ride her bike into the pothole and fall off her bike, and while the pothole has since been patched, all the new construction has caused parking issues and the whole area has become dangerous. It needs an overhaul and a lot of consideration, because it floods from Obi's parking lot down Atlantic Alley and 6th Street.

Mr. Law said Public Works Department is very aware of this situation and is the appropriate mechanism for handling it, as this Board and the Building and Zoning Department deal mostly in private property. Next year, Public Works Director Bill Tredik and his department will try to put together some sort of paving plan for this area.

VI. NEW BUSINESS

- A. Vacating Alley File No. V 2020-01, for vacation of the 15-foot-wide alley between 13th Street and 14th Street adjacent to and west of A1A Beach Boulevard and abutting Lots 22, 23, 24, 25, 26, and 27, Minorca Subdivision, and Lots 65, 66, 67, 78, and 79, Atlantic Beach Subdivision, to incorporate square footage of alley into the square footage of owners of adjacent properties abutting and/or adjoining alley, Kyle and Elizabeth Morin, Applicants

Ms. Miller said on behalf of the applicants, staff is asking that this application be continued to the Board's December 15, 2020 regular monthly meeting and the City Commission's January 4, 2021 regular monthly meeting.

Mr. Kincaid asked if there were any objections to continuing this application to the next regular monthly meetings of the Board and City Commission. There were no objections and by unanimous consensus, the application was continued to the regular monthly meetings of the Board and City Commission as stated above.

- B. Land Use Variance File No. VAR 2020-12, for reduction of the minimum side yard setback requirement of 10 feet to 5 feet for proposed new construction of a second-story, 185-square-foot roofed deck and stairs on the west side of an existing single-family residence in a medium density residential land use district on Lot 24, St. Augustine Beach Subdivision, Paul J., and Cheryl Marziani, Applicants

Ms. Miller said this variance application is for a west side yard setback reduction from 10 feet to 5 feet for new construction of a second-story roofed deck and exterior staircase. The dimensions of the proposed deck are approximately 10 feet by 18.5 feet, or 185 square feet, and it will extend 10 feet into the current 18.5-foot west side yard setback, so the deck itself will have an 8.5-foot west side yard setback and the exterior staircase accessing the deck extends out an additional 3.5 feet, leaving a west side yard setback of 5 feet.

Paul Marziani, 7 4th Street, St. Augustine Beach, Florida, 32080, applicant, said his contractor could not be here this evening, as he had a last minute emergency, but he did provide drawings of the proposed new deck and stairs showing the west side elevation of what they are proposing to build. He and his wife bought this property in 2004 and attempted at one point to try to do something to remodel it, but they had to back off because this property is on the seaward side of the Coastal Construction Control Line (CCCL), and they could not afford what was required in terms of construction. They postponed any renovation project until another day and turned the property into a vacation rental, but their plan had always been to someday move back in and make this their permanent home. They are now making some changes and doing what they can afford to make the home more comfortable and functional. One of their primary hardships is that the entrance to the house is on the east side, so they get beat up by nor'easters and storms off the ocean and they'd really like to change that. The deck and staircase design has the main entrance on the west side. To address some of the concerns of the resident who just spoke about drainage and flooding problems, the roofed deck will have a gutter system to ensure water does not flow in towards his next door neighbor's yard and cause any problems. The proposed deck and staircase will have no impact on the existing lot and impervious surface ratio (ISR) coverage.

Mr. Law asked if the roofed deck will essentially be a carport, under which the applicants can park a vehicle to unload groceries and such. Also, he asked if the proposed roofed deck is designed to shed water, because a roof is not supposed to let the water filter through. Water will come right through a deck that does not have a roof, so this does not change lot coverage, but if a deck has a roof, this counts as lot coverage. The definition of ISR starts off with any building surface, so a roofed deck will increase both lot and ISR coverage.

Mr. Marziani said they are extending the existing roof of the house to cover the new deck.

Mr. King said as roof square footage is being added, it is not really a deck, but a second-floor porch.

Mr. Law said to clarify the definition between a deck and a porch, a deck is a horizontal paved or unpaved surface without a roof. Even though what the applicant is proposing to build is open to the environment, and most people would call it a deck, it is technically a porch because it has a roof, so it is included in lot coverage calculations.

Mr. Marziani said there will be the opportunity to park a car under it, so if it is raining, they are going to park under the deck, which from Mr. Law just said, is technically a porch.

Mr. Law said yes, it is one of those confusing terms because it is commonly called a deck, but it is technically a porch because it appears to have a roof over it.

Ms. Odom asked if the applicant plans to remove the stairs on the east side of the house.

Mr. Marziani said no, they are going to leave the stairs on the east side, because they are a wrap-around to the back and allows them to walk around to the back of the property. However, they are going to close off the east side entry door, more for interior reasons, as his wife wants a wall there to hang pictures.

Ms. Odom said she used to live in that house, so she knows how little it is. They had three bedrooms, but it was tight, as they had six people living in it. She's glad the applicants are trying to do something with it, and thinks what is proposed will look lovely, as it is a great little house.

Mr. King asked how close the stairs on the east side are to the property line. On what appears to be a survey included with the application, it looks like these stairs are, at best, a couple of feet from the east side lot line.

Mr. Marziani said yes, the stairs are close to the property line on the east side, but the stairs have been there since the house was built in 1942.

Cheryl Marziani, 7 4th Street, St. Augustine Beach, Florida, 32080, applicant, said the exact same variance was granted about six months ago to Bert Tavary's house two doors down. They included pictures of what was built on that property in their variance application.

Tom McGrath, 9 4th Street, St. Augustine Beach, Florida, 32080, said he owns the house next door at 9 4th Street, and he's been there since 1994. The applicants are his next-door neighbors, and they plan to move into their home full-time, so that is a welcome addition compared to having a short-term rental next door for many, many years. He thinks it would be unfair to the Marzianis if their variance was rejected considering the variance approvals of the past. If you look around St. Augustine Beach, you see remodels being done with everyone maximizing their setbacks and building up. He gets this, but that does not mean he likes it, as this results in loss of ocean views, privacy, and houses being built closer to their neighbors, so if you do not get along with your neighbors, it really sucks. The one problem he has noticed after living here for 26 years is drainage of storm water, as his property simply does not drain as well as it did years ago, and it is a concern, because his house is still on septic. Bigger and larger roofs and five-foot setbacks mean there is less space, obviously, for water to drain. He spoke to Mr. Marziani who agreed to put up some kind of gutter and spouts on the roof over the deck and place the drains so that the water drains north and south, not east and west, towards his property, where the setbacks are going to be so tight, because it is already swampy over there. It is also swampy on the other side of his property, where the other variance was approved for Bert Tavary's property to the west. He would just like to reiterate the Marzianis are a welcome permanent addition and he really feels they deserve this variance.

Mr. Law said yes, the property is seaward of the CCCL, and as such, Chapter 3109 of the Florida Building Code (FBC) applies and takes precedence. A letter from the local zoning jurisdiction is required to apply for a

Department of Environmental Protection (DEP) permit, confirming the proposed construction does not appear to contravene any zoning or setback regulations. This letter could not be written because his staff does not have the mechanism to violate the side yard setback requirements, which is why this variance has been submitted. If the Board decides to approve the variance, staff will then issue a DEP letter within the next few days so the applicants can begin the process of applying for the DEP permit. There is no guarantee the DEP will issue a permit for the proposed new construction, and the issuance of the DEP permit is outside of the Building Department's purview.

Mr. Kincaid asked Mr. McGrath if he is the owner of the property closest to where the variance is being requested.

Mr. McGrath said yes, he is the next-door neighbor on the west side of the applicants' property.

Mr. Kincaid said there have been some references made about all the other variances that have come before this Board and been granted. He is not sure what the percentage is as to how many variances have been approved, but all variances that come before the Board are subject to the same rules for variances per the LDRs. One of these is the demonstration of a hardship, which is one of the things the Board is tasked in evaluating variances. He is not sure the hardship that has been mentioned for this variance, relating to carrying groceries in the rain, meets the intent of the rules for the hardship. The City has rules for variances for a reason, to provide some structure and uniformity and many other things, so for the Board to evaluate a variance request and go outside of the rules, they are looking for a hardship and a way to help somebody use their property more effectively or efficiently or to help somebody out of a position where they are unable to use their property effectively or efficiently. He asked the applicants to clarify the hardship that has required them to apply for this variance.

Mr. Marziani said it is not just about carrying groceries in the rain, this home has 1100-square feet of living space, and because they cannot expand the walls and living space or build up because they cannot afford to do that, they are trying to expand the living space to add outdoor living space by building an outdoor covered porch. They are trying to do something affordable to improve the living space of this small home, which is basically a box.

Mr. Sarris said the applicants will still have to meet the DEP requirements for construction seaward of the CCCL, which can be costly.

Mr. Marziani said this is understood, and his contractor is aware of this as well.

Mr. King asked Mr. Marziani what the restrictions are on expanding the house.

Mr. Marziani said money, and the cost of what they are able to do because any construction has to comply with DEP regulations for construction seaward of the CCCL. For example, Bert Tavary, who owns the house which was granted a variance a couple of doors down to the west of his property, did not have to meet the same requirements, as far as footers, pilings, and other engineering requirements. It is very expensive to put in the pilings required for construction seaward of the CCCL. They would love to expand the walls and current building footprint, and they did look at a couple of designs to do so, but they cannot afford to do that.

Ms. Marziani said she would just like to reiterate, when talking about hardships, it is because of the CCCL that they cannot afford to expand outside the walls of the house. They have been told how much one piling would cost, if they expanded beyond the existing floor plan or footprint, and that is definitely a hardship.

Mr. Law said properties seaward of the CCCL, whether they are in a special flood hazard area or not, is still subject to Chapter 3109 of the FBC, the first section of which talks about substantial improvements to buildings. Substantial improvement is defined as fifty percent of the building value alone, not including the land, any

detached structures, or pools, and to determine this, the majority of governments will use the tax rolls from the local property appraiser for the appraised value of the building. Per the County Property Appraiser's webpage, the house at 7 4th Street has an appraised value of \$85,252, so the owners are allowed to spend \$42,626 in improvements. As the proposed covered porch is a lateral addition and structurally attached to the house, to exceed that amount the building would have to be brought into full compliance, which would require retrofitting the existing facility with, most likely, helical piles every so many feet, and most likely, the building would have to be elevated. It becomes very expensive to elevate a house to bring it into compliance, which is why you see garages on most first floors of buildings seaward of the CCCL. Breakaway walls and all that would have to come into play under the Federal Emergency Management Agency (FEMA) 758 Manual and Chapter 3109 of the FBC.

Mr. Kincaid said in this case, being seaward of the CCCL and having a house built prior to any of the current regulations is certainly a hardship.

Mr. King said it is cost-prohibitive.

Mr. Law said cost-prohibitive is not a hardship.

Mr. Kincaid said no, but having a house that is built seaward of the CCCL and prior to any of the current rules and regulations requires significantly more work for the applicants to do what they want, regardless of the cost.

Mr. Law said he'd disagree that a structure that lies seaward of the CCCL gets a hardship for that, because the intent of the FBC and FEMA's ongoing mission is to bring buildings into compliance, not to continue a non-conforming structure that could be subjected to high wave action. That is personally just his opinion, however, and it is up to the Board to make the decision as to whether or not this constitutes a hardship.

Mr. Sarris asked if the covered porch, which will be an attached new structure with a roof on it, will have to comply with DEP permitting regulations and have pilings to support it.

Mr. Law said if it triggers substantial improvement protocols, yes. If it does not, the new structure could potentially be put on a regularly engineered type of foundation. Because there is a roof tied to the main structure, a break-away deck component, which is another avenue that is normally used, cannot be utilized, because it would rip the main structure apart with it in the event of a catastrophic event. The owners already have an active permit for an interior renovation on their property, so the valuation of the work being done for the interior renovation will be included with the valuation of the work for the covered porch addition in calculating the \$42,626 that cannot be exceeded in order to avoid triggering substantial improvement protocols.

Mr. King said he is having trouble with the non-compliant stairs on the east side of the house. The structure is already non-conforming, and the Board is now being asked to approve something else not in compliance on the other side. The existing stairs on the east side are only a couple of feet away from the lot line, and while the current owners did not build them, he wonders if the Board would have granted a variance for the existing stairs.

Mr. Kincaid said he imagines the Board would look at this the same way and consider the hardship and what the reasons are behind the variance request, such as the history, any precedent that has been set, etc. The Board can consider all of this, but the existing stairs on the east side are not something the Board has to rule on tonight.

Ms. Odom said she knows this house, as she lived there, and it is small. She thinks the added outside living space would make this house more desirable for a permanent resident. She knows this is not a hardship, but if the proposed improvements were for a vacation rental, she probably would not have the same feeling.

Mr. Kincaid said he would like to note the only comments they have heard here tonight are from the neighbor most affected by the requested reduced setback, and this neighbor is in support of the variance. However, he is still not sure the hardship requirement has been met.

Mr. Law said if the Board recalls, several months ago they struggled with another variance and they went through the seven items in the LDRs that are to be considered for a variance. This seemed to help the Board with both the hardship and a final decision, so he asked if the Board would like to go this section of the LDRs again tonight.

Mr. Kincaid said he thinks this would not only be good for the Board, but for the applicant and everybody else to understand that each variance is subjected to the same seven criteria.

Mr. Law displayed the first required consideration for the granting of a variance in Section 10.02.03.B of the LDRs, which states, "The nature of the hardship, whether it is as a result of an inability to make reasonable economic use of the property consistent with the provisions of these land development regulations, circumstances in common with other property owners, or personal to the applicant, it being the intent of this provision that an inability to make reasonable economic use of the property acts in favor of the granting of the variance and personal hardship and hardship in common with others act against the granting of the variance."

Mr. Kincaid said he does not think there is an inability to make appropriate or reasonable economic use of the property, as it has obviously been in use since 1942.

Mr. King agreed.

Mr. Law displayed the second consideration, which states, "The precedential effect of the variance, it being the intent of this provision that the prior granting of similar variances to persons similarly situated shall act in favor of the granting of the variance and the prior denial of similar variances shall act against the granting of the variance."

Mr. Sarris asked if the granting of the requested variance will have a precedential effect, and if it is sort of in line with variances that have been granted in the past, or if the Board would be setting a new precedent.

Mr. Taylor said every variance has the ability to create precedent, and every situation is its own unique situation, but as it gets closer and closer to similar situations, the Board should try to be as consistent as possible.

Ms. Odom said the variance approved for the nearby property at 11 4th Street has been included in the information copied to the Board for this application. That is a precedent set by the Board when this variance was granted for almost exactly the same thing, so a precedent has already been set to reduce the side setback to five feet.

Mr. Kincaid asked what the hardship was for this variance.

Mr. Law said he recalls the Board instructed the applicant to remove the concrete driveway and put in 10 percent or greater permeable pavers, but he does not remember the variance being exactly the same as this one.

Ms. Miller said Bert Tavary's property at 11 4th Street had an existing five-foot side setback, and the variance request was to build within the current existing setback which the house was built with. Mr. Tavary's house was also built before the current LDRs and minimum setback requirements went into effect.

Mr. Kincaid said so Mr. Tavary did not ask to encroach further into the existing setback but asked to build within the current nonconforming setback.

Ms. Miller said yes, he wanted to expand the existing nonconforming structure, which required the variance.

Mr. Law displayed the third consideration, which states, "Whether the granting of the variance will create a precedent. The creation of a precedent shall act against the granting of the variance."

Mr. Taylor said the third consideration speaks for itself, as every variance that is granted creates a precedent, so the Board should apply the same logic in considering similarly-situated variances.

Mr. Kincaid said to him, this consideration says the City would like the Board to never grant a variance.

Mr. Taylor said it is more that the Board is advised to think strongly about granting variances.

Mr. Sarris said some of the logic here is that the lot at 7 4th Street is only 48.3 feet wide, so it's a nonconforming lot, and to make an improvement like this is something other lots with a wider width can do. He can understand that because of the lot width and the need for the improvement, there has to be a consideration for a side setback reduction, and this is the kind of precedent that could keep reoccurring with the nonconforming lot widths in this City. The Board has probably seen this before, as evidently, Bert Tavary's lot was the same type of narrow lot.

Mr. Kincaid said Mr. Tavary's house was already built with a five-foot side setback, and he just wanted to build within the existing five-foot setback.

Mr. Sarris said okay, what he is establishing here is that if you have a nonconforming lot, especially when it comes to width, the City is open to establishing a precedent to encroach into side setbacks. He asked if it could be said that this creates an opportunity to set a precedent that the Board is willing to talk about, for lack of a better way.

Mr. Kincaid said he thinks it is a dangerous precedent to say that if someone has a smaller lot, the Board will allow them to ignore the setback requirements, which the Board does not set, as setback rules are set by the City Commission to govern what is built in the City. The Board can grant a variance to go outside the rules, but if they create an entire class of precedent for narrow lots, they may as well recommend the Commission consider changing the current setbacks, as there are a lot of nonconforming lots in the City. He does not think the 48-foot-wide lot creates a hardship, because the applicants knew what the width of the lot was when they bought it.

Mr. Law said this is actually addressed in the fourth consideration for the granting of a variance, which states, "Whether the hardship is self-created; that is, whether the applicant acquired the property following the adoption of the regulations from which the variance is sought or the hardship is as a result of construction or other activities undertaken by the applicant following the adoption of such regulation. Acquisition of the property following the adoption of the regulations shall act against the granting of the variance. Acquisition preceding the adoption of the regulation shall act in favor of the granting of the acquisition." The survey submitted with the variance shows the house at 7 4th Street currently has an 18.5-foot setback on the west side, so in theory, it could be expanded 8.5 feet without encroaching into the required 10-foot side setback. Though the building is nonconforming due to the encroachment of the stairs into the 10-foot side setback on the east side, the applicants potentially have options to expand the living area they need and work with the DEP on handling CCCL requirements.

Mr. King asked if the applicants expanded the building to bring the roof and porch out to 8.5 on the side, could they then cantilever a second-story deck out over the required 10-foot side setback?

Mr. Law said there are no provisions that he is aware of to allow a deck to extend into the 10-foot side setback. There are provisions for decks to extend into the front and rear setbacks, but keep in mind, decks have no roof.

Mr. Kincaid said he does not think the variance request is anything that is self-inflicted or self-created.

Mr. Law displayed the fifth consideration for the granting of a variance, which states, "Whether the variance requested is the minimum variance that will permit the reasonable economic use of the property." There were no questions or comments, so he then displayed the sixth consideration, which states, "The effect of the variance on neighboring properties. The absence of an effect on neighboring properties will act in favor of the granting of the application. An adverse impact upon neighboring properties or the immediate neighborhood will act against the granting of the application."

Mr. Kincaid said they heard from the neighbor on the west side, where the variance is requested, who supports the variance. He asked Mr. Law to move on to the seventh, and last, consideration, which states, "Increases in congestion on surrounding streets, increases in the danger of fire or flooding will act against the granting of the application." They have no indication that this will increase flooding and it certainly will not increase traffic.

Mr. Law said no, if the Board sees fit to approve this and the DEP sees fit to issue the permit to allow the proposed covered porch addition, the drainage will be under the control of the City's Public Works Director, Mr. Tredik.

Mr. Babbitt said he wasn't on the Board when Mr. Tavary's variance was granted, but the Board discussed granting similar variances, and the copy of the variance order granted to Mr. Tavary does say the variance was granted to reduce the minimum 10-foot side setback requirement to 5 feet.

Mr. Kincaid said that is correct, Mr. Tavary had an existing five-foot side setback, and to add to his house within the same footprint, he needed a variance to allow the addition to also have a reduced side yard setback from 10 feet to 5 feet. Mr. Tavary did not encroach any further into the already existing five-foot side setback. He is not sure if this is something the Board could consider, but he asked if it would be appropriate to ask the applicants to move the stairs leading up to the proposed second-story porch addition from the outside to the inside, so it is an interior stairway that does not encroach into the side setback. This would remove the 3.5-foot width of the stairs from encroaching into the side setback, so a variance from 10 feet to 8.5 feet instead of 5 feet would be needed.

Mr. Law said based on the submitted site plan, the stairs are about 5 feet, 2 inches from the west side property line, so he believes what Mr. Kincaid is suggesting is that if stairs were relocated to the rear of the covered porch addition instead of where they are shown on the site plan extending to the west of the addition, this would be less intrusive on the side setback, requiring a side setback reduction to approximately 8.5 feet, instead of 5 feet. It is definitely within the Board's purview to modify the variance request, but if the stairs were relocated to the inside, or under, the covered porch, this would not be effective for the parking of a vehicle underneath the porch. However, the suggestion that the stairs could be relocated to the rear, behind the covered porch, instead of underneath it, would allow a vehicle to be parked underneath. This would definitely be up to the applicants, their designer, and the contractor. He'd like to remind the Board before a decision on this variance is made that the variance is just for a side setback reduction, it is not a variance to increase lot coverage or ISR coverage. His department will expect the proposed covered porch addition to comply with all other provisions of the LDRs.

Mr. Taylor said as a suggestion for a motion, it might be easier to just set the distance off the lot line for the setback reduction the Board is okay with and not talk about relocating the stairs.

Motion: to approve Land Use Variance File No. VAR 2020-12 for a west side yard reduction to 7.5 feet for proposed new construction of a second-story, roofed porch addition to an existing single-family residence at 7 4th Street. **Moved** by Ms. Odom, **seconded** by Mr. King, passed 7-0 by unanimous voice vote.

- C. Land Use Variance File No. VAR 2020-13, for reduction of the minimum front and rear setback requirements of 25 feet to 20 feet and reduction of the minimum side yard setback requirements of 10 feet to 7.5 feet for proposed new construction of a three-story, 5132-square-foot single-family residence in a medium density residential land use district on Lot 9, St. Augustine Beach Subdivision, at 7 6th Street, Donald and Linda Paul, Applicants

Mr. Law said he is presenting this case given its complexity and unique situation. In early 2018 the setbacks had not yet been changed from the former 20-foot front and rear and 7.5-foot side setbacks for residential construction, and the applicant and his contractor had several meetings with the Building Department regarding construction seaward of the CCCL. As stated during the presentation of the previous variance application, this first requires a zoning verification letter from the local jurisdiction, which in this case is the Building and Zoning Department, to apply for a DEP permit. There were some issues, but at that time, he felt the applicant had a legal submittal to continue with the permitting process, and in December 2018, compliance was demonstrated in regard to ISR and lot coverage, and City staff approved the submitted site plan based on compliance with the LDRs at the time. Since then, the applicant recently got a DEP permit for the house and pool, but since December 2018, when the site plan was approved by staff, the Building Department never heard anything back from the applicant. So when a complete permit application was submitted to the Building Department about two months ago, with payment for plan and zoning review, the zoning review could not be approved, because staff does not have a mechanism to extend the moratorium, which expired October 2, 2018, for the previous setbacks drawn for the house on the approved site plan. It is always the understanding that things expire after 180 days, and as this was researched more and more, it was brought to light that this City does not have a design or developmental review manual yet, which is where all this would be picked-up at. However, the FBC is very clear that after 180 days, permits and applications that have not commenced or been abandoned expire, but this is a zoning issue, not a building issue at this point. Staff reached out to the City Attorney as they were unable to accommodate the setbacks on the site plan, as they do not have the legal authority to do this. Mr. Taylor advised staff that the variance process is where this needed to go, so the Board can consider the hardship. The applicant has provided quite a timeline showing the history of the work that has been done for this house, and this is a tricky question due to the definition of builder's vested rights. The applicant had site plan approval from the City in 2018, and based on the timeline, was actively trying to acquire a DEP permit. He asked Mr. Taylor to brief the Board on the concept of vested rights before any discussion on this application takes place, as there is a staggering cost to a contractor and property owner to develop property and design plans for construction seaward of the CCCL. The last communication the Building Department had regarding this project was the zoning letter approving the site plan. The question here is builders' vested rights and if the intent, based on the documents submitted, is in the spirit of the Code as it relates to the former setbacks.

Mr. Taylor said the dime-cent version for builders' vested rights is that when someone buys a property, they have a certain understanding of what regulations govern the property at the time of purchase. If something is changed after the time of purchase, the owner has vested rights in the change and can sue for the loss which is a taking from their property rights if the City enforces the change. He does not feel comfortable going through all the merits this applicant and property owner may have on his side and the merits the City may have on its side, but he will say it is a significant risk for the City to not grant this variance. There will be significant litigation costs and he would remind the Board that at the time the applicant purchased the property, he would have been able to build in accordance with the 20-foot front and rear and 7.5-foot side setbacks he is requesting without coming to this Board for a variance. The Board does not have to grant this variance, but at this point, it would be an issue for the City that could potentially cause litigation down the road if the Board does not grant it.

Don Paul, 225 Atlantis Circle, St. Augustine Beach, Florida, 32080, said he's the applicant and owner of the property at 7 6th Street, said Mr. Law gave a good presentation of this situation to which he'd like to add a little more detail. He is requesting a variance from City Ordinance No. 18-08, which changed the minimum 20-foot front and rear setbacks to 25 feet and minimum 7.5-foot side setbacks to 10 feet. The setback requirements at the time he bought this lot were the former 20-foot front and rear and 7.5-foot side setbacks, and on December

14, 2018, he received site plan approval from the City, so these were the setbacks used to design his house. His lot is the only undeveloped lot on the eastern portion of 6th Street, and he believes the house across the street at 6th Street, which was just completed within the last few months, was built with the same setbacks of 20 feet front and rear and 7.5 feet on the sides that he is requesting. The CCCL runs right along the western perimeter of his lot, and as discussed during the presentation of the previous variance at 7th Street, everyone fully appreciates all the extra work and costs involved in designing and permitting construction seaward of the CCCL. He purchased this lot on May 14, 2015 and began initial phase one architectural and structural designs in May 2017. The first review of the phase one designs with the City's Building Department took place on March 9, 2018, shortly after Mr. Law became Building Official for the City. His main architect may have misunderstood the requirements, so after Mr. Law came in, they had some additional meetings in April and September of 2018, and the architectural drawings were updated at that point to meet the City's requirements. On December 14, 2018, the zoning concurrence letter for the DEP permit was issued by the City, and he then continued with all the design requirements for the DEP permit. There was a bit of a delay in getting the required turtle lighting plan and electronic drawings from the architect, as his architect kind of went AWOL on him, so he lost some time there, and had to get a new architect and finally received the electronic architectural drawings in September 2019 and the turtle lighting plan in October 2019. He was then ready to submit everything to the DEP, which requested additional information for the pool permit, so the architectural plans had to be revised again, and he finally got all the permit approvals from the DEP for both the house and pool in May 2020. He then started working with his contractor, Brandon Construction, on the permit submittal to the Building Department, and that is when the issue came up with the non-compliance with the zoning requirements in regard to the setbacks.

Mr. Kincaid asked for public comment.

Karen Leslie, 13-A 6th Street, St. Augustine Beach, Florida, 32080, said she is basically going to say no to the reduction in the setbacks, no to the fill, and no to more flooding of the surrounding properties. She is really shocked with all the three-story houses that have gone up around her house, as these lots are just filled in and they flood, even though she is told all the water is going to go to the road. It does not, when it rains the water stays right there. When the house behind her was built and filled in by Zak Adams of Entire Inc., her lot flooded and she put up a bulkhead around her house with two loads of dirt that she personally shoveled. She does not appreciate having to fill in her lot because other people are allowed to fill in their lots as high as they want to go. There seems to be no limit on how high you can go when it comes to filling in lots. The owners of the house next to her put a sump pump in to drain their lot, as everything comes down the road and pulls into the alleyway, which is a road, named Atlantic Alley. Every time another McMansion is built, there is a problem with flooding, and even though storm drains were put in, they were not engineered, so they hold water, and she has seen water come out of the storm drains and flood the area. It floods behind Obi's Restaurant, as the dirt was taken out of Obi's lot to build the road, and the lots next to her hold water, so she had to bulkhead her property because she was losing the sides of her lot and hurting her legs walking like the leaning Tower of Pisa. The storm drains are not working, there has been no engineering, that whole area has been hodge-podged together, and this has been a problem for the 30 years she has lived here. She is very upset with this because it seems to be legal to fill in lots but the other part of all this is that no one says you should not be allowed to flood out your neighbors.

Kathy Macioch, 5 7th Lane, St. Augustine Beach, Florida, 32080, said she is opposed to this variance, and opposed to the fill being put in, as it has created a lot of flooding. Ms. Leslie spoke earlier about the roads with the potholes in them, and she agreed the roads are just atrocious back there. She cannot get to her house either way, down 6th Street or 7th Lane, without going two miles an hour going up and down over the holes. It is all because of the construction that has been going on, so she is opposed to allowing the variance to allow more construction.

Mr. Kincaid said he received an email, which he does not think was sent to all the Board members or to the City, so he would like to read it into the record to make sure it is recorded as part of meeting minutes. It was sent to him by Mr. James Vincent, who owns the property at 15 6th Street. The email states, "Good evening. My name is

James Vincent, and we are finishing our build at 15 6th Street and strongly oppose the variance applied for the above address [7 6th Street]. We live in Illinois and cannot attend the meeting of November 17th. The current setback requirements in place makes the City uniform and equal for all. Please do not approve it as it will obstruct our and others' view of the oceanfront. Thank-you for your consideration, James Vincent."

Tracy Considine, 8 6th Street, St. Augustine Beach, Florida, 32080, said his house is directly across the street from the applicant's property at 7 6th Street. He displayed an aerial printout from St. Johns County's webpage showing the location of his property and the location of the properties Mr. Paul, the applicant, the previous speakers, Ms. Leslie, and Ms. Macioch, the two new 35-foot-high houses that were extensively filled and a third new house. Most of this new construction was built by the same builder, who likes to add a lot of fill when he builds on a lot. The neighboring property owners desperately need the Board's help, and that is why they are here tonight. They understand the overlay district and that there is an entitlement to the reduced setbacks, but he also thinks and hopes the Board has some power to impose certain conditions to stop this flooding situation on 5th and 6th Streets, which has become really bad. The streets are flooded almost all the time after heavy downpours and this flooding is directly related to the lot filling. He displayed a photograph of a property owned by a woman who lives in California, showing the standing water in this woman's backyard, not from a hurricane or a tropical storm, but just a typical rain, and the entire yard is flooded. He displayed another photo showing the firepit in this woman's yard, and the fire pit looks more like a koi pond, as it is filled with water. All of this standing water is from all the fill from the houses behind it. He displayed an email addressed to Mr. Law when the house at 6 6th Street was submitted for permitting that states, in the first line, that this lot has a proposed drainage plan that allows the builder to drain to front and rear. He is a lawyer with the Upchurch law firm, and he is suing these people because he does not have a choice. His house, which is a \$450,000 house, sits on a slab and it has water running in the doorways. He cannot elevate his site, and he cannot sell the house because a realtor looked at and said no one is going to buy it with water running in the doors. He could show them pictures of the fill that was brought in and cubed on the entire lot, so it was over 20 inches high, and this was completely unnecessary. The same thing was done with all the new houses in the neighborhood, so whether the Board takes action or not, the Board could approve this with the conditions that there is no fill, that the driveway be level, and that there is no increase to the fifty percent maximum ISR. The front corner of his lot is literally washing away, and his septic system is probably going to be exposed pretty shortly, so they are desperate and up against the wall here. This is not an act, as they have spent tens of thousands of dollars already in court. They are going to ask the court to impose certain conditions and setback requirements as part of the lawsuit seeks injunctive relief. The house built next to him at 6 6th Street never came before this Board for a reduction in the setback requirements, and from what he can tell, it would have been required to. He wished they had, because you really do not have to be a genius to figure out what was going to happen and that when you go ahead and fill a lot that much, all the other lots adjacent to it have to absorb the water because there is just nowhere for it to go. To sum it all up, he asked that no fill be added to the lot, and as it is east of the CCCL, the foundation will have to be elevated 12 inches or whatever the requirements are, and also that ISR coverage be held to the fifty percent maximum and that the driveway be level.

Mr. Kincaid said he wants to remind everyone that the Board's function here tonight is to look at the variance as it is requested and presented to the Board. They are not here to stop somebody from building, and they cannot stop people from using their property. They're here tonight to look at the size of the building and the requested reduced setbacks, and whether the fill meets the guidelines is something that will go through the Building Department, so he doesn't know that it's responsible for this Board to dictate how the house is built, as none of them are engineers, and they also haven't seen any plans for the new home. He would imagine the Building Department will be looking at everything that is submitted with all of these considerations in mind.

Mr. Law said all drainage in the City goes through the City's Public Works Director, Bill Tredik, as he is the City engineer. The email that was put on the overhead screens by Mr. Considine was actually an email to former Public Works Director Joe Howell, but he did serve as a liaison to make sure everything was kept as part of the City's records. As far as a lawsuit, he has no intent to speak on anything of that magnitude. He agrees that the ISR

should be limited to the fifty percent maximum allowed, and that the building be compliant with the City's maximum building height of 35 feet. The DEP has some interesting requirements for construction seaward of the CCCL, for example, the sand that is excavated for the pool cannot leave the property, as per DEP regulations, sand can never leave its home seaward of the CCCL. This is outside of his jurisdiction, however, and regarding the comments that the driveway should be level, he always recommends a 6-inch slope to the road. As for building height, some of the other houses had to be lowered during the design phase because they did not follow the City's regulations for building height. Staff will look at the building height as one foot above the center of the road, or one foot above natural highest grade, and that is where the 35-foot building height measurement will start.

Mr. Kincaid said the Board has not been asked to look at the ISR or building height, as it is assumed that all of that will meet the City's current building requirements.

Mr. Law said yes, the applicant is only asking for a variance for reduced setbacks. All other City, DEP and FBC regulations and requirements will be met. He can reassure everyone that all drainage goes to the City's Public Works Director, who performs storm water and lot and grading inspections. Contractors are encouraged to have these inspections done prior to installing any sort of landscaping.

Mr. King asked where the measurement of one foot above the road comes from.

Mr. Law said the definition of building height is measured as one foot above the crown of the road or one foot above the natural highest front grade. The reason for that is to promote positive drainage. Some jurisdictions have two feet of fill, but this City does not get that option. Part of the problem on those streets, and he has spoken with one of the residents who he believes was from California and may be the one with the koi pond in the back, is that there are four lots that drain to that back corner of this lot, and he has seen many 30-40 year old homes that have back yards lower than the front. As development has taken place on lots closer to the Boulevard, where the water ponds because the ground is low, the request of the former and current Public Works Directors is to slope the properties to a Type A drainage, which is from the back to the front. It is definitely within the Board's purview to impose a gutter rule, which is something he has asked the Public Works Director to look at, especially on three-story houses with 50-foot-wide lots. He feels strongly about gutters, as he thinks they are effective at getting water to the front of lots, and if there is an underlying condition with 6th Street and Atlantic Alley drainage, that is definitely something Public Works will be aware of. The whole road needs to be repaved, and he thinks this is all coming to pass next year, as the City Commission is very committed to this, but it just takes time to get the resources to fix the roads and implement the proper drainage. Currently, there is a proposed retaining wall on one of the sides of the road, which is something he's discussed in great detail with the Public Works Director, because as development continues on the City's infill lots and it is mixed in with development that has been spaced out over 60-80 years, you're going to run into certain issues where retaining walls are most likely the only avenue left. Buildings have to be built seaward of the CCCL, but the sand cannot leave the property, so something has to be done, and retaining walls can properly slope the properties into most likely a Type A drainage. Mr. Tredik has required some retaining walls, but he would definitely leave that up to him as he does not think this is within the Board's purview to require them. On the site plan copied to the Board for this variance application there is one side of the lot that has a two- to three-course retaining wall, and the elevations show different grades that could be sloped to keep water from running on four sides so that it would just run on one side, to the front.

Mr. Sarris said not to get too detailed here, but if the applicant goes with the DEP requirements, the house slab will have to meet the elevation of the lowest horizontal member, so the house elevation will be set by the DEP and the structural engineer. The garage could be dropped down, but it would become a structure that would need different engineering and breakaway walls, because it would then be below that DEP requirement.

Mr. Law said yes, this City is a little more unique because of its existing elevation of about 8-9 feet above sea level. Some of the work he has done in the Ponte Vedra area has been on lots with an existing grade of 18-24 feet, so garages on these lots do not have to be break-away, but this City does not have that option. The DEP reference

monuments are about 17.4 feet per National Geodetic Vertical Datum (NGVD), which is the bottom of the structural beam holding up the next two floors. There is no requirement for the applicant's garage to be three feet above the road. It is most likely going to be a frangible slab of 5' x 5' grids so the walls will blow out under about 20 pounds of pressure, then the unreinforced concrete slab, no steel, no wire mesh, will break apart as the 5' x 5' grids and not become a flotation hazard that could damage surrounding buildings. Eventually the City will fix the drainage, as the Commission is dedicated to this, but they first have to get the water out of the lots. He pulled elevations from the County's system for several properties that show many houses are draining to their own backyards. These are existing properties that are draining backwards, and responsible development is to drain to the street, so the City's sewer system picks it up, and water is not shed to adjoining properties. This is where the use of retaining walls come into play. The entire first floor of the applicant's house will be non-habitable, as only small bathrooms and mechanical and electric rooms are allowed per the use definition in the FBC. His staff sends all permit application site plans with proposed elevations and grading and drainage plans to the Public Works Director and does not issue building permits until lot grading and drainage is approved by him.

Ms. Leslie said all these big new houses also have swimming pools because they are rented as vacation rentals, and when rainwater goes into swimming pools, the ground underneath is not holding any of the rainwater. Her house and her neighbors' houses are sinking because people keep putting swimming pools in where the rainwater would go. When you build a big house and a swimming pool leaving only a little bit of property that is not covered up, where is all the rainwater going to go? Water comes up her driveway and floods into her kitchen.

Mr. Kincaid said if Ms. Leslie thinks swimming pools add to the flooding problems, she should take this to the Commission, because this Board does not set the rules and regulations for building swimming pools but interprets and enforces the rules and regulations for applications that come before the Board on an individual and unique basis. The Commission can change the rules and regulations for building swimming pools and other things, but this is not something this Board does, so Ms. Leslie should take her concerns to the City Commission.

Mr. Law said pools and pool decks are calculated as impervious coverage, in accordance with the definition of impervious surface in Article 2 of the LDRs. As the applicant's property is zoned medium density residential, his property is allowed a maximum ISR coverage of fifty percent, which includes any building and pool and pool deck.

Mr. Kincaid said he understands the public sentiment against this variance, and that it is largely due to a very local issue and problem, but he also understands this would not have come before this Board two years ago, before the setbacks were changed. If the permit application to build the new house had been submitted to the Building Department in a timely manner prior to the setback changes made by the Commission, this Board would not have addressed this as it wouldn't have required a variance. He looked through the timeline submitted by the applicant pretty carefully, as he wanted to find out if there was a gap in time when the applicant just simply stopped working on this project for two years and then came back and wanted to do it. He did not see that gap in the timeline, and also, having heard from the City Attorney that there is a risk of litigation to the City if the variance is denied, he also listened very carefully to the reasons to deny it brought up by the people who spoke here tonight, and he thinks these reasons are credible and real, especially when people are experiencing flooding. However, the Board cannot stop someone from building on their property and cannot stop the building going on in neighborhoods on vacant lots, because people have bought those lots and have an expectation to use them, but what is before the Board is not just about building a house, but about building a house outside of the current setbacks.

Mr. Considine said for clarification purposes, he apologizes for wasting the Board's time, because he was under the mistaken impression that this Board had the power to impose certain conditions with a variance approval. He understood all along the requested setback reductions would be granted, and none of the public speakers are arguing against this, but he can tell the Board wholeheartedly from the bottom of his heart that none of their houses had flooding issues before the filling began. The only reason he displayed the email about the drainage on the lot across the street from him at 6th Street was to show the Board that the contractor for this new home

submitted something saying they would be bringing in minimal fill, if any, so, if it is up to the Building Department, they are just praying the Building Department does something when three feet of fill is brought in.

Mr. Kincaid said first of all, no one is wasting the Board's time tonight, as the testimony and comments from members of the public are valuable to the Board to understand both sides of an issue. Second, he will reiterate that the Board depends heavily on the Building Department and the expertise that they bring, not only to the City's meetings, but to the City's building operations every single day. The Board relies on the Building Department staff significantly to make sure that what is approved is built to the standards the City is looking for.

Mr. Paul said they went through a lot of time, effort, and money to design the house in compliance with the building codes and regulations at the time, which basically were one foot above the crown of the road. That is what the entire house is designed to and what the grading point and DEP permits are based on, so if the elevation of the garage is changed to six inches above the crown of the road, he will have to redesign most of the house.

Mr. Law said he does not believe that is the case, because the garage floor is essentially a floating floor and the building height is not going to change, as it is still measured as one foot above the crown of the road, or the highest front natural grade. He does not expect a lot of fill, which is called sacrificial sand, will be brought in under a frangible slab, as eventually, mother nature will reclaim it. So in this case, he does not think it is going to cause an adjustment to the applicant's plans if the finished floor elevation is dropped, keeping in mind it is just a garage floor with breakaway slabs. It would not affect the building height, which is still in accordance with the regulations per Section 6.01.04 of the LDRs, which states building height is measured as one foot above the crown of the road or one foot above the highest natural front grade. He does not have enough information to say exactly what the designers of this house proposed, but he does know very few people will put in a lot of fill under a frangible slab.

Mr. Paul said Mr. Law is exactly right, they plan on putting in the minimum amount of fill because obviously, they have to meet DEP requirements on the elevation, but that is about 17.5 feet or so for the horizontal member. It is quite a bit of a juggling act at times because the building height is limited to 35 feet, but the horizontal member has to be at 17.5 feet, so you are juggling from the top, middle, and bottom to try to fit it all together. He totally appreciates everybody's comments but would say the requested reduction in the setback requirements is a fairly minor change. It does increase the square footage a little bit but that slight increase is not going to determine whether his lot is going to flood another lot, as it is just an incremental factor. As Mr. Law said, everyone will look to the Public Works Director for his best recommendation is to alleviate some of the drainage and flooding issues.

Mr. Law said to promote positive drainage, a one-foot buffer is allowed so that the 35-foot measurement for building height starts at one foot above the crown of the road or the front natural grade. However, he shares Mr. Kincaid's concerns about trying to stay away from engineering specifications in a motion to approve a variance request. The Board could possibly put an emphasis on installing the minimal amount of fill on the lot.

Mr. King asked if the house could conceivably be built on a stem wall foundation.

Mr. Law said it would have to be frangible and supported by a deep pile foundation. The key is not to drain to the adjoining properties but to get the water out to the streets. The City has also started to develop on-site compensatory storage, which includes swells in yards to act as little ponds to hold the water, as they just cannot get the roads higher than the properties. The Building Department will discuss using gutters with Mr. Tredik, but he would definitely leave that along with all other drainage concerns to his expertise, as he is an engineer.

Mr. Sarris said along those lines, what they are looking at is the setback issues and the drainage concerns, which he thinks are very legitimate concerns. With a coordinated effort, he thinks these concerns can be solved in relation to the applicant's specific home on that specific street. He doesn't mean to slight the neighbors' concerns about drainage at all, but as Mr. Kincaid said, the Board is just here to approve or disapprove the request for reduced setbacks to 20 feet front and rear and 7.5 feet on the sides. If Mr. Paul would take into consideration the concern of his neighbors who he'll see every day, he thinks that would make a good favorable impression. Mr.

Paul is dealing with a lot of math for both the DEP and the City's Building Department, so to say he can only put in one foot of fill is not something he is necessarily in control of. This is controlled by the DEP and its minimum elevation requirements and the elevation of that lot, though he does think there is a certain expectation that he is not going to bring in four or five feet of fill. However, to put a specific condition on the variance approval that he can only have a specific amount of fill is not something the applicant is in exact control of, as he has to follow guidelines based on that, so he thinks it would be prudent to probably leave this out of a motion to approve.

Motion: to approve Land Use Variance File No. VAR 2020-13 as requested for setback reductions to minimum 20 feet front and rear and 10 feet on the sides for proposed new construction of a three-story, single-family residence at 7 6th Street. **Moved** by Mr. Einheuser, **seconded** by Mt. Tisdall, **passed 6-1** by roll-call vote, with Mr. Sarris, Mr. Tisdall, Mr. Kincaid, Ms. Odom, Mr. Einheuser, and Mr. Babbitt assenting, and Mr. King dissenting.

- D. Ordinance No. 20-___, passed on first reading by the City Commission at its regular monthly meeting on November 9, 2020, to amend the levels of service for recreation in Section 4.01.06, Recreation, of the City's Land Development Regulations

Mr. Law said this ordinance is for modifications to Section 4.01.06 of the City's LDRs, pertaining to recreation standards for facilities. Earlier this year in January 2020, the City adopted a new Comprehensive Plan, as required by state protocol, and part of that was a modification of this section of the LDRs to bring it into compliance with the new Comprehensive Plan. The City Commission requests the Board's recommendation to approve or deny this proposed ordinance to amend this section of the LDRs so that it matches what is in the Comprehensive Plan, as any change to the LDRs requires the Board's recommendation to the Commission.

Motion: to recommend the City Commission approve adoption of Ordinance No. 20-___ as proposed on final reading. **Moved** by Mr. King, **seconded** by Ms. Odom, **passed 7-0** by unanimous voice-vote.

VII. OLD BUSINESS

There was no old business.

VIII. BOARD COMMENT

Ms. Odom said she's glad Island Donuts has opened.

IX. ADJOURNMENT

The meeting was adjourned at 8:04 p.m.

Kevin Kincaid, Chairperson

Lacey Pierotti, Recording Secretary

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



MINUTES

SUSTAINABILITY & ENVIRONMENTAL PLANNING ADVISORY COMMITTEE MEETING

WEDNESDAY, DECEMBER 9, 2020, AT 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

I. CALL TO ORDER

Chair Krempasky called the meeting to order at 5:59 p.m.

II. PLEDGE OF ALLEGIANCE

The Committee recited the Pledge of Allegiance.

III. ROLL CALL

Present: Chair Sandra Krempasky, Vice Chair Lana Bandy, Members Craig Thomson, C. Michel Cloward, and Jeanette Smith

Members Ann Palmquist and Lonnie Kaczmarzsky were absent.

Also present: Public Works Director Bill Tredik and Deputy City Clerk Dariana Fitzgerald

Chair Krempasky asked Member Cloward if she would like to introduce herself. Member Cloward stated that she moved here a year and a half ago and has a passion for sustainability. In California, she consulted with businesses to help them move to more sustainable practices, but is a realtor now with Sunshine Realty.

IV. APPROVAL OF MINUTES OF FEBRUARY 12, 2020, REGULAR MEETING

Chair Krempasky introduced Item IV.

Motion: To approve the Committee minutes for February 12, 2020. **Moved by:** Member Thomson. **Seconded by:** Vice Chair Bandy. Motion passed unanimously.

V. PRESENTATION OF REPORTS:

1. Update on Vulnerability Study from Public Works

Ordinances against fertilizing in the summer.

Director Tredik reported that they are still in the first phase and on schedule. The company has already found and mapped several vulnerabilities, such as around Ocean Walk and the culverts near Pope Road. They should have the phase one deliverable by the end of the year and begin phase two then. Phase two includes a public meeting and the Northeast Florida Regional Council will help with that to try and get as much public feedback as possible. He expects it to wrap up in April at the end of phase three and the final report will be presented

to the City Commission to try to encourage them to start creating capital projects to address issues that will be identified.

Chair Krempasky asked how to get information to the public. Director Tredik stated that the Regional Council has a program and resources to help with that and that is a primary reason they were brought onboard to help with this project. It will also be discussed at advertised public meetings, so that the public and Board/Committee members could attend.

Member Thomson asked what phase one entails. Director Tredik stated that it was mainly information gathering and mapping, updating the City's maps and GIS system. This will create exhibits to use to speak with the public. Phase two will get more in depth with modeling. Member Thomson asked if the information could be posted on the City's website. Director Tredik will work with IT for a solution, but it will depend on the size of the exhibits. The first deliverable is due around the end of the year, second around February, and final around April. He will try to get copies of what is available to discuss at the Committee's next meeting.

Member Cloward asked if this study was for a particular area. Director Tredik explained that about a year ago, the City applied for a grant to do a vulnerability study and assessment on how well the City would do in relation to sea level rise, storm surge, and extreme tides over the next fifty years. He stated that they were using LIDAR data to determine topography and elevations within one foot of accuracy. He noted that LIDAR does have some difficulties reading water bodies and tree canopies, so some groundwork is needed. The mapping will look at the City's boundaries for potential vulnerabilities. The second phase will be to use that information to update the City's stormwater model and run it with rainfall and storm surge events over ten, twenty-five, fifty years. The third phase is the development of strategies and capital projects to help harden the borders and issues that may be found. The plan is to also update the City's master drainage plan to have a more resilient community. He stated that this is the first step to try to do something to prevent having to abandon the island in fifty to a hundred years. Member Thomson stated that he is appreciative that Director Tredik got the grant for this project.

Vice Chair Bandy suggested that this could be a possible topic at one of the educational programs next year, if those can resume. Chair Krempasky suggested Arbor Day, if there is one next year. Director Tredik agreed that that could work. He stated that there would be some sort of Arbor Day event, even if it was just a tree giveaway like this year.

Chair Krempasky asked about the tree giveaway, since they hadn't had the opportunity to get a report yet. Director Tredik reported that they gave away 387 trees (47 dahoon holly, 96 persimmons, 64 sand live oaks, 30 runner oaks, 150 red cedars) with information packets on tree care and illicit discharge, what it is and how to report it.

Chair Krempasky stated that she participated in a webinar on sustainable landscaping over the summer and noted that Charlotte and Lake counties had ordinances against using fertilizer in the summer and she asked if that is something Director Tredik might like to see here. He stated that the City doesn't have the same level of issues as other areas, but it wouldn't do any harm. He noted that the Matanzas river is not classified as impaired, but he certainly doesn't want it to become impaired. He stated that it is important in areas that have regular algal blooms. Chair Krempasky noted that those counties got large stores on board to not even stock fertilizers during certain months.

2. Anastasia Island Environmental Stewardship Awards

The Committee discussed the Individual category and nominees Lisa McGlynn McGreevy and Adam Morley. Vice Chair Bandy noted that Cpt. Morley won in this category last year. Chair Krempasky noted that Ms. McGreevy was her top pick for everything she did to lead the campaign to protect Fish Island. Member Cloward commented that Cpt. Morley had been her pick, but she was unaware that he had won last year.

The Committee unanimously selected Lisa McGlynn McGreevy as the winner in the Individual category.

The Committee discussed the Business category and nominees Beachcomber Restaurant and Dr. Sandy Bond.

Chair Krempasky remarked that Beachcomber has made several changes to use eco-friendly takeout containers and flatware.

Member Thomson stated that Dr. Bond had made presentations to the City regarding a sustainability study, but there wasn't enough organization in the City at the time to support that. Since then she has presented on a sea level rise study and the climate change challenge survey to suggest ways to move the community to be more energy conscious.

Vice Chair Bandy commented that these seemed like two very different types of businesses and Chair Krempasky noted that she could have been considered under Individual, but the decision was to treat her as a business since she does this kind of consulting professionally. Member Thomson suggested that categories could be created for large or small businesses.

Member Cloward commented that Beachcomber went above and beyond their scope as a restaurant, where Dr. Bond does this professionally, so it was hard to determine what she was doing that was not part of her job. Member Thomson stated that what she did for the City was volunteered, not paid.

The Committee selected the Beachcomber Restaurant as the winner in the Business category by a vote of 3 to 2, with Members Thomson and Cloward voting for Dr. Bond.

The Committee discussed the Group category and nominees Matanzas Riverkeeper, Friends of Fish Island, Green Hands at the St. Augustine Amphitheatre, Anastasia State Park, St. Augustine Beach Community Garden, and the Anastasia Invasive Species Work Group.

Chair Krempasky commented that she wasn't aware of some of these groups before this.

Member Thomson noted that Ms. McGreevy was the founder of Friends of Fish Island and that the Matanzas Riverkeeper survives mostly on donations.

Chair Krempasky remarked that she had Friends of Fish Island as her number one, but did note Member Thomson's comment that they were being recognized through Ms. McGreevy.

Deputy City Clerk Fitzgerald stated for the record that Matanzas Riverkeeper and Friends of Fish Island were both nominated by two separate individuals.

The Committee selected the Matanzas Riverkeeper as winner in the Group category by a vote of 4 to 1 with Member Cloward voting for Green Hands at the St. Augustine Amphitheatre.

Chair Krempasky stated that she will go ahead and order the plaques and would like to try to keep the next award on schedule for a due date of March 2021. She asked for any suggestions on improving the application, such as adding another category. Member Thomson suggested large and small business. Deputy City Clerk Fitzgerald commented that that would have to be defined and Vice Chair Bandy noted that both nominees this year could be considered small businesses. Member Thomson also suggested commercial business vs professional, but Member Cloward remarked that that may be difficult to determine. Member Cloward suggested a category for educators.

3. Reforestation and Landscaping Projects

a. Urban Forestry and Planning Projects

Director Tredik reported that palms were replanted at Alvin's Island and the ones at C Street and A1A Beach Boulevard are on the schedule. There are also plans to plant oaks and maybe cypress at 2nd Avenue and possibly a cherry tree at Lakeside Park. He noted that the cypress that were planted at Lakeside Park have been removed and can be replanted somewhere that won't cause the same kind of firestorm. Deputy City Clerk Fitzgerald noted for Member Cloward that several cypresses were planted along the pond at 11th Street earlier this year to increase forestry in the area and to help support the bank, which is beginning to erode. However, the neighbors prefer their view of the lake and petitioned to have the trees removed. Director Tredik noted that one tree had started to die, but has since recovered at Public Works. Deputy City Clerk Fitzgerald stated that this wasn't the first attempt to plant trees in that location and it ended the same way. Director Tredik commented that the bank will need to be stabilized at some point. Chair Krempasky suggested having Member Kaczmarzky research shrubs under four feet that could be used.

Director Tredik reported that Grounds Foreman Tom Large went to a seminar on techniques for removal of invasive species at Anastasia State Park. He reported learning how to deal with Brazilian pepper, Chinese tallow, and other invasive species in this area. He noted that it will be a long-term battle, since many plants are on private property which means communicating with the owners the importance of having those plants removed.

Vice Chair Bandy suggested that could be another educational topic, since she doesn't even know what those plants look like. Deputy City Clerk Fitzgerald noted that the County did an educational push a couple years ago on the Brazilian pepper and that information should still be on the County Agricultural Center's website. Director Tredik stated that a bunch were removed from Ocean Hammock Park in the spring and they may find more as they get further into the interior of the Park.

b. Mickler Boulevard

Director Tredik reported that Public Works is getting ready to pave Mickler Boulevard this coming year and plans to work on landscaping between the road and sidewalk once the paving is complete.

Chair Krempasky asked about the River-to-Sea Loop and how much input the City has on that route, since Mickler seems like a better option for bicycles instead of A1A

Beach Boulevard. Director Tredik commented that Mickler was discussed, but the thought was to move the traffic into the commercial district and away from residential. He stated that it hasn't been designed yet, but the concept plan has an eight-foot multipurpose path on the west side starting around Santander Street down A1A Beach Boulevard to around F Street then cross to the east side. He has not heard anything new on it for a few months, but the segment from St. Augustine to St. Augustine Beach was supposed to come first.

4. Educational Programs

Vice Chair Bandy reported that three programs were planned and would like to continue with those when possible. Those were: Tara Dodson on going green and living sustainably, Jen Lomberg, and Director Tredik on illicit discharge. She has also spoken to Jessica Clark, a reporter at First Coast News, who has done a series of reports on environmental issues and may be willing to speak as well.

Member Cloward commented that the Library was doing some virtual events. Vice Chair Bandy said that could be an option. Deputy City Clerk Fitzgerald commented that the Committee should consider whether their typical audience are Zoom users, if not then it may be better to save the information until they could have a larger audience.

5. Development of a Committee Strategic Plan

Chair Krempasky reported that she spoke with Mayor England on how the Committee could be more effective and will have more information for the next meeting.

6. Environmental Policy & Planning Recommendations

- a. Sea Level Rise
- b. Climate Change Initiatives
- c. Right-of-Way Ordinance

Member Thomson asked Director Tredik about the status of a right-of-way ordinance and Director Tredik reported that he is working on it with Building Official Brian Law and they would like to present something in the spring.

Director Tredik explained for Member Cloward that the intent of such an ordinance would be to give the City more control over what happens in the right-of-ways to help preserve them. That work is sometimes done without the City's knowledge, such as utility work, paving for driveways, decorative structures installed, etc., which could create a hazard or impede drainage. He stated that they City can't charge a fee to telecommunications companies, but can require them to pull a permit.

7. Sustainable Stormwater Management Research

Chair Krempasky stated that Director Tredik gave a presentation to the City Commission recently on a stormwater fee.

Director Tredik reported that at this time the Commission wasn't ready to move forward with a fee and would like to see the stormwater master plan updated and projects developed. He

stated that would be the focus for now with the goal of presenting that next year. He noted that the fee could also be used for resiliency and other projects to improve long-term viability.

Member Thomson expressed concern with being able to control and retain stormwater runoff before it reaches the retention pond, that the right-of ways may not be wide enough in some areas. Director Tredik noted that question came up for the 2nd Street extension, but that street is in the stormwater master plan so the impervious surface that will be installed has already been considered. However, for 4th Street, that is not in the stormwater master plan, so if it gets widened there will need to be careful consideration for whether it can handle the drainage.

Member Thomson asked about the possibility of partnering with the County for the use of the former Mosquito Control property for retention. Director Tredik replied that there didn't seem to be any interest from the County and the topography would make it challenging to drain water to there.

VI. OTHER COMMITTEE MATTERS

1. Selecting Potential Dates for a Joint Meeting with the City Commission

Deputy City Clerk Fitzgerald stated that she left this item on the agenda since it was a carryover from the beginning of the year, however this is a topic the Commission plans to discuss in the near future so she suggested waiting to see what the Commission may decide. There is also the fact that meeting sizes are still being limited due to COVID-19.

Director Tredik suggested that a joint meeting may be better in the spring when the vulnerability is complete.

Chair Krempasky complimented Public Works for the work they put in on the light displays.

VII. ADJOURNMENT

Motion: To adjourn the meeting. **Moved by:** Member Thomson. **Seconded by:** Vice Chair Bandy. Motion passed unanimously.

Chair Krempasky adjourned the meeting at 7:09 p.m.

Sandra Krempasky, Chair

ATTEST

Max Royle, City Manager

COMMISSION REPORT

December 2020

TO: MAYOR/COMMISSIONERS

FROM: DANIEL P. CARSWELL, CHIEF OF POLICE

DEPARTMENT STATISTICS –November 23 - December 17

CALLS FOR SERVICE 537

OFFENSE REPORTS 30

CITATIONS ISSUED 47

LOCAL ORDINANCE CITATIONS 15

DUI 1

TRAFFIC WARNINGS 147

TRESSPASS WARNINGS 20

ANIMAL COMPLAINTS 2

ARRESTS 8

- 1 Marijuana Possession- Not More than 20 grams
- 1 Marijuana Possession- Marijuana Sell
- 1 Moving Traffic Violation- Drive while Lic. Suspended- HO
- 1 Resisting an officer- obstruct without violence
- 1 Larceny Petit Theft- 2nd degree, first offense
- 1 Disorderly Conduct
- 1 DUI
- 1 Grand Theft- Motor Vehicle

ANIMAL CONTROL:

- St. Johns County Animal Control handled 2 complaints in St. Augustine Beach area.

MONTHLY ACTIVITIES:

Activities canceled/limited due to COVID-19

- City of St. Augustine Beach Night Market: SABPD Booth on December 12th 4-8:30pm

MEMORANDUM

Date: December 23, 2020
To: Max Royle, City Manager
From: Bill Tredik, P.E., Public Works Director
Subject: December 2020 - Public Works Monthly Report

Funding Opportunities

Public Works is managing the following five (5) active grants:

- **City of St. Augustine Beach Vulnerability Assessment**
Florida Resilient Coastlines Program - Resilience Planning Grant
Grant amount - \$72,500; no match required
Status – Revenue agreement has been executed. Project underway
- **Mizell Pond Weir and Stormwater Pump Station**
Districtwide Cost Share – St. Johns River Water Management District
Grant amount \$632,000; FEMA HMGP money as match
Status – Revenue agreement has been executed. Bidding will commence upon FEMA final approval.
- **Mizell Pond Weir and Stormwater Pump Station**
HMGP grant – FEMA/FDEM
Grant amount \$2.58 Million; SJRWMD Districtwide Cost Share as match
Status – Awaiting Final FEMA Approval for Construction.
- **Ocean Hammock Park Phase 2A - Construction**
Florida Recreation Development Assistance Program
Grant amount - \$106,500; \$35,500 match required
Status – The Grant Agreement has been executed.
- **Ocean Hammock Park Phase 2B - Design & Permitting**
Coastal Partnership Initiative Grant – NOAA funded
Grant amount \$25,000; \$25,000 match required
Status – The Grant Agreement has been executed.

Public Works has also applied for the following grants for Ocean Hammock Park:

- **Ocean Hammock Park Phase 2B – Construction 2B(1)**
Coastal Partnership Initiative Grant – NOAA funded
Grant amount \$60,000; \$60,000 match required
Status – Grant Applied for on 9/24/2020. Decision expected in May 2021
- **Ocean Hammock Park Phase 2B - Construction 2B(2)**
Florida Recreation Development Assistance Program
Grant amount - \$200,000; \$200,000 match required
Status – Grant Application Due 10/15/20. Decision expected in May 2021

The City presented the Ocean Walk Subdivision Drainage Improvements project for funding consideration at the St. Johns County Legislative Delegation Hearing on December 18, 2020.

Maintenance Activities

Rights-of-way and Parkettes – Public Works continues to provide essential maintenance services on rights-of-way and parkettes. Restrooms on 10th St. and A St. are open all day and are regularly cleaned and disinfected to help reduce spread of COVID-19. As seasonal mowing needs for rights-of-way and parkettes have decreased for winter, Public Works will focus on other functions such as beautification of rights-of-way and parkettes and annual building and facility maintenance.

Splash Park – Splash Park and the adjacent children's play area remains closed until further notice to reduce the potential for transmission of the COVID-19 virus.

Mickler Boulevard Landscaping – Construction of landscaping improvements between the sidewalk and the edge of pavement will be installed upon completion of resurfacing of this section of roadway in the second quarter of FY21.

Buildings – Enhanced sanitization operations continue at City buildings and public restrooms to minimize the risk of spread of COVID-19. Essential maintenance activities at City buildings continue.

Fleet – The Public Works Department continues to do minor fleet maintenance on our larger trucks, heavy equipment and regular work trucks, to reduce outside repair costs.

CARES Funding – Public Works has received and is utilizing an additional sanitization fogging machine, sanitization supplies, and a matrix message board procured with CARES

funding. A new HVAC mini-split has also been installed in the upstairs office at Public Works. Additional equipment anticipated to be received through CARES funding includes, HVAC UV sanitization devices and portable Air purifiers with UV sanitization.

Lakeside Park Dock Repair [DESIGN] – Repair of Lakeside Park dock is anticipated to be bid in early 2021. The dock will be closed for approximately two months during repair activities.

Capital Improvements

Mizell Pond Outfall Improvements (HMGP Project No. 4283-88-R) [FINAL PLAN APPROVAL] – The project includes repairing and improving the damaged weir, replacing stormwater pumps and improving the downstream conveyance. Phase 1 (design and permitting) is complete and the city has received reimbursement from the Florida Division of Emergency Management (FDEM). FDEM has submitted Phase 2 (construction) to FEMA for final project approval. FEMA approval includes Tribal consultation and review by the State Historic Preservation Officer. Comments from Tribal consultation were due in in early December. Public Works has reached out to FDEM multiple times since the Tribal consultation comment deadline but, as of the date of this memorandum, has not received a status update. Bidding for construction will commence upon Phase 2 approval by FEMA. FEMA will reimburse of 75% of the total construction cost, with the remaining 25% to be funded by the St. Johns River Water Management District (SJRWMD) FY2021 districtwide cost-share program. Construction is anticipated to commence in early 2021.

Ocean Hammock Park Phase 2A [FINAL DESIGN] –Public Works is completing design of Phase 2A improvements to Ocean Hammock Park. Phase 2A improvements include handicap accessible restrooms (including a sanitary lift station and force main), electrical and lighting improvements, an outside shower, water/bottle fountain, an additional handicap parking space in the parking lot, two (2) picnic areas near the parking lot, an informational kiosk, a nature trail with interpretative signage, and handicap access to the existing beach walkway. Construction is funded by park impact fees and a \$106,500 grant from the Florida Recreation Development Assistance Program (FRDAP). Permit applications are anticipated to be submitted in January with construction scheduled to commence in early 2021.

Ocean Hammock Park Phase 2B [DESIGN] – Public Works is beginning design and permitting of Phase 2B of Ocean Hammock Park. Phase 2b includes additional parking and improvements to the interior of the park including, a picnic pavilion, observation deck, education center, additional trails with interpretative signage, bike and kayak storage, and handicap accessible connection to phase 2A and to the existing beach walkway. Design and permitting is funded by a park impact fees and a \$25,000 grant from the Coastal Partnership Initiative. Design will be completed in FY2021.

Vulnerability Assessment [UNDERWAY] – Work is underway on the vulnerability assessment. Work is progressing in three (3) phases. Phase 1 was completed in December 2020. Project work includes data collection and analysis to identify vulnerabilities to storm surge and extreme tides, updating the City's GIS drainage database, updating the City stormwater model, public outreach and involvement, development of adaptation plan, including conceptual plans for projects which increase resiliency. A public meeting will be held in Phase 2 and the final plan will be presented to the City Commission for approval and use in developing future capital improvement plans.

11th Street Pipe Repair [DESIGN] – 11th Street is experiencing subsidence in several locations due to leaks in existing pipe joints. Public works has installed temporary patches to level and improve the safety and drivability of the roadway and is initiating design of improvements which will be constructed in FY21. Design of improvements is underway. Construction is anticipated in the 2nd half of FY 2021.

Roadway Resurfacing [FINAL DESIGN] – Roadway resurfacing projects for FY21 are under design and will begin construction in the 2nd quarter of the fiscal year. Planned roads for resurfacing in January FY21 include Mickler Boulevard (Pope Road to 16th St.) and Tides End Drive. Residents will be notified in advance of the paving so that they may make arrangements for access to their property during paving operations. Oceanside Circle and Atlantic Alley will be paved in the 2nd half of FY21. Oceanside Circle requires drainage improvements to be constructed in advance of the paving.

Streets / Rights of Way / Drainage

Ocean Walk Drainage Interim Improvements [UNDERWAY] – Public Works has ordered a trailer-mounted stormwater pump to allow stormwater in the Lee Drive area to be pumped into the Mickler Boulevard drainage system. The pump is anticipated to be delivered in January 2021. Public Works has also ordered a backflow device to prevent water from backing up into the Lee Drive Drainage system from Mickler Boulevard. This device will be installed in early 2021 and will allow Lee Drive to be pumped down in high tailwater conditions.

Ocean Walk Drainage Study [RFQ] – Public works received three (3) responses to RFQ 20-05 Ocean Walk Subdivision Drainage Improvements and has scored and ranked the submittals. The ranking will be reviewed at the January 4, 2020 City Commission meeting. Upon approval of the ranking the City will enter negotiations with the highest ranked respondent. Upon successful completion of negotiations, the contract will be presented to the City Commission for consideration.

Oceanside Circle Drainage [DESIGN] – Field work for survey is complete on Oceanside Circle to determine options for improving drainage in the area. Design and permitting will follow with construction planned for mid-2021, depending upon funding availability. Paving of Oceanside Circle will be done after installation of drainage improvements.

Street Lighting

- Seven (7) new streetlights have been installed at unlit intersections along S.R. A1A. Public Works is coordinating with FPL to install one (1) additional streetlight at the Sevilla Street intersection. An additional streetlight is planned at Sevilla St.
- FPL is proceeding with ten (10) new streetlights at poorly lit locations along A1A Beach Boulevard. The contract for their installation has been signed installation is pending.
- Staff has coordinated with FPL regarding appropriate LED lamp types for various locations throughout the City and is developing a phased plan for conversion to LED fixtures. The LED conversion plan will initially focus on A1A Beach Boulevard and S.R. A1A, then will progress into residential areas. Staff will presenting the phased conversion plan to the Commission in 2021.

Electric Vehicle Charging Station – The vehicle charging station has been installed next to Building C, and Public Works is modifying the area around the charger to accommodate handicap accessibility. The City is currently reviewing the service contract with NovaCharge, LLC for the reimbursement of electrical costs associated with charging sessions. The contract is anticipated to come to the City commission for approval in February, 2021.

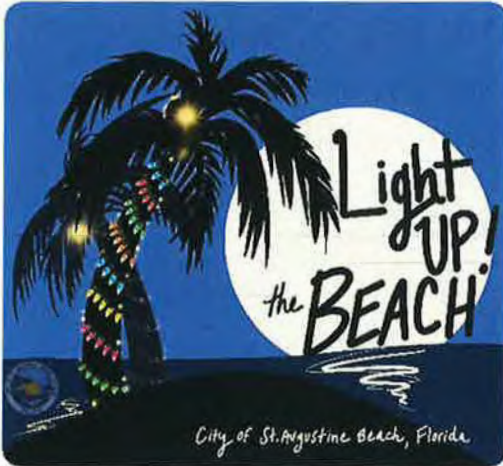
MEMORANDUM

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: MONTHLY REPORT
DATE: 12/21/2020

Finance

The first month of the new year financials have been finalized and with 16.67% of the year completed, our expenses are at 11.0%. We will continue to monitor the monthly financials to ensure we are meeting our budget.

Communications and Events



The City's *Light Up The Beach* events were very successful. Melinda has received very positive feedback on all of the events and will have a full report for the February meeting.

Technology

The IT Staff has no updates currently.

Range of Checking Accts: First to Last Range of Check Dates: 11/01/20 to 11/30/20
Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Seq	Ref Num
PO #	Item	Description						Acct
001TDOPERATING								
43853	11/06/20	ADVAN010 ADVANCED DISPOSAL SERVICES				11/30/20		1567
21-00160	1	RECYCLE CONTRACT FEES OCT-20	11,577.65	001-3400-534-3400	Expenditure		65	1
				GARBAGE				
43854	11/06/20	ADVAP010 ADVANCE AUTO PARTS				11/30/20		1567
21-00128	1	VEHICLE #108 WIPER BLADES	26.78	001-2100-521-4630	Expenditure		31	1
				LAW ENFORCEMENT				
43855	11/06/20	AFLAC005 AFLAC				11/30/20		1567
21-00112	1	PREMIUMS OCT-20	286.08	001-229-2100	G/L		24	1
				Insurance-Other Employee Paid				
43856	11/06/20	AMERI150 AMERIGAS						1567
21-00097	1	REFUND-OVERPAYMENT	59.00	001-202-4000	G/L		9	1
				Accounts Payable - Other				
43857	11/06/20	AVIDD010 AVID DESIGN GROUP LLC				11/30/20		1567
21-00129	1	EVENTS WEBSITE	400.00	001-7200-572-5280	Expenditure		32	1
				PARKS AND REC				
43858	11/06/20	BOZAR010 BOZARD FORD COMPANY				11/30/20		1567
20-02287	1	VEHICLE #110 BATTERY	146.05	001-2100-521-4630	Expenditure		2	1
				LAW ENFORCEMENT				
21-00098	1	VEHICLE #129 REPAIR	187.70	001-2100-521-4630	Expenditure		10	1
				LAW ENFORCEMENT				
21-00099	1	VEHICLE #130 BATTERY CHARGE	74.99	001-2100-521-4630	Expenditure		11	1
				LAW ENFORCEMENT				
21-00127	1	VEHICLE #131 TIRE	16.00	001-2100-521-4630	Expenditure		30	1
				LAW ENFORCEMENT				
			424.74					
43859	11/06/20	CLERK020 CLERK OF CIRCUIT COURT				11/30/20		1567
20-02291	1	CIT#SABP01208-APOLINARIO	75.00	001-354-100	Revenue		4	1
				Parking Tickets				
43860	11/06/20	COLON010 COLONIAL SUPPLEMENTAL INSURANC				11/30/20		1567
21-00165	1	SUPPLEMENTAL INS PREM NOV-20	572.28	001-229-2100	G/L		77	1
				Insurance-Other Employee Paid				
43861	11/06/20	CSAB-030 CSAB - POLICE EDUCATION FUND				11/30/20		1567
20-02290	1	PE FROM FINES SEP-20	100.10	001-351-500	Revenue		3	1
				Court Fines				
43862	11/06/20	DEBOR010 DEBORAH K CHRISTOPHER				11/30/20		1567
21-00131	1	PAYROLL 67 HRS OCT-20	2,010.00	001-2100-521-3400	Expenditure		34	1
				LAW ENFORCEMENT				

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
PO #	Item	Description					Seq	Acct
001TDOPERATING				Continued				
43863	11/06/20	DGGTA010 DGG UNIFORMS & WORK APPAREL				11/30/20	1567	
21-00130	1	UNIFORMS	162.00	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		33	1
43864	11/06/20	FERGU010 FERGUSON ENTERPRISES LLC #52				11/30/20	1567	
21-00108	1	SHOWER REPAIR	252.23	001-7200-572-4620 PARKS AND REC	Expenditure		20	1
43865	11/06/20	FIRST070 FIRST BANKCARD				11/06/20 VOID		0
43866	11/06/20	FIRST070 FIRST BANKCARD				11/06/20 VOID		0
43867	11/06/20	FIRST070 FIRST BANKCARD				11/06/20 VOID		0
43868	11/06/20	FIRST070 FIRST BANKCARD				11/06/20 VOID		0
43869	11/06/20	FIRST070 FIRST BANKCARD				11/30/20	1567	
20-02293	1	INDEED-ADV SERVICE WORKER I	54.37	001-1900-519-4890 OTHER GOVERNMENTAL	Expenditure		5	1
20-02293	2	INDEED-ADV SERVICE WORKER I	60.64	001-3400-534-4890 GARBAGE	Expenditure		6	1
20-02293	3	INDEED-ADV SERVICE WORKER I	94.09	001-131-1000 Due From Road & Bridge Fund	G/L		7	1
20-02294	1	AMAZON-PD LAPTOP CABLE	40.63	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		8	1
21-00132	1	AMAZON-PD KITCHEN SUPPLIES	28.86	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		35	1
21-00133	1	AMAZON-PW MOWER DECK BELT	55.34	001-131-1000 Due From Road & Bridge Fund	G/L		36	1
21-00134	1	AMAZON-PW MOWER DECK BELT	61.98	001-131-1000 Due From Road & Bridge Fund	G/L		37	1
21-00135	1	AMAZON-PW MOWER DECK BELT	61.98	001-131-1000 Due From Road & Bridge Fund	G/L		38	1
21-00136	1	AMAZON-PW MOWER TAIL WHEELS	139.50	001-131-1000 Due From Road & Bridge Fund	G/L		39	1
21-00137	1	AMAZON-CITY CLERK CHAIR	199.99	001-1300-513-5230 FINANCE	Expenditure		40	1
21-00138	1	AMAZON-PD UNIFORMS & EQUIP	114.95	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		41	1
21-00138	2	AMAZON-PD UNIFORMS & EQUIP	129.18	001-2100-521-5230 LAW ENFORCEMENT	Expenditure		42	1
21-00138	3	AMAZON-PD UNIFORMS & EQUIP	32.43	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		43	1
21-00139	1	AMAZON-P&Z DESK	288.87	001-1500-515-5290 COMP PLANNING	Expenditure		44	1
21-00140	1	AMAZON-PD VEHICLE FLASHLIGHTS	414.51	001-2100-521-5230 LAW ENFORCEMENT	Expenditure		45	1
21-00141	1	CHEWY-K9 KILO FOOD	55.09	001-2100-521-4640 LAW ENFORCEMENT	Expenditure		46	1
21-00142	1	CVS-PD OFFICE SUPPLIES	8.50	001-2100-521-5100 LAW ENFORCEMENT	Expenditure		47	1

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
001TDOPERATING									
Continued									
43869	FIRST	BANKCARD							
21-00143	1	STATE RECORDS MGMT WEBINAR-FIN	150.00	001-1300-513-5430	Expenditure		48	1	
				FINANCE					
21-00144	1	GFOA-FINANCE TRAINING	150.00	001-1300-513-5430	Expenditure		49	1	
				FINANCE					
21-00145	1	GLOCK STORE-PD WEAPON REPAIRS	109.96	001-2100-521-5230	Expenditure		50	1	
				LAW ENFORCEMENT					
21-00146	1	ICC-BLDG PUBLICATIONS	216.05	001-2400-524-5410	Expenditure		51	1	
				PROT INSPECTIONS					
21-00147	1	PFAF-PD MEMBERSHIP	50.00	001-2100-521-5420	Expenditure		52	1	
				LAW ENFORCEMENT					
21-00148	1	PROMOTIQUE-LEGIS PORTFOLIOS	688.92	001-1100-511-4990	Expenditure		53	1	
				LEGISLATIVE					
21-00149	1	PUBLIX-PZ MEETING SUPPLIES	9.64	001-1500-515-5290	Expenditure		54	1	
				COMP PLANNING					
21-00150	1	PUBLIX-PD OFFICE SUPPLIES	36.15	001-2100-521-5100	Expenditure		55	1	
				LAW ENFORCEMENT					
21-00151	1	SHERWIN WILLIAMS-PD SUPPLIES	52.61	001-2100-521-5290	Expenditure		56	1	
				LAW ENFORCEMENT					
21-00152	1	SHRM FINANCE MEMBERSHIP	219.00	001-1300-513-5420	Expenditure		57	1	
				FINANCE					
21-00153	1	SOUTHERN COAST K9 TRAINING	390.00	001-2100-521-5430	Expenditure		58	1	
				LAW ENFORCEMENT					
21-00154	1	TRANSCRIPTION PUPPY-BLDG MIN	189.04	001-2400-524-3400	Expenditure		59	1	
				PROT INSPECTIONS					
21-00155	1	TRANSCRIPTION PUPPY-PZ MINUTES	156.30	001-1500-515-3400	Expenditure		60	1	
				COMP PLANNING					
21-00156	1	TRI STATE BLDG CODE EXAMS	124.95	001-2400-524-5430	Expenditure		61	1	
				PROT INSPECTIONS					
21-00157	1	WINN DIXIE-PD KITCHEN SUPPLIES	11.70	001-2100-521-5240	Expenditure		62	1	
				LAW ENFORCEMENT					
21-00158	1	POLICE NIBRS TRAINING-PARRISH	158.99	001-2100-521-5430	Expenditure		63	1	
				LAW ENFORCEMENT					
21-00159	1	ZOOM-COVID VIRTUAL MEETING SVC	16.58	001-1100-511-5290	Expenditure		64	1	
				LEGISLATIVE					
21-00176	1	NETWORK SOLUTIONS-PWD WEB RENU	31.90	001-1900-519-5280	Expenditure		81	1	
				OTHER GOVERNMENTAL					
21-00176	2	NETWORK SOLUTIONS-PWD WEB RENU	39.15	001-3400-534-5280	Expenditure		82	1	
				GARBAGE					
21-00176	3	NETWORK SOLUTIONS-PWD WEB RENU	18.85	001-7200-572-5280	Expenditure		83	1	
				PARKS AND REC					
21-00176	4	NETWORK SOLUTIONS-PWD WEB RENU	55.10	001-131-1000	G/L		84	1	
				Due From Road & Bridge Fund					
			4,591.84						
43870	11/06/20	FIRST075 FIRST COAST FIREARMS				11/30/20	1567		
21-00101	1	OFF DUTY HOLISTERS	568.00	001-2100-521-5210	Expenditure		13	1	
				LAW ENFORCEMENT					
43871	11/06/20	FLORI170 FLORIDA JANITOR & PAPER SUPPLY				11/30/20	1567		
21-00107	1	JANITORIAL SUPPLIES	505.95	001-1900-519-5290	Expenditure		19	1	
				OTHER GOVERNMENTAL					

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
001TDOPERATING				Continued					
43871	FLORIDA JANITOR & PAPER SUPPLY	Continued							
21-00171	1	JANITORIAL COVID SUPPLIES	157.55	001-1900-519-5290	Expenditure		79	1	
				OTHER GOVERNMENTAL					
			663.50						
43872	11/06/20	FLORIDA POWER & LIGHT COMPANY				11/30/20	1567		
21-00161	1	ELECTRICITY OCT-20	79.81	001-1900-519-4310	Expenditure		66	1	
				OTHER GOVERNMENTAL					
21-00161	2	ELECTRICITY OCT-20	97.95	001-3400-534-4310	Expenditure		67	1	
				GARBAGE					
21-00161	3	ELECTRICITY OCT-20	47.16	001-7200-572-4310	Expenditure		68	1	
				PARKS AND REC					
21-00161	4	ELECTRICITY OCT-20	137.87	001-131-1000	G/L		69	1	
				Due From Road & Bridge Fund					
21-00162	1	ELECTRICITY OCT-20	25.82	001-7200-572-4310	Expenditure		70	1	
				PARKS AND REC					
21-00162	2	ELECTRICITY OCT-20	698.35	001-2100-521-4310	Expenditure		71	1	
				LAW ENFORCEMENT					
21-00162	3	ELECTRICITY OCT-20	22.96	001-7200-572-4310	Expenditure		72	1	
				PARKS AND REC					
21-00162	4	ELECTRICITY OCT-20	535.61	001-1900-519-4310	Expenditure		73	1	
				OTHER GOVERNMENTAL					
21-00162	5	ELECTRICITY OCT-20	357.08	001-2400-524-4310	Expenditure		74	1	
				PROT INSPECTIONS					
			2,002.61						
43873	11/06/20	FOPLO005 FOP LODGE 113				11/30/20	1567		
21-00164	1	MEMBERSHIP DUES - BRYAN WRIGHT	8.34	001-229-1000	G/L		76	1	
				Miscellaneous Deductions					
43874	11/06/20	GALLS010 GALLS LLC				11/30/20	1567		
21-00110	1	CHIEFS SHOES	120.95	001-2100-521-5210	Expenditure		22	1	
				LAW ENFORCEMENT					
21-00111	1	SHOES - HARRELL	60.00	001-2100-521-5210	Expenditure		23	1	
				LAW ENFORCEMENT					
21-00126	1	SHOE RETURN	115.00	001-2100-521-5210	Expenditure		29	1	
				LAW ENFORCEMENT					
			65.95						
43875	11/06/20	GEOMA010 GEOMATICS CORPORATION				11/30/20	1567		
20-02010	1	OCEAN HAMMOCK PARK	7,900.00	001-7200-572-6320	Expenditure		1	1	
				PARKS AND REC					
43876	11/06/20	HAGAN020 HAGAN ACE MANAGEMENT CORP				11/30/20	1567		
21-00103	1	OPERATING SUPPLIES	25.96	001-1900-519-5290	Expenditure		15	1	
				OTHER GOVERNMENTAL					
43877	11/06/20	HOMED010 HOME DEPOT				11/30/20	1567		
21-00105	1	BACK SUPPORT BELT	14.97	001-3400-534-5290	Expenditure		17	1	
				GARBAGE					
21-00106	1	SOFT SOAP	8.82	001-1900-519-5290	Expenditure		18	1	
				OTHER GOVERNMENTAL					

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Seq	Ref Num
PO #	Item	Description						Acct
001TDOPERATING			Continued					
43877	HOME DEPOT		Continued					
21-00120	1	10TH & A STREET RESTRM S	25.54	001-1900-519-4610	Expenditure		25	1
				OTHER GOVERNMENTAL				
21-00172	1	VACUUM FOR PWD	159.00	001-1900-519-5290	Expenditure		80	1
				OTHER GOVERNMENTAL				
			208.33					
43878	11/06/20	INDIA010 INDIANHEAD EXPLORATION, LLC				11/30/20		1567
21-00166	1	SW DISPOSAL FEES OCT-20	2,209.40	001-3400-534-4940	Expenditure		78	1
				GARBAGE				
43879	11/06/20	LAWME010 LAWREN'S & SHOOTER'S SUPPLY IN				11/30/20		1567
21-00125	1	TRAINING AMMO	778.40	001-2100-521-5430	Expenditure		28	1
				LAW ENFORCEMENT				
43880	11/06/20	NATIO090 NATIONWIDE RETIREMENT SOLUTION				11/30/20		1567
21-00163	1	DEFERRED COMPENSATION	1,914.52	001-235-0000	G/L		75	1
				Deferred Compensation				
43881	11/06/20	OHLIN005 OHLIN SALES INC/OSI BATTERIES				11/30/20		1567
21-00100	1	BATTERIES	22.66	001-2100-521-5290	Expenditure		12	1
				LAW ENFORCEMENT				
43882	11/06/20	SAFET020 SAFETY PRODUCTS, INC.				11/30/20		1567
21-00102	1	SAFETY SHIRTS	246.60	001-3400-534-5290	Expenditure		14	1
				GARBAGE				
43883	11/06/20	SHERW010 SHERWIN WILLIAMS				11/30/20		1567
21-00181	1	10TH/A STREET RESTROOM PAINT	62.40	001-1900-519-4610	Expenditure		85	1
				OTHER GOVERNMENTAL				
43884	11/06/20	SUPER055 SUPERIOR PRINTING INC				11/30/20		1567
21-00124	1	PAYROLL CHECK STOCK QTY:2500	504.20	001-1300-513-4700	Expenditure		27	1
				FINANCE				
43885	11/06/20	WAL-M010 WAL-MART STORE#01-0579				11/30/20		1567
21-00104	1	GRAY 30YR SVC SUPPLIES	116.34	001-1900-519-5290	Expenditure		16	1
				OTHER GOVERNMENTAL				
43886	11/06/20	WRIGH010 WRIGHT NATIONAL FLOOD				11/30/20		1567
21-00122	1	POLICE DEPT FLOOD INSURANCE	3,385.00	001-2100-521-4520	Expenditure		26	1
				LAW ENFORCEMENT				
43887	11/06/20	ZOLLM005 ZOLL MEDICAL CORPORATION				11/30/20		1567
21-00109	1	AED BATTERIES	632.00	001-2100-521-5230	Expenditure		21	1
				LAW ENFORCEMENT				
43888	11/20/20	A1AAU020 A1A AUTO CENTER INC						1569
21-00207	1	VEHICLE #112 SERVICE	6.95	001-2100-521-4630	Expenditure		36	1
				LAW ENFORCEMENT				

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
001TDOPERATING			Continued						
43889	11/20/20	ADVAP010 ADVANCE AUTO PARTS					1569		
21-00206	1	WASHER FLUID	3.67	001-2100-521-4630	Expenditure		35	1	
				LAW ENFORCEMENT					
43890	11/20/20	AGILE005 AGILE INTERNET MARKETING				11/30/20	1569		
21-00240	1	WEBSITE REPAIRS	450.00	001-2100-521-5280	Expenditure		91	1	
				LAW ENFORCEMENT					
43891	11/20/20	ALLAM011 ALL AMERICAN AIR				11/30/20	1569		
21-00232	1	REFUND OVERPAYMENT	69.00	001-202-4000	G/L		69	1	
				Accounts Payable - Other					
43892	11/20/20	AMERI090 AMERICAN SHORE & BEACH PRESERV				11/30/20	1569		
21-00236	1	ANNUAL MEMBERSP ASBPA UG JH MR	500.00	001-1100-511-5420	Expenditure		136	1	
				LEGISLATIVE					
43893	11/20/20	ATLAN040 ATLANTIC DODGE-CHRYSLER-JEEP					1569		
21-00195	1	VEHICLE #104 REPAIRS	100.00	001-2100-521-4630	Expenditure		23	1	
				LAW ENFORCEMENT					
43894	11/20/20	ATTUV010 AT&T				11/30/20	1569		
21-00230	1	INTERNET	19.18	001-1300-513-4100	Expenditure		63	1	
				FINANCE					
21-00230	2	INTERNET	19.19	001-2400-524-4100	Expenditure		64	1	
				PROT INSPECTIONS					
			38.37						
43895	11/20/20	BOZAR010 BOZARD FORD COMPANY				11/30/20	1569		
21-00196	1	VEHICLE #108 AIRBAG LIGHT	31.99	001-2100-521-4630	Expenditure		24	1	
				LAW ENFORCEMENT					
43896	11/20/20	CANON010 CANON FINANCIAL SERVICES				11/30/20	1569		
21-00226	1	COPIER LEASE/USAGE	125.00	001-2400-524-4430	Expenditure		46	1	
				PROT INSPECTIONS					
21-00226	2	COPIER LEASE/USAGE	109.54	001-2400-524-4700	Expenditure		47	1	
				PROT INSPECTIONS					
21-00226	3	COPIER LEASE/USAGE	125.00	001-2100-521-4430	Expenditure		48	1	
				LAW ENFORCEMENT					
21-00226	4	COPIER LEASE/USAGE	102.68	001-2100-521-4700	Expenditure		49	1	
				LAW ENFORCEMENT					
21-00226	5	COPIER LEASE/USAGE	125.00	001-1300-513-4430	Expenditure		50	1	
				FINANCE					
21-00226	6	COPIER LEASE/USAGE	34.42	001-1300-513-4700	Expenditure		51	1	
				FINANCE					
21-00226	7	COPIER LEASE/USAGE	40.48	001-1900-519-4430	Expenditure		52	1	
				OTHER GOVERNMENTAL					
21-00226	8	COPIER LEASE/USAGE	49.68	001-3400-534-4430	Expenditure		53	1	
				GARBAGE					
21-00226	9	COPIER LEASE/USAGE	23.92	001-7200-572-5290	Expenditure		54	1	
				PARKS AND REC					
21-00226	10	COPIER LEASE/USAGE	69.92	001-131-1000	G/L		55	1	

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
PO #	Item	Description					Ref Seq	Acct
001TDOOPERATING			Continued					
43896		CANON FINANCIAL SERVICES	Continued					
21-00226	11	COPIER LEASE/USAGE	7.44	001-1900-519-5100	Expenditure		56	1
				OTHER GOVERNMENTAL				
21-00226	12	COPIER LEASE/USAGE	9.13	001-3400-534-5100	Expenditure		57	1
				GARBAGE				
21-00226	13	COPIER LEASE/USAGE	4.40	001-7200-572-5290	Expenditure		58	1
				PARKS AND REC				
21-00226	14	COPIER LEASE/USAGE	12.86	001-131-1000	G/L		59	1
				Due From Road & Bridge Fund				
			839.47					
43897	11/20/20	COMCA015 COMCAST				11/30/20	1569	
21-00255	1	CABLE TV-NEWS NOV-20	65.40	001-2100-521-4330	Expenditure		132	1
				LAW ENFORCEMENT				
43898	11/20/20	CRAFT010 CRAFT'S TROPHIES & AWARDS INC					1569	
21-00225	1	SEPAC NAMEPLATE-CLOWARD	12.00	001-1100-511-4990	Expenditure		45	1
				LEGISLATIVE				
43899	11/20/20	CROWN020 CROWN INFORMATION MANAGEMENT				11/30/20	1569	
21-00208	1	DOCUMENT DISPOSITION	198.40	001-1100-511-4970	Expenditure		37	1
				LEGISLATIVE				
43900	11/20/20	EVIDE010 EVIDENT INC					1569	
21-00204	1	EVIDENCE SUPPLIES	85.42	001-2100-521-5290	Expenditure		33	1
				LAW ENFORCEMENT				
43901	11/20/20	FILE0005 FILEONQ INC.				11/30/20	1569	
21-00186	1	FILEONQ MAINT 1/1-12/31/21	4,000.00	001-2100-521-5280	Expenditure		2	1
				LAW ENFORCEMENT				
43902	11/20/20	FLAGL030 FLAGLER CARE CENTER				11/30/20	1569	
21-00187	1	PWD NEW HIRE-COOPER	25.30	001-1900-519-5290	Expenditure		3	1
				OTHER GOVERNMENTAL				
21-00187	2	PWD NEW HIRE-COOPER	31.05	001-3400-534-5290	Expenditure		4	1
				GARBAGE				
21-00187	3	PWD NEW HIRE-COOPER	14.95	001-7200-572-5290	Expenditure		5	1
				PARKS AND REC				
21-00187	4	PWD NEW HIRE-COOPER	43.70	001-131-1000	G/L		6	1
				Due From Road & Bridge Fund				
21-00187	5	PWD NEW HIRE-FORREST	25.30	001-1900-519-5290	Expenditure		7	1
				OTHER GOVERNMENTAL				
21-00187	6	PWD NEW HIRE-FORREST	31.05	001-3400-534-5290	Expenditure		8	1
				GARBAGE				
21-00187	7	PWD NEW HIRE-FORREST	14.95	001-7200-572-5290	Expenditure		9	1
				PARKS AND REC				
21-00187	8	PWD NEW HIRE-FORREST	43.70	001-131-1000	G/L		10	1
				Due From Road & Bridge Fund				
21-00187	9	PWD NEW HIRE-SIMPSON	25.30	001-1900-519-5290	Expenditure		11	1
				OTHER GOVERNMENTAL				
21-00187	10	PWD NEW HIRE-SIMPSON	31.05	001-3400-534-5290	Expenditure		12	1
				GARBAGE				

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Check Register By Check Date

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Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
001TDOPERATING				Continued					
43902		FLAGLER CARE CENTER		Continued					
21-00187	11	PWD NEW HIRE-SIMPSON	14.95	001-7200-572-5290	Expenditure		13	1	
				PARKS AND REC					
21-00187	12	PWD NEW HIRE-SIMPSON	43.70	001-131-1000	G/L		14	1	
				Due From Road & Bridge Fund					
21-00187	13	PWD NEW HIRE-PHILLIPS	25.30	001-1900-519-5290	Expenditure		15	1	
				OTHER GOVERNMENTAL					
21-00187	14	PWD NEW HIRE-PHILLIPS	31.05	001-3400-534-5290	Expenditure		16	1	
				GARBAGE					
21-00187	15	PWD NEW HIRE-PHILLIPS	14.95	001-7200-572-5290	Expenditure		17	1	
				PARKS AND REC					
21-00187	16	PWD NEW HIRE-PHILLIPS	43.70	001-131-1000	G/L		18	1	
				Due From Road & Bridge Fund					
			460.00						
43903	11/20/20	FLORI170 FLORIDA JANITOR & PAPER SUPPLY				11/30/20	1569		
21-00197	1	JANITORIAL SUPPLIES	35.60	001-1900-519-5290	Expenditure		25	1	
				OTHER GOVERNMENTAL					
21-00213	1	JANITORIAL SUPPLIES-COVID	192.52	001-1900-519-5290	Expenditure		42	1	
				OTHER GOVERNMENTAL					
			228.12						
43904	11/20/20	FLORI190 FLORIDA MUNICIPAL INSUR TRUST				11/30/20	1569		
21-00231	1	STORAGE TANK INSURANCE	146.52	001-1900-519-4510	Expenditure		65	1	
				OTHER GOVERNMENTAL					
21-00231	2	STORAGE TANK INSURANCE	179.82	001-3400-534-4510	Expenditure		66	1	
				GARBAGE					
21-00231	3	STORAGE TANK INSURANCE	86.58	001-7200-572-5290	Expenditure		67	1	
				PARKS AND REC					
21-00231	4	STORAGE TANK INSURANCE	253.08	001-131-1000	G/L		68	1	
				Due From Road & Bridge Fund					
			666.00						
43905	11/20/20	FLORI455 FLORIDA EQUIPMENT SERVICE INC				11/30/20	1569		
21-00239	1	METER FOR MAIN FUEL TANK	309.40	001-3400-534-5220	Expenditure		90	1	
				GARBAGE					
43906	11/20/20	FOPLO005 FOP LODGE 113					1569		
21-00227	1	MEMBERSHIP DUES - BRYAN WRIGHT	8.34	001-229-1000	G/L		60	1	
				Miscellaneous Deductions					
43907	11/20/20	GALLS010 GALLS LLC				11/30/20	1569		
21-00202	1	UNIFORM-HARRELL	31.94	001-2100-521-5210	Expenditure		31	1	
				LAW ENFORCEMENT					
21-00203	1	BOOTS-YOUNGBLOOD	98.94	001-2100-521-5210	Expenditure		32	1	
				LAW ENFORCEMENT					
			130.88						
43908	11/20/20	HAGAN020 HAGAN ACE MANAGEMENT CORP					1569		
21-00209	1	PARKS SUPPLIES	26.98	001-7200-572-5290	Expenditure		38	1	
				PARKS AND REC					

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
001TDOOPERATING			Continued						
43908	11/20/20	HAGAN ACE MANAGEMENT CORP	Continued						
21-00210	1	FAUCET REPAIR PARTS	59.99	001-1900-519-4610	Expenditure		39	1	
				OTHER GOVERNMENTAL					
21-00211	1	REPAIR TO WASH DOWN HOSE	5.66	001-3400-534-5290	Expenditure		40	1	
				GARBAGE					
21-00212	1	WASH DOWN HOSE REPAIR-RETURN	0.69	001-3400-534-5290	Expenditure		41	1	
				GARBAGE					
21-00250	1	BATTERIES	29.98	001-1900-519-5290	Expenditure		114	1	
				OTHER GOVERNMENTAL					
			121.92						
43909	11/20/20	HENRI005 HENRI BOS				11/30/20	1569		
21-00229	1	REFUND CREDIT ON ACCOUNT #176	27.48	001-349-000	Revenue		62	1	
				Other Charges for Services					
43910	11/20/20	HEROI005 HERO INDUSTRIES INC				11/30/20	1569		
21-00254	1	K9 HERO PLUSH DOGS	550.00	001-2100-521-4640	Expenditure		131	1	
				LAW ENFORCEMENT					
43911	11/20/20	JAMES010 JAMES MOORE & CO P.L.				11/30/20	1569		
21-00234	1	ANNUAL AUDIT	3,800.00	001-1300-513-3200	Expenditure		75	1	
				FINANCE					
21-00234	2	ANNUAL AUDIT	950.00	001-131-1000	G/L		76	1	
				Due From Road & Bridge Fund					
			4,750.00						
43912	11/20/20	LEGAL005 LEGALSHIELD				11/30/20	1569		
21-00252	1	PRE-PAID LEGAL	15.95	001-229-2100	G/L		123	1	
				Insurance-Other Employee Paid					
43913	11/20/20	MELVI010 MELVIN'S REPAIR SHOP				11/30/20	1569		
21-00199	1	VEH #75 HYD HOSE REPL	105.68	001-3400-534-4630	Expenditure		27	1	
				GARBAGE					
43914	11/20/20	MUNIC010 MUNICODE				11/30/20	1569		
21-00223	1	CODE SUPPLEMENT #8	2,324.94	001-1100-511-3170	Expenditure		44	1	
				LEGISLATIVE					
43915	11/20/20	NATIO090 NATIONWIDE RETIREMENT SOLUTION				11/30/20	1569		
21-00228	1	DEFERRED COMPENSATION	1,914.52	001-235-0000	G/L		61	1	
				Deferred Compensation					
43916	11/20/20	NATIO100 NATIONAL BUSINESS FURNITURE				11/30/20	1569		
21-00249	1	OFFICE FURNITURE	406.00	001-2400-524-5230	Expenditure		113	1	
				PROT INSPECTIONS					
43917	11/20/20	QUILL010 QUILL LLC					1569		
21-00194	1	OFFICE SUPPLIES	24.99	001-1500-515-5100	Expenditure		22	1	
				COMP PLANNING					

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PO #	Item	Description							
001TDOPERATING				Continued					
43918	11/20/20	SANF0005 SANFORD AND SON AUTO PARTS INC				11/30/20	1569		
21-00198	1	SERVICE FILTERS VEHICLE #75	99.92	001-3400-534-4630 GARBAGE	Expenditure		26	1	
43919	11/20/20	SMART010 SMARTCOP INC				11/30/20	1569		
21-00184	1	SMARTCOP MAINT RENEWAL 2021	6,248.00	001-2100-521-5280 LAW ENFORCEMENT	Expenditure		1	1	
43920	11/20/20	SMITH010 SMITH BROS. PEST CONTROL					1569		
21-00233	1	PEST CONTROL NOV-20	25.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		70	1	
21-00233	2	PEST CONTROL NOV-20	52.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		71	1	
21-00233	3	PEST CONTROL NOV-20	30.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		72	1	
21-00233	4	PEST CONTROL NOV-20	52.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		73	1	
21-00233	5	PEST CONTROL NOV-20	25.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		74	1	
			<u>184.00</u>						
43921	11/20/20	SOUTH070 SOUTHERN ACTUARIAL SERVICES					1569		
21-00200	1	GASB 75 VAL AS OF 10-1-19	4,500.00	001-1300-513-3400 FINANCE	Expenditure		28	1	
43922	11/20/20	STADV010 STAPLES				11/30/20	1569		
21-00193	1	CORK BOARD	23.99	001-2100-521-5100 LAW ENFORCEMENT	Expenditure		21	1	
21-00241	1	OFFICE SUPPLIES	105.08	001-1300-513-5100 FINANCE	Expenditure		92	1	
21-00241	2	OFFICE SUPPLIES	70.33	001-1500-515-5100 COMP PLANNING	Expenditure		93	1	
21-00241	3	OFFICE SUPPLIES	24.80	001-1900-519-5100 OTHER GOVERNMENTAL	Expenditure		94	1	
21-00241	4	OFFICE SUPPLIES	30.43	001-3400-534-5100 GARBAGE	Expenditure		95	1	
21-00241	5	OFFICE SUPPLIES	14.65	001-7200-572-5290 PARKS AND REC	Expenditure		96	1	
21-00241	6	OFFICE SUPPLIES	42.83	001-131-1000 Due From Road & Bridge Fund	G/L		97	1	
			<u>312.11</u>						
43923	11/20/20	STAUG110 ST AUGUSTINE RECORD				11/30/20	1569		
21-00243	1	PZB LEGAL AD	152.58	001-1500-515-4810 COMP PLANNING	Expenditure		107	1	
21-00244	1	LEGAL AD	76.29	001-1300-513-4810 FINANCE	Expenditure		108	1	
21-00245	1	LEGAL AD	76.29	001-1300-513-4810 FINANCE	Expenditure		109	1	
21-00246	1	LEGAL AD	80.78	001-1300-513-4810 FINANCE	Expenditure		110	1	

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PO #	Item	Description							
0017DOOPERATING				Continued					
43923	ST AUGUSTINE RECORD	Continued							
21-00247	1	LEGAL AD	80.78	001-1300-513-4810	Expenditure		111		1
				FINANCE					
21-00248	1	PZB LEGAL AD	152.58	001-1500-515-4810	Expenditure		112		1
				COMP PLANNING					
			<u>619.30</u>						
43924	11/20/20	STJOH110 ST. JOHNS COUNTY SOLID WASTE				11/30/20	1569		
21-00235	1	DISPOSAL FEES OCT-20	12,978.42	001-3400-534-4940	Expenditure		77		1
				GARBAGE					
43925	11/20/20	STJOH140 ST. JOHNS COUNTY UTILITY DEPAR				11/30/20	1569		
21-00237	1	WATER SERVICE OCT-20	174.51	001-7200-572-4320	Expenditure		78		1
				PARKS AND REC					
21-00237	2	WATER SERVICE OCT-20	376.71	001-7200-572-4320	Expenditure		79		1
				PARKS AND REC					
21-00237	3	WATER SERVICE OCT-20	383.40	001-7200-572-4320	Expenditure		80		1
				PARKS AND REC					
21-00237	4	WATER SERVICE OCT-20	132.38	001-7200-572-4320	Expenditure		81		1
				PARKS AND REC					
21-00237	5	WATER SERVICE OCT-20	700.33	001-1900-519-4320	Expenditure		82		1
				OTHER GOVERNMENTAL					
21-00237	6	WATER SERVICE OCT-20	466.90	001-2400-524-4320	Expenditure		83		1
				PROT INSPECTIONS					
21-00237	7	WATER SERVICE OCT-20	120.04	001-2100-521-4320	Expenditure		84		1
				LAW ENFORCEMENT					
21-00237	8	WATER SERVICE OCT-20	57.93	001-1900-519-5290	Expenditure		85		1
				OTHER GOVERNMENTAL					
21-00237	9	WATER SERVICE OCT-20	71.10	001-3400-534-5290	Expenditure		86		1
				GARBAGE					
21-00237	10	WATER SERVICE OCT-20	34.23	001-7200-572-5290	Expenditure		87		1
				PARKS AND REC					
21-00237	11	WATER SERVICE OCT-20	100.06	001-131-1000	G/L		88		1
				Due From Road & Bridge Fund					
			<u>2,617.59</u>						
43926	11/20/20	SUNLI010 SUN LIFE FINANCIAL				11/30/20	1569		
21-00242	1	LIFE INSURANCE PREM DEC-20	4.56	001-1200-512-2300	Expenditure		98		1
				EXECUTIVE					
21-00242	2	LIFE INSURANCE PREM DEC-20	63.91	001-1300-513-2300	Expenditure		99		1
				FINANCE					
21-00242	3	LIFE INSURANCE PREM DEC-20	14.15	001-1500-515-2300	Expenditure		100		1
				COMP PLANNING					
21-00242	4	LIFE INSURANCE PREM DEC-20	42.73	001-1900-519-2300	Expenditure		101		1
				OTHER GOVERNMENTAL					
21-00242	5	LIFE INSURANCE PREM DEC-20	190.73	001-2100-521-2300	Expenditure		102		1
				LAW ENFORCEMENT					
21-00242	6	LIFE INSURANCE PREM DEC-20	32.41	001-2400-524-2300	Expenditure		103		1
				PROT INSPECTIONS					
21-00242	7	LIFE INSURANCE PREM DEC-20	47.66	001-3400-534-2300	Expenditure		104		1
				GARBAGE					

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PO #	Item	Description							
001TDOOPERATING				Continued					
43926	SUN LIFE FINANCIAL	Continued							
21-00242	8	LIFE INSURANCE PREM DEC-20	73.95	001-131-1000	G/L		105	1	
				Due From Road & Bridge Fund					
21-00242	9	LIFE INSURANCE PREM DEC-20	407.10	001-229-2100	G/L		106	1	
				Insurance-Other Employee Paid					
			812.38						
43927	11/20/20	THEBA005 THE BANCORP BANK				11/30/20		1569	
21-00201	1	VEHICLE LEASE #128	389.49	001-2100-521-4431	Expenditure		29	1	
				LAW ENFORCEMENT					
21-00201	2	VEHICLE LEASE #114	425.00	001-2100-521-4431	Expenditure		30	1	
				LAW ENFORCEMENT					
			814.49						
43928	11/20/20	TRACT010 TRACTOR SUPPLY CREDIT PLAN				11/30/20		1569	
21-00214	1	VEHICLE #75 LIGHTS	69.98	001-3400-534-4630	Expenditure		43	1	
				GARBAGE					
21-00238	1	FUEL METER ON SPARE TANK	169.99	001-3400-534-5220	Expenditure		89	1	
				GARBAGE					
			239.97						
43929	11/20/20	ULINE005 ULINE				11/30/20		1569	
21-00257	1	PACKING SUPPLIES	137.71	001-2100-521-5100	Expenditure		134	1	
				LAW ENFORCEMENT					
21-00258	1	EVIDENCE BAGS	28.50	001-2100-521-5290	Expenditure		135	1	
				LAW ENFORCEMENT					
			166.21						
43930	11/20/20	USBAN005 US BANK VOYAGER FLEET SYSTEMS				11/30/20		1569	
21-00188	1	FUEL 10/8-11/8/20	3,326.19	001-2100-521-5220	Expenditure		19	1	
				LAW ENFORCEMENT					
43931	11/20/20	VERIZ010 VERIZON WIRELESS				11/30/20		1569	
21-00205	1	CELL PHONES	834.85	001-2100-521-4100	Expenditure		34	1	
				LAW ENFORCEMENT					
21-00253	1	CELL PHONES OCT-20	118.49	001-1300-513-4100	Expenditure		124	1	
				FINANCE					
21-00253	2	CELL PHONES OCT-20	117.57	001-2100-521-4100	Expenditure		125	1	
				LAW ENFORCEMENT					
21-00253	3	CELL PHONES OCT-20	126.29	001-2400-524-4100	Expenditure		126	1	
				PROT INSPECTIONS					
21-00253	4	CELL PHONES OCT-20	72.46	001-1900-519-5290	Expenditure		127	1	
				OTHER GOVERNMENTAL					
21-00253	5	CELL PHONES OCT-20	88.93	001-3400-534-5290	Expenditure		128	1	
				GARBAGE					
21-00253	6	CELL PHONES OCT-20	42.82	001-7200-572-5290	Expenditure		129	1	
				PARKS AND REC					
21-00253	7	CELL PHONES OCT-20	125.15	001-131-1000	G/L		130	1	
				Due From Road & Bridge Fund					
			1,526.56						

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PO #	Item	Description					Ref Seq Acct
001TDOPERATING			Continued				
43932	11/20/20	VKASE005 VKA SECURITY				11/30/20	1569
21-00256	1	BACK DOOR REPAIR	255.00	001-2100-521-4610	Expenditure		133 1
				LAW ENFORCEMENT			
43933	11/20/20	WINDS005 WINDSTREAM				11/30/20	1569
21-00251	1	PHONE/INTERNET NOV-20	613.31	001-1300-513-4100	Expenditure		115 1
				FINANCE			
21-00251	2	PHONE/INTERNET NOV-20	27.88	001-1500-515-4100	Expenditure		116 1
				COMP PLANNING			
21-00251	3	PHONE/INTERNET NOV-20	1,393.88	001-2100-521-4100	Expenditure		117 1
				LAW ENFORCEMENT			
21-00251	4	PHONE/INTERNET NOV-20	278.78	001-2400-524-4100	Expenditure		118 1
				PROT INSPECTIONS			
21-00251	5	PHONE/INTERNET NOV-20	111.51	001-1900-519-4100	Expenditure		119 1
				OTHER GOVERNMENTAL			
21-00251	6	PHONE/INTERNET NOV-20	139.39	001-3400-534-4100	Expenditure		120 1
				GARBAGE			
21-00251	7	PHONE/INTERNET NOV-20	55.76	001-7200-572-4100	Expenditure		121 1
				PARKS AND REC			
21-00251	8	PHONE/INTERNET NOV-20	167.25	001-131-1000	G/L		122 1
				Due From Road & Bridge Fund			
			2,787.76				
43934	11/20/20	ZEPMA010 ZEP SALES AND SERVICE				11/30/20	1569
21-00189	1	COVID ANTIBAC HAND CLEANER	225.75	001-1900-519-5290	Expenditure		20 1
				OTHER GOVERNMENTAL			
43935	11/20/20	HARDW015 ROBERT HARDWICK				11/30/20	1570
21-00259	1	REIMB DBL INS DEDUCTION	261.67	001-229-2100	G/L		1 1
				Insurance-Other Employee Paid			
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:		79	4	98,272.12	0.00	
	Direct Deposit:		0	0	0.00	0.00	
	Total:		79	4	98,272.12	0.00	
002IMPACTFEES							
1587	11/30/20	STJOH020 ST JOHNS COUNTY FINANCE DEPT					1574
21-00358	1	IMPACT FEES NOV 2020	30,899.48	001-208-0000	G/L		1 1
				Due to Other Governments			
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:		1	0	30,899.48	0.00	
	Direct Deposit:		0	0	0.00	0.00	
	Total:		1	0	30,899.48	0.00	
101TDBANKRDBRG							
20791	11/06/20	BIRDD005 BIRDDOG DISTRIBUTING INC				11/30/20	1566
21-00073	1	HOLIDAY LIGHTS	1,675.58	101-4100-541-6361	Expenditure		7 1
				ROADS & BRIDGES			

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101TDBANKRDBRG			Continued				
20792	11/06/20	CMT00005 CMT				11/30/20	1566
20-02292	1	SAB HMGP PH2 DESGN 1/1-9/30/20	42,950.00	101-4100-541-6383 ROADS & BRIDGES	Expenditure		3 1
20-02295	1	SAB VULNERABILITY ASSESSMENT	6,125.00	101-4100-541-6380 ROADS & BRIDGES	Expenditure		4 1
			49,075.00				
20793	11/06/20	CONSO010 CONSOLIDATED ELECTRICAL				11/30/20	1566
21-00116	1	HOLIDAY LIGHTS	279.30	101-4100-541-6361 ROADS & BRIDGES	Expenditure		13 1
21-00117	1	HOLIDAY LIGHTS	733.80	101-4100-541-6361 ROADS & BRIDGES	Expenditure		14 1
			1,013.10				
20794	11/06/20	DOGWA005 DOG WASTE DEPOT				11/30/20	1566
21-00001	1	MUTT MITT BAGS	4,440.00	101-4100-541-5310 ROADS & BRIDGES	Expenditure		5 1
21-00001	2	TARRIFF FEE 8.9%	395.16	101-4100-541-5310 ROADS & BRIDGES	Expenditure		6 1
			4,835.16				
20795	11/06/20	EVANS010 EVANS AUTOMOTIVE				11/30/20	1566
21-00118	1	VEHICLE #69 REPAIRS	130.62	101-4100-541-4630 ROADS & BRIDGES	Expenditure		15 1
20796	11/06/20	FLORI250 FLORIDA POWER & LIGHT COMPANY				11/06/20 VOID	0
20797	11/06/20	FLORI250 FLORIDA POWER & LIGHT COMPANY				11/30/20	1566
21-00168	1	ELECTRICITY OCT-20	94.07	101-4100-541-5320 ROADS & BRIDGES	Expenditure		18 1
21-00168	2	ELECTRICITY OCT-20	4,324.63	101-4100-541-5320 ROADS & BRIDGES	Expenditure		19 1
21-00169	1	ELECTRICITY OCT-20	14.40	101-4100-541-4310 ROADS & BRIDGES	Expenditure		20 1
21-00169	2	ELECTRICITY OCT-20	39.04	101-4100-541-4310 ROADS & BRIDGES	Expenditure		21 1
21-00169	3	ELECTRICITY OCT-20	11.84	101-4100-541-4310 ROADS & BRIDGES	Expenditure		22 1
21-00169	4	ELECTRICITY OCT-20	11.55	101-4100-541-4310 ROADS & BRIDGES	Expenditure		23 1
21-00169	5	ELECTRICITY OCT-20	10.89	101-4100-541-4310 ROADS & BRIDGES	Expenditure		24 1
21-00169	6	ELECTRICITY OCT-20	275.79	101-4100-541-4310 ROADS & BRIDGES	Expenditure		25 1
21-00169	7	ELECTRICITY OCT-20	11.55	101-4100-541-4310 ROADS & BRIDGES	Expenditure		26 1
21-00169	8	ELECTRICITY OCT-20	13.72	101-4100-541-4310 ROADS & BRIDGES	Expenditure		27 1
21-00169	9	ELECTRICITY OCT-20	18.68	101-4100-541-4310 ROADS & BRIDGES	Expenditure		28 1
21-00170	1	ELECTRICITY OCT-20	44.24	101-4100-541-4310 ROADS & BRIDGES	Expenditure		29 1

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PO #	Item	Description					Seq Acct
101TDBANKRDBRG			Continued				
20797	11/06/20	FLORIDA POWER & LIGHT COMPANY	Continued				
21-00170	2	ELECTRICITY OCT-20	20.01	101-4100-541-4310	Expenditure		30 1
				ROADS & BRIDGES			
21-00170	3	ELECTRICITY OCT-20	176.16	101-4100-541-4310	Expenditure		31 1
				ROADS & BRIDGES			
21-00170	4	ELECTRICITY OCT-20	1,007.27	101-4100-541-4310	Expenditure		32 1
				ROADS & BRIDGES			
			<u>6,073.84</u>				
20798	11/06/20	GEOMA010 GEOMATICS CORPORATION				11/30/20	1566
20-02011	1	11th STREET PARKING CROSSING	5,980.00	101-4100-541-6310	Expenditure		1 1
				ROADS & BRIDGES			
20799	11/06/20	HAGAN020 HAGAN ACE MANAGEMENT CORP				11/30/20	1566
21-00121	1	CHRISTMAS LIGHTS	9.98	101-4100-541-6361	Expenditure		16 1
				ROADS & BRIDGES			
21-00174	1	HOLIDAY LIGHTS	31.92	101-4100-541-6361	Expenditure		34 1
				ROADS & BRIDGES			
21-00175	1	HOLIDAY LIGHTS	15.96	101-4100-541-6361	Expenditure		35 1
				ROADS & BRIDGES			
			<u>57.86</u>				
20800	11/06/20	HOMED010 HOME DEPOT				11/30/20	1566
21-00096	1	NIFTY NABBER LITTER PICKER	239.64	101-4100-541-5230	Expenditure		9 1
				ROADS & BRIDGES			
21-00177	1	HOLIDAY LIGHTS	87.84	101-4100-541-6361	Expenditure		40 1
				ROADS & BRIDGES			
			<u>327.48</u>				
20801	11/06/20	LOWES005 LOWES				11/30/20	1566
21-00178	1	HOLIDAY LIGHTS	62.58	101-4100-541-6361	Expenditure		37 1
				ROADS & BRIDGES			
20802	11/06/20	MUNIC020 MUNICIPAL SUPPLY & SIGN CO.				11/30/20	1566
21-00113	1	SEA GROVE SIGN SUPPLIES	450.00	101-4100-541-5310	Expenditure		10 1
				ROADS & BRIDGES			
20803	11/06/20	SAFET010 SAFETY KLEEN SYSTEMS INC				11/30/20	1566
21-00095	1	PARTS WASHER SERVICE	158.00	101-4100-541-5290	Expenditure		8 1
				ROADS & BRIDGES			
20804	11/06/20	SAFET020 SAFETY PRODUCTS, INC.				11/30/20	1566
20-02288	1	CROSSING FLAGS	630.00	101-4100-541-5310	Expenditure		2 1
				ROADS & BRIDGES			
20805	11/06/20	SANF0005 SANFORD AND SON AUTO PARTS INC				11/30/20	1566
21-00114	1	VEHICLE #64 REPAIR PARTS	252.57	101-4100-541-4630	Expenditure		11 1
				ROADS & BRIDGES			
21-00115	1	VEH#64 CORE RETURN ON #671923	9.30	101-4100-541-4630	Expenditure		12 1
				ROADS & BRIDGES			
			<u>243.27</u>				

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PO #	Item	Description					Seq Acct
101TDBANKRDBRG			Continued				
20806	11/06/20	TAYLO020 TAYLOR RENTAL				11/30/20	1566
21-00173	1	DRUM ROLLER-WILLOW DR PAVING	126.00	101-4100-541-5310 ROADS & BRIDGES	Expenditure		33 1
20807	11/06/20	THELA020 THE LAKE DOCTORS				11/30/20	1566
21-00167	1	WATER MANAGEMENT NOV-20	595.00	101-4100-541-3400 ROADS & BRIDGES	Expenditure		17 1
20808	11/06/20	TRACT010 TRACTOR SUPPLY CREDIT PLAN				11/30/20	1566
21-00179	1	GATE FOR 11TH STREET	25.00	101-4100-541-6380 ROADS & BRIDGES	Expenditure		38 1
21-00180	1	PWD TOOLS & GATE 11TH STREET	109.98	101-4100-541-5230 ROADS & BRIDGES	Expenditure		39 1
			<u>134.98</u>				
20809	11/20/20	CLARK010 CLARK SALES DISPLAY, INC				11/30/20	1568
21-00035	1	HOLIDAY LIGHTS	12,446.25	101-4100-541-6361 ROADS & BRIDGES	Expenditure		4 1
20810	11/20/20	CONSO010 CONSOLIDATED ELECTRICAL				11/30/20	1568
21-00190	1	HOLIDAY LIGHTS	134.26	101-4100-541-6361 ROADS & BRIDGES	Expenditure		5 1
20811	11/20/20	GOODY020 GOODYEAR TIRE & RUBBER COMPANY				11/30/20	1568
21-00191	1	TIRES VEHICLES #69 & #64	634.86	101-4100-541-4630 ROADS & BRIDGES	Expenditure		6 1
20812	11/20/20	HAGAN020 HAGAN ACE MANAGEMENT CORP					1568
21-00219	1	WEED KILLER	34.98	101-4100-541-5310 ROADS & BRIDGES	Expenditure		12 1
21-00220	1	HOSE FOR WATER TANK	3.95	101-4100-541-4630 ROADS & BRIDGES	Expenditure		13 1
21-00221	1	HOLIDAY LIGHTS	22.93	101-4100-541-6361 ROADS & BRIDGES	Expenditure		14 1
21-00222	1	HOLIDAY LIGHTS	9.18	101-4100-541-6310 ROADS & BRIDGES	Expenditure		15 1
			<u>71.04</u>				
20813	11/20/20	HOMED010 HOME DEPOT				11/30/20	1568
21-00217	1	HOLIDAY LIGHTS	106.37	101-4100-541-6361 ROADS & BRIDGES	Expenditure		10 1
21-00218	1	HOLIDAY LIGHTS	81.62	101-4100-541-6361 ROADS & BRIDGES	Expenditure		11 1
			<u>187.99</u>				
20814	11/20/20	SANFO005 SANFORD AND SON AUTO PARTS INC				11/30/20	1568
21-00192	1	WINDSHIELD WASH FLUID	21.89	101-4100-541-4630 ROADS & BRIDGES	Expenditure		7 1
20815	11/20/20	USA0025 USA SERVICES OF FLORIDA INC				11/30/20	1568
20-02296	1	SWEEP SERVICE-AJA BEACH BLVD	180.00	101-4100-541-3400 ROADS & BRIDGES	Expenditure		1 1

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num
PO #		Item Description					Ref Seq Acct
<hr/>							
101TDBANKRDBRG		Continued					
20815		USA SERVICES OF FLORIDA INC	Continued				
20-02297	1	SWEEP SERVICE-A1A BEACH BLVD	180.00	101-4100-541-3400	Expenditure		2 1
				ROADS & BRIDGES			
20-02298	1	SWEEP SERVICE-A1A BEACH BLVD	180.00	101-4100-541-3400	Expenditure		3 1
				ROADS & BRIDGES			
21-00215	1	SWEEP SERVICE-A1A BEACH BLVD	180.00	101-4100-541-3400	Expenditure		8 1
				ROADS & BRIDGES			
21-00216	1	SWEEP SERVICE-A1A BEACH BLVD	180.00	101-4100-541-3400	Expenditure		9 1
				ROADS & BRIDGES			
			<u>900.00</u>				
<hr/>							
20816	11/20/20	CSAB-020 CSAB - GENERAL FUND				11/30/20	1571
20-02299	1	NET FUNDS DUE TO GF	56,476.03	101-207-0000	G/L		1 1
				Due to General Fund			
<hr/>							
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:		25	1	142,440.79	0.00	
	Direct Deposit:		0	0	0.00	0.00	
	Total:		<u>25</u>	<u>1</u>	<u>142,440.79</u>	<u>0.00</u>	
<hr/>							
Report Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:		105	5	271,612.39	0.00	
	Direct Deposit:		0	0	0.00	0.00	
	Total:		<u>105</u>	<u>5</u>	<u>271,612.39</u>	<u>0.00</u>	
<hr/>							

Totals by Year-Fund					
Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
GENERAL FUND	0-001	8,201.69	175.10	94.09	8,470.88
ROAD & BRIDGE FUND	0-101	56,225.00	0.00	56,476.03	112,701.03
Year Total:		64,426.69	175.10	56,570.12	121,171.91
GENERAL FUND	1-001	81,899.25	27.48	38,773.99	120,700.72
ROAD & BRIDGE FUND	1-101	29,739.76	0.00	0.00	29,739.76
Year Total:		111,639.01	27.48	38,773.99	150,440.48
Total Of All Funds:		176,065.70	202.58	95,344.11	271,612.39

Totals by Fund					
Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
GENERAL FUND	001	90,100.94	202.58	38,868.08	129,171.60
ROAD & BRIDGE FUND	101	85,964.76	0.00	56,476.03	142,440.79
Total of All Funds:		176,065.70	202.58	95,344.11	271,612.39

Fund Description	Fund	Current	Prior Rcvd	Prior Open	Paid Prior	Fund Total
GENERAL FUND	0-001	8,201.69	0.00	0.00	0.00	8,201.69
ROAD & BRIDGE FUND	0-101	56,225.00	0.00	0.00	0.00	56,225.00
Year Total:		64,426.69	0.00	0.00	0.00	64,426.69
GENERAL FUND	1-001	81,899.25	0.00	0.00	0.00	81,899.25
ROAD & BRIDGE FUND	1-101	29,739.76	0.00	0.00	0.00	29,739.76
Year Total:		111,639.01	0.00	0.00	0.00	111,639.01
Total of All Funds:		176,065.70	0.00	0.00	0.00	176,065.70

PENDING ACTIVITIES AND PROJECTS

Revised December 22, 2020

1. **PERFORMANCE REVIEW OF POLICE CHIEF AND THE CITY MANAGER.** The reviews were discussed by the Commission at its January 14, 2020, continuation meeting. The Commission directed that it be reminded in October 2020 to begin the reviews for the calendar year, with the reviews to be discussed at the Commission's December 7, 2020 meeting. Information for review of the City Manager was provided to the Commission in October. As Chief Hardwick has been elected Sheriff of St. Johns County, there is no need for the Commission to do his review as he has left his position as Police Chief. At their December 7, 2020, meeting, the Commission by consensus decided that each Commissioner would meet with the City Manager to discuss his evaluation.
2. **LAND DEVELOPMENT REGULATIONS.** The Building Department staff prepared revisions to the Regulations to implement the new policies in the Comprehensive Plan that was approved by the state in February. The first phase of the revisions was submitted to the Commission at its October 5th meeting. They concern levels of service for recreational facilities in the City. The Commission passed the ordinance adopting the changes on first reading at its November 9th meeting. The ordinance had its first public hearing and second reading at the Commission's December 7, 2020, meeting. It is now scheduled for its second public hearing and final reading at the Commission's January 4, 2021, meeting.

At the Commission's November 9th meeting, the Building Official proposed four more changes:

- a. to remove obsolete language concerning occupancy limits
- b. to include medium low-density residential land use districts as subject to the same impervious surface ratio that applies to medium density residential land use districts
- c. to adopt by reference the currently adopted Florida Building Code concerning unsafe buildings
- d. to show that the number of regular members of the Code Enforcement Board is seven.

The City Attorney prepared an ordinance, which was passed on first reading at the Commission's December 7, 2020, meeting. The ordinance has been scheduled for a public hearing and second reading at the January 4, 2021, meeting.

A third change to the Regulations will be to allow mobile food vending, such as food trucks, in the City. A new state law requires that cities and counties allow such vending within their limits. At this time, the City doesn't allow food trucks except in connection with City-sponsored events, such as Beach Blast Off. At its November 9th meeting, the City Commission reviewed the information concerning the new law and asked the City Attorney to prepare an ordinance. It will be on the agenda for first reading at the Commission's January 4th meeting.

3. **UPDATING STRATEGIC PLAN.** As its January 7, 2019, meeting, the City Commission decided to do the update itself with the City staff. At later meetings in 2019, the Planning Board and the Sustainability and Environmental Planning Advisory Committee provided suggestions for the plan. The Commission agreed with the City Manager's suggestions for items in the plan and asked him to include in it parking

infrastructure. The City Manager has prepared a Mission Statement, a Vision Statement, a Values Statement and a list of goals and the tasks each. The Commission reviewed the plan and provided comments at its January 14, 2020, continuation meeting. The City Manager will revise the plan it back to the Commission at a future meeting.

4. **PARKING PLAN.** The City Commission has changed the focus of the parking plan from paid parking to improvements for parking on City-owned plazas and streets. The staff will draft a five-year plan and the Police Department is to determine the most effective parking regulations for the streets west of A1A Beach Boulevard. The parking plan will be provided to the Commission at a future meeting. At its October 5th meeting, a Commissioner proposed that paid parking be discussed again. This may happen at a workshop meeting in the spring of 2021.
5. **JOINT MEETINGS:**
 - a. With the County Commission. No date has yet been proposed by either Commission for a joint meeting.
 - b. On February 10, 2020, the City Commission and Planning Board held a joint meeting. The topics discussed included communications, training for Board members, hiring a planner and providing more information to the Board. It was agreed to have a joint meeting every six months. At its March 2nd meeting, the Commission asked that the Code Enforcement Board and the Sustainability and Environmental Planning Advisory Committee be asked for dates for a workshop meeting with the Commission. Because of the pandemic and social distancing requirements, the workshop wasn't held in 2020. At its January 4, 2021, meeting, the Commission will be asked whether it wants to schedule a joint meeting with the Planning Board and SEPAC. If social distancing is still required, the meeting room may not have sufficient space for all board members who want to attend.
6. **UPDATING PERSONNEL MANUAL.** Past updates or changes have included: to designate Christmas Eve and Good Friday as holidays for the City employees; to provide compensation to the employees during emergencies; revisions to provisions in the Manual concerning equal employment opportunity, educational assistance program, Americans with Disabilities Act coordinators, records, interpretations, and conflicts of interest. Ms. Beverly Raddatz, the City Clerk, will propose more updates to the Manual at the Commission's January 4, 2021, meeting.
7. **STREETLIGHTS ALONG STATE ROAD A1A.** The City's Public Works Director, Bill Tredik, has taken the lead on this project. He is working with Florida and Light and the Florida Department of Transportation to have lights put at seven locations between the city hall and Madrid Street, opposite the entrance to the Marsh Creek subdivision. DOT has approved the lights. At its January 13th continuation meeting, the Commission approved the agreement with FPL to have new lights erected. The City Manager has approved the agreement and a contract has been submitted to FPL. Seven streetlights were put up in November 2020. An eighth will be added in January at Sevilla Street and SR-A1A.
8. **STREETLIGHT FOR ENTRANCE TO BEACH ACCESS WALKWAY.** A resident has requested that a light be put at the entrance on A1A Beach Boulevard. On January 29th, City personnel met with

representatives from Florida Power and Light. The company will change the lighting as part of the conversion of the Boulevard streetlighting to LED lights.

9. LED STREETLIGHTS. FPL representatives presented a proposal to the Commission at its June 10, 2019, meeting to change the lights throughout the City to LED lights. The Commission decided it needed more information from FPL. Chief Hardwick has worked with FPL on a complete review of the lighting along the Boulevard. As its January 13, 2020, continuation meeting, the Commission approved the agreement for lighting changes subject to the following conditions: 1) to verify that the City must pay for the additional lights along the Boulevard; 2) that the City Attorney review the interlocal agreement with the County and the state; 3) that the Public Works Director and Police Chief review FPL's recommendations and be judicious about the number of lights along the Boulevard and hold off on changing any lights that might be converted to LEDs soon. The agreement with FPL was signed. FPL now must do the design and install the lights. The Public Works Director has verified the locations of the lights proposed to be changed. The FPL is moving forward with the design of 10 of the 12 lights and the contract for these lights has been signed. The City is waiting for the lights to be put up. The remaining two lights will be re-evaluated as to whether there is a need to change them to provide better illumination of the Boulevard.

10. GRANTS. The Public Works Director has prepared and or will prepare applications for grants from the following agencies:

- a. Florida Recreation Development Assistance Program, \$106,500, for restrooms at Ocean Hammock Park. City match would be \$35,500. Total project cost: \$142,000. The Governor approved the appropriation and now the Florida Department of Environmental Protection has sent the contract, which the City Manager has signed. The restrooms are being designed by a local architect.
- b. Coastal Partnership Initiative: \$25,000, to fund planning for other improvements to Ocean Hammock Park: picnic pavilion, observation platform, playscape for children, more trails. City match would be \$25,000. Total project cost: \$50,000. Though it is federal money, the grant is provided through the state, which has approved it. The City has hired a consultant to design and permit the project starting October 1st. The Public Works Director is preparing a contract with Gulfstream Design, LLC. The City has been unable to reach an agreement with Gulfstream, so the Public Works Director is seeking another engineering firm. Project is to be completed by November 2021, which is when the contract will expire.

The Public Works Director has applied for another Partnership grant for \$60,000 for additional improvements to Ocean Hammock Park. The application was submitted on September 25, 2020. The City will not know until May 2021 whether it has received the grant.

- c. Florida Resilient Coastlines Program to do a Vulnerability Assessment and Adaptability Plan. Total amount requested \$72,000. No match required. This will involve updating the City's stormwater model, identifying vulnerabilities, and recommending options for inclusion in a future Public Works Capital Improvements Plan. The Governor approved the funding, the civil engineer has been hired and work on the project has started.

- d. St. Johns River Water Management District Cost Share Program: Grant applied for in February to provide funds for the new weir at the City's Mizell Road retention pond. The amount requested is \$600,000. In April, the City was notified that its project was in line for funding. However, whether the money will be provided depends on the District appropriating it in the District's Fiscal Year 2021 budget. District approved the funding for this program in September 2020. The contract has been executed. Once FEMA has given its approval, the City will advertise for bids. Construction will begin in early 2021.
 - e. Florida Recreation Development Assistance Group. The Public Works Director has prepared and submitted grant for more improvements to Ocean Hammock Park. The Florida Department of Environmental Protection has informed the City that its grant may not be eligible. The Public Works Director clarification on DEP's decision.
11. REQUEST TO ST. AUGUSTINE PORT, WATERWAY AND BEACH COMMISSION FOR FUNDING FOR PROJECTS. In the spring of 2021, City staff will ask the Port Commission to provide money in its Fiscal Year 2022 budget for beach access walkovers.
 12. REQUEST FOR FUNDING FROM TOURIST DEVELOPMENT COUNCIL FOR BEACH-RELATED PROJECTS. Requests for funding are on hold because of the significant decline in revenue from the bed tax due to the pandemic.
 13. NON-CONFORMING BUSINESS SIGNS. The City's sign code has a height limit of 12 feet for business signs. A number of businesses have signs that exceed that height. According to the code, these signs must be made conforming by August 2023. The Building Official and his staff will notify the businesses of this requirement and will work with them to bring these signs into conformity.

The non-conforming sign for Antonio's Pizza/Rita's Ice was struck by a delivery truck. The replacement sign will be lowered to meet the 12-foot height limit.
 14. CHARGING STATION FOR ELECTRIC VEHICLES. The Public Works Director is working with the staff of the North Florida Regional Transportation Organization to have a charging station for the public at city hall. The Public Works Director met with the company that builds the stations to determine the location for the station, which will be two charging stations next to Building C on the west side of the south city hall parking lot. In early December, the charging station was constructed. A contract may be ready for review by the Commission at its February 1, 2021, meeting.
 15. FLOODING COMPLAINTS. Citizens have expressed concerns about the following areas:
 - a. Ocean Walk Subdivision. The subdivision is located on the east side of Mickler Boulevard between Pope Road and 16th Street. Earlier in 2020, the ditch that borders the subdivision's west side was piped. Ocean Walk residents have complained that the piping of the ditch has caused flooding along the subdivision's west side. The Public Works Director has had the Mickler and 11th Street ditches clear of debris, so as to improve the flow of water, and will propose that the subdivision be surveyed and the City's civil engineering consultant, CMT, to review the project. At the Commission's September 14th meeting, the City's civil engineering consultant, Mr. Gary Sneddon of CMT, described project and its technical basis for piping the Mickler Boulevard ditch. At its

October 5th meeting, the City Commission didn't approve an amendment to the contract with CMT for an investigation and flood control improvements for the Ocean Walk subdivision and asked the Public Works Director to prepare a Request for Qualifications, so that the Commission can consider an engineering firm to review the Ocean Walk drainage issues. The deadline for responses to the RFQ was November 23, 2020. The Public Works Director prepared an addendum, which was advertised before Thanksgiving. The deadline for the RFQ is December 8th. A committee will then review the ones that were submitted and will recommend to the Commission possibly at its January 4, 2021, meeting, which firm to hire.

- b. Oceanside Drive. This street is located in the Overby-Gargan unrecorded subdivision, which is north of Versaggi Drive. The Public Works Department is having a survey on the area done, to determine the appropriate drainage solutions. The solutions will be done in connection with the redesign of the street.
 - c. St. Augustine Beach and Tennis Complex and Private Pond between Ocean Trace Road and the Sabor de Sal Subdivision. The private retention pond for the Beach and Tennis condo complex is too small and floods during periods of heavy rainfall. The flooding threatens the condo units that border the pond. The Sabor de Sal subdivision had a pond that is owned by the adjacent property owners. It also floods and threatens private property. The area needs a master plan that will involve the City, private property owners and the Florida Department of Transportation. The Public Works Director plans a town hall meeting the affected parties, to discuss a possible private/public partnership. A preliminary step will be the hiring of a consulting engineer to do an assessment and develop project alternatives.
 - d. A resident of 6th Street east of the Boulevard has complained about flooding on adjacent streets. The Public Works Director is investigating the causes.
16. **STORMWATER UTILITY FEE.** For a funding source to pay for improvements to the City's drainage system, the Public Works Director proposed a stormwater utility fee at the City Commission's October 5th meeting. The Commission decided not to levy the fee at this time. However, it likely will be discussed at a workshop or special meeting in April or May 2021.
17. **SOLID WASTE COLLECTION AND RECYCLING.** The City Commission in early 2021 will hold a workshop meeting to discuss whether the City should outsource its collection of household waste and recyclables to a private company.
18. **REFURBISHING AND HIGHLIGHTING CITY'S CIVIL RIGHTS MONUMENT.** The monument is located on the south side of pier park and adjacent to the bocce courts. It commemorates the attempt by black citizens to integrate the "whites only beach" in front of the former city hall in the summer of 1964. The monument was erected by July 2002 and paid for by the Northrup Grumman Corporation. At its September 22, 2020, meeting, the City Commission asked the City Manager to work on a vision for the monument, to take pictures of it for the City's website and social media, to have a picture of it put in the city hall corridor, and to seek funding to repair the monument, which has a metal base that's been corroded. Commissioner George said she ask The Art Studio for concepts and Mayor England said she would contact a local architect for concept ideas.

19. SEEKING NEW POLICE CHIEF. With the election of Chief Rob Hardwick to the position of County Sheriff, the Commission at its October 5, 2020, meeting, appointed Commander Dan Carswell of the Police Department to be Interim Police Chief for six months. In April, the Commission will consider whether to make permanent the appointment of Interim Chief Carswell or to begin the process of advertising for candidates in Florida.
20. BEACH RESTORATION. St. Johns County is the local sponsor of beach restoration in the City, as money from the bed tax is used to pay the County's share of the cost for each restoration project. According to the County's Coastal Manager, the next renourishment of the City's beach is scheduled to be done in 2023. In the meantime, the County is discussing whether a renourishment project may need to be done sooner because of severe erosion of the beach in the vicinity of the County fishing pier.
21. QUARTERLY REPORTS ON PROGRESS OF PROJECTS. At its September 22nd budget meeting, the City Commission asked the City Manager to provide at the end of each quarter in the Fiscal year a report on the progress of projects and expenditures for them. The Finance Director has prepared a spread sheet and the first quarter's report will be provided to the Commission in January 2021.
22. LOCKERS FOR SURFERS. At the City Commissioner's December 7th meeting, a resident suggested that the City provide lockers where surfers can put their wallets, phones, and keys. The Deputy City Clerk checked other Florida cities and found none that rented lockers themselves. She also checked whether lockers could be made from materials other than metal because of the corrosive effects of salt air near the ocean but didn't find any. She did find that private companies own and rent lockers for beach visitors. The Public Works Director reviewed this proposal and recommended that the City not be involved in the locker rental business primarily because proximity to the will subject the lockers to corrosive salt air. Also, the Director was concerned whether there was strong demand for the lockers and the additional work Public Works crews would have to do to clean and sanitize them regularly.