



## **AGENDA**

### **PLANNING AND ZONING BOARD REGULAR MONTHLY MEETING**

**TUESDAY, JUNE 20, 2023, 6:00 P.M.**

**CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FL 32080**

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#### NOTICE TO THE PUBLIC

*THE PLANNING AND ZONING BOARD HAS ADOPTED THE FOLLOWING PROCEDURE: PERSONS WISHING TO SPEAK ABOUT TOPICS THAT ARE ON THE AGENDA MUST FILL OUT A SPEAKER CARD IN ADVANCE AND GIVE IT TO THE RECORDING SECRETARY. THE CARDS ARE AVAILABLE AT THE BACK OF THE MEETING ROOM. THIS PROCEDURE DOES NOT APPLY TO PERSONS WHO WANT TO SPEAK TO THE BOARD UNDER "PUBLIC COMMENTS."*

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPROVAL OF MINUTES OF REGULAR PLANNING AND ZONING BOARD MEETING OF MAY 16, 2023
- V. PUBLIC COMMENT
- VI. NEW BUSINESS
  - A. Land Use Variance File No. VAR 2023-07, for reduction of the 20-foot rear yard setback and 10-foot side yard setback requirements for placement of a 196-square-foot storage shed with a 4.3-foot rear yard setback and a 7.7-foot side yard setback in a low density residential land use district at 202 Azalea Avenue, St. Augustine Beach, Florida, 32080, Cheryl and Michael O'Steen, Applicants
  - B. Land Use Variance File No. VAR 2023-08, to exceed the maximum 35% lot coverage allowed for residential construction for new construction of a 3-story, 4822-square-foot total single-family residence in a medium density residential land use district at 7 15<sup>th</sup> Street, St. Augustine Beach, Florida, 32080, Robert and Amy Capwell, Applicants
  - C. Land Use Variance File No. VAR 2023-09, for expansion of a non-conforming structure by more than 25% of gross floor area for a proposed 797.41-square-foot addition to an existing 1804-square-foot total single-family residence in a low density residential use district at 13 Oak Road, St. Augustine Beach, Florida, 32080, R.E. Chip Mitchell, Agent for Timothy and Tamara Callahan, Applicants

- D. Concept Review File No. CR 2023-01, for demolition of the existing 48,555-square-foot Publix grocery store and rebuild to a new 54,964-square-foot Publix grocery store and reconfiguration of the Anastasia Plaza shopping center parking lot to create additional parking spaces for the shopping center, in a commercial land use district at 1001 and 1033 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, Patrick McKinley, Agent for Regency Centers and MCW-RC-FL-Anastasia LLC, Applicant
- E. Land Use Variance File No. VAR 2023-10, for variances for the proposed reconfiguration of the Anastasia Plaza shopping center parking lot for existing non-conforming uses for minimum parking space size; reduction of the northern landscape buffer to accommodate the proposed new truck dock; and to maintain but lower the existing non-conforming impervious surface ratio coverage allowed in a commercial land use district at 1001 and 1033 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, Patrick McKinley, Agent for Regency Centers and MCW-RC-FL-Anastasia LLC, Applicant

VII. OLD BUSINESS

VIII. BOARD COMMENT

IX. ADJOURNMENT

NOTICES TO THE PUBLIC

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*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 no later than seven days prior to the proceeding at the address provided above, or telephone 904-471-2122, or email [sabadmin@cityofsab.org](mailto:sabadmin@cityofsab.org)*

*For more information on any of the above agenda items, please call the City of St. Augustine Beach Building and Zoning Department at 904-471-8758. The agenda material containing background information for this meeting is available on a CD upon request at the City Manager's office for a \$5.00 fee. Adobe Acrobat Reader will be needed to open the file.*



## MINUTES

### PLANNING AND ZONING BOARD REGULAR MONTHLY MEETING

TUESDAY, MAY 16, 2023, 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FL 32080

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I. **CALL TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

III. **ROLL CALL**

BOARD MEMBERS PRESENT: Chairperson Kevin Kincaid, Hulseley Bray, Conner Dowling, Larry Einheuser, Junior Alternate Rhys Slaughter.

BOARD MEMBERS ABSENT: Vice-Chairperson Chris Pranis, Hester Longstreet, Victor Sarris, Senior Alternate Gary Smith.

STAFF PRESENT: Building Official Brian Law, City Attorney Charlie Douglas, Planner Jennifer Thompson, Recording Secretary Bonnie Miller.

IV. **APPROVAL OF MINUTES OF REGULAR PLANNING AND ZONING BOARD MEETING OF APRIL 18, 2023**

**Motion:** to approve the minutes of the April 18, 2023 meeting. **Moved** by Hulseley Bray, **seconded** by Conner Dowling, **passed 5-0** by unanimous voice-vote.

V. **PUBLIC COMMENT**

There was no public comment pertaining to anything not on the agenda.

VI. **NEW BUSINESS**

A. Conditional Use File No. CU 2023-04, for renewal of a conditional use permit for food and/or beverage service and consumption outside of an enclosed building on the premises of a restaurant, The Kookaburra Coffee Shop, in a commercial land use district at 647 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, Megan Vidal and Spencer Hooker, Agents for CMBV LLC, Applicant

Jennifer Thompson: This first order of business is for a conditional use permit for outdoor seating and food and beverage service outside of an enclosed building at The Kookaburra, 647 A1A Beach Boulevard, which uses a portion of the City plaza for its outdoor seating.

The Kookaburra was previously granted a conditional use permit for outdoor seating for five years, and this has now expired, so the applicants are just asking that it be renewed.

Kevin Kincaid: Have there been any reports of issues, problems, or complaints regarding the outdoor seating at this business?

Jennifer Thompson: No, not regarding the outdoor seating. The last complaint I received about this business was about the dumpster enclosure, and this was fixed very quickly.

Kevin Kincaid: Are there any objections from the City about extending or renewing this?

Jennifer Thompson: We don't have any objections.

Brian Law: I recommend, since Kookaburra has been a long-standing business, that we seriously consider extending the conditional use permit for more than five years. This has been done before, some have been extended for 10 years or more, and some have been granted for the lifetime of the business ownership, which is my recommendation, as Director of Building and Zoning, for this conditional use permit for Kookaburra.

Kevin Kincaid: Do we have any comments from the public?

Judy Jucker, 106 3<sup>rd</sup> Street, St. Augustine Beach, Florida, 32080: I live three lots down from Kookaburra. They are great neighbors, we love them, and love their coffee, but I have two concerns. They have been clearing the lot adjacent to Kookaburra, and it is my understanding that the owners of Kookaburra also own this lot, maybe someone can clarify that. I'd like to know if they plan to expand their outdoor eating and drinking area. If they do, the parking and traffic will just get worse. It's mainly bad on the weekends, when it is very chaotic there. Parking is allowed on the side of the street I live on, and I don't mind people parking in front of my house, but they also park in front of the fire hydrant on the other side, and park all the way up and down the street, so you can't get in and out. I'm curious to know if Kookaburra plans to expand its parking, and if they are interested in helping with the situation there, as it is a safety issue more than anything.

Kevin Kincaid: Just to clarify, you are asking about the vacant lot directly behind Kookaburra?

Judy Jucker: Yes, it has been cleared. Is anybody here from Kookaburra?

Kevin Kincaid: We wouldn't know if they own this lot or not. Right now, they are just asking to extend the conditional use that already exists, they are not asking to expand the number of seats or tables.

Judy Jucker: And I'm fine with that, I love them as a neighbor, they're great. But if they're going to expand into the area behind them, I am just concerned about more congestion.

Conner Dowling: All we have in front of us today is about what is currently existing, and



the conditional use application to continue that. We don't know, and we don't have any information, about plans for further expansion.

Kevin Kincaid: Regarding illegal parking on the street, that would be a police matter. As a Board, we would not have any knowledge of future plans for Kookaburra to expand, unless they applied for a permit or a variance for expansion or whatever.

Brian Law: At this time, the City is not in receipt of any development plans for the existing Kookaburra. The matter under discussion by the Board now is limited solely to what they are asking for in the conditional use application. I would ask the Board to discontinue any future development conversations because we don't have any information to provide.

Kevin Kincaid: The only reason they are here tonight is because they had a five-year conditional use permit that has now expired.

Judy Jucker: And I'm all for extending that.

Sandy Eyerly, 107 3<sup>rd</sup> Street, St. Augustine Beach, Florida, 32080: I live directly across the street from the Juckers, and I love Kookaburra as well, it is a great business, but I'm glad they're only open until 10 p.m., as parking really is an issue. Cars park all the way up and down the street from the stop sign at A1A Beach Boulevard to the stop sign at 2<sup>nd</sup> Avenue. There is no visibility coming in and out. There was an accident last week, involving a motorbike or a scooter coming around the corner onto that section of the street where the congestion is really bad. I'm sure the number of parking spaces for the business must be in relation to its size, but if you add six picnic tables outside, that is another 36 people.

Kevin Kincaid: I do not believe that is what the application is for. It is not for additional seating, it is to continue something that is currently already in place at Kookaburra.

Brian Law: Yes, this is simply a continuation of an existing approved conditional use permit for outdoor consumption of food and beverages.

Sandy Eyerly: Right, but that is pretty broad. They have an outdoor deck that has about six tables that seat about 24 people. Over the past few years, they've added picnic tables, and as Judy said, they have been clearing the lot behind Kookaburra, so as far as seating goes, adding more tables means more people will be coming and looking for parking.

Kevin Kincaid: Does adding more seats go to Code Enforcement? Because it is not in this Board's purview.

Brian Law: It is not in the Board's purview at all. However, the current parking regulations do not address seating, but are based on square footage and gross floor area, defined as the area used for the serving and consumption of food and beverages. Some jurisdictions may require one parking space for every three occupants, but this City does not base its parking regulations on occupancy or the number of seats. If there are parking issues you feel are not in conformity with City standards, I would encourage you to call the Police

Department, which is the only department that has authority over that. Code Enforcement has no authority over illegally parked cars because technically, this is in the public sector. We have a resident self-service portal online, with a direct link to it from the City's webpage, and anyone can submit comments about anything going on in the City they have concerns about, and these comments will be forwarded to the appropriate staff members, whether it be the Public Works Department, Police Department, Building and Zoning Department, Planning and Zoning Division, or Code Enforcement. At this time, I am unaware of any Code Enforcement cases pertaining to Kookaburra, and we are simply here to consider extending the business's conditional use permit for outdoor dining.

Sandy Eyerly: Okay, well, I don't know if the agents from Kookaburra are here or not.

Brian Law: If I may remind the Board, order needs to be maintained. Residents are more than encouraged to speak, but they can't ask staff questions and they can't ask members of the public questions. Residents may only address public comments to the Board.

Kevin Kincaid: I wish I had a different answer for the residents who have spoken regarding the issues they are experiencing, but they are not issues the Board can remedy. I would advise these residents that there are other venues they can pursue regarding these issues.

Sandy Eyerly: One remedy to consider is something like the sign Saltwater Cowboy's used to have up saying something along the lines of, we care for our residents, please keep in mind that we are in a residential area. If Kookaburra could put up a nice sign saying, "Respect Our Neighbors," or something similar, perhaps people would think twice about turning around in residents' driveways all day long. My husband was nearly run over by someone who didn't even look before driving their vehicle straight onto our property.

Kevin Kincaid: Okay, thank-you very much. Does anyone have any questions for staff or for the applicants? Hearing none, do we have a motion?

**Motion:** to approve Conditional Use File No. CU 2023-04, for renewal of a conditional use permit for food and/or beverage service and consumption outside of an enclosed building on the premises of a restaurant, The Kookaburra Coffee Shop, in a commercial land use district at 647 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, for as long as the current applicants own the current business. **Moved** by Conner Dowling, **seconded** by Hulsey Bray, **passed 5-0** by the Board by unanimous voice-vote.

B. Land Use Variance File No. VAR 2023-06, for a reduction of the minimum parking requirements for proposed expansion of outdoor seating areas for food and/or beverage service and consumption outside of an enclosed building on the premises of a restaurant, Crabby's Beachside of St. Augustine, in a commercial land use district at 361 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, Greg Powers and Keith Diaz, Agents for 361 Beach Holdings LLC, Applicant

Jennifer Thompson: These next two items go hand in hand. The first is a variance application for Crabby's Beachside, formerly known as Panama Hattie's, at 361 A1A Beach

Boulevard, for a reduction of the required number of parking spaces for this restaurant. Currently, Crabby's has 46 parking spaces, including two handicap spaces. They'd like to increase the seating area on the first-floor outdoor patio by 360 square feet, and they also want to expand the seating area to include a 400-square-foot second-floor outdoor deck. For restaurants, the City's Land Development Regulations (LDRs) currently require one parking space for every 55 square feet of gross floor area, so this first item is a variance request for a reduction of the required number of parking spaces. The second item is a conditional use permit application to allow the consumption of food and beverages outside of an enclosed building on the first-floor patio on Crabby's east side.

Kevin Kincaid: I remember we brought this up a couple of months ago, when Crabby's was changing the whole front aspect of their business. I don't know how many parking spaces were lost at that time, but if I remember, when Panama Hattie's went through the whole renovation process after the hurricane and was closed for a couple of years, what sticks in my mind is that there were 57 parking spaces. Obviously, there are not 57 parking spaces now, there are only 46. Does this meet the current parking requirements?

Jennifer Thompson: No. One parking space per 55 square feet of gross floor area would require Crabby's to have over 140 parking spaces. At the time of the decision to approve the final development order for the rebuild of Panama Hattie's, the parking plan proposed in 2018 showed 50 parking spaces **[EXHIBIT A]**, and this was approved as part of the development order. It is stated on this parking plan that the size of the standard parking spaces are 9-feet-by-18-feet. However, requirements per the LDRs are 9-feet-by-20 feet for standard parking spaces. That is essentially where the lost parking spaces occurred. To meet parking space size per the LDRs, the 50 parking spaces were reduced to 46. When Crabby's redid its parking lot earlier this year in January, they maintained the 46 parking spaces that were already there when the new owners purchased the business.

Kevin Kincaid: Okay. So, what you are saying is that at the current size of the building, 140 parking spaces would be required.

Jennifer Thompson: Over 140 parking spaces would be required, yes.

Kevin Kincaid: And they now want to increase the gross floor area by over 700 square feet and decrease parking?

Jennifer Thompson: They would maintain the same amount of parking spaces that they currently have. They are not asking to decrease what they currently have. They are asking, per the variance, to reduce the required number of parking spaces per code.

Kevin Kincaid: How many parking spaces were eliminated when the pavers were put in for the patio out front?

Jennifer Thompson: None. They had to reconfigure the parking lot to maintain the same number of parking spaces when the lot was redone in January, to still have the 46 parking spaces that Panama Hattie's had. The number of parking spaces didn't change, just the

configuration of the spaces, which they got a little creative with. There is one parking space no one can park in after 3 a.m. to allow the garbage truck to get to the dumpster.

Kevin Kincaid: Okay. So, if over 140 parking spaces are what would be required right now, what would be required with the additional 700 square feet of outdoor seating, if one parking space is required for every 55 square feet of gross floor area?

Brian Law: About 14 additional parking spaces would be required. When the original development application for the rebuild of Panama Hattie's was approved, there was a proposed parking plan based on the best they could do. It did not work, as there was not a way to safely put in the parking spaces they wanted, but they never lowered their parking below what they had, as it was the general consensus of both this Board and the City Commission that they not have less parking than what they started with. That is how we got to this point. The recent reconfiguration of the parking lot was checked out many times by the Planning and Zoning Division and I also went out there and looked at it.

Conner Dowling: Brian, when you say they started with 46 parking spaces, do you mean prior to the updates that Panama Hattie's made?

Brian Law: In the retrofit of the existing facility in 2018 for the newly renovated Panama Hattie's, there was an attempt from the designers to try to get a few more parking spaces in, but it just didn't work. The way that building is shaped and the way that lot is angled made the proposed new parking plan very unsafe, but they never decreased the number of parking spaces below what was there to start with prior to 2018. All along, even with this recent exterior renovation, the same number of parking spaces have been retained, but as Ms. Thompson said, some spaces have been relocated and reconfigured. There is some parallel parking and I believe they used a porous paving system on the western side, behind the building, which allowed some of the spaces to be moved around a tad for enhanced safety for vehicular traffic coming in and bending around the building corners.

Kevin Kincaid: If we entertain this variance for parking that is just basically nonconforming now, will this make it conforming, or will it remain nonconforming?

Brian Law: it would remain a nonconforming status, as it is nonconforming. You can't make something that is nonconforming conforming by granting a variance, but if the Board sees fit to grant this variance, you have to think outside the box a tad. Many people walk and ride bicycles, and I believe the applicants included in their submittal documents a log that has been kept of walk-up and bicycle customers. This is not an unheard of way to get real-time data. The City has been trying to shift to a walk-up or pedestrian-friendly community with the Vision Plan, so that is what the applicants are somewhat relying on.

Jennifer Thompson: I have one more thing to add. There was an email sent to Board member Conner Dowling from Karen Zander **[EXHIBIT B]**. You all were provided, next to your packets, a copy of this email, regarding a previous conversation Ms. Zander had with the previous Building Official, Gary Larson, about the Federal Emergency Management Agency (FEMA) substantial improvement 50% rule. I want to point out and clarify that

this substantial improvement rule pertains to flood plain management and FEMA rules versus the City's LDRs, and I just want to make sure you all got this information.

Kevin Kincaid: Okay, so this FEMA rule does not affect this.

Jennifer Thompson: It doesn't affect the parking specifically.

Brian Law: It is apples and oranges, sir, as one is a federal floodplain management rule, which Crabby's Beachside is in total compliance with, and as a commercial property, it opens the doors for us to have other avenues of compliance. Architects were brought in to design the flood-resistant construction, the compressors were elevated four feet off the ground, and It has a commercial flood-proofing system approved by FEMA.

Conner Dowling: Jennifer, one more question for you. I saw on the variance application that the applicant noted Salt Life's variance for parking, and I just wanted you to confirm this with what the applicant wrote on this variance application for Crabby's Beachside.

Jennifer Thompson: In the Planning and Zoning Board meeting minutes for the variance granted to Salt Life back in 2012, it was discussed that the requested reduction and size of parking spaces was found to be in conformance with the number and size of parking spaces provided by other restaurants and commercial establishments in this area of the City. Salt Life was granted a variance to reduce the number of parking spaces to 69.

Larry Einheuser: The owner of Salt Life also bought the business behind Salt Life, so it has the capability of valet service for parking in the adjacent business in back of Salt Life.

Brian Law: Salt Life recently purchased this property, but they had a lease on this property before that, and there was some competition to purchase it.

Jennifer Thompson: At the time the variance for Salt Life was granted, in 2012, I don't believe they had that valet service for that additional parking.

Brian Law: I can't speak to that, as I don't have that information. I do recall Salt Life having valet parking almost since it opened, but that would have been a private lease.

Kevin Kincaid: Thank-you. If we could now hear from the applicants, please.

Keith Diaz, 4703 North Rome Avenue, Tampa, Florida, 33603, Agent for Applicant: I represent Beachside Hospitality Group, Crabby's Beachside of St. Augustine, and I will be happy to answer any questions.

Rhys Slaughter: Is the request for the additional outdoor seating purely for beautification and to help the flow of the restaurant seating go more smoothly, or is it geared more toward stacking in as many tables as you can? Because I think that is the kicker as to whether the variance to reduce the parking is going to make a difference or not.

Keith Diaz: I think the goal here is to engage the community on all three sides of the building. Right now, coming from the north, you see the vacant deck on the second floor, because Crabby's does not have the parking to accommodate seating on this deck. There are a few tables outside for people to sit at while waiting for a table, but no dining service is provided from these tables, so from the ability to engage people at street level, that's what the conditional use application for the first-floor outdoor seating is for. The variance for the reduction of the required number of parking spaces is for the ability to open up all sides of the building, including the vacant second-story deck, to the community.

Hulsey Bray: How many additional people would you say Crabby's will be able to serve if this variance is granted?

Bruce McElhone, 79 Natureland Circle, St. Augustine, Florida, 32092: I'm the general manager for Crabby's. The additional outdoor seating is for approximately 48 more seats.

Kevin Kincaid: What would you consider to be the hardship here? One of the things the Board has to look at it is whether the variance request demonstrates a hardship.

Keith Diaz: The hardship is not being able to add more seating without increasing parking for Crabby's. We do not have the ability to lease any land around us to stack parking on adjacent properties. I am assuming we share parking with the City's pier parking lot across the street, where people park to go and enjoy a day at the beach, and some of them then come over to the restaurant to eat before leaving to go home. The hardship is parking.

Kevin Kincaid: I understand that, and I don't want to argue with you, but that is almost a self-created hardship because the more seating you have, the harder it gets to meet the parking requirements. That's not a hardship for us, because a hardship is something that prevents you from using your property in a viable and economic way, basically. I struggled, when reading through the application information, to find what the hardship is. The last residents up here for the conditional use for outdoor seating for Kookaburra were here about parking issues, not about the business. They are okay with the business, but they are not okay with the parking issues up and down their street. As a beach community, parking is an issue for us all day, every day, especially during the busy times. I appreciate Crabby's being here, I eat there all the time, and I love it. But almost every night I go there, the parking lot is full, and if you add another 48 diners, even if they are not all going to drive to Crabby's, where is all that overflow parking going to go? The City will have to deal with all that overflow parking, and then the hardship, I think, is going to become ours for allowing a variance to a rule that exists to protect City residents and to protect the overall integrity of the City. That is why I am having a hard time getting to a hardship for your business not being able to provide parking for that many more people.

Keith Diaz: Crabby's has numerous restaurants in similar beachside communities that also have a lot of walk-ups and/or biking traffic. This is a big driver for Crabby's, as these different modes of transportation play a significant factor in their businesses.

Conner Dowling: On that, it seems like the lack of parking that already exists is accommo-

dating for that and working well, but I think It's a little bit hard, for us as a Board, to assume that the extra seats are all going to be walkers and bike-riders, necessarily. The way the parking code works is based on gross square-foot floor area, so I don't know if there may be a way to remove some of the seating inside Crabby's that may not be as popular and relocate this indoor seating to outside seating, perhaps on a one-to-one swap out, if that is feasible to talk about. I think a situation like that would personally make sense to me, because that's effectively a net zero gain or loss for the restaurant patrons.

Keith Diaz: So, would the City then be looking to restrict the number of occupants inside the building?

Conner Dowling: I am suggesting you restrict the number of seats to what you currently have, so that you have less indoor seating to accommodate what you are asking to add outside with the two new outdoor seating areas.

Brian Law: Only the Building Official can reduce occupancy and I have no interest in going against signed and sealed plans from an architect. We have no ability to tell the restaurant they have to remove 20 seats from inside to put 20 seats outside, this is totally unenforceable by any mechanism the City has. We'd essentially have to police the seating inside and this would potentially open up the restaurant to bogus complaints. In a perfect world, yes, I understand what you're saying, but unfortunately, we could never get there.

Conner Dowling: You would have to have an architectural solution, then, such as building an enclosed storage room or something like that, right?

Brian Law: I am not in the restaurant business, but I honestly do not see that as a viable option, even though I know where you are going, and I think it is a great idea. If you look at the variance order, which was really well-written, for Salt Life in 2012, Ms. Thompson highlighted condition number three of the order approving the variance, which states, "The requested reduction in the number and size of parking spaces granted herein is in conformance with the number and size of parking spaces provided by other restaurants in the City." Talking about hardships, that is a pretty good one, and this was something drawn to the Board's attention at the time Salt Life applied for the variance. The fact is, Crabby's is an existing restaurant on an existing lot, the building was rebuilt but did not get any bigger, as the square footage of the building footprint is still the same. Do we want to encourage outdoor dining? We all just suffered through multiple years of a pandemic, where outdoor dining was the only way for restaurants to generate revenue and keep residents employed and fed. This is a good time for the Board to think in conjunction with what we want the City to be in the future. Do we want strict parking codes that essentially prohibit all future development? All of you have lived here a long time, you know the lots are just flat out too small, and the commercial developments are too small. If a restaurant isn't of sufficient size, it can't generate revenue. Much like a hotel, if it doesn't have enough rooms, it can't generate profits. I think we will see more and more requests like this, so I would ask that you take a leisurely stroll down A1A Beach Boulevard and think of all the restaurants we have and all those parking lots. That is really all I can offer the Board at this time unless anyone has any technical questions.

Kevin Kincaid: Speaking for myself, I understand and completely appreciate what they are asking for and what they do as a business, I think it is awesome. My issue here is, if the City is going to have parking requirements that only create variances that try to get around them, maybe we shouldn't have these parking requirements, because I don't think our position here should be to determine whether or not the parking regulations are valid or reasonable each time somebody decides they want to have a business. I think the walk-up concept is great as well, my issue is the variance process, because we are looking at a variance right now, and we have been asked by the City Commission to provide some backup and reasoning if we decide to grant it. Again, I want to encourage the business and help it not only survive but thrive, to the extent that we can as a community, as I think it is a benefit to the whole community to have Crabby's here. But I'm worried about the next restaurant that wants to open up and says well, Crabby's had a variance because they didn't meet the parking requirements originally, and then they came back to make the variance even bigger because they wanted to serve more people with the same amount of parking. I think we are going to have a hard time as a Board defending that position because of the precedent it sets for the next variance applicant, as this is not a hardship created by the City or the property itself or by something that is outside of the property owner's control. That's what I am looking for with the hardship, because we require everybody who asks for a variance to provide a hardship the Board can evaluate.

Bruce McElhone: Just from an operational standpoint, we have a 45-minute to one-hour wait time sometimes, and it is because customers want to sit outside. It does not matter if there is seating inside or not, they are there for outdoor seating. So, they are waiting, and they are already parked. If we have the additional seats on the patio, we could actually feed them and get them out quicker. They are already there sitting on the couches out there and enjoying the live music outside on the paver patio, but we just can't provide any service to them, as we are not allowed to serve food and beverages to them because this would be additional outside dining. But those people are already there and already parked, so I don't think the conditional use for the additional outside seating is going to affect parking to any great extent. I think if you take into consideration the walk-up and bicycle customers along with the people that are already there, I don't know that much would change with this additional seating. If anything, I think it would let us open up some of the parking spaces quicker by getting people seated out on the patio, because they are already there, waiting on the patio, whether it is open for outdoor seating or not. They don't want to sit inside, they are coming to enjoy that outside area.

Kevin Kincaid: Do you have any idea where the overflow parking is going now?

Bruce McElhone: I think they are parking across the street, in the pier parking lot, but I think we also get a lot of walk-up customers coming from the beach. We did that study that logged in walk-up customers and found our business directly correlates with the weather conditions outside. When the weather is nice, we're busy at lunch and dinner times and when the weather is not nice, we are not busy. Aside from the pier parking lot across the street, and the public parking on 16<sup>th</sup> Street, which I've heard referenced quite a bit for parking, I don't know where else people are parking if they do not park in our lot.



Kevin Kincaid: The pier parking lot is a County-owned parking lot, so we do not care, that is the County's to regulate. They have been talking about putting in meters and whatever for years, and if they do that, this may affect your overflow parking. Have we had any complaints from nearby residents about parking in regard to Crabby's, that we know of?

Jennifer Thompson: No, not in regard to Crabby's, or any other business in that specific area.

Kevin Kincaid: This area is pretty much surrounded by fences and other businesses, so it is not like they can overflow parking to a neighborhood or to somebody else's business.

Keith Diaz: There are condominiums to the west of Crabby's, but that is about it.

Kevin Kincaid: There is a fence around these condominiums, so you can't get in there to park anywhere.

Jennifer Thompson: Also nearby is the public parking on the east side of Pope Road.

Larry Einheuser: The upstairs deck on the northeast corner was open before, when Panama Hattie's was there, correct?

Brian Law: No. That was the original roof over the drive-thru of the package store Panama Hattie's had a long time ago. To be used for outdoor seating, it will have to be evaluated by a state-licensed engineer and architect for new life safety plans, and occupant live load and dead load. Right now, this area is fenced off.

Hulsey Bray: Okay, so you want to add about 48 more seats, and I understand everybody wants to sit outside, but I also understand St. Augustine Beach. If you build it, they are going to come. How many more employees will you need for an additional 48 seats?

Bruce McElhone: We are actually probably over-employed, currently. We've got everybody on three days a week, as we have a significant staff on right now waiting to work their way up to five or six days a week and now that we are open for breakfast, everybody is jumping at the chance to work those extra hours.

Hulsey Bray: The study that logged in the number of customers who parked offsite showed this to be about 34%. It was mentioned that 16<sup>th</sup> Street and our neighborhoods are often used as parking for local businesses, and even though this parking is in the right-of-way and it is technically legal and is public parking, it is still in our neighborhoods, and a lot of folks live behind businesses, just like those ladies who were speaking earlier about Kookaburra customers parking all up and down their street. Crabby's is already 100 parking spaces under what it should have, and it is now asking for an additional 48 seats. This is a lot more people per hour during busy times, and a lot more traffic.

Keith Diaz: As Bruce already mentioned, these people may already be at Crabby's, waiting for a table outside to dine at during good weather. When the weather is bad, everybody

can park onsite for the most part, because it is not as busy. Also, 48 additional seats may not be 48 net new seats, as Crabby's may like to move some of their inside seating outside.

Conner Dowling: How many seats does Crabby's have right now?

Bruce McElhone: We have 240 seats.

Kevin Kincaid: Can we take one more stab at what the demonstrated hardship is?

Keith Diaz: I think the hardship is the customer service and Crabby's being able to pull people in that are waiting for 45 minutes to an hour for outdoor seating. If we can expand the outdoor seating and service patrons quicker, it's better customer service on our end, and this brings more people to the beach.

Kevin Kincaid: Okay, thank-you. Do we have any public comment on this?

Jeff Jabot, 712 Promenade Pointe Drive, St. Augustine, Florida, 32095: I own Salt Life Food Shack, at 321 A1A Beach Boulevard. My main reason for coming here tonight is that I know Salt Life is talked about a lot, and I just want to clarify that yes, it's true, I did get a variance for reduced parking for Salt Life, but I want you to understand that when I got that variance, I had a deal with the neighbor to the west of Salt Life to lease space for parking. Salt Life opened up on day one with 125 parking spaces, and that does not include the valet parking that has since been added. I don't think anybody really understands the parking problem we have down here, especially in the summer. I want Crabby's to know I really appreciate them coming here, and I'm sorry, because I feel bad, as I am a restaurant owner too and I know what it is like. I just want to explain the expense I've had over the past nine years doing what I said I would do, which was to keep Salt Life's customers and employees out of the pier parking lot. I've spent over \$866,000 in expenses in the past nine years, first structuring a deal with Don Craven, the owner of St. Augustine Beachfront Resort, on the property Embassy Suites now occupies, in addition to the parking lot to the west of Salt Life, which was Andy Gessell's warehouse/storage facility, to provide additional parking for employees and customers. I had the same deal with Key International after it bought the St. Augustine Beachfront Resort property, until construction of Embassy Suites began. When Key International expanded Embassy Suites, they came to me and I provided additional parking for them so they could keep their workers from using the pier parking lot. This lot is very important, and I did what I said I was going to do. If this variance is granted, I am afraid it will set a precedent and then everybody can do it. I could add another floor to Salt Life and go up to three stories or expand out. You have to think about all the other restaurants, like Mango Mango's, where Rick Worley bought additional property for parking on the side, and Sunset Grille, where Pete Darios and Mike Rosa leased the lot which they eventually bought across the street from Sunset Grille to provide more parking. It cost them a lot of money to buy this lot, and I overpaid for the lot to the west of me. I did that because I didn't want to lose the parking I promised the City I would make sure I had. We've had a problem down here with parking for a long time. It is true that a lot of Crabby's customers and employees park in the pier parking lot, as they have nowhere else to park. Crabby's should try to find

a solution as I and other restaurant owners have done, because if the Board grants this variance, this will open it up for a lot of other stuff to happen that I don't think will be good. I've spent \$866,000 to find a solution to the parking problem, as this is what I said I would do from day one, and I could actually currently provide 188 parking spaces, based on the property I own, and this doesn't include the valet parking, which could add another 40-50 parking spaces on top of that. Salt Life did its job in the community, and I just want to bring that to everyone's attention, because everyone keeps bringing up Salt Life.

Conner Dowling: Can you clarify the variance granted to Salt Life to allow the parking to be reduced to 69 spaces, versus the 125 spaces you said Salt Life has had from day one?

Jeff Jabot: I was granted a variance because I had 69 parking spaces at Salt Life when I started out developing the property. The reason I got the variance to reduce the required number of parking spaces was because the Planning and Zoning Board at that time found that the requested reduction in the number and size of parking spaces was in conformance with the number and size of parking spaces provided by other restaurants and commercial establishments in this area of the City. This was talking about Panama Hattie's, because Panama's at that time had 43 parking spaces and was a 10,000-square-foot building. So, the variance allowed a reduction in the required number of parking spaces because Panama's and other restaurants in the City also did not have the required number of parking spaces, and the Planning and Zoning Board felt it was not fair to hold Salt Life to a totally different standard. I promised to get additional parking for Salt Life, but I was granted the variance because the Board used Panama Hattie's, Sunset Grille and Mango Mango's as examples of other restaurants that also did not have enough parking. It was like the Board was saying that Salt Life should be on the same playing field as other restaurants. The difference, however, is that I spent a lot of money leasing and then buying that property to the west of Salt Life to provide additional parking for the past nine years. I have valet parking, I have golf carts, and from day one, I've never stopped improving the parking capacity for Salt Life. If I told you what these golf carts and the valet parking costs per year, it would amaze you. Why do I do it? Because I know how important that public parking lot at the pier is for the community and the residents to be able to park there and enjoy the beach, and yes, they occasionally walk over and come to enjoy our restaurant and they do come back. So, I got a variance for a reduction to 69 parking spaces. I think Salt Life needed 118 spaces, but from the day Salt Life opened, I had 125 parking spaces. I procured the additional parking spaces on my own, and this did not include what I could valet park on the lot next door. I was working on this lease before I even got the variance because I know how important parking is in the City.

Rhys Slaughter: I think it is hard to correlate exactly how many parking spaces are going to be needed for the efficiency of a restaurant, and I see both sides here. If Salt Life just magically went from 188 parking spaces down to 46, I think it would be hurt financially, business-wise, as the customer flow would not be there and potential customers are going to make a decision to go elsewhere. In addition to how great an operation Salt Life runs, I think a lot of people go there because it is easy to park there and you're in, you're served, and you're out, it's fast. If you don't have enough parking for customers, some people like me who are very impatient aren't going to stay. I don't know if the number

of parking spaces versus the number of tables a restaurant has necessarily correlates to how efficiently the place is run. Having more seating might alleviate the overflow of customers waiting for that precious outdoor seating. I get that, and I also get the argument from the owner of Salt Life about how much he's invested in parking. We appreciate that, and how much that has added to the City of St. Augustine Beach.

Conner Dowling: It is interesting to hear Salt Life's representation and the argument for setting a precedent. This does not worry me as much, because I feel that door is open already. Crabby's is operating with 46 parking spaces and is already at a huge deficit regardless of whether the additional square footage of outdoor seating is approved or not. That could be brought up to the City Commission by any number of business owners on the Boulevard right now, without anything the Board is looking at tonight really having a big impact one way or the other. Again, they are not talking about taking away any parking, which I appreciate, they are just adding outdoor seating. So, I'm still kind of torn, because I think it is an issue regardless of whether what they are asking for is approved or not. I think the email sent to me essentially has nothing to do with Crabby's, but was from someone who was curious as to how Panama Hattie's was allowed to rebuild and reopen in 2018 with the limited number of parking spaces it had to begin with. But that is where we are right now. Panama Hattie's was allowed to reopen in 2018 with the number of parking spaces Crabby's now has, and that is why they are here, I guess.

Kevin Kincaid: I was on the Board in 2018, and there was a lot of discussion and concern over parking, and the lack of parking, at the time. The Board obviously got by it and granted the variance to allow the owners of Panama's to continue the business. This is a difficult situation, as it's a large building which seats and takes care of a lot of people, and it is on a small lot. The configuration of the lot, because there is so much building on it, doesn't leave room for additional parking. So, I do think there is a hardship created with the small lot configuration, and Crabby's does not have the opportunity to lease a next-door lot for parking, as far as I know. I don't know that the opportunity exists to do what the owner of Salt Life was able to do to lease different things to create more parking. My bigger concern is the precedent. I do agree that the precedent has already been set, we've allowed a business to exist and overflow the parking. We know the parking overflows from Crabby's parking lot probably every night. It is a popular place, and I don't think they can reasonably park everybody onsite, that is just my opinion. But to extend the precedent, to recognize that we have already created a variance and we have already allowed this business with significantly less parking than it is supposed to have, and now to just say, well, we've already done that, why not just open the doors and let them have another 700 square feet, don't worry about the parking, that I do have a problem with. This sets another precedent and I think we need to reasonably look at their ability to run a business if they have to close up because they didn't get this variance and they can't serve enough people to make it financially feasible to run an operation here. I don't think this Board or the City Commission or anybody else has any desire to run businesses out of St. Augustine Beach. I'm torn about this, just personally, because I do want to support the local businesses. I don't know what Panama Hattie's story was, but I'm glad Crabby's came in and took over the business, they've obviously become pretty successful fairly quickly. I don't want to get in their way, they know how to run their business, but on the

other hand, I don't want to say the parking regulations are arbitrary and we don't need to support them just because they exist. I also want to recognize what other businesses have done for the City in honoring their obligations and keeping their word to provide parking, because they know what a problem parking is. Visitors benefit and the City benefits from having lots of visitors, but residents are the ones concerned about parking and the overflow running into the neighborhoods when businesses don't provide enough parking. I don't think there is a lot of impact on residences around Crabby's, because there are not a lot of residences around there, but again, my concern is just the precedent that is set by ignoring the parking regulations once and then doing so again. Was there a variance allowing the current 46 parking spaces before Panama Hattie's was rebuilt?

Brian Law: There actually wasn't a variance granted for parking reduction in 2018. This was handled through the concept review and final development order for the Panama Hattie's rebuild, because the building repair was in excess of 50%, meaning it tripped the threshold for substantial improvement in the zoning code. The FEMA code, which was addressed in the email copied to the Board, is not something any sitting board in this City has authority over, as authority over this resides in the Building Official. So, getting the zoning code and FEMA code mixed up in the email was very misleading. The bottom line is, the reduction of the required number of parking spaces was done with the final development order for the rebuild of Panama Hattie's, and not with a variance.

Kevin Kincaid: So that building has never had a variance for a lower parking threshold?

Brian Law: Not that I am aware of, but it may have, maybe back in the beginning of time.

Kevin Kincaid: The final development order, then, grandfathered the existing parking to the existing building, and this is the first variance application that has been submitted for a reduction to parking requirements. We are not being asked to expand a previously approved variance granting a reduction in the required number of parking spaces.

Brian Law: And you were right when said you remembered there was a room full of people here to discuss parking, building height, changes to the building with the rebuild, and landscaping plans, all of which were discussed at both the Planning and Zoning Board and City Commission hearings for the concept review and final development applications. For the last 10 years or so, final development orders for commercial development over 3000 square feet have ultimately been approved or denied by the City Commission.

Hulsey Bray: On summer days and holidays, I still have to go to work, and drive down A1A Beach Boulevard. There are tons of people, traffic, dogs, and electric bikes, and Crabby's has 100 parking spaces less than what it is supposed to have, today. Granting this variance to allow a further reduction in the parking requirements will not benefit the residents of our community. It will benefit Crabby's and the folks who have travelled from the northeast or Georgia or wherever, who will be able to be seated outside quicker and more easily. It is not going to benefit County residents who can only park at the pier parking lot or in someone's neighborhood to go the beach. It will not benefit any City or County residents, and with that being said, I make a motion to deny the variance request.

Kevin Kincaid: I am assuming that we cannot grant approval to one of these applications without granting approval to the other.

Brian Law: I would ask that the Board first vote on the variance application, and even if it not approved, you will still need to consider and vote on the conditional use application.

Kevin Kincaid: I guess my question is, if the variance is denied, does the conditional use permit application become moot, or could it still be granted?

Brian Law: The Board would still need to vote on it, as it is still a legal application appearing before this Board. The conditional use application could still be granted, as the Board has a wide latitude of power. Without officially telling the Board what to do, I would recommend the Board consider the variance first, and then use that decision in the consideration of the conditional use application. You may need to have additional discussion for the conditional use application before you make a motion and vote on it, but you do understand, I cannot tell you exactly what to do.

Kevin Kincaid: I'm getting that. Okay, we have a motion on the floor to deny the variance.

Rhys Slaughter: Sorry, one more question. There is already some existing seating outside, and this is just to expand the existing outside seating, correct?

Keith Diaz: Can I provide certification to that?

Kevin Kincaid: Yes, but first, we have a motion on the floor. Do we have a second to the motion?

Rhys Slaughter: I second the motion.

Kevin Kincaid: Okay. We have a motion and a second, and now we can have discussion on the motion. I would like to ask that we table the motion for a moment, so we can hear from the applicant again. Okay sir, you may now come back up and speak.

Keith Diaz: Regarding the question about the outdoor seating, there is currently outdoor seating up on the second-floor deck, but no outdoor seating on the first floor. So, that is part of the conditional use application, not the variance application. Going back to what was mentioned earlier about those being separate, the variance is for the second-floor expanded deck area, and the conditional use is just for the first-floor outdoor seating area.

Rhys Slaughter: Thank-you. Apologies for my ignorance again, but if the expansion of the outdoor seating is completely separate, then we could vote to allow Crabby's to use the downstairs area for outside seating as well as the existing outside seating on the second-floor deck, without allowing them to expand the outside seating on the second-floor deck.

Brian Law: If I may, I think we're getting a little off track here. To understand this, you have to understand the definition of gross floor area, and I promise you, it is not what you

think it is. The definition specifically applies to restaurants, and states gross floor area is “The sum of the gross horizontal areas of the several floors, decks, patios and areas used for serving of or consumption of food and beverages of a building measured from the exterior face of exterior walls and outer perimeters of decks, patios and areas used for serving of or consumption of food and beverages or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, or any space where the floor-to-ceiling height is less than six feet.” In this City, gross floor area is defined as an area where the serving and consumption of food and beverages takes place. So even an increase of outdoor seating for the serving and consumption of food would technically increase the gross floor area of the structure. Currently, Crabby’s has musicians out there, I’ve witnessed this many times on my runs or walks at night, and there are some benches out there, which they can have. But Crabby’s cannot provide food and beverage service out there because that would technically be an increase in gross floor area. The parking requirements for restaurants require one space for every 55 square feet of gross floor area, so as you can see, to increase the outside seating area by 300 square feet for the serving and consumption of food and beverages, even though people are sitting out there already listening to music, technically would require an increase in parking. Hence, the variance needs to be evaluated before the Board can evaluate the conditional use permit application.

Kevin Kincaid: Right. So, if I go back to the question I asked earlier, if the variance is denied, we couldn’t grant the conditional use permit to allow Crabby’s to expand their outdoor seating or serving area, as this would also expand their gross square footage area, and the Board could not grant this without allowing a reduction in the required number of parking spaces. We could grant the variance without granting the conditional use permit, but we could not grant the conditional use permit without granting the variance.

Brian Law: Your logic is sound.

Kevin Kincaid: Thank-you. Any other questions or comments?

Charlie Douglas: I wanted to ask Brian if, historically, motions have been presented as a negative, or denial, as applicants appearing before the Board are requesting approval. In your experience, have there been circumstances in the history of this Board where the motion comes in the form of a negative, which is to not approve?

Brian Law: There have been motions to deny, and there have also been motions to table applications pending additional information, as well as motions to approve. In any case, a decision to table, approve, or deny an application has to be made at some level.

Kevin Kincaid: Okay. We have a motion to deny and a second on the motion. Is there any further discussion on the motion? Hearing none, let’s call for a vote on the motion.

**Motion:** to deny Land Use Variance File No. VAR 2023-06, for a reduction of the minimum parking requirements for proposed expansion of outdoor seating areas for food and/or beverage service and consumption outside of an enclosed building on the premises of a

restaurant, Crabby's Beachside of St. Augustine, in a commercial land use district at 361 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080. **Moved** by Hulsey Bray, **seconded** by Rhys Slaughter, **passed 5-0** by the Board by unanimous roll-call vote.

C. Conditional Use File No. CU 2023-05, for a conditional use permit for expansion of food and/or beverage service and consumption outside of an enclosed building, consisting of an additional 360-square-foot first floor outside serving area, on the premises of a restaurant, Crabby's Beachside of St. Augustine, in a commercial land use district at 361 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, Greg Powers and Keith Diaz, Agents for 361 Beach Holdings LLC, Applicant

Kevin Kincaid: Okay, so now we will consider the conditional use permit. We can discuss this, but I do not think the conditional use permit can be approved without the variance, which was just denied. I will make a motion to deny the conditional use permit request.

Rhys Slaughter: I will second that motion.

Kevin Kincaid: Any discussion on the motion, any public comment, or would the applicants like to add any further remarks? Hearing none, let's call for a vote please.

**Motion:** to deny Conditional Use File No. CU 2023-05, for a conditional use permit for food and/or beverage service and consumption outside of an enclosed building on the premises of a restaurant, Crabby's Beachside of St. Augustine, in a commercial land use district at 361 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080. **Moved** by Kevin Kincaid, **seconded** by Rhys Slaughter, **passed 5-0** by the Board by unanimous voice-vote.

Kevin Kincaid: I would like to make a comment if I could, even though the motions are gone. I want to say that for just me personally, not speaking for the Board, I sympathize completely with the business, and I believe I understand the benefit that Crabby's brings to St. Augustine Beach. I hope there is a way the applicants can appreciate the consideration that has to come from the Board about setting precedent and guidelines, and respecting the current statutes and parking regulations the City has, and I would encourage Crabby's to seek out additional opportunities for parking as the owner of Salt Life has done to alleviate the concerns of the community. If Crabby's can find additional ways to alleviate the already non-conforming parking, I would encourage the applicants to do this and I would like to see this come back to the Board with additional parking alternatives and opportunities to help increase the number of available parking spaces.

D. Review of draft Ordinance No. 23-\_\_, for proposed code changes to the City of St. Augustine Beach Land Development Regulations, Section 8.00.10, pertaining to nonconforming signs

Jennifer Thompson: This next item is for proposed changes to the code for non-conforming signs. In February of this year, 25 local businesses received letters from the City's Code Enforcement Department informing them that their current signs were legal, non-conforming signs that would need to come into compliance as of August 1, 2023.



After receiving this letter, several business owners approached the City Commission to ask that the code be changed to allow their existing non-conforming signs to be grandfathered. So, the draft ordinance before the Board has the proposed code changes which were tweaked by myself, the City Attorney, and the City Commission, and essentially, these code changes remove the current language in the code that says these legal non-conforming signs must be removed as of August 1 of this year, and add that such legal non-conforming signs may be kept until the business wants to do a substantial improvement to the sign or if the sign gets damaged, at which time, the sign would have to come into conformance with the City's sign regulations. The maximum sign height per these regulations is 12 feet, and all of the 25 signs for which the letters were sent from the City's Code Enforcement Department were over that maximum height limit of 12 feet.

Kevin Kincaid: So, the proposed code changes would not allow any new signs to be non-compliant with the current sign regulations but would allow any existing non-compliant signs to be grandfathered.

Jennifer Thompson: Yes. Those 25 businesses that were contacted earlier this year would be allowed to keep their existing non-conforming signs as they are until they become substantially damaged or until a business owner wanted to make major changes to a non-conforming sign, at which time, the sign would have to come into compliance.

Kevin Kincaid: Were all these signs permitted before the current sign regulations went into effect?

Jennifer Thompson: Yes, I believe so, as these 25 signs are all fairly old. However, I haven't gone through the entire list of 25 to see if there were any variances granted to allow them to exceed the 12-foot height maximum for signs.

Brian Law: The sign code was changed as a result of the City's first Vision Plan, and basically, the effective date in the current code which limits sign height to a maximum of 12 feet was one of the big changes of the Vision Plan. These signs were probably legal at the time of construction, but when the City changes the code, we don't expect immediate compliance, as the changes are more for the future of the City. For example, what does the City want for future parking, signs, and architectural profiling down the road? All of this starts with a vision plan, which then rolls into ordinance formats that are reviewed and tweaked as the changes are brought into the code piece by piece.

Kevin Kincaid: So, is this just trying to be fair to the businesses that have existing non-conforming signs?

Jennifer Thompson: Yes. Signs are quite expensive, and can cost tens of thousands of dollars, if not more.

Brian Law: We're seeing signs coming in at a cost of about \$25,000--\$30,000 for new 12-foot metal signs rated to withstand hurricanes. As this is the first reading of the ordinance, procedurally, the preamble has to be read aloud by the City Attorney.

Charlie Douglas: "Ordinance No. 2023-\_\_\_, an ordinance of the City of St. Augustine Beach, Florida, making findings of fact; amending the City's Land Development Regulations, Section 8.00.10, non-conforming signs; repealing all ordinances or parts of ordinances in conflict; providing for codification; and providing an immediate effective date."

Kevin Kincaid: Any questions, additions, changes, deletions, or recommendations? Any public comment? Hearing none, do we have a motion to recommend this to the City Commission?

Brian Law: If you recall, the City changed the procedure for ordinances, as this Board was seeing proposed ordinances first but just making a recommendation to the Commission as to whether or not they should be adopted. This procedure increased the number of meetings for the reading of ordinances from the minimum of three meetings to four meetings. As the Planning and Zoning Board is very capable of making decisions to approve or amend a proposed ordinance on first reading, the procedure was changed about a year ago to allow the Board to do this, and this is why the Board now needs to make a motion and vote to approve, amend or deny the draft ordinance on first reading.

**Motion:** to approve draft Ordinance No. 23-\_\_\_ as written on first reading and forward it to the City Commission for second reading. **Moved** by Kevin Kincaid, **seconded** by Hulsey Bray, **passed 5-0** by the Board by unanimous voice-vote.

**VI. OLD BUSINESS**

Jennifer Thompson: Next to your packets, you were all given a copy of an email sent from Amber Halcrow of 1565 Woodworks (**EXHIBIT C**), thanking the Board for the variance she applied for on behalf of a customer, which the Board approved at last month's meeting.

**VII. BOARD COMMENT**

There was no further Board comment or discussion.

**IX. ADJOURNMENT**

The meeting was adjourned at 7:19 p.m.

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Kevin Kincaid, Chairperson

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Bonnie Miller, Recording Secretary

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDING WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE AUDIO/VIDEO CAN BE OBTAINED BY CONTACTING THE CITY MANAGER'S OFFICE AT 904-471-2122)



## **City of St. Augustine Beach Building and Zoning Department**

**To:** Comprehensive Planning and Zoning Board  
**From:** Jennifer Thompson, Planner  
**CC:** Brian Law, Director of Building and Zoning, Bonnie Miller, Senior Planner  
**Date:** 05/30/2023  
**Re:** Land Use Variance File No VAR 2023-07

Land use variance file no VAR 2023-07 is a request to reduce the required rear and side setbacks for a 196 square foot shed located at 202 Azalea Avenue in a low-density residential land use district.

The City's Land Development Regulations require that any storage shed exceeding ninety-six (96) square feet should adhere to the setbacks in section 6.01.03. For this property, the shed is required to have a rear setback of 20 feet and a side setback of 10 feet. Currently the shed is 4.3 feet from the rear property line and 7.7 feet from the side property line.

Variance application VAR 2021-08 requested a reduction of the rear yard setback from 20 feet to 2 feet for a 100 square foot shed located at 8 Beach Street. This variance request was denied on December 21<sup>st</sup>, 2021.

Variance application VAR 2021-03 requested a reduction of the rear yard setback from 25 feet to 12 feet, and a reduction of the side yard setback from 10 feet to 5 feet for a 120 square foot shed located at 109 Kings Quarry Lane. This variance request was denied on March 16, 2021.

Sincerely,

*Jennifer Thompson, CFM*

Planner

Planning and Zoning Division



## **City of St. Augustine Beach Building and Zoning Department**

**TO: Planning and Zoning Division**

**FROM: Brian Law**

**SUBJECT: 202 Azalea Ave variance**

**DATE: 6-8-2023**

The 2020 Florida Building Code has no objection to a reduced rear setback nor a reduced side yard setback for a site built shed. In the event a variance is granted a building permit shall be applied for and issued prior to any further construction. No other request for variances are considered at this time.

*Brian W Law*

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

Jennifer  
Bonnie

City of St. Augustine Beach Building and Zoning Department  
Variance 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 parcel for which the variance is being sought:  
Lot(s) 42 Block(s) 1 Subdivision Woodland Estates  
Street Address 202 Azalea Ave
2. Location (N, S, W, E): S Side of (Street Name): Azalea Ave
3. Is the property seaward of the Coastal Construction Control Line (CCCL)? Yes ☒ No ☐ (Circle one)
4. Real estate parcel identification number: 1631510420
5. Name and address of owner(s) as shown in St. Johns County Public Records:  
Michael and Cheryl O'Steen  
202 Azalea Ave St. Aug FL 32080
6. Current land use classification: Single family to 4.3'
7. Land use variance being sought: reduction of rear setback ~~15'~~  
and side variance of ~~11'~~ to 7.7'
8. Section of land use code from which the variance is being sought: Required setbacks are  
20' rear & 10' side
9. Reasons for which the variance is being sought: 4.3'
  - Shed is placed 4.3' off the back, in line with pool screen
  - The shed is placed back from the Driveway
  - The best area for placement.
10. Supporting data which should be considered by the Board: Please see  
Plans Attached.

11. Has a variance application been submitted in the past year? Yes No (Circle one) If yes, what was the final result? \_\_\_\_\_

12. 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)~~ NA

☐ 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

☐ Signed and sealed survey not older than one year showing all existing structures and improvements

☐ Other documents or relevant information to be considered

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

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

If granted, the variance will expire within one year from the time it was granted, unless more time was requested and granted in the application process. After one year has passed and the requested action has not taken place, the variance shall be considered null and void. The application must be signed by either the owner or the owners authorized agent. If an authorized agent's signature is used, a notarized written authorization approving such representation must accompany the application.

O'Steen

Print name (owner or his/ her agent)

Print name (applicant or his/her agent)

COB

Signature /date

3/17/13

M. O'Steen

Signature /date

3/17/23

202 Azulea Ave

Owner/agent address

Applicant/agent address

904-471-8007

Phone number

Phone number

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

**\*\*Variances 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 Comprehensive Planning and Zoning Board does not constitute approval for variation from the covenants and restrictions.\*\***

Date: 3/27/2023

Variance File #:

VAR 2023-07

Applicant's name: \_\_\_\_\_

**O'Steen  
202 Azalea Ave  
St. Augustine, FL 32080**

Applicant's address: \_\_\_\_\_

For land use variance at:

202 Azalea Avenue, St. Augustine  
Beach, Florida 32080

### Charges

Application Fee: \$400.00

Date Paid:

3.27.23

Legal Notice Sign: \$10.00

Date Paid:

3.27.23

Received by

Jewwiler

Date

3.27.23

Invoice #

I 23 00961

Check # or type of credit or debit card

1494

## Instructions for Applying for a Land Use Variance

- A land use variance seeks to allow for adjustments to the City's Land Development Regulations, such as setbacks or impervious surface requirements.
- The City's Comprehensive Planning and Zoning Board decides whether to grant or deny a variance request. The Board's decision **MUST** be based on whether the request meets each of the six conditions listed below.
- To help the Board evaluate your variance request, you must provide a reason or reasons for each of the six conditions. If you believe that a condition does not apply to your request, then you are to write "Not Applicable" and give the reason or reasons why the condition is not applicable to your request.
- Failure to provide a response to each of the six conditions will require the Building and Zoning Department to return your application to you. The Building and Zoning Department staff will gladly provide any assistance should you have questions regarding the listed conditions. You may use additional sheets of paper for your responses as needed. Documents may consist of pictures, photographs, maps, public records, letters from neighboring property owners or other items you may find to explain the circumstances for the variance request.

## Considerations for the Granting of a Land Use Variance

- 1) Describe the hardship that is created by following the current land use codes and regulations. Do the associated Land Development Regulations make it virtually impossible to use the property as zoned unless a variance is granted? If so, please explain.

See attached

- 2) Describe similar variances that have been granted in the vicinity of the property since adoption of the City's Comprehensive Plan and Land Development Regulations.

Not Applicable



- 3) Was the property acquired after parts of the current Land Development Regulations (which are relevant to the requested variance) were adopted? Please explain factually.

unknown

- 4) Explain how the variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.

see attached

- 5) Explain how the granting of a variance will not alter the character of the neighborhood, diminish property values, or impair the appropriate use or development of adjacent properties.

see Attached

- 6) If the variance were approved, what would be the effects on traffic congestion in nearby streets, danger of fire, and on-site or off-site flooding?

None

## Documentation Needed for a Land Use Variance

- 1) The legal description of the parcel of land for which the variance 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 the lot and block number. Include street address and location indicating street boundary and side (north, south, east, west) and nearest intersecting street.
- 2) If the land is a portion of the lot, indicate what portion of the lot (for example, south one-half, north one-third, east one-fourth, etc.). If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.
- 3) The name(s) and address of the owner(s) of the property shall be provided, and this information shall agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.
- 4) Applicant shall provide a detailed description of the land use variance being sought. If this is more extensive than can be described on the form, additional sheets can be used.
- 5) Notification of all property owners within a radius of 300 feet of the property for which the variance being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide variance applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the variance 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 variance 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. Variance applicants may provide a separate petition with the signatures of affected property owners who approve or do not object to the granting of the requested variance, but these persons should not sign the application itself. Variance applicants should ensure correct names and addresses are provided, as incorrect information shall delay or nullify any action on the variance application.
- 6) The section(s) of the City's land use codes from which the variance is being sought shall be listed on the application. The Building and Zoning Department staff will assist you with this or any other matter involved in the variance application process.
- 7) A fee of \$400.00 will be charged for the variance administrative procedure and the legal advertising, along with \$10.00 for the legal notice sign, provided by the Building and Zoning Department, which will be posted on the property for which the variance is sought within clear view of the street and not more than 10 feet inside the property line.

City of St Augustine Beach  
Variance Application

Michael and Cheryl O'Steen  
202 Azalea Ave  
St Augustine, FL 32080  
904-687-9360

We are seeking a variance for our storage shed in our yard. As we now understand, if we want a storage shed 96 sq ft and under, the location would be ok. We did not realize that a permit was needed to replace a shed. Our shed will be 192 sq ft. This shed will have no power, no insulation, no plumbing. It's simply a nice-looking storage shed. The size we want will look the same from the rear street view. Our neighbor on the west side doesn't have any view due to a high hedge. The east side is facing our pool screen. Our rear property butts a drainage ditch and 11<sup>th</sup> St. There is approximately 40' from our rear yard to the street behind us. We require a large shed because of the amount of lawn equipment we own. Mike and I are responsible for the maintenance of the island at our front entrance that we keep edged and trimmed. (Woodland Estates) We also prefer to park our vehicles inside the garage, rather than use our garage as a storage shed. We own bicycles, outdoor heaters, oyster roast tables, the Christmas lights for the front entrance and all types of other things that need to be stored in a shed. We have lived in SAB for 28 years and certainly care about how things look here on our beautiful island. We chose to build a shed to match our house vs buying an ugly metal shed that wouldn't look as nice. Our new shed replaces an old one we had on the opposite side of the house. We decided to move it so it would be easier to access by the driveway. It is in the spot where our children's swingset/playset was located for years, which was larger than the shed, ironically. We did not realize we were making a mistake by not getting a permit. We certainly weren't trying to hide it as we worked on it during the week and during the day.

Supporting data:

Item 10: We have signed petitions and representation here from neighbors who have no objection.

Considerations:

- 1: The shed is placed in the best possible location in our yard. If it were to be moved forward to accommodate the 20' setback, it will be much closer to our driveway, (be more visible to our neighbors) impede the walk way and entrance to our pool and outdoor shower. It will also prevent us from being able to park additional cars when needed as well as boat cleaning.
2. It isn't hard to drive/walk around the beach neighborhoods and see many sheds, of various sizes and materials, all not within the 20' setback. Many are against fences with adjacent properties. Photos included.

4. We have the shed in line with our pool screen to be aesthetically pleasing. The shed matches the house. If we move it forward, it will look odd, standing in the middle of the yard. The 20' behind the shed will be rendered useless.

5. As stated, the neighbors have zero objections. The shed is well built and matches the property. It isn't a inferior metal shed purchased from a big box store. We have no one behind us. Visually, the view from behind will be the same, if the shed were smaller or if it were moved forward.

Prepared By And Return To:  
**SOUTHEAST TITLE GROUP, LLP**  
Address: 93 Orange Street  
St. Augustine, FL 32084  
SE File #98S-06022ALB/  
Property Appraisers Parcel I.D. Number(s):  
163151-0420  
Grantee(s) S.S.#(s):

Public Records of  
St. Johns County, FL  
Clerk# 98030099  
O.R. 1331 PG 1673  
11:50AM 07/08/1998  
REC \$5.00 SUR \$1.00  
Doc Stamps \$367.50

## WARRANTY DEED

**THIS WARRANTY DEED** made and executed the 7th day of July, 1998 by CLAUDE L. WEEKS, JR., conveying non-homestead property, hereinafter called the Grantor, to CHERYL O'STEEN and MICHAEL O'STEEN, HER HUSBAND, whose post office address is: 214 4TH STREET, ST. AUGUSTINE, FLORIDA 32084, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

**WITNESSETH:** That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee all that certain land situate, lying and being in ST. JOHNS County, State of Florida, viz:

**LOT 42, BLOCK 1, WOODLAND ESTATES, UNIT TWO, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 14, PAGES 66 AND 67, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.**

**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, and hereby 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 easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 1997.

**IN WITNESS WHEREOF**, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered  
in the presence of:

Witness: APRIL LYN BISHOP

Witness: ANTHONY J. DARDI

Claude L. Weeks, Jr.  
CLAUDE L. WEEKS, JR.  
Address: P. O. BOX 3225

ST. AUGUSTINE, FLORIDA 32085

Witness:

Address: P. O. BOX 3225  
ST. AUGUSTINE, FLORIDA 32085

Witness:

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

I hereby certify that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared CLAUDE L. WEEKS, JR., who produced the identification described below, and who acknowledged before me that they executed the foregoing instrument.

Witness my hand and official seal in the county and state aforesaid this 7th day of July, 1998.



Claude L. Weeks, Jr.  
Notary Public:  
Identification Examined:  
Florida Driver's License

Dear Planning and Zoning members,

We are residents in the subdivision of Woodland Estates.  
We have no objection to the shed that the O'Steen's are  
constructing at 202 Azalea Ave.

Name: Merlyn Hardisty Address: 198 Azalea Ave

Name: Pete Clark Address: 700 Azalea Ave

Name: Daniel A. Stewart  
DANIEL STEWART Address: 112 Dogwood Dr

Name: Raymond M. Johnson Address: 116 Dogwood Dr

Name: Bradley Buttrick Address: 206 Azalea Ct.

Name: Michael O'Connor Address: 207 Azalea Ct.

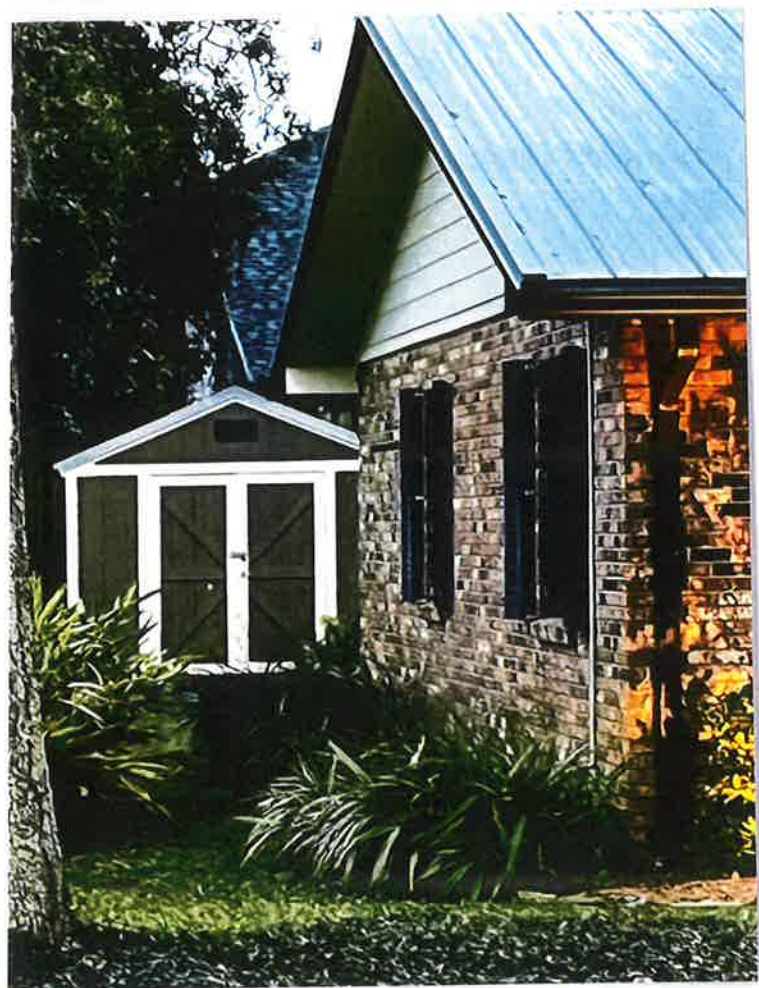
Name: T. Scott Galvin Address: 59 Quail Ct. St. Augustine

Name: John P. Clark Address: 209 AZALEA CT. ST. AUG

Name: John P. Clark Address: 205 Azalea Ct St Aug

Name: Kenneth Cavanaugh Address: 204 Azalea Ct.

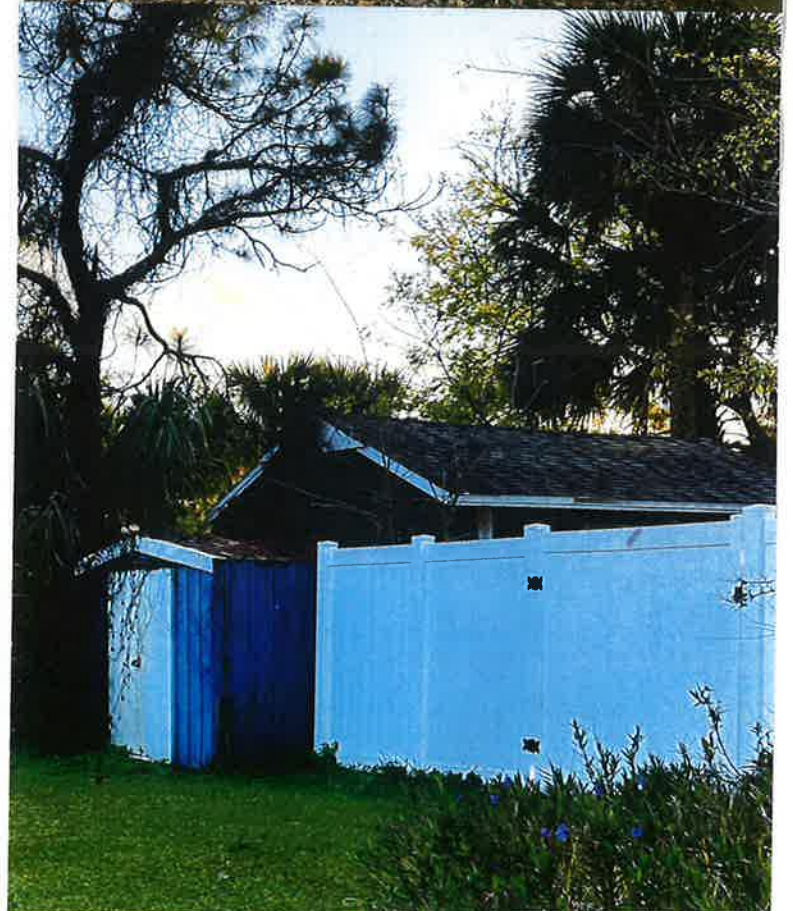
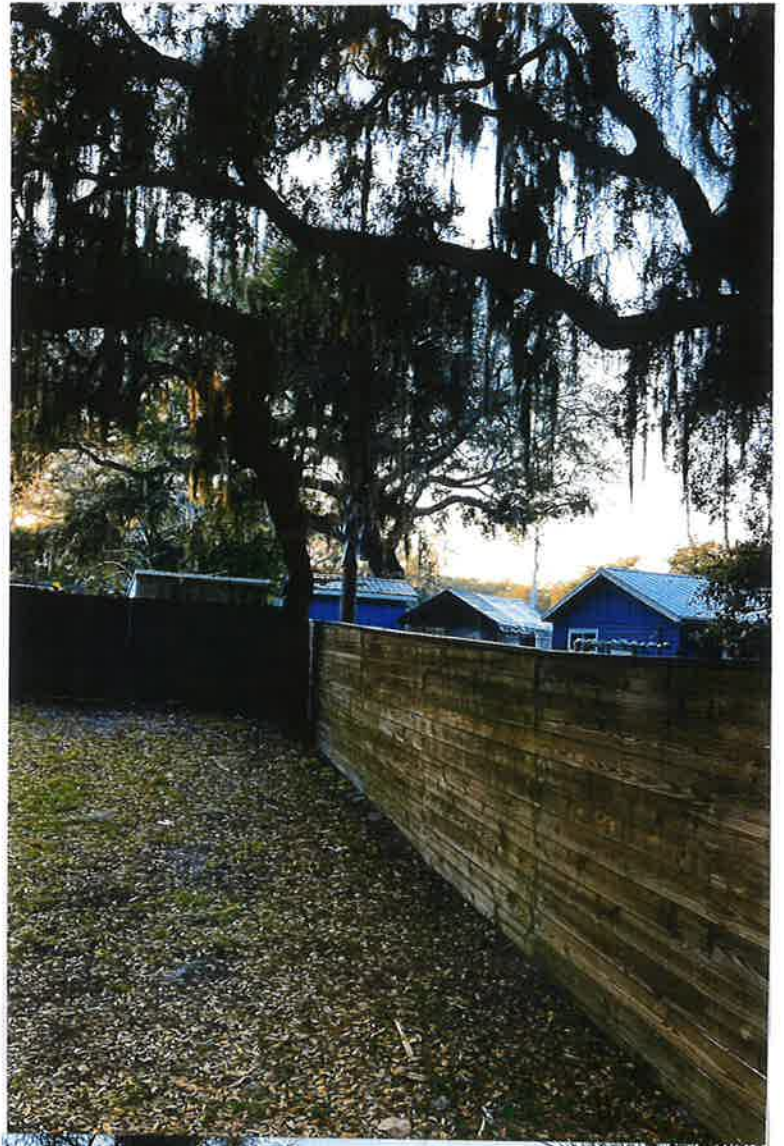


















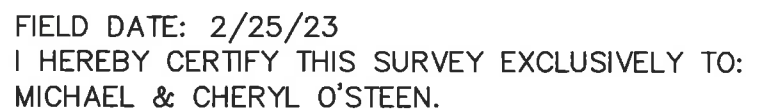








ASSUMED



$\Delta$  - DENOTES CENTRAL ANGLE  
 R - DENOTES RADIUS  
 T - DENOTES TANGENT DISTANCE  
 L - DENOTES LENGTH OF ARC

NOTES:

THIS IS A BOUNDARY AND LOCATION SURVEY, CORNERS AS NOTED.  
NO UNDERGROUND STRUCTURES OR UTILITIES. LOCATED OR SHOWN.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE  
OPINION, LEGAL DESCRIPTION WAS PROVIDED BY CLIENT. NO RECORD  
OF EASEMENTS WERE PROVIDED TO SURVEYOR, EXCEPT AS SHOWN.

ELEVATIONS ARE BASED ON UNITED STATES COASTAL & GEODETIC SURVEY (U.S.C. & G.S.) N.A.V.D. 1988.

NORTH IS ASSUMED, BASED ON THE SOUTH LINE OF LOT 42,  
REFERENCE BEARING AS SHOWN.

CERTIFICATION: I HEREBY CERTIFY, that the survey shown hereon was made under my direction and supervision and is correct to the best of my knowledge and belief and that it meets the standards as set forth in Chapter 5J-17, Florida Administrative Code, pursuant to section 472.027, Florida Statutes.

R. Belth

R. BRANDT WILSON, P.L.S., FL. CERT# LS4690  
Not valid without the signature and the original raised  
seal of a florida licensed surveyor and mapper

BRANDT WILSON PLS  
PROFESSIONAL LAND SURVEYOR  
1835 GREEN SPRINGS CIRCLE, #A  
FLEMING ISLAND, FL., 32003  
1-(904)471-7512

DRAWN BY: BW

JOB NO.: 23-032

SCALE: 1" = 20'

SHEET NO. 1 OF 1

**IMPERVIOUS SURFACE RATIO (ISR) WORKSHEET**

**IMPERVIOUS SURFACE:** Any building, surface, concrete, pool, wet retention/detention areas, pavement or surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes, but is not limited to, semi-impervious surfaces such as compacted clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

**IMPERVIOUS SURFACE RATIO (ISR):** The ISR shall be calculated by dividing the total impervious surface area by the total area of the proposed development site or project. Alternative porous paving with a 10% or greater permeability shall not count as ISR coverage.

**PERMEABLE PAVERS WITH 10% OR GREATER PERMEABILITY SHALL BE LIMITED TO 15% OF LOT COVERAGE IN LOW AND MEDIUM DENSITY LAND USE DISTRICTS (SEE #8 BELOW).**

Site Address 202 Azalea Ave Lot Area 13,200 square feet

Impervious Surfaces:

1. Building footprint 2,514 square feet
2. Parking & driveway areas 1,442 square feet
3. Access easements \_\_\_\_\_ square feet
4. Walkways 294 square feet
5. Pools and decks (size per survey) 23' x 50' 1,150 - 465 (allowance) = 685 square feet
6. Other (screen rooms, patios, porches, etc.) Shed 192 196.02 per survey square feet
7. Equipment and air-conditioning pads 36 square feet
8. Permeable pavers > 10% permeability \_\_\_\_\_ square feet

Total Impervious Surfaces: \_\_\_\_\_ square feet

4,943 5,167.02 ÷ 13,200 = 37 39.14.1  
 Total Impervious Surfaces Lot Area Impervious Surface Ratio %

I [Signature] (signature) certify that the calculations submitted above for the impervious surface ratio calculations are accurate and complete.

Name Michael O'Steen Date 3/24/23

Address 202 Azalea Ave St. Augustine Beach FL 32080 Phone 904 687 9360

Email address minorcawmich@ gmail.com

Max ISR = 40% for low density residential  
 + additional 465 sq ft for pool/pool deck  
 \* Red Item corrected by J. Thompson

## Jennifer Thompson

---

**From:** Brian Law  
**Sent:** Friday, May 26, 2023 1:31 PM  
**To:** Jennifer Thompson  
**Subject:** FW: CITY OF ST. AUGUSTINE BEACH New Resident Self-Service Request

**From:** SAV@EdmundsGovTech.com <SAV@EdmundsGovTech.com>  
**Sent:** Friday, May 26, 2023 11:14 AM  
**To:** Brian Law <blaw@cityofsab.org>; Lacey Pierotti <lpierotti@cityofsab.org>; Gil Timmons <gtimmons@cityofsab.org>  
**Subject:** CITY OF ST. AUGUSTINE BEACH New Resident Self-Service Request

**CAUTION:** This message originated from outside of your organization. Clicking on any link or opening any attachment may be harmful to your computer or the City. If you do not recognize the sender or expect the email, please verify the email address and any attachments before opening. If you have any questions or concerns about the content, please contact IT staff at [IT@cityofsab.org](mailto:IT@cityofsab.org).

A new Resident Self-Service request has been submitted.

Case  
Number: 173

Status: Pending

Name: Daniel P Stewart

Email: [stewdp55@gmail.com](mailto:stewdp55@gmail.com)

Phone: 904471217

Parcel Id:

Property  
Loc:

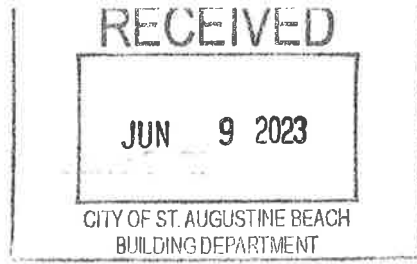
Other:

Lat/Lng: 0.000000, 0.000000

Category: UNPERMITTED CONSTRUCTION

Description: I write in support of the variance for a structure partially built at 202 Azaela Court. I am totally in support of this project. I would like this added to the minutes of the hearing in June. Thank you.

This is an automated message, please do not reply.  
Edmunds GovTech



June 8, 2023

110 Dogwood Drive

St. Augustine, FL 32080

Mr. Kevin Kincaid, Chair

The Comprehensive Planning and Zoning Board

City of St. Augustine Beach

St. Augustine Beach, FL 32080

Dear Mr. Kincaid:

This is a letter of support for the request being made by Cheryl and Michael O'Steen, 202 Azalea Avenue, St. Augustine Beach, FL, 32080, for a land use variance for a rear yard setback reduction from the minimum 20-foot rear yard setback requirement. Being neighbors of the O'Steens, the 192 square foot storage shed is not an issue.

It is our hope that The Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, approve their request.

Sincerely Yours

A handwritten signature in dark ink, appearing to read "Ray Johnson". The signature is stylized with a large, looped "R" and a cursive "Johnson".

Ray Johnson

A handwritten signature in dark ink, appearing to read "Judy Johnson". The signature is cursive and fluid, with a large "J" and a cursive "Johnson".

Judy Johnson





**City of St. Augustine Beach Building and Zoning Department**

**To:** Comprehensive Planning and Zoning Board  
**From:** Jennifer Thompson, Planner  
**CC:** Brian Law, Director of Planning and Zoning, Bonnie Miller, Senior Planner  
**Date:** 05/31/2023  
**Re:** Land Use Variance File No VAR 2023-08

Land use variance file no VAR 2023-08 is a request to exceed the allowable lot coverage by 4.5% for a new proposed 4,822 square foot single-family residence at 7 15<sup>th</sup> St for a total of 39.5% lot coverage. The City's Land Development Regulations allow the maximum lot coverage for residential lots to be 35%.

The Comprehensive Planning and Zoning Board approved an increase in lot coverage from 35% to 37.6% for a 324 square foot addition located at 607 11<sup>th</sup> St on April 18<sup>th</sup>, 2023.

Sincerely,

*Jennifer Thompson, CFM*

Planner

Planning and Zoning Division



**City of St. Augustine Beach Building and Zoning Department**

**TO: Planning and Zoning Division**

**FROM: Brian Law**

**SUBJECT: 7 15<sup>th</sup> street variance**

**DATE: 6-8-2023**

The 2020 Florida Building Code has no objection to an increased ISR from 35% to 37.6%. No other request for variances are considered at this time.

*Brian W Law*

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

**City of St. Augustine Beach Building and Zoning Department  
Variance 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 variance is being sought:

Lot(s) 110 Block(s) \_\_\_\_\_ Subdivision Atlantic Beach

Street Address 7 15th Street

2. Location (N, S, W, E): S Side of (Street Name): 15th Street

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

4. Real estate parcel identification number: 1676200000

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

Capwell Robert Edward and Capwell Amy Abaray

7 15th Street, St. Augustine, FL 32080

6. Current land use classification: SFR

7. Land use variance being sought: Seal approx. 125 sqft. of 3rd floor balcony & approx. 70 sqft. of rear balcony for stairway and exceed building to lot coverage ratio by 4.5%.

8. Section of land use code from which the variance is being sought: Sec. 3.02.04

9. Reasons for which the variance is being sought: Variance is being sought due to non-conforming size of lot

from other platted lots due to the St. John's Electric Trolley put into place around 1914. The hardship is the

dimensions of the lot and the ability to build within the current lot configuration. Owner trying to protect balconies

and garage area from sun and weather exposure and not requesting additional living space. ISR worksheet

indicates that total impervious surface ratio is at 47.5% and in conformance of the 50% requirement.

10. Supporting data which should be considered by the Board: Refer to attached "Landmark Web Official Records

Page 32 Book 2 Plot Files" indicating the St. Johns Electric Trolley and the creation of the original plot non-conformance

Lot 110 as indicated in yellow. Refer to current property survey of 7 15th Street which displays the non-conforming lot

size. Reference attached letters from adjacent property owners which indicates no objection to the proposed plans.

Reference "Proposed Building Plans - 7 15th Street - Sheet 2B for additional detail.

11. Has a variance application been submitted in the past year? Yes ☒ No (Circle one) If yes, what was the final result? \_\_\_\_\_

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

(X) Legal description of property

(X) Copy of warranty deed

( ) Owner Permission Form (if applicable)

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

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

(X) Signed and sealed survey not older than one year showing all existing structures and improvements

(X) Other documents or relevant information to be considered

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

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

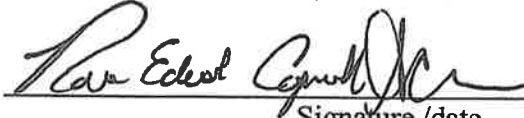
If granted, the variance will expire within one year from the time it was granted, unless more time was requested and granted in the application process. After one year has passed and the requested action has not taken place, the variance shall be considered null and void. The application must be signed by either the owner or the owners authorized agent. If an authorized agent's signature is used, a notarized written authorization approving such representation must accompany the application.

Robert Edward Capwell and Amy Abaray Capwell

Print name (owner or his/ her agent)

Robert Edward Capwell

Print name (applicant or his/her agent)

 4/16/2023  
Signature /date

 4/16/2023  
Signature /date

7 15th Street, St. Augustine Beach, FL 32080

Owner/agent address

7 15th Street, St. Augustine Beach, FL 32080

Applicant/agent address

(412) 901-3316

Phone number

(412) 901-3316

Phone number

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

**\*\*Variances 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 Comprehensive Planning and Zoning Board does not constitute approval for variation from the covenants and restrictions.\*\***

Date: 5-1-2023

Variance File #: VAR 2023-08

Applicant's name: Robert Edward Capwell

Applicant's address: 7 15th Street, St. Augustine, FL 32080

For land use variance at: 7 15th Street, St. Augustine, FL 32080

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### Charges

Application Fee: \$400.00      Date Paid: 5-1-2023

Legal Notice Sign: \$10.00      Date Paid: 5-1-2023

Received by Bonnie Miller

Date 5-1-2023

Invoice # I2301167

Check # or type of credit or debit card 137

## Instructions for Applying for a Land Use Variance

- A land use variance seeks to allow for adjustments to the City's Land Development Regulations, such as setbacks or impervious surface requirements.
- The City's Comprehensive Planning and Zoning Board decides whether to grant or deny a variance request. The Board's decision **MUST** be based on whether the request meets each of the six conditions listed below.
- To help the Board evaluate your variance request, you must provide a reason or reasons for each of the six conditions. If you believe that a condition does not apply to your request, then you are to write "Not Applicable" and give the reason or reasons why the condition is not applicable to your request.
- Failure to provide a response to each of the six conditions will require the Building and Zoning Department to return your application to you. The Building and Zoning Department staff will gladly provide any assistance should you have questions regarding the listed conditions. You may use additional sheets of paper for your responses as needed. Documents may consist of pictures, photographs, maps, public records, letters from neighboring property owners or other items you may find to explain the circumstances for the variance request.

## Considerations for the Granting of a Land Use Variance

- 1) Describe the hardship that is created by following the current land use codes and regulations. Do the associated Land Development Regulations make it virtually impossible to use the property as zoned unless a variance is granted? If so, please explain.

A hardship was created in 1914 when the St. John's Electric Trolley was put into place which created a non-conforming lot with frontage of 40' and created a non-conforming shape and size of Atlantic Beach Lot 110. The lot was created with 40' of frontage as compared to other platted lots within the plat with 50' of frontage. Additionally, when the trolley line was vacated, the previous trolley line property became lots with development rights. The subject property was not afforded any additional land, therefore it remains in a non-conforming status regarding the current Code which requires a minimum of 50' by 93'. Please refer to the reference map "Landmark Official Records Page 32 Book 2 Plot Files".

Describe similar variances that have been granted in the vicinity of the property since adoption of the City's Comprehensive Plan and Land Development Regulations.

N/A

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- 3) Was the property acquired after parts of the current Land Development Regulations (which are relevant to the requested variance) were adopted? Please explain factually.

No, the property was acquired by the current owners in April of 2018. Sec. 6.01.03 Building setback requirements for Single-family on 50' by 93' platted lots became effective on July 2nd 2018 which confirms that lot 110 is still non-conforming.

- 4) Explain how the variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.

The proposed building envelope itself meets appropriate building to lot coverage ratio and setbacks. The 3rd floor sealed front balcony and 3rd floor sealed rear balcony to accommodate the stairway exceeds building to lot ratio by 4.5%. In addition, Refer to the proposed Impervious surface ratio worksheet which indicates a ratio of 47.5% which is less than the required ratio of 50%.

- 5) Explain how the granting of a variance will not alter the character of the neighborhood, diminish property values, or impair the appropriate use or development of adjacent properties.

The proposed single family residence will be compatible with the existing residences of the and will not alter the character of the neighborhood and will in fact, add to the current property values of the surrounding homes and add to the tax base.

- 6) If the variance were approved, what would be the effects on traffic congestion in nearby streets, danger of fire, and on-site or off-site flooding?

If the variance were approved, it would have no negative affect on traffic nor on-site and off-site flooding as the impervious surface ratio would still meet the requirement of Code Sec. 6.01.02 impervious surface coverage within requirements. Refer to the attached "Impervious Surface Ratio (ISR) worksheet". As the property is located on a dead end street, there will be no negative impact on traffic or traffic congestion.

## Documentation Needed for a Land Use Variance

- 1) The legal description of the parcel of land for which the variance 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 the lot and block number. Include street address and location indicating street boundary and side (north, south, east, west) and nearest intersecting street.
- 2) If the land is a portion of the lot, indicate what portion of the lot (for example, south one-half, north one-third, east one-fourth, etc.). If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.
- 3) The name(s) and address of the owner(s) of the property shall be provided, and this information shall agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.
- 4) Applicant shall provide a detailed description of the land use variance being sought. If this is more extensive than can be described on the form, additional sheets can be used.
- 5) Notification of all property owners within a radius of 300 feet of the property for which the variance being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide variance applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the variance 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 variance 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. Variance applicants may provide a separate petition with the signatures of affected property owners who approve or do not object to the granting of the requested variance, but these persons should not sign the application itself. Variance applicants should ensure correct names and addresses are provided, as incorrect information shall delay or nullify any action on the variance application.
- 6) The section(s) of the City's land use codes from which the variance is being sought shall be listed on the application. The Building and Zoning Department staff will assist you with this or any other matter involved in the variance application process.
- 7) A fee of \$400.00 will be charged for the variance administrative procedure and the legal advertising, along with \$10.00 for the legal notice sign, provided by the Building and Zoning Department, which will be posted on the property for which the variance is sought within clear view of the street and not more than 10 feet inside the property line.



**IMPERVIOUS SURFACE RATIO (ISR) WORKSHEET**

**IMPERVIOUS SURFACE:** Any building, surface, concrete, pool, wet retention/detention areas, pavement or surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes, but is not limited to, semi-impervious surfaces such as compacted clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

**IMPERVIOUS SURFACE RATIO (ISR):** The ISR shall be calculated by dividing the total impervious surface area by the total area of the proposed development site or project. Alternative porous paving with a 10% or greater permeability shall not count as ISR coverage.

**PERMEABLE PAVERS WITH 10% OR GREATER PERMEABILITY SHALL BE LIMITED TO 15% OF LOT COVERAGE IN LOW AND MEDIUM DENSITY LAND USE DISTRICTS (SEE #8 BELOW).**

Site Address 7 15th Street, St. Augustine, FL 32080 Lot Area 4,278 square feet

Impervious Surfaces:

1. Building footprint	<u>1,692</u>	square feet
2. Parking & driveway areas	<u>330</u>	square feet
3. Access easements	<u>N/A</u>	square feet
4. Walkways	<u>305</u>	square feet
5. Pools and decks	<u>311</u>	square feet
6. Other (screen rooms, patios, porches, etc.)	<u>N/A</u>	square feet
7. Equipment and air-conditioning pads	<u>30</u>	square feet
8. Permeable pavers > 10% permeability	<u>635</u>	square feet

Total Impervious Surfaces: 2,033 square feet

2,033 ÷ 4,278 = 47.5%  
 Total Impervious Surfaces    Lot Area    Impervious Surface Ratio %

I Robert Capwell (signature) certify that the calculations submitted above for the impervious surface ratio calculations are accurate and complete.

Name Robert Capwell Date 04-10-2023

Address 7 15th Street, St. Augustine, FL 32080 Phone 412-901-3316

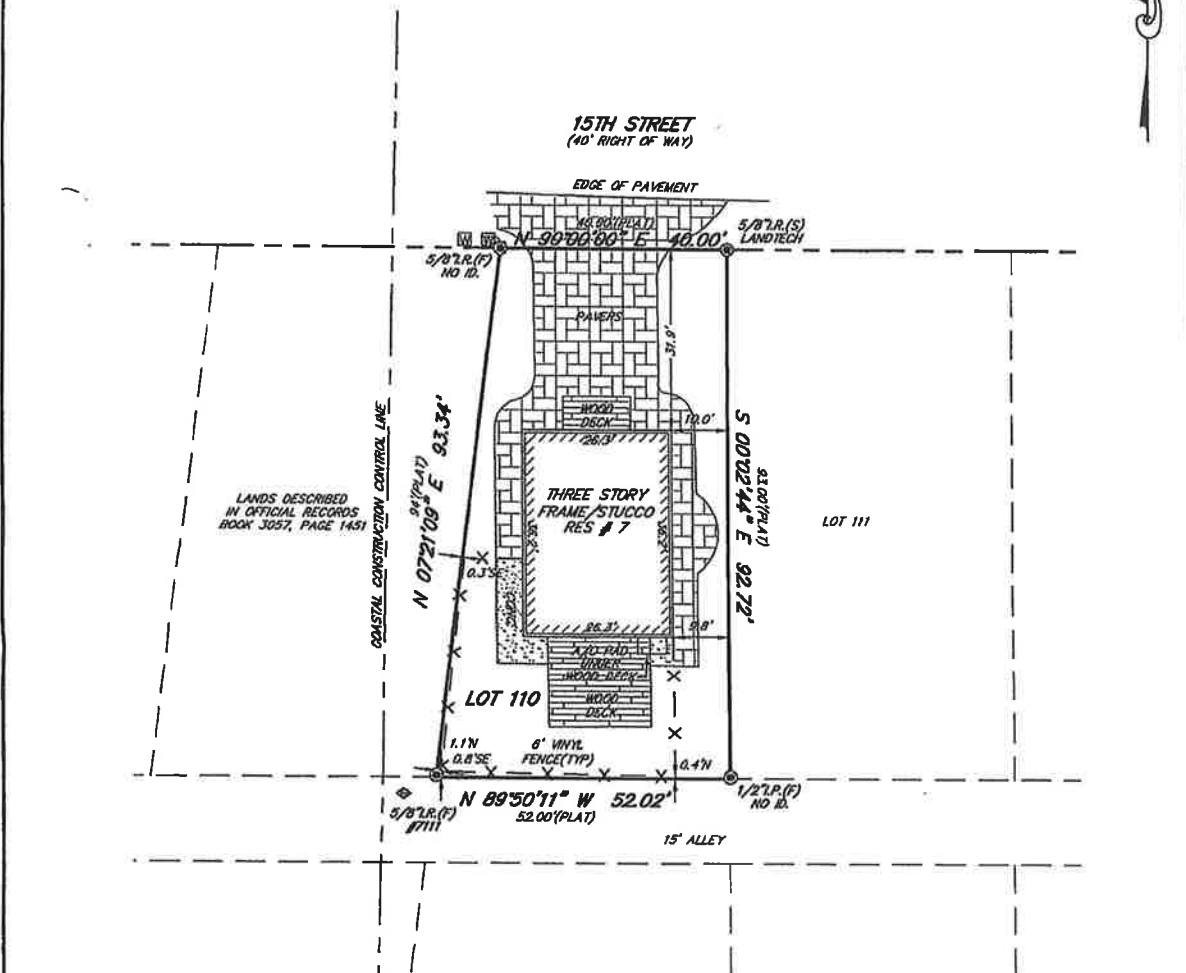
Email address bobcapwell@gmail.com

# EXISTING SITE SURVEY - LOT AREA = 4,278 SQ FT

## MAP SHOWING SURVEY OF

LOT 110 ATLANTIC BEACH SUBDIVISION OF METHODIST ASSEMBLY GROUNDS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 2, PAGE 50, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

CERTIFIED TO:  
ROBERT EDWARD CAPWELL



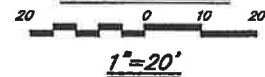
### LEGEND

A/C - AIR CONDITIONER PAD  
ID. - 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  
I.R.(S) - 5/8" IRON ROD SET (PSM #4620)  
C.O. - OVERHEAD ELECTRIC  
CONC. - CONCRETE

RES. - RESIDENCE  
E - CENTERLINE  
+ - DENOTES NOT TO SCALE  
W.M. - WATER METER  
EXP. CONCR. - EXPOSED CONCRETE  
COVERED AREA  
WELL  
TYP. - TYPICAL  
SEWER VALVE

AREA = 0.10 ± ACRES  
OR 4,278 ± sq. ft.

### GRAPHIC SCALE



### GENERAL NOTES:

- This survey made without benefit of an abstract of title, no right-of-way or easements of record were furnished in this firm except as shown.
- The certification of this survey is a professional opinion based on the existing field and documentary evidence available at the time this survey was prepared.
- This office has not obstructed this parcel of land for any recorded claims of title, easements or restrictions. This surveyor shall not be liable for the existence of any such claims.
- Use of this survey for purposes other than that which it was intended, without written verification, shall be at the user's sole risk and without liability to this surveyor. Existing features shall be intended to give any rights or benefits to anyone other than those the survey was prepared for.
- All disputes hereunder shall be resolved by binding arbitration in accordance with rules set forth by the American Arbitration Association.
- No underground structures, utilities or foundations were located or determined by this survey.
- For building setbacks and the appropriate county codes enforcement official.
- All distances, bearings or angles are as field measured. Dead or pit measurements are noted if different.
- The measurements for this survey were made in accordance with the United States Standards.
- Encroachments as shown herein are only those shown ground, visible objects observed by the surveyor.

- This survey is certified to the last field date.
- This survey does not reflect or determine ownership.
- The specific rights implied by this survey are not transferable.
- This surveyor's liability shall not exceed the fee as stated by this surveyor.

### NOTE:

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 SHOULD RELY UPON THIS SURVEY.

- According to the Federal Emergency Management Agency (FEMA) Map No. 12544C-03827 effective date 12/25/2018, the property described herein appears to be in Zone X2.

- Books of bearing structure: ASSET TO SURVEY

- Date of elevation: MAY 08

DATE	DATE	DATE	DATE	DATE
2018	11/05/2018	11/05/2018	11/05/2018	11/05/2018

TYPE: BOUNDARY

©

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NICHOLAS H. FRANKLIN  
6170 N.A. SOUTH  
ST. AUGUSTINE, FLORIDA 32086  
(904) 471-8277 FAX (904) 471-9075

Not with about the duplicate and the original must be at a Florida Licensed Surveyor and Engineer. Additions or alterations to survey maps or reports by other than the original party is prohibited without the written consent of the original party.

NICHOLAS H. FRANKLIN, P.L.S. 4620  
FOR LANDTECH AND ASSOCIATES



Free

50





10/28/2021

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

Dear Planning and Zoning Board,

I am the property owner of 6 15<sup>th</sup> Street, St. Augustine Beach, FL 32080. I have reviewed the proposed building plans being submitted by Robert and Amy Capwell of 7 15<sup>th</sup> Street, St. Augustine Beach, FL 32080 in conjunction with a variance application. I have reviewed the proposed plans which would add approximately 125 square feet of roofline and extend past the required front setback of 20' and add 77 square feet of sealed deck area to the Western side of Capwells' property. I also understand that the additional square footage will exceed the building to lot ratio by 4.5%

I have no objection to these proposed plans.

Respectfully,

Robert Dunagan

Signature: 

Date: 11/21

10/28/2021

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

Dear Planning and Zoning Board,

I am the property owner of 9 15<sup>th</sup> Street, St. Augustine Beach, FL 32080. I have reviewed the proposed building plans being submitted by Robert and Amy Capwell of 7 15<sup>th</sup> Street, St. Augustine Beach, FL 32080 in conjunction with a variance application. I have reviewed the proposed plans which would add approximately 125 square feet of roofline and extend past the required front setback of 20' and add 77 square feet of sealed deck area to the Western side of Capwells' property. I also understand that the additional square footage will exceed the building to lot ratio by 4.5%

I have no objection to these proposed plans.

Respectfully,

Jeffrey King

Signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to read 'Jeffrey King', written over a horizontal line.

Date: \_\_\_\_\_

A handwritten date '10/31/21' in black ink, written over a horizontal line.

10/22/2021

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

Dear Planning and Zoning Board,

We are the property owners of 5 15<sup>th</sup> Street, St. Augustine Beach, FL 32080. We have reviewed the proposed building plans being submitted by Robert and Amy Capwell of 7 15<sup>th</sup> Street, St. Augustine Beach, FL 32080 in conjunction with a variance application. We have reviewed the proposed plans which would add approximately 125 square feet of roofline and extend past the required front setback of 20' and add 77 square feet of sealed deck area to the Western side of Capwells' property. We also understand that the additional square footage will exceed the building to lot ratio by 4.5%

We have no objection to these proposed plans.

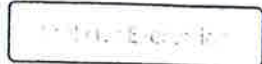
Respectfully,

Donald McCarthy and Isabel Cumming

Signature:  Date: 10/22/2021

Signature:  Date: 10/22/2021

**Apply for Exemptions**

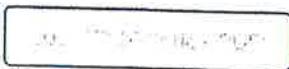


**Sales Questionnaire Form**

*If you are a new owner of this property, please click here to submit a Sales Questionnaire*



**2021 TRIM Notice**



**Summary**

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID 1676200000  
Location Address 7 15TH ST  
Neighborhood SAINT AUGUSTINE 32080-0000  
Tax Description\* Atlantic Beach East (672.05)  
2-50 ATLANTIC BEACH LOT 110 OR4541/648  
\*The Description above is not to be used on legal documents.  
Property Use Code Single Family (0100)  
Subdivision Atlantic Beach Subdivision Of Anastasia  
Sec/Twp/Rng 34-7-30  
District City of St Augustine Beach (District 551)  
Millage Rate 16.1681  
Acreage 0.100  
Homestead Y

**Owner Information**

Owner Name Capwell Robert Edward, Amy Abaray 100%  
Mailing Address Capwell Amy Abaray 100%  
7 15TH ST  
SAINT AUGUSTINE, FL 32080-0000

**Exemption Information**

Exemption Type	Status	Amount
Homestead		\$50,000

## Map



## Valuation Information

	2022
Building Value	\$443,252
Extra Features Value	\$0
Total Land Value	\$354,442
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$797,694
Total Deferred	\$0
Assessed Value	\$797,694
Total Exemptions	\$50,000
Taxable Value	\$747,694

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
2021	\$402,951	\$0	\$354,442	\$0	\$0	\$757,393	\$654,386	\$103,007	\$654,386
2020	\$355,543	\$0	\$280,350	\$0	\$0	\$635,893	\$594,896	\$40,997	\$594,896
2019	\$260,465	\$0	\$280,350	\$0	\$0	\$540,815	\$540,815	\$0	\$540,815
2018	\$192,941	\$0	\$252,315	\$0	\$0	\$445,256	\$318,038	\$227,218	\$218,038
2017	\$191,569	\$517	\$252,315	\$0	\$0	\$444,401	\$311,497	\$232,904	\$211,497
2016	\$193,876	\$591	\$210,262	\$0	\$0	\$404,729	\$305,090	\$199,639	\$205,090
2015	\$196,185	\$665	\$160,200	\$0	\$0	\$357,050	\$302,969	\$154,081	\$202,969
2014	\$188,989	\$738	\$134,168	\$0	\$0	\$323,895	\$300,564	\$123,331	\$200,564
2013	\$191,162	\$812	\$134,168	\$0	\$0	\$326,142	\$296,122	\$130,020	\$196,122
2012	\$191,162	\$886	\$99,124	\$0	\$0	\$291,172	\$291,172	\$100,000	\$191,172
2011	\$193,334	\$960	\$99,124	\$0	\$0	\$293,418	\$293,418	\$100,000	\$193,418
2010	\$195,506	\$1,033	\$110,138	\$0	\$0	\$306,677	\$306,677	\$100,000	\$206,677

## Building Information

Building 1  
 Year Built 1998  
 Actual Area 3073  
 Conditioned Area 2415  
 Use Single Family Residence  
 Style 01  
 Class N  
 Exterior Wall Stucco

Roof Cover Metal  
 Roof Structure Gable Hip  
 Interior Flooring Ceramic Tile  
 Interior Wall Drywall  
 Heating Type Air Duct  
 Air Conditioning Central  
 Bedrooms 4  
 Baths 3

Description	Square Footage
FINISHED DECK	216
FINISHED DECK	60
FINISHED UPPER STORY	936
FINISHED DECK	70
FINISHED UPPER STORY	730
SEMI-FINISHED BASE	936

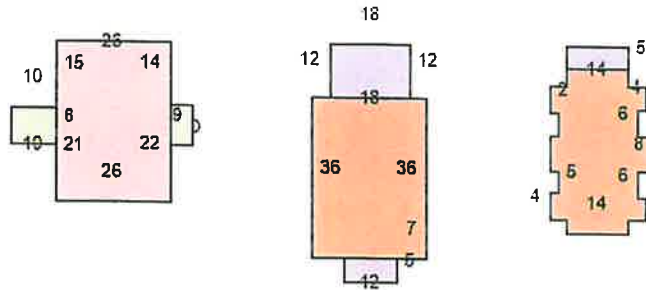


PATIO  
PATIO  
Total SqFt

45  
80  
3073

## Sketch Information

Room Type
PATIO
SEMI FINISHED BASE
FINISHED UPPER STORY
DECK



## Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	45	93	45	EF	\$354,442

## Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
5/3/2018	4/30/2018	\$825,000.00	WARRANTY DEED	<a href="#">4541</a>	<a href="#">648</a>	U	I	GEITHMAN DAVID T ***	CAPWELL ROBERT EDWARD,AMY ABARAY GEITHMAN DAVID T ***
11/7/2016	10/24/2016	\$100.00	WARRANTY DEED	<a href="#">4282</a>	<a href="#">1308</a>	U	I	GEITHMAN DAVID T ***	GEITHMAN DAVID T ***
	12/28/2009	\$100.00	LIFE ESTATE	<a href="#">3273</a>	<a href="#">273</a>	U	I	GEITHMAN DAVID T	GEITHMAN DAVID T ***
7/29/2009	6/30/2009	\$300,000.00	WARRANTY DEED	<a href="#">3222</a>	<a href="#">1593</a>	U	I	MEHLER-THORNBURG HOMES INC	GEITHMAN DAVID T
	6/24/2009	\$228,100.00	CERTIFICATE OF TITLE	<a href="#">3209</a>	<a href="#">1695</a>	U	I	DRAKE TAMMY/BY SJC COCC	MEHLER-THORNBURG HOMES INC
	1/30/2009	\$0.00	LIS PENDENS	<a href="#">3162</a>	<a href="#">170</a>	U	I	WELLS FARGO BANK NA TRUSTEE	DRAKE TAMMY
	1/19/2007	\$510,000.00	WARRANTY DEED	<a href="#">2896</a>	<a href="#">420</a>	Q	I	FITTS MICHAEL CHRISTIAN	DRAKE TAMMY
	1/11/2007	\$0.00	COURT ORDER	<a href="#">2850</a>	<a href="#">756</a>	U	I	FITTS STEPHEN CHRISTIAN (GRDNHP OF) MINOR	AMENDED ORDER AUTH SALE (CP06-498/55)
	1/2/2007	\$0.00	COURT ORDER	<a href="#">2845</a>	<a href="#">139</a>	U	I	FITTS STEPHEN CHRISTIAN (GRDNHP OF) MINOR	ORDER AUTH SALE (CP06- 498/55)
	7/27/2006	\$0.00	LETTERS OF ADMIN	<a href="#">2755</a>	<a href="#">1407</a>	U	I	FITTS STEPHEN E (DECD 6/4/06)	FITTS STEPHEN E ESTATE (LETT OF ADMIN)
	6/4/2006	\$0.00	ORDER DET HX REAL P	<a href="#">2828</a>	<a href="#">1473</a>	U	I	FITTS STEPHEN E ESTATE (SJC CP-06-496/55)	FITTS MICHAEL CHRISTIAN (HEIR TO HS PROP)
	6/12/1996	\$30,500.00	WARRANTY DEED	<a href="#">1177</a>	<a href="#">1731</a>	Q	V	KENNEDY KENNETH R,MARCIALEE	FITTS STEPHEN E & NITZA E
	7/19/1994	\$13,500.00	WARRANTY DEED	<a href="#">1065</a>	<a href="#">837</a>	U	V	GLIDEWELL MICHAEL J & INCORVIA SHARON M	KENNEDY KENNETH R,MARCIALEE
	6/1/1992	\$53,000.00	WARRANTY DEED	<a href="#">943</a>	<a href="#">1042</a>	Q	V	DRYSDALE W I & EVELYN,INCL LOT 112 CUT- OUT '9	GLIDEWELL MICHAEL J & INCORVIA SHARON M
	4/1/1989	\$0.00		<a href="#">818</a>	<a href="#">1263</a>	U	V		DRYSDALE W I & EVELYN,INCL LOT 112 CUT- OUT '9



A NEW BEGINNING SAB LLC  
1200 PLANTATION ISLAND DR S STE 210  
SAINT AUGUSTINE FL 320803115

COMERFORD LAURA L  
16 COLLEGE FARM RD  
NEW BRUNSWICK NJ 089010000

PINEAU BENOIT C,BONNIE S  
1 A 15TH ST  
SAINT AUGUSTINE FL 320800000

A1A LIFE PROPERTIES LLC  
421 A1A BEACH BLVD  
SAINT AUGUSTINE FL 320800000

COSTIN SONNY F,PATRICIA  
10 13TH ST  
SAINT AUGUSTINE FL 320803850

ROZAS JOSEPH R  
6 13TH ST  
SAINT AUGUSTINE FL 320800000

A1A LIFE PROPERTIES LLC  
421 A1A BEACH BVLD  
SAINT AUGUSTINE FL 320800000

DUNAGAN ROBERT,MARY ELIZABETH  
6 15TH ST  
SAINT AUGUSTINE FL 320800000

SUNSATON REAL ESTATE LLC  
56 MARINE ST  
SAINT AUGUSTINE FL 320840000

ARVIN ENTERPRISES INC  
45 SETON TRL  
ORMOND BEACH FL 321766524

EMBASSY INVEST-ST AUG BCH LLC  
45 SETON TRAIL  
ORMOND BEACH FL 321760000

THORNTON THOMAS RYAN,JOAN BAILE  
1 16TH ST UNIT B  
SAINT AUGUSTINE FL 32080-0000

BAGEN HELEN S  
424 SW 93RD ST  
GAINESVILLE FL 326070000

GRAPSAS JOHN,TERRI  
7 16TH ST  
SAINT AUGUSTINE FL 320800000

WEAVER RICHARD L,LYNDA R  
113 KINGS QUARRY LN  
SAINT AUGUSTINE FL 320800000

BAILEY MARK F  
1200 PLANTATION ISLAND DR STE 210  
SAINT AUGUSTINE FL 32080-0000

HELLMUTH THEODORE W,BARBARA T  
3 15TH ST  
SAINT AUGUSTINE FL 320800000

XYNIDIS DESPINA ESTATE  
211 CARMINE LN  
SAINT AUGUSTINE FL 320954831

BAILEY PETERSON LLC  
780 N PONCE DE LEON BLVD  
SAINT AUGUSTINE FL 32084-0000

ISLAND HOLDINGS 27 LLC  
1093 A1A BEACH BLVD  
PMB #378  
SAINT AUGUSTINE BEAC FL 320800000

BAM PARTNERS LLC  
1200 PLANTATION ISLAND DR STE 210  
SAINT AUGUSTINE FL 320800000

KING JEFFREY DAMIAN REV LIVING  
9 15TH ST  
SAINT AUGUSTINE FL 320800000

BERENS CYNTHIA ELLEN,HENRY JOH  
1 B 15TH ST  
SAINT AUGUSTINE FL 320800000

MCCARTHY DONALD LEE ET AL  
120 9TH ST  
SAINT AUGUSTINE FL 320800000

BHOOOLA SANGEETA,SIMRYN  
45 SETEN TRL  
ORMOND BEACH FL 321760000

PARROT HEADS INC  
421 A1A BEACH BLVD  
SAINT AUGUSTINE FL 320806315

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1676800000	A NEW BEGINNING SAB LLC	1200 PLANTATION ISLAND DR S STE 210		SAINT AUGUSTINE FL 320803115	2-50 ATLANTIC BCH LOT 140 (EX W6.22FT) OR35
1676500000	A1A LIFE PROPERTIES LLC	421 A1A BEACH BVLD		SAINT AUGUSTINE FL 320800000	2-50 ATLANTIC BEACH LOTS 138 & 139 (EX E 5 OR5458/232
1676601160	A1A LIFE PROPERTIES LLC	421 A1A BEACH BLVD		SAINT AUGUSTINE FL 320800000	2-50 ATLANTIC BCH LOTS 115 116 & 117 (EX R/W C OR701/1768 &4487/1645(S/A) & 4488/945
1675000000	ARVIN ENTERPRISES INC	45 SETON TRL		ORMOND BEACH FL 321766524	2-50 ATLANTIC BEACH LOTS 80 THRU 90 & LOTS THRU 109 & TWO 50FT STRIPS LYING E OF LOTS I &
1670700002	ATLANTIC BEACH SUBDIVISION				2/50 ATLANTIC BEACH SUBDIVISION ROWS & ALLE ARE COMMON ELEMENTS
1671500000	BAGEN HELEN S	424 SW 93RD ST		GAINESVILLE FL 326070000	2-50 ATLANTIC BEACH LOT J & RIPARIAN RIGH- OR4031/1989
1672000000	BAM PARTNERS LLC	1200 PLANTATION ISLAND DR STE 210		SAINT AUGUSTINE FL 320800000	2-50 ATLANTIC BEACH LOTS Q & S23.5FT OF LOT RIPARIAN RTS OR3775/347
1671900000	BERENS CYNTHIA ELLEN,HENRY JOH	1 B 15TH ST		SAINT AUGUSTINE FL 320800000	2-50 ATLANTIC BEACH S44FT OF LOT O & S44FT LANDS LYING E & RIPARIAN RIGHTS OR5233/16
1671600000	BHoola SANGEETA,SIMRYN	45 SETEN TRL		ORMOND BEACH FL 321760000	2-50 ATLANTIC BEACH LOT K & S 4.7FT OF LOT L RIGHTS OR5218/888
1676300000	COMERFORD LAURA L	16 COLLEGE FARM RD		NEW BRUNSWICK NJ 089010000	2-50 ATLANTIC BEACH LOT 113 & E10FT OF LOT OR3330/684
1677400000	COSTIN SONNY F,PATRICIA	10 13TH ST		SAINT AUGUSTINE FL 320803850	2-50 ATLANTIC BEACH 50FT STRIP LYING E OF LC OR3741/1639
1676400000	DUNAGAN ROBERT,MARY ELIZABETH	6 15TH ST		SAINT AUGUSTINE FL 320800000	2-50 ATLANTIC BCH LOT 114 (EX E10FT) OR1600/9 5548/1203
1676700000	EMBASSY INVEST-ST AUG BCH LLC	45 SETON TRAIL		ORMOND BEACH FL 321760000	2-50 ATLANTIC BEACH LOTS 119 THRU 134 & OCEA TO RD A1A OR1457/570 83 UNITS
1672000901	ENDLESS SUMMER CONDO				(OR1142/1606) ENDLESS SUMMER CONDO COMM ELEMENTS ARE COMMON TO ALL AND ARE ASSES TO ALL

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1677600000	GRAPSAS JOHN,TERRI	7 16TH ST		SAINT AUGUSTINE FL 320800000	1-50 ATLANTIC BCH E5FT OF LOT 139 & A 50 FT S LYING E OF LOT 139 & PT OF LOT 140
1676201120	HELLMUTH THEODORE W,BARBARA T	3 15TH ST		SAINT AUGUSTINE FL 320800000	2-50 ATLANTIC BEACH LOT 112 OR3822/1716
1676600000	ISLAND HOLDINGS 27 LLC	1093 A1A BEACH BLVD	PMB #378	SAINT AUGUSTINE BEAC FL 320800000	2-50 ATLANTIC BCH LOTS 136 & 137 (EX R/W OF OR5269/1062
1677500000	KING JEFFREY DAMIAN REV LIVING	9 15TH ST		SAINT AUGUSTINE FL 320800000	2-50 ATLANTIC BEACH A 50FT STRIP LYING E OF L OR3057/1451 & 4781/1631(D/M)
1676201110	MCCARTHY DONALD LEE ET AL	120 9TH ST		SAINT AUGUSTINE FL 320800000	2-50 ATLANTIC BEACH LOT 111 OR4912/1048
1676100000	PARROT HEADS INC	421 A1A BEACH BLVD		SAINT AUGUSTINE FL 320806315	2-50 ATLANTIC BEACH E10FT OF LOT 104 & ALL LO N7.5FT OF ALLEY LYING S & OCEAN AVE
1630090000	PIER POINT SOUTH CONDO				(OR532/109) PIER POINT SOUTH CONDO COMM ELEMENTS ARE COMMON TO ALL AND ARE ASSE TO ALL INDIVIDUAL
1671950000	PINEAU BENOIT C,BONNIE S	1 A 15TH ST		SAINT AUGUSTINE FL 320800000	2-50 ATLANTIC BEACH LOT P & N2.5FT OF LOT O & OF LANDS LYING E & RIPARIAN RIGHT
1674400000	ROZAS JOSEPH R	6 13TH ST		SAINT AUGUSTINE FL 320800000	2-50 ATLANTIC BEACH N1/2 OF LOT 59 & ALL LO OR2538/1657 & 2815/479(C/D)
1674600000	SUNSATION REAL ESTATE LLC	56 MARINE ST		SAINT AUGUSTINE FL 320840000	2-50 ATLANTIC BCH LOTS 62 & 63 & ALL LOT 64 (E RD A1A) OR4651/1219(Q/C)
1676450000	WEAVER RICHARD L,LYNDA R	113 KINGS QUARRY LN		SAINT AUGUSTINE FL 320800000	2-50 ATLANTIC BCH 50FT STRIP LYING BETWEEN 114 & 115 & N OF 15TH STREET
1674500000	XYNIDIS DESPINA ESTATE	211 CARMINE LN		SAINT AUGUSTINE FL 320954831	2-50 ATLANTIC BEACH LOT 61 DB238/400 & 4859/11

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1672001003	BAILEY MARK F	1200 PLANTATION ISLAND DR STE 210		SAINT AUGUSTINE FL 32080-0000	(OR1142/1606) ENDLESS SUMMER CONDC
1672001001	BAILEY PETERSON LLC	780 N PONCE DE LEON BLVD		SAINT AUGUSTINE FL 32084-0000	(OR1142/1606) ENDLESS SUMMER CONDO
1672001002	THORNTON THOMAS RYAN,JOAN BAILE	1 16TH ST UNIT B		SAINT AUGUSTINE FL 32080-0000	(OR1142/1606) ENDLESS SUMMER CONDO

Prepared by and return to:  
Amy Marie Vo, Esq.

St. Johns Law Group  
104 Sea Grove Main Street  
Saint Augustine, FL 32080  
904-495-0400  
File Number: 18-0336  
Will Call No.:

[Space Above This Line For Recording Data]

## Warranty Deed

This Warranty Deed made this 30th day of April, 2018 between David T. Gelthman, individually, joined by his wife, Diane Walsh-Gelthman, and David T. Gelthman, Trustee of the Gelthman Family Trust dated October 24, 2016 whose post office address is 205 C Street, Apt. A, Saint Augustine, FL 32080, grantor, and Robert Edward Capwell and Amy Abaray Capwell, husband and wife whose post office address is 1515 Coraopolis Heights Road, Moon Township, PA 15108, grantee:

(Whenever used herein the terms "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, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Saint Johns County, Florida to-wit:

Lot 110, Atlantic Beach Subdivision of Anastasia Methodist Assembly Grounds, according to the map or plat thereof, as recorded in Map Book 2, Page 50, of the Public Records of St. Johns County, Florida.

Parcel Identification Number: 167620-0000

Grantor's spouse is joining in the execution of this instrument for the sole purpose of waiving any homestead interest in the property. Said spouse makes no representations or warranties with respect to said property or the title thereto.

**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**, grantor has hereunto set grantor's hand and seal the day and year first above written.




Signed, sealed and delivered in our presence:

  
Witness Name: Peggy Cash

  
Witness Name: Amy Marie Vo

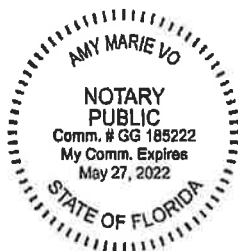
  
David T. Geithman, Individually and as Trustee

  
Diane Walsh-Geithman

State of Florida  
County of Saint Johns

The foregoing instrument was acknowledged before me this 30th day of April, 2018 by David T. Geithman, individually and as Trustee, and Diane Walsh-Geithman, who ☐ are personally known or ☒ have produced a driver's license as identification.

[Notary Seal]



  
Notary Public

Printed Name: \_\_\_\_\_

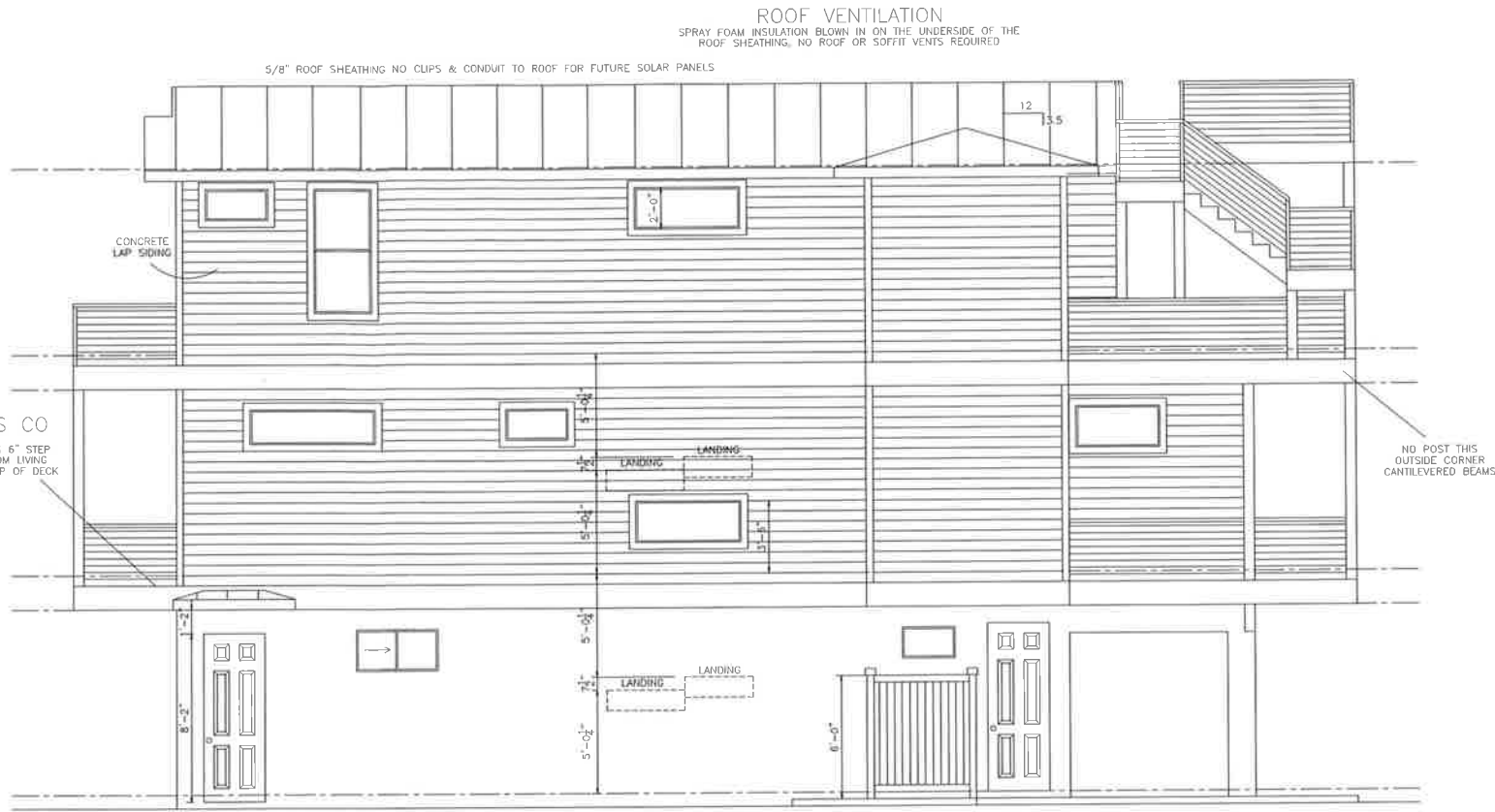
My Commission Expires: \_\_\_\_\_

COPY



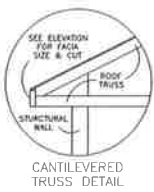
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

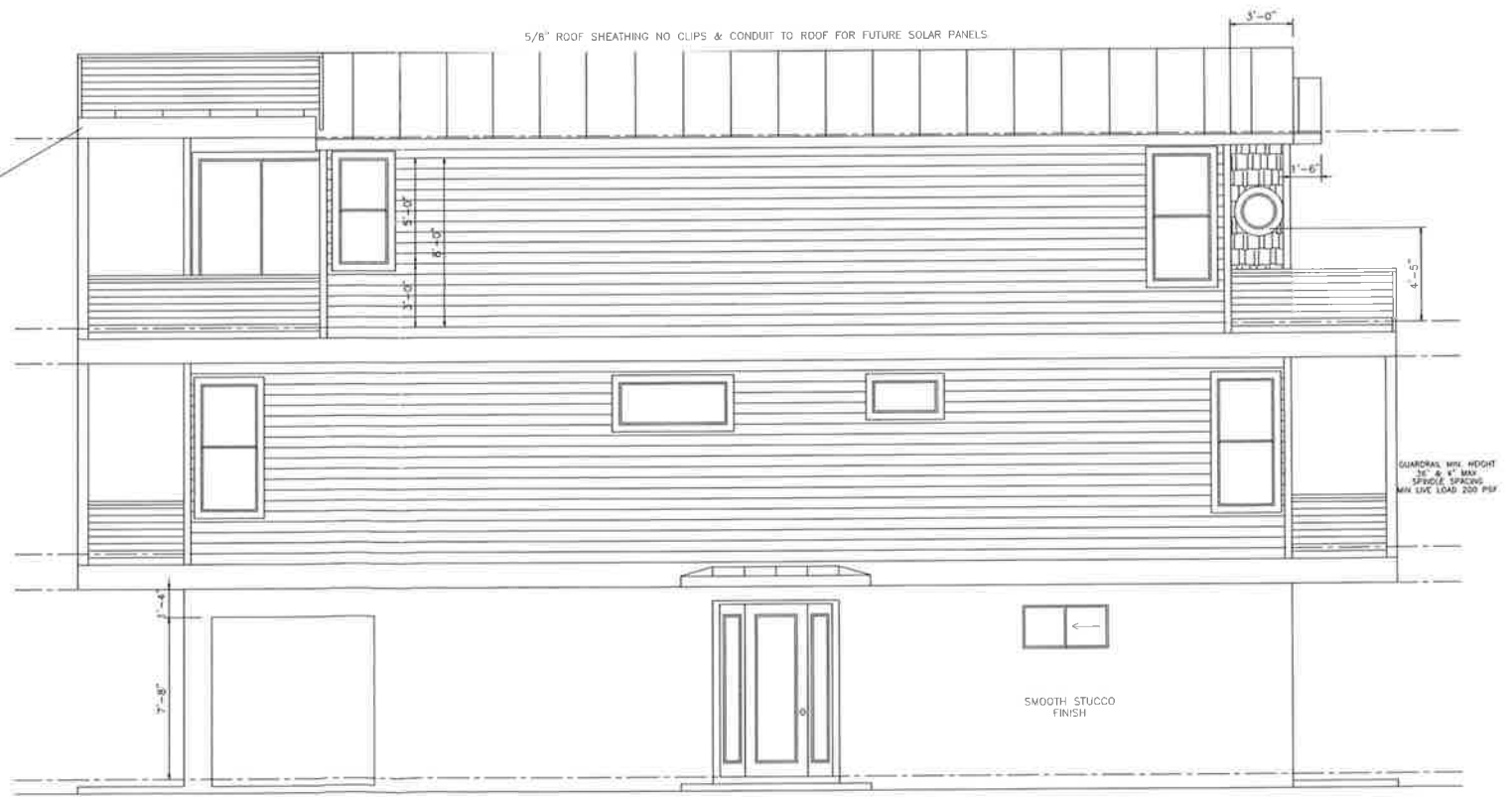


CANTILEVERED TRUSS DETAIL



REAR ELEVATION

SCALE: 1/4" = 1'-0"



LEFT ELEVATION

SCALE: 1/4" = 1'-0"

CORY A BROCKETT, PE  
LICENSE #74677  
2939 NW 35th PLACE  
GAINESVILLE, FL 32605  
352-359-1982

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ENTIRE CONSTRUCTION, INC.  
CUSTOM 3 STORY  
Customized For  
7 15th STREET

ENTIRE CONSTRUCTION INC.  
ZAK ADAMS  
P 904-814-7600  
F 904-471-3324  
ST. Augustine, Florida  
www.entireconstruction.com

JOB NUMBER  
2903  
PLAN DATE  
3/21/23

"PLANS CONFORM TO"  
2020 FLORIDA BUILDING CODE  
2017 NATIONAL ELEC CODE  
2018 WFCM DESIGN CRITERIA  
2014 ASCE24 FLOOD DESIGN  
STRUCTURALLY ADEQUATE FOR  
ALTERATION LEVEL: N/A  
RISK CATEGORY: 2  
WIND VELOCITY (MPH): 140  
EXPOSURE CATEGORY: D  
INTERNAL PRESSURE: -1.8  
CONSTRUCTION TYPE: VB

LOT:  
7 15th STREET  
ST AUGUSTINE BCH  
FLORIDA

ELEVATIONS

SHEET

1

SCALE: 1/4" = 1'-0"

30-



SCALE: 1/4" = 1'-0"

30'-4"



ALL STAIR RISERS TILED BY OWNER, NEED MATERIAL TO ACCOMMODATE TILE IN THE CONSTRUCTION

LIVING	1st	542	sf
LIVING	2nd	1367	sf
LIVING	3rd	1262	sf
LIVING TOTAL		3171	sf
1st	LANAI	477	sf
1st	GARAGE	524	sf
1st	ENTRY	24	sf
1st	CARPOT	125	sf
2nd	BALCONY	200	sf
2nd	PORCH	125	sf
3rd	BALCONY	176	sf
		4822	sf

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FOR WORKS SECURED UNDER ANNUAL PROTECTION FOR THE FIRST TIME ON OR AFTER JANUARY 1, 1974, WORKS OF THIS KIND FALL INTO TWO CATEGORIES.

WORKS CREATED ON OR AFTER JANUARY 1, 1974 THE LAW AUTOMATICALLY GRANTS THE AUTHOR A TERM OF PROTECTION OF 70 YEARS FROM THE DATE OF CREATION OR AFTER JANUARY 1, 1978, FROM THE MOMENT OF ITS CREATION AND AFTER THE AUTHOR'S DEATH. THE AUTHOR'S TERM OF PROTECTION GIVES IT A TERM LASTING FOR THE AUTHOR'S LIFE PLUS AN ADDITIONAL 70 YEARS.

FOR WORKS MADE FOR EMPLOYERS AND ANONYMOUS AND PSEUDONYM WORKS, THE TERM OF PROTECTION IS 95 YEARS FROM FIRST PUBLICATION OR 120 YEARS FROM DATE OF CREATION, WHICHEVER IS SHORTER. UNLESS THE AUTHOR'S IDENTITY IS LATER RETROACTED IN COPYRIGHT OFFICE RECORDS, IN WHICH CASE THE TERM BECOMES THE AUTHOR'S LIFE PLUS 70 YEARS.

**ENTIRE**  
CONSTRUCTION INC.

ZAK ADAMS  
P 904-814-7600  
F 904-471-3324  
ST. Augustine, Florida

JOB NUMBER

2903

PLAN DATE

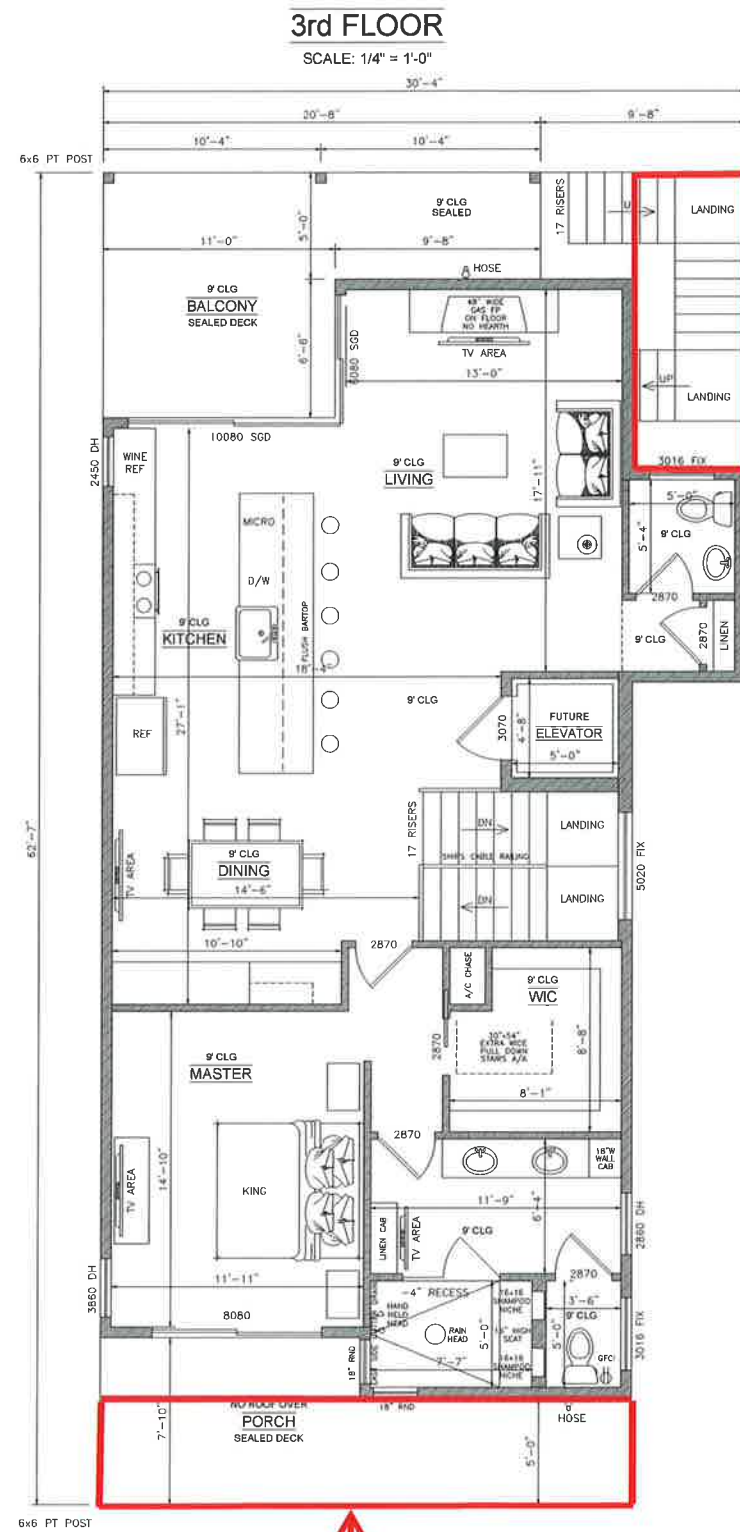
"PLANS CONFORM TO"  
2020 FLORIDA BUILDING CODE  
2017 NATIONAL ELEC CODE  
2018 WFCM DESIGN CRITERIA  
2014 ASCE24 FLOOD DESIGN  
STRUCTURALLY ADEQUATE FOR  
ALTERATION LEVEL: N/A  
RISK CATEGORY: 2  
WIND VELOCITY (MPH): 140  
EXPOSURE CATEGORY: D  
INTERNAL PRESSURE: .18  
CONSTRUCTION TYPE: VB

**LOT:**  
7 15th STREET  
ST AUGUSTINE BCH  
FLORIDA

FLOOR PLAN

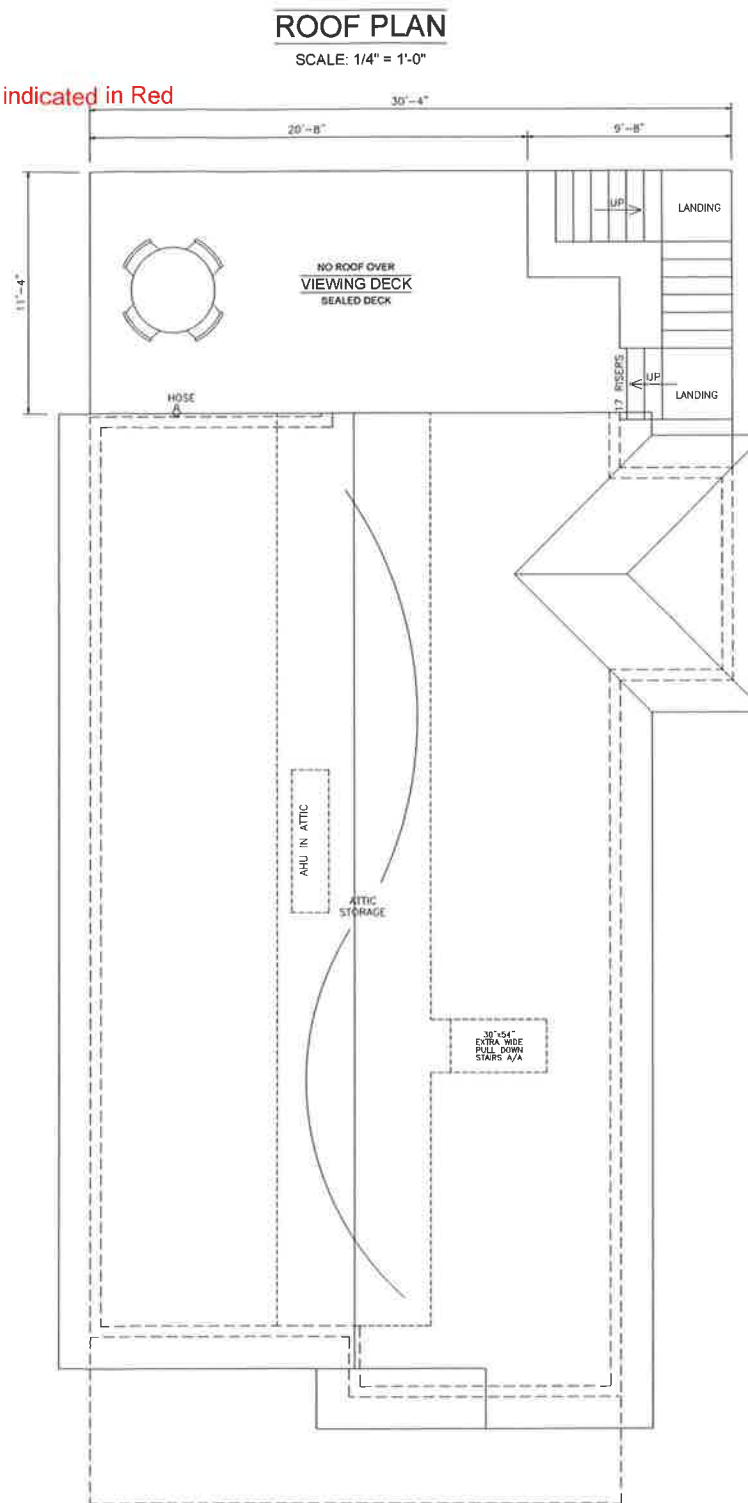
SHEET

2A



2nd and 3rd FLOOR ALL WINDOW  
AND DOOR HEADERS ARE (3) 2x10  
UNLESS OTHERWISE SPECIFIED

Approx. 70 sqft. sealed balcony indicated in Red



Approx. 125 sqft. sealed balcony indicated in Red

CORY A BROCKETT, PE  
LICENSE #74677  
2939 NW 39th PLACE  
GAINESVILLE, FL 32605  
352-359-1982

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CUSTOM 3 STORY  
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7 15th STREET

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STRUCTURALLY ADEQUATE FOR  
ALTERATION LEVEL N/A  
RISK CATEGORY: 2  
WIND VELOCITY (MPH): 140  
EXPOSURE CATEGORY: D  
INTERNAL PRESSURE: 18  
CONSTRUCTION TYPE: VB

LOT:  
7 15th STREET  
ST AUGUSTINE BCH  
FLORIDA

FLOOR PLAN

SHEET  
2B

U-BLOCK W/ #5 REBAR  
 HORIZ. SOLID FILL  
 2500 PSI CONCRETE

WALL REBAR 90°  
 HOOK 10" HORIZ.  
 OVERLAP WITH  
 BOND BEAM REBAR

#5 VERTICAL REBAR  
 SOLID FILL CELL  
 2500 PSI CONCRETE  
 AT ALL CORNERS OF WALL  
 & 6" O.C. MAX SPAC  
 THRU WALL SEGMENTS

CONC. BLOCK  
 WALL

VERTICAL FOOTER  
 #5 REBAR 10" OVERLAP  
 HORIZONTAL AND  
 25" MIN. VERTICAL  
 OVERLAPS WITH FOOTER  
 AND WALL REBARS

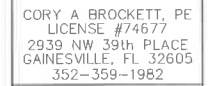
CONCRETE FOOTER  
 TOP MIN 2" BELOW GRADE

BETWEEN VERTICAL REINFORCED CELL POST  
 MASONRY BREAKAWAY WALLS ONLY HAVE STANDARD  
 GROUT TOP AND BOTTOM HOLDING TO THE TOP  
 BOND BEAM AND FOUNDATION

EACH SIDE OF MASONRY WALL  
 TO HAVE STUCCO PAINTED FINISH  
 STUCCO STOPS TO BE USED  
 AT EACH SIDE CUT JOINTS  
 AND AT TOP OF BREAKAWAY  
 WALL UNDER THE BOND BEAM

EACH SIDE OF VERTICAL  
 REINFORCED MASONRY WALL  
 CELL POST, EACH SIDE OF  
 WALL 100% CUT THRU THE  
 THE MIDDLE OF THE BLOCK  
 CELLS

(2) #5 REBAR



UNITED STATES COPYRIGHT OFFICE

FOR WORKS SECURING FEDERAL STATUTORY PROTECTION FOR THE FIRST 28 YEARS OF THEIR LIVES. WORKS OF THIS KIND FALL INTO TWO CATEGORIES:

WORKS CREATED ON OR AFTER JANUARY 1, 1978 THE LAW AUTOMATICALLY PROTECTS A WORK THAT IS CREATED AND FIXED IN A TANGIBLE MEDIUM OF EXPRESSION AND CREATES IT'S TERM LASTING FOR THE AUTHOR'S LIFE PLUS AN ADDITIONAL 70 YEARS.

FOR WORKS MADE FOR HIRE AND ANONYMOUS AND 95 YEARS FROM FIRST PUBLICATION OR 140 YEARS FROM CREATION. HOWEVER IS SHORTER UNLESS THE AUTHOR'S RECORDS, IN WHICH CASE THE TERM BECAME THE AUTHOR'S LIFE PLUS 70 YEARS.

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 2014 ASCE24 FLOOD DESIGN  
 STRUCTURALLY ADEQUATE FOR  
 ALTERATION LEVEL: N/A  
 RISK CATEGORY: 2  
 WIND VELOCITY (MPH): 140  
 EXPOSURE CATEGORY: D  
 INTERNAL PRESSURE: 18  
 CONSTRUCTION TYPE: VB

**LOT:**  
7 15th STREET  
ST AUGUSTINE BCH  
FLORIDA

FLOOR PLAN

SHEET  
20



**BEFORE THE COMPREHENSIVE PLANNING  
AND ZONING BOARD OF THE  
CITY OF ST. AUGUSTINE BEACH, FLORIDA**

In RE:

**APPLICATION OF AMBER HALCROW, AGENT  
FOR CHRIS C. AND MARILYN J. CAGLE, FOR  
A LAND USE VARIANCE FOR A REAR YARD SET-  
BACK REDUCTION AND AN INCREASE OF  
ALLOWABLE LOT COVERAGE FOR PROPOSED  
NEW CONSTRUCTION OF AN ENCLOSED  
SUNROOM ADDITION AT 607 11<sup>TH</sup> STREET,  
ST. AUGUSTINE BEACH, FLORIDA, 32080**

Public Records of St. Johns County, FL  
Clerk number: 2023033005  
BK: 5749 PG: 1592  
5/2/2023 2:19 PM  
Recording \$18.50

Public Records of St. Johns County, FL  
Clerk number: 2023033706  
BK: 5751 PG: 272  
5/4/2023 9:36 AM  
Recording \$18.50

**ORDER APPROVING VARIANCE FILE NO. VAR 2023-03**

This CAUSE came on for public hearing before the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, Florida, on Tuesday, April 18, 2023, upon Application (File No. VAR 2023-03) by Amber Halcrow, Agent for Chris C. and Marilyn J. Cagle, Applicants, for a variance for a rear yard setback reduction from 20 (twenty) feet, per Section 6.01.03 of the City of St. Augustine Beach Land Development Regulations, to 16 feet, 5 inches, and for an increase in lot coverage from the maximum 35% allowed, per Section 3.02.04 of the City of St. Augustine Beach Land Development Regulations, to 37.6%, for proposed new construction of a 324-square-foot enclosed sunroom addition to an existing single-family residence on Lot 4, Block H, Anastasia Park Subdivision, Parcel Identification Number 166950-0000, in a low density residential land use district on the property described above at 607 11<sup>th</sup> Street, St. Augustine Beach, Florida, 32080. The Planning and Zoning Board having reviewed the Application, received public comments, and upon motion duly made, seconded and passed, the variance was approved based upon the following finding and subject to the following conditions:

1. The required considerations for the granting of a variance as detailed in the Application and discussed at the hearing are incorporated herein as findings of fact, including the finding that the hardship granted is due to the square footage of the lot size in a low density residential land use district.
2. A land use variance for a rear yard setback reduction from 20 (twenty) feet per to 16 feet, 5 inches; and an increase in lot coverage from the maximum 35% allowed to 37.6% shall be granted for the proposed new construction of the 324-square-foot sunroom addition described above on the property described above in a low density residential land use district at 607 11<sup>th</sup> Street, St. Augustine Beach, Florida, 32080.
3. No variance shall be granted to allow an increase in the maximum 40% ISR coverage allowed in low density residential land use districts, per Section 6.01.02



of the City of St. Augustine Beach Land Development Regulations, for the proposed new construction of the 324-square-foot sunroom addition described above on the property described above in a low density residential land use district at 607 11<sup>th</sup> Street, St. Augustine Beach, Florida, 32080.

4. A violation of the conditions listed above shall void the variance approval granted herein.

Any appeal of this decision may be made by filing an application for appeal to the St. Augustine Beach City Commission within thirty (30) days of the date of this Order.

DONE AND ORDERED this 18<sup>th</sup> day of April, 2023, at St. Augustine Beach, St. Johns County, Florida.

**COMPREHENSIVE PLANNING AND ZONING BOARD OF  
THE CITY OF ST. AUGUSTINE BEACH, FLORIDA**

By: [Signature]  
Chris Pranis, Vice-Chairperson and Acting Chairperson

**STATE OF FLORIDA  
COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me by means of ☒ physical presence or  
☐ online notarization, this 3<sup>rd</sup> day of May, 2023,  
by (print name of person signing above) Chris Pranis,  
who is personally known to me ☒ or has produced the following type of  
identification \_\_\_\_\_



Bonnie Jean Miller  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG955959  
Expires 3/30/2024

[Signature]  
Signature of Notary Public, State of Florida



**City of St. Augustine Beach Building and Zoning Department**

**To:** Comprehensive Planning and Zoning Board  
**From:** Jennifer Thompson, Planner  
**CC:** Brian Law, Director of Building and Zoning, Bonnie Miller, Senior Planner  
**Date:** 06/02/2023  
**Re:** Land Use Variance File No VAR 2023-09

Land use variance file no VAR 2023-09 is a request to expand an existing non-conforming single-family residence by more than 25% of the gross floor area located at 13 Oak Road for a proposed new addition of 797 square feet. This home is currently nonconforming due to the existing 7.4' side setback on the south side.

Within the last 10 years, there has not been a similar variance request to expand a nonconforming structure by more than 25% of the gross floor area.

Sincerely,

*Jennifer Thompson, CFM*

Planner

Planning and Zoning Division



**City of St. Augustine Beach Building and Zoning Department**

**TO:** Planning and Zoning Division

**FROM:** Brian Law

**SUBJECT:** Var 2023-09 13 Oak Road

**DATE:** 6-7-2023

The 2020 Florida Building Code has no objection to the requested variance.

*Brian W Law*

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](mailto:blaw@cityofsab.org)

**City of St. Augustine Beach Building and Zoning Department  
Variance 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 variance is being sought:  
 Lot(s) 5 Block(s) B Subdivision WOODLAND UNIT A  
 Street Address 13 OAK ROAD ST. AUGUSTINE, FL 32080-0000
2. Location (N, S, W, E): E Side of (Street Name): OAK ROAD
3. Is the property seaward of the Coastal Construction Control Line (CCCL)? Yes ☒ No (Circle one)
4. Real estate parcel identification number: 163230-0000
5. Name and address of owner(s) as shown in St. Johns County Public Records: BOOK 5390 PG. 1589  
TAMARA A. CALLAHAN  
13 OAK ROAD ST. AUGUSTINE, FL 32080-0000
6. Current land use classification: LOW DENSITY
7. Land use variance being sought: Expansion of Non-Conforming Structure of more than 25% of gross floor area
8. Section of land use code from which the variance is being sought: 10.01.03
9. Reasons for which the variance is being sought: ONLY DOING THE 25% OF THE EXISTING STRUCTURE ADDITION FOOTAGE DOES NOT WORK. MUST DO ADDITION BASED ON CONFORMING. AND THE ADDITION WILL CONFORM TO ALL LDC CURRENT SETBACKS. ALTHOUGH EXISTING IS NONCONFORMING.
10. Supporting data which should be considered by the Board:
  - ① ALL ATTACHED PAPERWORK
  - ② EXISTING 10FT. DRAINAGE ESMT TO THE SOUTH
  - ③ NEW ADDITIONS WILL BE CONFORMING.

11. Has a variance application been submitted in the past year? Yes No (Circle one) If yes, what was the final result? N/A

12. 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
- (✓) Signed and sealed survey not older than one year showing all existing structures and improvements
- (✓) Other documents or relevant information to be considered
- (✓) Fourteen (14) copies of the completed application including supplemental documentation and relevant information

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

If granted, the variance will expire within one year from the time it was granted, unless more time was requested and granted in the application process. After one year has passed and the requested action has not taken place, the variance shall be considered null and void. The application must be signed by either the owner or the owners authorized agent. If an authorized agent's signature is used, a notarized written authorization approving such representation must accompany the application.

R.E. CHIP MITCHELL

Print name (owner or his/ her agent)

Print name (applicant or his/her agent)

[Signature]

Signature /date

5/15/23

Signature /date

4228 MELROSE AVE

Owner/agent address

JACKSONVILLE, FL 32210

Applicant/agent address

904-993-2231

Phone number

904-730-7135

Phone number

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

**\*\*Variances 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 Comprehensive Planning and Zoning Board does not constitute approval for variation from the covenants and restrictions.\*\***

Date: 5/15/23

Variance File #: VAR 2023-09

Applicant's name: R.E. CHIP MITCHELL Agent for Timothy J. and Tamara A. Callahan, Applicants

Applicant's address: 4228 MELROSE AVE, JACKSONVILLE, FL 32210

For land use variance at: 13 OAK RD., ST. AUGUSTINE, FL 32080

### Charges

Application Fee: \$400.00 Date Paid: 5-16-2023

Legal Notice Sign: \$10.00 Date Paid: 5-16-2023

Received by Bonnie Miller

Date 5-16-2023

Invoice # I2301255

App. # 7263

Check # or type of credit or debit card 5096

## Instructions for Applying for a Land Use Variance

- A land use variance seeks to allow for adjustments to the City's Land Development Regulations, such as setbacks or impervious surface requirements.
- The City's Comprehensive Planning and Zoning Board decides whether to grant or deny a variance request. The Board's decision MUST be based on whether the request meets each of the six conditions listed below.
- To help the Board evaluate your variance request, you must provide a reason or reasons for each of the six conditions. If you believe that a condition does not apply to your request, then you are to write "Not Applicable" and give the reason or reasons why the condition is not applicable to your request.
- Failure to provide a response to each of the six conditions will require the Building and Zoning Department to return your application to you. The Building and Zoning Department staff will gladly provide any assistance should you have questions regarding the listed conditions. You may use additional sheets of paper for your responses as needed. Documents may consist of pictures, photographs, maps, public records, letters from neighboring property owners or other items you may find to explain the circumstances for the variance request.

### Considerations for the Granting of a Land Use Variance

- 1) Describe the hardship that is created by following the current land use codes and regulations. Do the associated Land Development Regulations make it virtually impossible to use the property as zoned unless a variance is granted? If so, please explain.

THE CURRENT LDC ONLY ALLOWS 25% OF THE EXISTING HOME FOOTPRINT FOR ANY ADDITION. IF THE PROPERTY WAS CONFORMING WE COULD HAVE UP TO 926 SF ILO ONLY 451 S.F. WHICH MAKES IT IMPOSSIBLE TO CONFORM TO THE NEW LDC WHICH DID NOT EXIST BACK WHEN THE AREA WAS DEVELOPED OVER SIXTY YEARS AGO.

- 2) Describe similar variances that have been granted in the vicinity of the property since adoption of the City's Comprehensive Plan and Land Development Regulations.

THERE IS NO WAY I WOULD BE ABLE TO DETERMINE ANYTHING LIKE THIS BASED ON MY EXPERIENCE WITH THE CITY SINCE 1978 ALTHOUGH I AM SURE THINGS LIKE THIS HAS BEEN DONE IN THE PAST



- 3) Was the property acquired after parts of the current Land Development Regulations (which are relevant to the requested variance) were adopted? Please explain factually.

NEGATIVE. THE HOME WAS BUILT IN 1961 AND MORE THAN LIKELY WAS CONFORMING TO THE SET BACKS IN THAT ERA!

- 4) Explain how the variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.

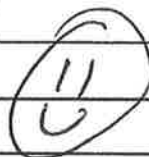
THE 25% MAXIMUM ALLOWABLE DUE TO THE PROPERTY RIGHT SIDE OF BUILDING ENCROACHMENT MAKES THIS NO CONFORMING. THE PROPOSED ADDITION ADDS 797.41 SF AND WOULD CONFORM TO EXISTING PROPER SET BACKS. THIS PROPOSED ADDITION WOULD BE IRRELEVANT IF LAND WAS CONFORMING.

- 5) Explain how the granting of a variance will not alter the character of the neighborhood, diminish property values, or impair the appropriate use or development of adjacent properties.

THE ADDITION WOULD NOT BE AN ISSUE IF THIS WAS A CONFORMING HOME UNDER CURRENT LDC GUIDELINES! ONE MORE THING IS THERE IS A 10 FOOT DRAINAGE EASEMENT TO THE RIGHT, WHICH FURTHER BUFFERS THE HOME TO THE RIGHT OF THE BUILD!

- 6) If the variance were approved, what would be the effects on traffic congestion in nearby streets, danger of fire, and on-site or off-site flooding?

ABSOLUTELY NO EFFECT! ZERO! NADA!  
NOTHING! NO WAY JOSE!



## Documentation Needed for a Land Use Variance

- 1) The legal description of the parcel of land for which the variance 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 the lot and block number. Include street address and location indicating street boundary and side (north, south, east, west) and nearest intersecting street.
- 2) If the land is a portion of the lot, indicate what portion of the lot (for example, south one-half, north one-third, east one-fourth, etc.). If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.
- 3) The name(s) and address of the owner(s) of the property shall be provided, and this information shall agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.
- 4) Applicant shall provide a detailed description of the land use variance being sought. If this is more extensive than can be described on the form, additional sheets can be used.
- 5) Notification of all property owners within a radius of 300 feet of the property for which the variance being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide variance applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the variance 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 variance 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. Variance applicants may provide a separate petition with the signatures of affected property owners who approve or do not object to the granting of the requested variance, but these persons should not sign the application itself. Variance applicants should ensure correct names and addresses are provided, as incorrect information shall delay or nullify any action on the variance application.
- 6) The section(s) of the City's land use codes from which the variance is being sought shall be listed on the application. The Building and Zoning Department staff will assist you with this or any other matter involved in the variance application process.
- 7) A fee of \$400.00 will be charged for the variance administrative procedure and the legal advertising, along with \$10.00 for the legal notice sign, provided by the Building and Zoning Department, which will be posted on the property for which the variance is sought within clear view of the street and not more than 10 feet inside the property line.

**City of St. Augustine Beach Building and Zoning Department  
Owner Authorization Form**

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

To: St. Augustine Beach Building and Zoning Department  
2200 A1A South  
St. Augustine Beach, Florida 32080

From: Owner Name(s) & Phone #: TAMARA A. CALLAHAN

Address: 13 OAK ROAD

City, State & Zip Code: ST. AUGUSTINE, FL 32080-0000

This is to advise you that I hereby give permission to:

Contractor/Agent Name(s) & Phone #: R.E. CHIP MITCHELL 904-993-2231

Address: 4228 MELROSE AVENUE

City, State, Zip Code: JACKSONVILLE, FL 32210

Who is my contractor/agent, to perform the following on my behalf pertaining to an application for construction, development, land use, zoning, conditional use permit, special events permit, variance, or any other action pursuant to an application for:

13 OAK ROAD

PARCEL ID#: 163230-0000

ST. AUGUSTINE, FL 32080-0000

I hereby designate and authorize the agent listed above to act on my behalf, or on behalf of my corporation, as the agent in the processing of this application for approval to conduct any development authorized pursuant to this application and to furnish, on request, supplemental information in support of this application. In addition, I authorize the above-listed agent to bind me, or my corporation, to perform any requirements that may be necessary to procure such approval.

I hereby recognize that any duly authorized agent of City of Saint Augustine Beach (CoSAB) may enter and inspect any parcel of land for which a development approval or permit has been issued, or where there is a reasonable cause to believe that a development activity is being carried out, for the purpose of ascertaining the state of compliance with City Codes. The interiors of buildings shall not be subject to such inspections unless related to the enforcement of the building code. No person shall refuse immediate entry or access to any authorized representative of the CoSAB or one of the specified agencies who requests entry for the purpose of inspection and who presents appropriate credentials. No person shall obstruct, hamper or interfere with any such inspection. If requested, the owner or operator of the premises shall receive a report setting forth the facts and results of the compliance determination.

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

Date: 5/15/23

TAMARA A. CALLAHAN  
Typed or Printed Name of Property Owner

Tamara A. Callahan  
Signature of Property Owner

State of Florida

County of: SAINT JOHNS

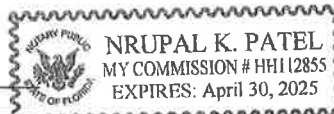
Subscribed and sworn before me this 15<sup>th</sup> day of MAY, 20 23, by TAMARA CALLAHAN

Who is/are personally known to me or who has/have produced FLORIDA DRIVER LICENSE as identification.

[Signature]  
Signature of Notary Public, State of Florida

Typed or Printed Name: NRUPAL K. PATEL

My Commission Expires: 4-30-2025



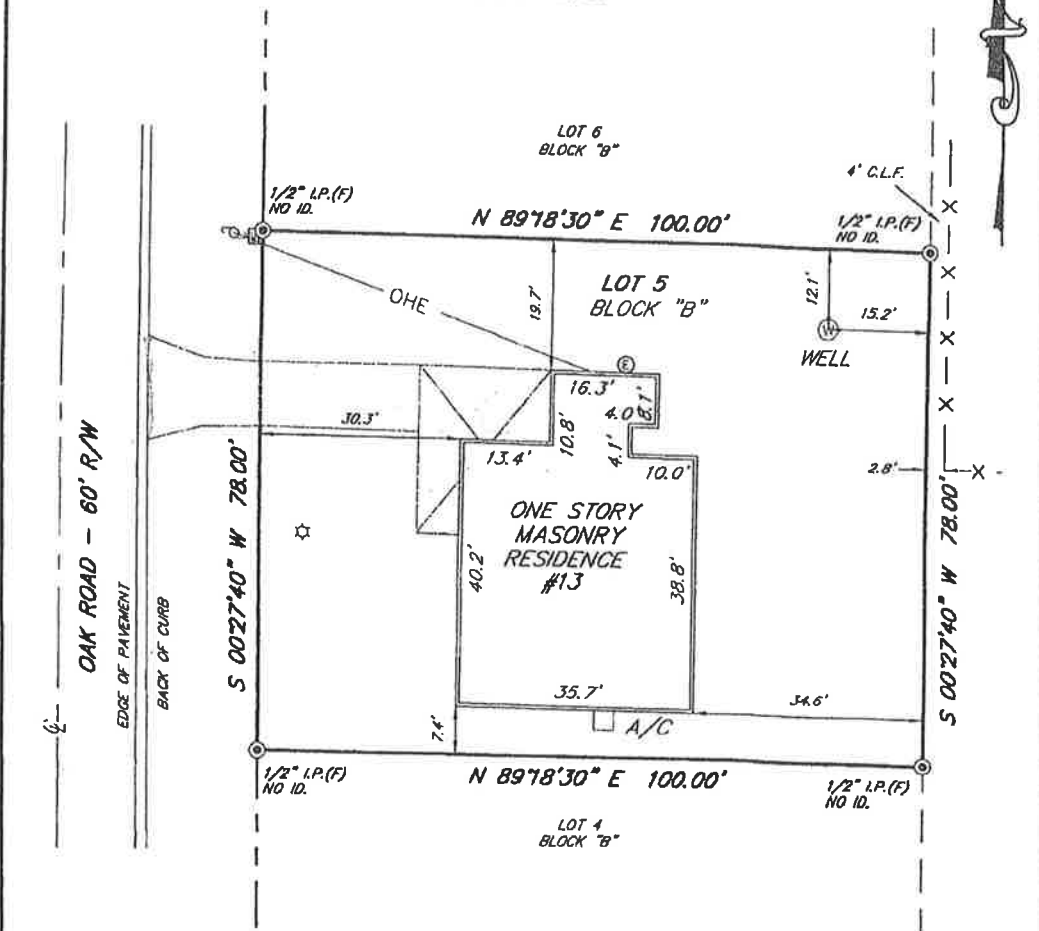
(Stamp or Seal)

# MAP SHOWING SURVEY OF

LOT 5, BLOCK B, WOODLAND UNIT A, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 10, PAGE 69, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

CERTIFIED TO:  
PETER J. MARKOVIC AND TIFFANY B. STEPHENS  
ANDREA N. WRIGHT, LLC D/B/A WRIGHT FIRM  
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY  
FBC MORTGAGE, LLC

*Surveyed by  
James A. Collier*



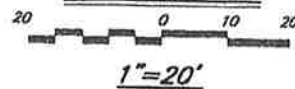
AREA = 0.18 ± ACRES  
OR ± 7,809 sq. ft.

## LEGEND

A/C - AIR CONDITIONER PAD  
ID. - IDENTIFICATION  
N.G.V.D. - NATIONAL GEODETIC VERTICAL DATUM  
sq. ft. - SQUARE FEET  
I.P.(F) - IRON PIPE FOUND  
I.R.(F) - IRON ROD FOUND  
I.R.(S) - 5/8" IRON ROD SET (LANDTECH)

RES. - RESIDENCE  
C. - CENTERLINE  
+ - DENOTES NOT TO SCALE  
W. - WATER METER  
E. - EXPOSED CONCRETE  
C. - COVERED AREA

## GRAPHIC SCALE



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 SHOULD RELY UPON THIS SURVEY.

## GENERAL NOTES:

- Encroachments as shown herein are only those above ground, visible objects observed by the surveyor.
- No underground structures, utilities or foundations were located or determined by this survey.
- This survey does not reflect or determine ownership.
- This survey made without benefit of an abstract of title. No right-of-way or easements of record were furnished to this firm except as shown.
- All distances, bearings or angles are as field measured. Dead or plot measurements are noted if different.
- The certification of this survey is a professional opinion based on the existing field and documentary evidence available at the time this survey was prepared.
- This office has not abstracted this parcel of land for any recorded claims of title, easements or restrictions. This surveyor shall not be held liable for the existence of any such claims.
- The specific rights implied by this survey are not transferable.
- The measurements for this survey were made in accordance with the United States Standards.
- For building setbacks call the appropriate county codes enforcement office.
- Use of this survey for purposes other than that which it was intended, without written verification, will be at the user's sole risk and without liability to this surveyor. Nothing herein shall be intended to give any rights or benefits to anyone other than those the survey was prepared for.
- All disputes hereunder shall be resolved by binding arbitration in accordance with rules set forth by the American Arbitration Association.
- A survey is certified to the best field data.
- A surveyor's liability shall not exceed the fee as stated by this surveyor.

## NOTES:

- According to the Federal Emergency Management Agency FEMA Map No: 125147-0382H effective date: 09/02/04, the property described herein appears to be in Zone X, HS.
- Basis of bearing structure: REFER TO SURVEY
- Job Address: 13 OAK ROAD
- Basis of elevation: N.G.V.D. 29

JOB NO.	LAST FIELD DATE	SCALE	F.B./PACK	CHK. BY	CHK. BY
18-1005	11/11/16	1"=20'	L.L.	N.H.F.	T.P.W.

TYPE: BOUNDARY

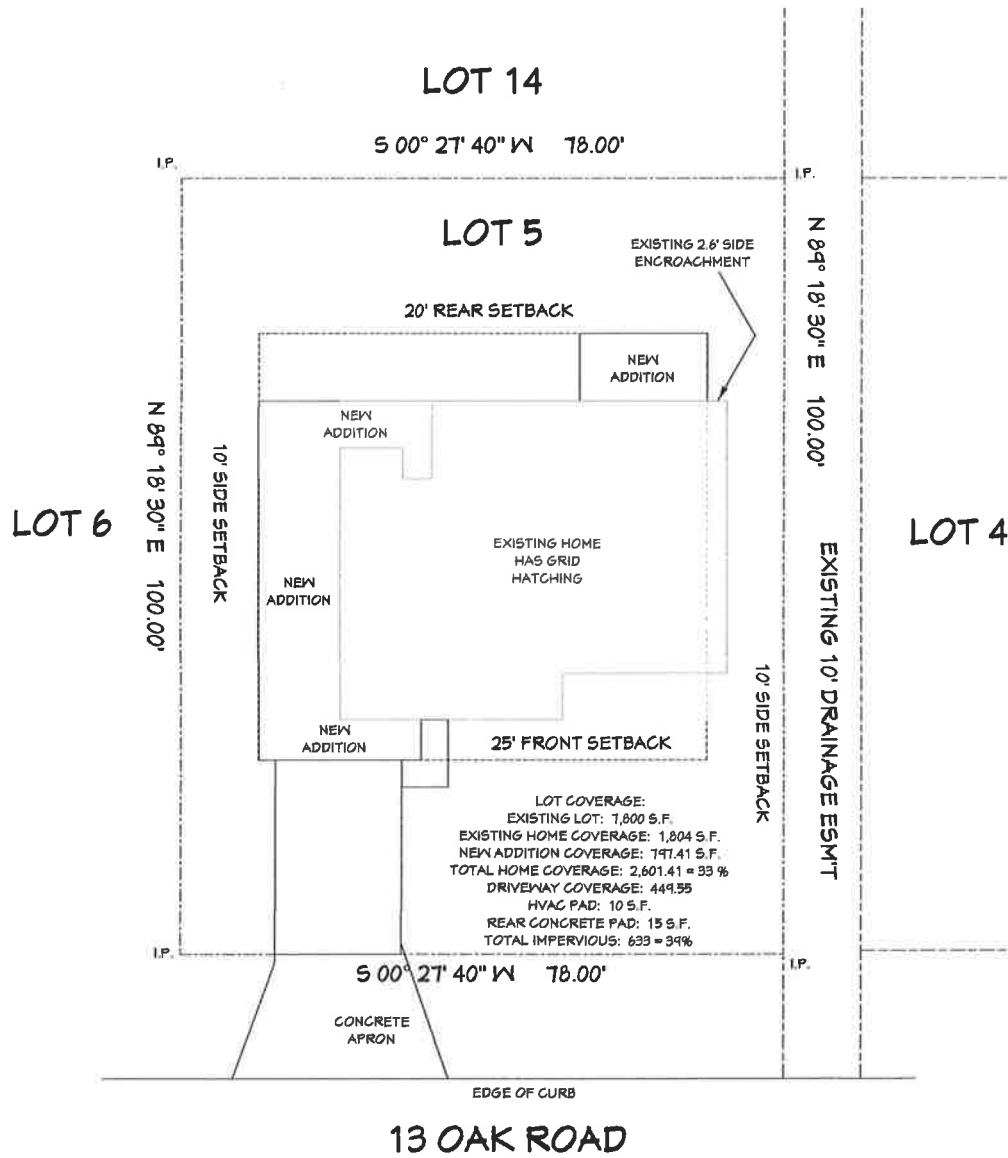
©COPYRIGHT 2016, BY LANDTECH & ASSOCIATES, INC. ALL RIGHTS RESERVED.

**LANDTECH**  
Associates, Inc.  
LAND SURVEYOR'S

5100 A1A SOUTH, SUITE A  
ST. AUGUSTINE, FLORIDA 32080  
(904) 471-6877 FAX (904) 471-6878

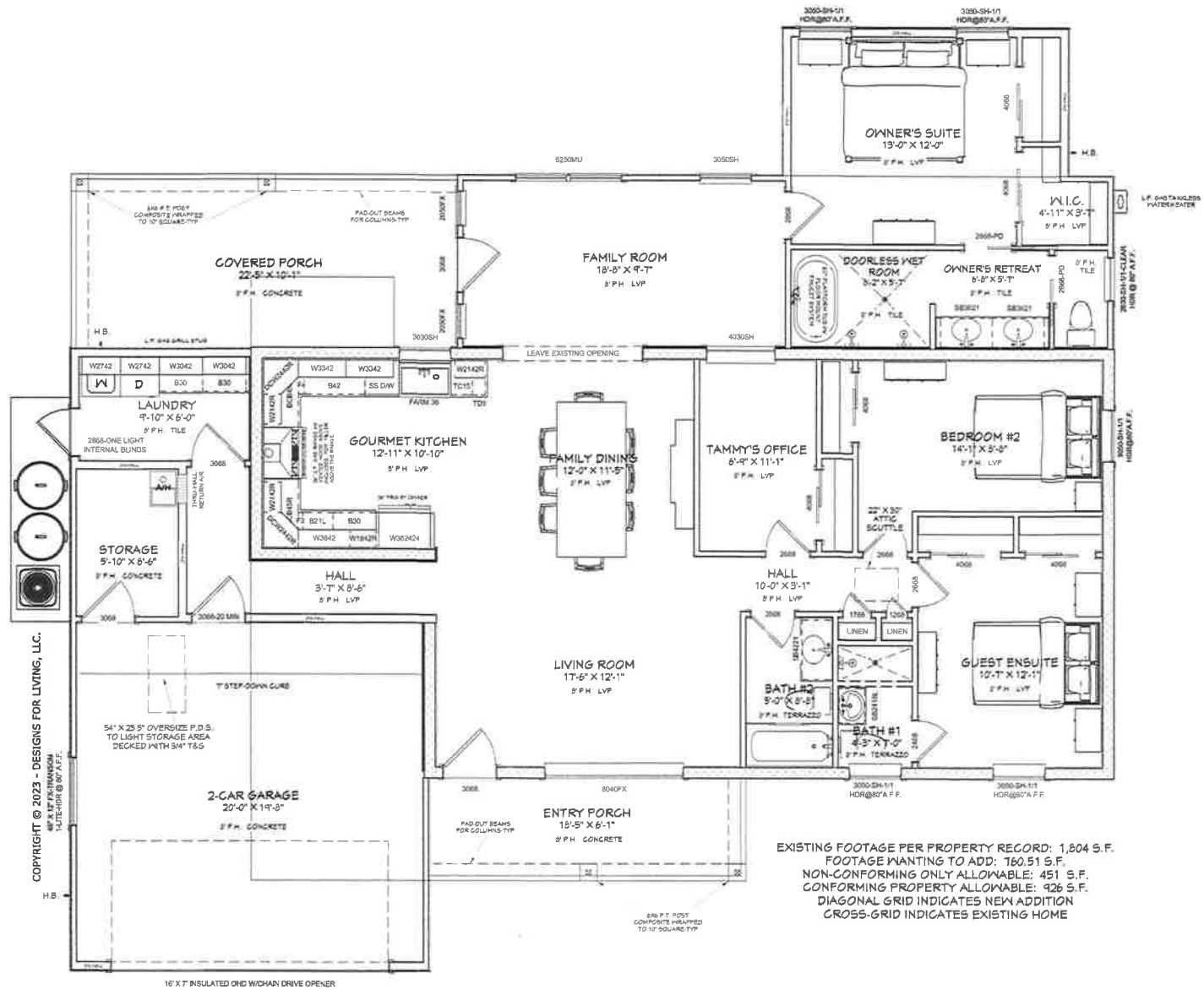
Not valid without the signature and the original related set of a Florida licensed surveyor and mapper. Additions or deletions to survey maps or reports by other than the signing party is prohibited without the written consent of the signing party.

*Nicholas H. Franklin*  
NICHOLAS H. FRANKLIN, P.L.S. #4020  
FOR LANDTECH AND ASSOCIATES L.B. #7537

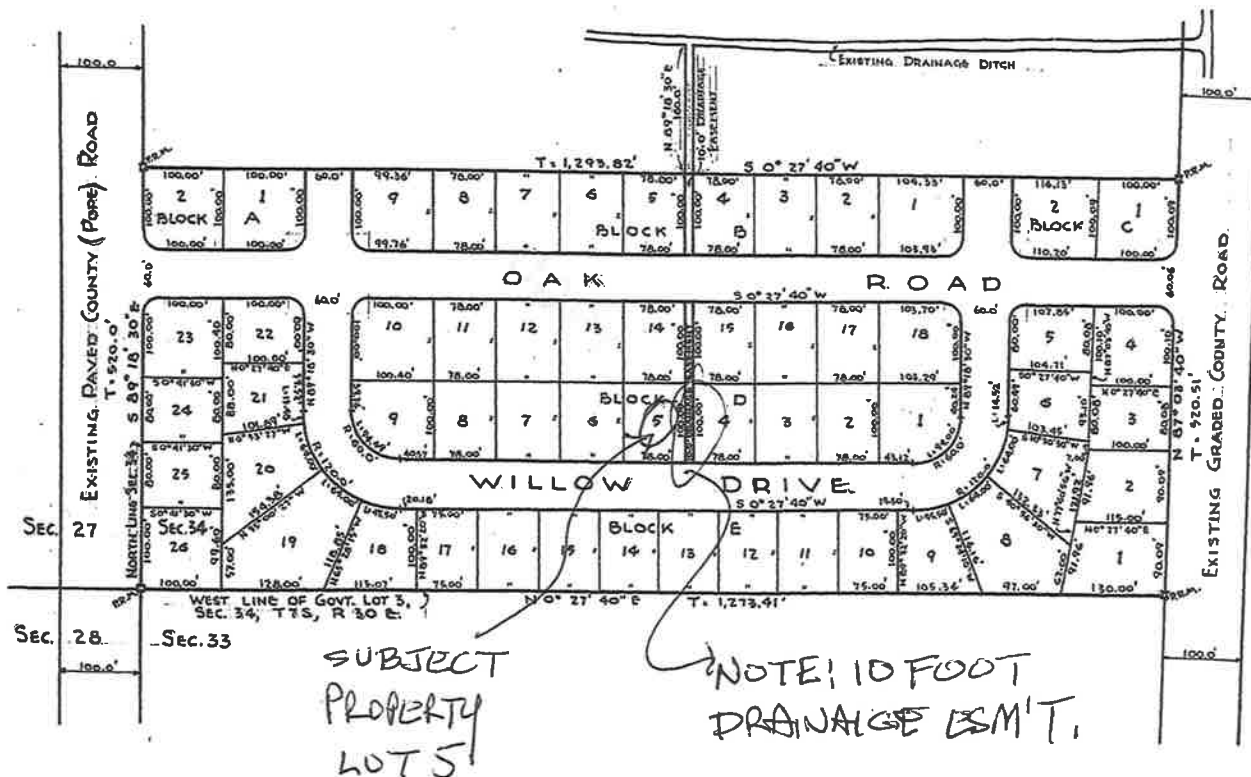


PROPOSED SITE PLAN SHOWING ADDITIONS





# WOODLAND - UNIT A

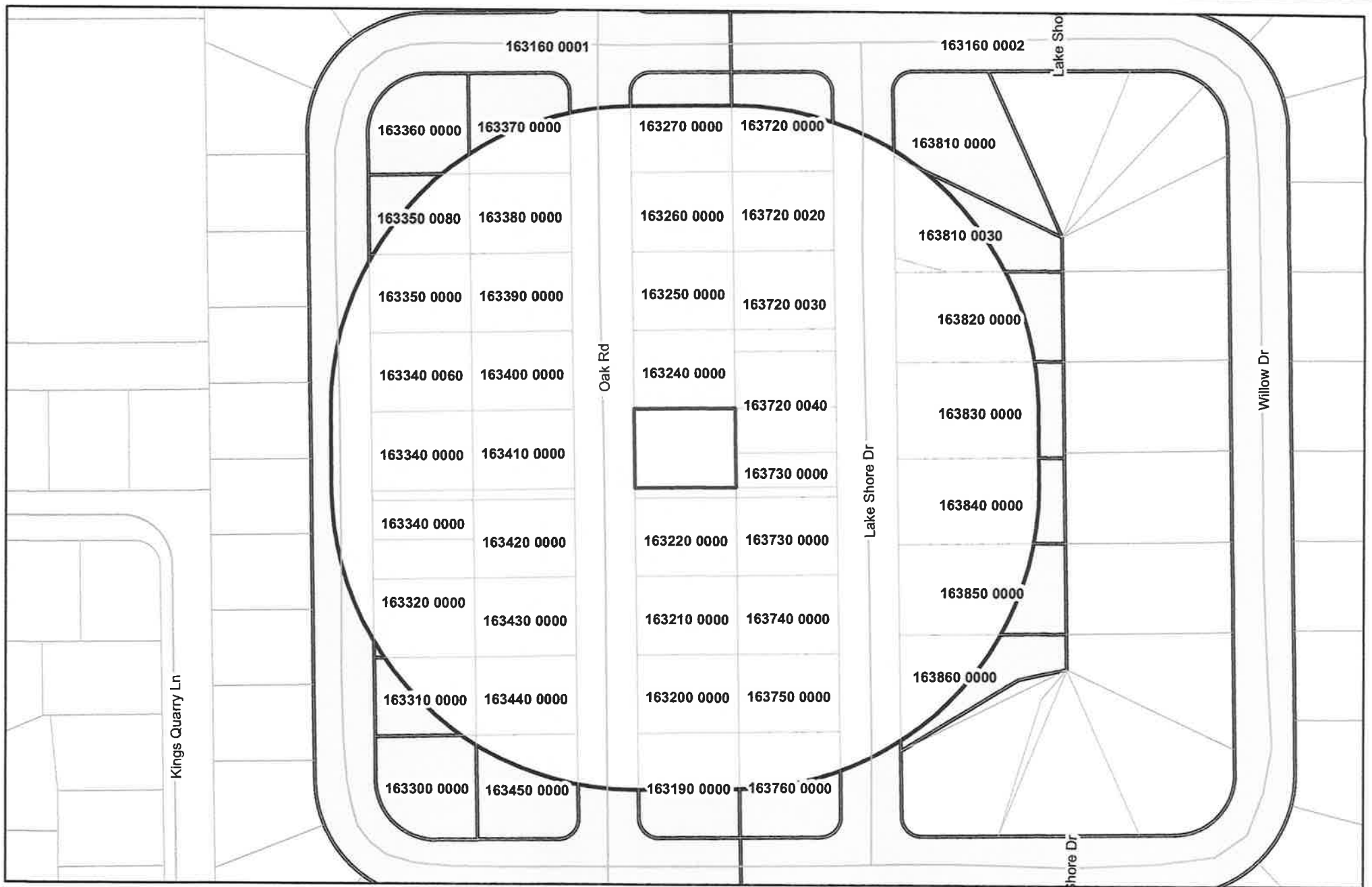


## NOTES:

ALL RADII SHOWN ON SUBDIVISION ARE 20 FT. UNLESS OTHERWISE SHOWN.  
ALL DISTANCES SHOWN ON BLOCK CORNERS ARE TO STREET LINE INTERSECTIONS.  
LOT LINES ARE AT RIGHT ANGLES TO STREETS UNLESS OTHERWISE INDICATED.

## LEGEND:

L: 15.48' DENOTES LENGTH MEASURED ALONG ARC OF CURVE.  
R: 120.0' DENOTES RADIUS OF CURVE.  
□ DENOTES PERMANENT REFERENCE MONUMENT.



## Parcels within 300' of Parcel 163230-0000



ADDISON KATHLEEN B  
20 OAK RD  
SAINT AUGUSTINE FL 320800000

COLEMAN ELISABETH STEIGER  
13 LAKE SHORE DR  
SAINT AUGUSTINE FL 320800000

HOYU RITCHIE ETAL  
16 OAK RD  
SAINT AUGUSTINE FL 320800000

BAKER FAMILY TRUST D: 08/05/20  
936 MIRROR LAKE RD  
SAINT AUGUSTINE FL 320860000

CONNOR TIMOTHY R JR,JENNIFER L  
19 WILLOW DR  
SAINT AUGUSTINE FL 320805918

KIRKPATRICK TIMOTHY,MOLLY  
22 LAKE SHORE DR  
SAINT AUGUSTINE FL 320805940

BERMES GLORIA ILLEANA  
11 OAK RD  
SAINT AUGUSTINE FL 320805932

DEMASI ROBERT A  
16 LAKE SHORE DR  
SAINT AUGUSTINE FL 320800000

LEE ALEXANDER J R,DEBORAH B  
2308 COMMODORES CLUB BLVD  
SAINT AUGUSTINE FL 320800000

BERNSTEIN LIVING TRUST  
22 OAK RD  
SAINT AUGUSTINE FL 320800000

EDWARDS BRITTANY ET AL  
20 LAKE SHORE DR  
SAINT AUGUSTINE FL 320805940

LINDSEY ROBERT W,HELEN M  
15 LAKE SHORE DR  
SAINT AUGUSTINE FL 320805947

BINNINGER SUSAN  
7 WILLOW DR  
SAINT AUGUSTINE FL 320805918

FERNANDEZ RAYMOND STEVEN ALMOR  
5 WILLOW DR  
SAINT AUGUSTINE FL 320805918

LYMAN MICHAEL J,SHARON M  
10 LAKE SHORE DR  
SAINT AUGUSTINE FL 320800000

BOLTON CHRISTOPHER C,DEANNA R  
17 WILLOW DR  
SAINT AUGUSTINE FL 320800000

FRERE CHARLES R JR,DIANE K  
14 LAKE SHORE DR  
SAINT AUGUSTINE FL 320805940

MAC LEAN SUSAN L,MATTHEW P  
10 OAK RD  
SAINT AUGUSTINE FL 320805933

BROWN JO H REVOCABLE TRUST  
5 LAKE SHORE DR  
SAINT AUGUSTINE FL 320800000

GARDNER BRADLEY ALAN,VIVIAN M  
19 OAK RD  
SAINT AUGUSTINE FL 320800000

MARTIN JUDITH  
11 WILLOW DR  
SAINT AUGUSTINE FL 320800000

CALLAHAN TIMOTHY,TAMARA  
17 OAK RD  
SAINT AUGUSTINE FL 320800000

GREEN WILLIAM BRUCE II,SHARON  
8 LAKE SHORE DR  
SAINT AUGUSTINE FL 320800000

OLLIS MATTHEW J  
18 LAKE SHORE DR  
SAINT AUGUSTINE FL 320800000

CARCABA LESLIE  
5 OAK RD  
SAINT AUGUSTINE FL 320805932

HENDERSON WAYNE F,LISA S  
17 LAKE SHORE DR  
SAINT AUGUSTINE FL 320805947

PELTZER ALAN C,STEPHANIE R  
416 KAUFFMAN RD  
PARKTON MD 211200000

CHRISTIAN CHELSEA  
7 OAK RD  
SAINT AUGUSTINE FL 320800000

HOLMBERG TINA M  
11 LAKE SHORE DR  
SAINT AUGUSTINE FL 320805947

RADOSZ MACIEJ REVOCABLE LIVING  
9 WILLOW DR  
SAINT AUGUSTINE FL 320800000

SAFFRAN MARTHA W  
9 LAKE SHORE DR  
SAINT AUGUSTINE FL 320805947

SCHUSTER MICHAEL BRIAN ET AL  
21 OAK RD  
SAINT AUGUSTINE FL 320805932

SHEA STEVEN E,CAROL  
12 OAK RD  
SAINT AUGUSTINE FL 320805933

SILBERT CURT E,LYNN M  
7 LAKE SHORE DR  
SAINT AUGUSTINE FL 320800000

STEPHAN CARMON ELIZABETH  
711 SPARROW AVE  
PALM HARBOR FL 346830000

STERN ROBERT C,FAYE JO  
1 WILLOW DR  
SAINT AUGUSTINE FL 320805918

STOCK TRICIA M ETAL  
18 OAK RD  
SAINT AUGUSTINE FL 320800000

SULLIVAN MARY E  
15 OAK RD  
SAINT AUGUSTINE FL 320805932

TINGLEY CHARLES A  
15 WILLOW DR  
SAINT AUGUSTINE FL 320805918



PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1637200000					10-95 WOODLAND UNIT B LOT 1 BLK B
1634400000	ADDISON KATHLEEN B	20 OAK RD		SAINT AUGUSTINE FL 320800000	10-69 WOODLAND UNIT A LOT 17 BLK D OR1462/917 & 3855/943(F/J) & 4789/1661(Q/C)
1634100000	BAKER FAMILY TRUST D: 08/05/20	936 MIRROR LAKE RD		SAINT AUGUSTINE FL 320860000	10-69 WOODLAND UNIT A LOT 14 BLK D OR5612/224
1632400000	BERMES GLORIA ILLEANA	11 OAK RD		SAINT AUGUSTINE FL 320805932	10-69 WOODLAND UNIT A LOT 6 BLK B OR22/721 & 777/0906 (ORDER)
1634500000	BERNSTEIN LIVING TRUST	22 OAK RD		SAINT AUGUSTINE FL 320800000	10-69 WOODLAND UNIT A LOT 18 BLK D OR753/0776 &1270/137(LE) &4442/678
1633500000	BINNINGER SUSAN	7 WILLOW DR		SAINT AUGUSTINE FL 320805918	10-69 WOODLAND UNIT A BLK D LOT 7 OR1459/1161 & 2511/1247 (FJ/DM) &2574/728(Q/C) & 5375/300
1633100000	BOLTON CHRISTOPHER C,DEANNA R	17 WILLOW DR		SAINT AUGUSTINE FL 320800000	10-69 WOODLAND UNIT A LOT 2 BLK D OR4078/1871 & 5618/415
1638100000	BROWN JO H REVOCABLE TRUST	5 LAKE SHORE DR		SAINT AUGUSTINE FL 320800000	10-95 WOODLAND UNIT B LOT 2 BLK D OR3416/1599 & 3475/1944
1632100000	CALLAHAN TIMOTHY,TAMARA	17 OAK RD		SAINT AUGUSTINE FL 320800000	10-69 WOODLAND UNIT A LOT 3 BLK B OR5452/296
1632700000	CARCABA LESLIE	5 OAK RD		SAINT AUGUSTINE FL 320805932	10-69 WOODLAND UNIT A LOT 9 BLK B OR1495/150 & 2558/1974 (L/E) &4420/370 & 5633/730(D/M)
1632600000	CHRISTIAN CHELSEA	7 OAK RD		SAINT AUGUSTINE FL 320800000	10-69 WOODLAND UNIT #A LOT 8 BLK B OR3834/1223
1638400000	COLEMAN ELISABETH STEIGER	13 LAKE SHORE DR		SAINT AUGUSTINE FL 320800000	10-95 WOODLAND UNIT B LOT 6 BLK D OR1072/1240
1633000000	CONNOR TIMOTHY R JR,JENNIFER L	19 WILLOW DR		SAINT AUGUSTINE FL 320805918	10-69 WOODLAND UNIT A LOT 1 BLK D OR4115/611
1637300000	DEMASI ROBERT A	16 LAKE SHORE DR		SAINT AUGUSTINE FL 320800000	10-95 WOODLAND UNIT B LOT 6 BLK B & S34FT LOT 5 OR2829/1464

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1637500000	EDWARDS BRITTANY ET AL	20 LAKE SHORE DR		SAINT AUGUSTINE FL 320805940	10-95 WOODLAND UNIT B LOT 8 BLK B OR5695/613(T/R)
1633500080	FERNANDEZ RAYMOND STEVEN ALMOR	5 WILLOW DR		SAINT AUGUSTINE FL 320805918	10-69 WOODLAND UNIT A LOT 8 BLK D OR4020/371
1637200040	FRERE CHARLES R JR,DIANE K	14 LAKE SHORE DR		SAINT AUGUSTINE FL 320805940	10-95 WOODLAND UNIT B LOT 4 (EX N22FT OR242/566) & N44FT LOT 5 BLK B OR1284/151
1632000000	GARDNER BRADLEY ALAN,VIVIAN M	19 OAK RD		SAINT AUGUSTINE FL 320800000	10-69 WOODLAND UNIT A LOT 2 BLK B OR5110/335
1637200020	GREEN WILLIAM BRUCE II,SHARON	8 LAKE SHORE DR		SAINT AUGUSTINE FL 320800000	10-95 WOODLAND UNIT B LOT 2 BLK B OR5236/813
1638600000	HENDERSON WAYNE F,LISA S	17 LAKE SHORE DR		SAINT AUGUSTINE FL 320805947	10-95 WOODLAND UNIT B LOT 8 BLK D (EX PART IN OR85/118) OR1191/746
1638300000	HOLMBERG TINA M	11 LAKE SHORE DR		SAINT AUGUSTINE FL 320805947	10-95 WOODLAND UNIT B LOT 5 BLK D OR684/2003 & 4334/1979(H/R) & 4713/795(L/A) & 4753/1293
1634200000	HOYU RITCHIE ETAL	16 OAK RD		SAINT AUGUSTINE FL 320800000	10-69 WOODLAND UNIT A LOT 15 BLK D OR4251/760
1637600000	KIRKPATRICK TIMOTHY,MOLLY	22 LAKE SHORE DR		SAINT AUGUSTINE FL 320805940	10-95 WOODLAND UNIT B LOT 9 BLK B OR4547/138
1633600000	LEE ALEXANDER J R,DEBORAH B	2308 COMMODORES CLUB BLVD		SAINT AUGUSTINE FL 320800000	10-69 WOODLAND UNIT A LOT 9 BLK D OR1697/102
1638500000	LINDSEY ROBERT W,HELEN M	15 LAKE SHORE DR		SAINT AUGUSTINE FL 320805947	10-95 WOODLAND UNIT B LOT 7 BLK D OR1272/1340
1637200030	LYMAN MICHAEL J,SHARON M	10 LAKE SHORE DR		SAINT AUGUSTINE FL 320800000	10-95 WOODLAND UNIT B LOTS 3 & N22FT LOT 4 BLK B OR4405/537
1633900000	MAC LEAN SUSAN L,MATTHEW P	10 OAK RD		SAINT AUGUSTINE FL 320805933	10-69 WOODLAND UNIT A LOT 12 BLK D OR1207/273
1633400000	MARTIN JUDITH	11 WILLOW DR		SAINT AUGUSTINE FL 320800000	10-69 WOODLAND UNIT A N1/2 LOT 4 & ALL LOT 5 BLK D OR3379/1253(ORDER HX RP)

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1637400000	OLLIS MATTHEW J	18 LAKE SHORE DR		SAINT AUGUSTINE FL 320800000	10-95 WOODLAND UNIT B LOT 7 BLK B OR4171/920
1633800000	PELTZER ALAN C,STEPHANIE R	416 KAUFFMAN RD		PARKTON MD 211200000	10-69 WOODLAND UNIT A LOT 11 BLK D OR5328/521
1633400060	RADOSZ MACIEJ REVOCABLE LIVING	9 WILLOW DR		SAINT AUGUSTINE FL 320800000	10-69 WOODLAND UNIT A LOT 6 BLK D OR4464/1982 & 5030/801(Q/C)
1638200000	SAFFRAN MARTHA W	9 LAKE SHORE DR		SAINT AUGUSTINE FL 320805947	10-95 WOODLAND UNIT B LOT 4 & TRI STRIP IN LOT 3 - 14.84 X 53.26 X 51.15 BLK D OR159/68
1631900000	SCHUSTER MICHAEL BRIAN ET AL	21 OAK RD		SAINT AUGUSTINE FL 320805932	10-69 WOODLAND UNIT A BLK B LOT 1 OR5261/606 & 5476/609(Q/C)
1634000000	SHEA STEVEN E,CAROL	12 OAK RD		SAINT AUGUSTINE FL 320805933	10-69 WOODLAND UNIT A LOT 13 BLK D OR1041/1178 & 5552/504(Q/C)
1638100030	SILBERT CURT E,LYNN M	7 LAKE SHORE DR		SAINT AUGUSTINE FL 320800000	10-95 WOODLAND UNIT B LOT 3 BLK D (EX TRI STRIP OR159/68) OR4207/176
1632500000	STEPHAN CARMON ELIZABETH	711 SPARROW AVE		PALM HARBOR FL 346830000	10-69 WOODLAND UNIT A LOT 7 BLK B OR5604/1851(H/R) & 5622/32(P/R)
1633700000	STERN ROBERT C,FAYE JO	1 WILLOW DR		SAINT AUGUSTINE FL 320805918	10-69 WOODLAND UNIT A LOT 10 BLK D OR250/551 & 4650/482(L/E)
1634300000	STOCK TRICIA M ETAL	18 OAK RD		SAINT AUGUSTINE FL 320800000	10-69 WOODLAND UNIT A LOT 16 BLK D OR4273/1848
1632200000	SULLIVAN MARY E	15 OAK RD		SAINT AUGUSTINE FL 320805932	10-69 WOODLAND UNIT A LOT 4 BLK B OR388/185(Q/C) & 687/675
1633200000	TINGLEY CHARLES A	15 WILLOW DR		SAINT AUGUSTINE FL 320805918	10-69 WOODLAND UNIT #A LOT 3 & S1/2 LOT 4 BLK D OR4259/489(P/R)
1631600001	WOODLAND UNIT A				10/68-69 WOODLAND UNIT A ROWS & DROWS DEDICATED FOR PUBLIC USE PER PLAT AND ARE
1631600002	WOODLAND UNIT B				10/94-95 WOODLAND UNIT B ROWS & DROWS ARE DEDICATED FOR PUBLIC USE PER PLAT AND



## St. Johns County, FL

### Apply for Exemptions

[Apply for Exemptions](#)

### Sales Questionnaire Form

*If you are a new owner of this property, please click here to submit a Sales Questionnaire*

[Sales Questionnaire](#)

### 2022 TRIM Notice

[2022 TRIM Notice \(PDF\)](#)

### Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



**Parcel ID** 1632300000  
**Location Address** 13 OAK RD  
 SAINT AUGUSTINE 32080-0000  
**Neighborhood** Woodland (659)  
**Tax Description\*** 10-69 WOODLAND UNIT A LOT 5 BLK B OR5390/1589  
 \*The Description above is not to be used on legal documents.  
**Property Use Code** Single Family (0100)  
**Subdivision** Woodland-Unit A  
**Sec/Twp/Rng** 34-7-30  
**District** City of St Augustine Beach (District 551)  
**Millage Rate** 15.8076  
**Acreage** 0.180  
**Homestead** Y

### Owner Information

**Owner Name** Callahan Timothy J,Tamara A 100%  
 Callahan Tamara A 100%  
**Mailing Address** 13 OAK RD  
 SAINT AUGUSTINE, FL 32080-0000

### Exemption Information

Exemption Type	Status	Amount
Homestead		\$50,000

[illegible]

	2023
Building Value	\$217,949
Extra Features Value	\$0
Total Land Value	\$210,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$427,949
Total Deferred	\$14,447
Assessed Value	\$413,502
Total Exemptions	\$50,000
Taxable Value	\$363,502

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2022	\$192,018	\$0	\$209,440	\$0	\$0	\$401,458	\$401,458	\$50,000	\$351,458
2021	\$138,168	\$0	\$140,000	\$0	\$0	\$278,168	\$254,373	\$73,795	\$204,373
2020	\$114,387	\$0	\$140,000	\$0	\$0	\$254,387	\$250,861	\$53,526	\$200,861
2019	\$105,221	\$0	\$140,000	\$0	\$0	\$245,221	\$245,221	\$50,000	\$195,221
2018	\$106,624	\$0	\$140,000	\$0	\$0	\$246,624	\$246,624	\$50,000	\$196,624
2017	\$108,026	\$1,382	\$130,000	\$0	\$0	\$239,408	\$239,408	\$0	\$239,408
2016	\$78,297	\$0	\$110,000	\$0	\$0	\$188,297	\$162,107	\$26,190	\$162,107
2015	\$80,331	\$0	\$80,000	\$0	\$0	\$160,331	\$147,370	\$12,961	\$147,370
2014	\$70,820	\$0	\$80,000	\$0	\$0	\$150,820	\$133,973	\$16,847	\$133,973
2013	\$67,794	\$0	\$54,000	\$0	\$0	\$121,794	\$121,794	\$0	\$121,794
2012	\$68,698	\$0	\$54,000	\$0	\$0	\$122,698	\$122,698	\$0	\$122,698
2011	\$61,467	\$0	\$54,000	\$0	\$0	\$115,467	\$115,467	\$0	\$115,467
2010	\$62,371	\$0	\$60,000	\$0	\$0	\$122,371	\$122,371	\$0	\$122,371

Building	1
Year Built	1961
Actual Area	1804
Conditioned Area	1437
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Concrete Stucco, Wood

Roof Cover	Composite Shingle
Roof Structure	Gable Hip
Interior Flooring	Carpet, Terrazzo
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	0
Baths	

Description	Square Footage
ADDITION	390
BASE AREA	1047
FINISHED GARAGE	209
FINISHED OPEN PORCH	66

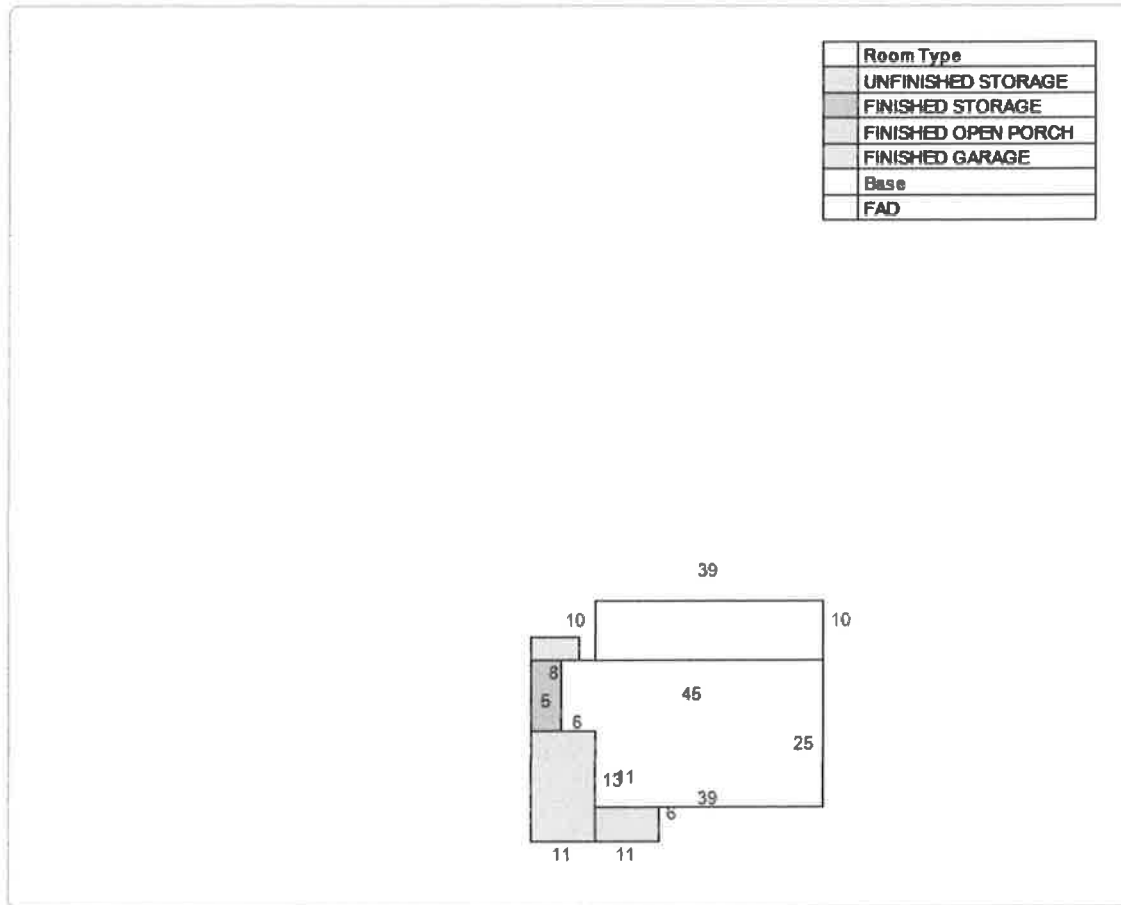


**Description**

FINISHED STORAGE/UTILITY  
 UNFINISHED STORAGE/UTILITY  
 Total SqFt

**Square Footage**

60  
 32  
 1804

**Sketch Information****Land Information**

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	78	0	1	UT	\$210,000

**Sale Information**

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
10/11/2021	10/4/2021	\$420,000.00	WARRANTY DEED	5390	1589	Q	I	MARKOVIC PETER J ET AL	CALLAHAN TIMOTHY J, TAMARA A
8/13/2018	8/13/2018	\$0.00	MARRIAGE CERTIFICATE	4595	1815	U	I	MARKOVIC PETER J ET AL	STEPHENS TIFFANY B
12/7/2016	11/30/2016	\$290,000.00	WARRANTY DEED	4297	1564	Q	I	FOSTER MICHAEL & ELIZABETH	MARKOVIC PETER J ET AL
	7/6/2006	\$294,000.00	WARRANTY DEED	2747	1485	Q	I	MUFFIT SAMUEL K & DOCHODA NANCY	FOSTER MICHAEL & ELIZABETH
	11/22/2000	\$137,500.00	WARRANTY DEED	1546	231	Q	I	NORRIS JANE A	MUFFITT SAMUEL K & DOCHODA NANCY (JTRS)
	12/2/1999	\$100.00	WARRANTY DEED	1461	1810	U	I	NORRIS ELIZABETH ESTATE BY PERS REP	NORRIS JANE A
	9/1/1999	\$0.00	OTHER INSTRUMENT	1440	1015	U	I	NORRIS ELIZABETH (DECD 8/8/99)	NORRIS ELIZABETH ESTATE (LETT OF ADMIN)
	9/18/1996	\$0.00	WILL	1440	1005	U	I	NORRIS ELIZABETH	NORRIS ELIZABETH (WILL)

No data available for the following modules: Extra Feature Information.

This instrument was prepared by:

Jessica Peel

Action Title Services of St. Johns County, Inc.

3670 US 1 South, Suite 110, St. Augustine, Florida 32086

File Number:21693

Consideration: \$400,000.00

Documentary Stamps Paid: \$2,800.00

## This Warranty Deed

Made this **October 4, 2021 A.D.** By **Peter J. Markovic and Tiffany B. Stephens, husband and wife** hereinafter called the grantor, to **Timothy J. Callahan and Tamara A. Callahan, husband and wife**, whose post office address is: 19539 Regent Drive, Mokena, IL 60448, 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 Grantor, for the sum of **Ten Dollars and no cents ( \$10.00)** and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee the following described property:

**Lot 5, Block B, Woodland - Unit A, according to the map or plat thereof, as recorded in Plat Book 10, Page(s) 68 and 69, of the Public Records of St. Johns County, Florida.**

**Parcel ID Number: 163230-0000**

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

**SUBJECT TO** covenants, restrictions, easements, limitations and reservations of record, if any. However, this reference does not reimpose same. Subject to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

**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 and assessments accruing subsequent to **December 31, 2020**.

*[signature page to follow]*

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

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE TWO WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR(S) OR HAS A BENEFICIAL INTEREST IN THE SALE OF THIS PROPERTY DESCRIBED HEREIN.

Signed, sealed and delivered in our presence:

[1] Brittney Tierney

Witness Printed Name: Brittney Tierney

[2] K. Kyle Tierney

Witness Printed Name: K. Kyle Tierney

State of Florida  
County of St. Johns

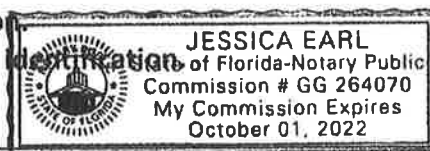
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this Oct 3, 2021, by Peter J. Markovic and Tiffany B. Stephens, husband and wife. Such person (notary must check applicable box):

☒ is / are personally known to me.

☐ produced a current Florida Driver's license as identification

☐ produced \_\_\_\_\_

as identification



Notary Public

Notary Print Name Jessica Earl

My Commission Expires: October 1, 2022

(NOTARY SEAL)

# Google Maps 13 Oak Rd



Map data ©2023 500 ft



## **City of St. Augustine Beach Building and Zoning Department**

**To:** Comprehensive Planning and Zoning Board  
**From:** Jennifer Thompson, Planner  
**CC:** Brian Law, Director of Building and Zoning, Bonnie Miller, Senior Planner  
**Date:** 06/06/2023  
**Re:** Concept Review File CR 2023-01 and Variance File VAR 2023-10 for Publix  
1033 A1A Beach Blvd

Concept review CR 2023-01 is for the rebuild of the existing Publix to a new 54,964 square foot building. Concept reviews are required for all major developments and are for informational purposes only. According to the City's Land Development Regulations, the Comprehensive Planning and Zoning Board shall issue no order, finding, or other indication of approval or disapproval of the proposal.

Variance File VAR 2023-10 is an application requesting a reduction of size for standard parking spaces, a reduction in size of the north buffer, and a request to exceed the maximum 70% impervious surface coverage for commercial land use districts.

The City's Land Development Regulations require standard parking to be 9 feet by 20 feet. The current parking space size at the Publix Plaza is 9 feet by 18 feet and the proposed new parking spaces are 9.5 feet by 18 feet. The proposed new drive aisles are 25 feet wide. The new parking design will add 13 parking spaces to the plaza for a total of 481 parking spaces. The City's Land Development Regulations only require 429 parking spaces.

The applicant is requesting a reduction of the north buffer to 5 feet and 10 feet. The Anastasia Plaza was built in 1987. Prior to 2009, the property to the north was zoned commercial and there were no buffer requirements between the two properties. In 2009, the City acquired the property to the north, Hammock Dunes Park, and changed the zoning from commercial to parks and recreation. The City's Land Development Regulations require a 15-foot wide vegetative and structural barrier between noncompatible zoning. Currently the property to the north is undeveloped with no future plans for immediate development.

The applicant is requesting to exceed the maximum impervious surface ratio (ISR) of 70% for commercial zones. The current impervious surface is 80.94%, the rebuild will lower this number to 80.54%. In 1987 when the plaza was built, there were no requirements in the City's Land Development Regulations concerning ISR.

Sincerely,

*Jennifer Thompson, CFM*

Planner  
Planning and Zoning Division





## **City of St. Augustine Beach Building and Zoning Department**

**TO: Planning and Zoning Division**

**FROM: Brian Law**

**SUBJECT: 1033 A1A Beach Blvd variances and concept review**

**DATE: 6-7-2023**

The 2020 Florida Building Code has no objection to the requested variances for a reduced depth parking spot nor does it have any objection to a partially reduced landscape buffer. The Building Division has no objection to this proposal for concept review and/or development review and we will review the completed architectural and engineered plans upon submittal for a building permit. The minimum number of required accessible parking spaces shall be as per section 208 of the 2020 Florida Building Code—Accessibility.

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



## City of St. Augustine Beach

### MEMORANDUM

**TO:** Bonnie Miller, Senior Planner

**FROM:** Jason D. Sparks, P.E., Engineering Director

**DATE:** May 26, 2023

**SUBJECT:** Concept Review and Variance Applications for Publix Rebuild and Anastasia Plaza

Engineering reviewed the concept and variance requests and offers the following:

- No objection to replacing the existing grocery store building with new building.
- No objection to creating additional parking spaces for the shopping center with the exception of incorporating compact car parking spaces.
- No objection to reduction of required landscape buffer to 5 feet on the north side to accommodate semi-truck and trailer maneuvering to offload at proposed truck dock with exception of the following:
  - Preserve and protect maturing trees (greater than 8 inches Diameter Breast Height (DBH) along the property boundary. Remove all invasive exotic vegetation and non-native species.
  - Incorporate a litter control mechanism along the property boundary. At no time shall there be litter/rubbish accumulation on the property.
- Provide St. Johns River Water Management District permit and associated documentation reflecting proposed improvements.
- Variance application indicates the existing stormwater system will be rehabilitated. Upon completion, provide inspection results and certification of completion signed and sealed by a licensed professional engineer registered in the State of Florida.



## City of St. Augustine Beach

### MEMORANDUM

Date: May 30, 2023  
To: Planning and Zoning Department  
From: Russell Adams, Public Works Assistant Director  
Subject: Anastasia Plaza Variance Application

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Planning and Zoning Department,

Based on the information provided:

- The Public Works Department has no objection to the reduction to the minimum parking space requirement.
- The Public Works Department has no objection to the reduction of the required landscape buffer to the north.
- The Public Works Department has no objection to the applicant maintaining the existing nonconforming impervious surface ratio coverage in a commercial land use district.

Russell Adams

Public Works Department

**From:** [Melissa Caraway](#)  
**To:** [Bonnie Miller](#); [Larry Miller](#); [Phillip Gaskins](#); [Teri Pinson](#); [Teri Shoemaker](#)  
**Cc:** [Planning and Zoning](#); [patrickmckinley@regencycenters.com](mailto:patrickmckinley@regencycenters.com); [cruen@regencycenters.com](mailto:cruen@regencycenters.com)  
**Subject:** RE: Concept Review and Variance Applications for Publix Rebuild and Anastasia Plaza  
**Date:** Thursday, May 18, 2023 6:56:39 AM  
**Attachments:** [image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image001.png](#)  
[image002.png](#)  
[image006.png](#)  
[image007.png](#)

**CAUTION:** This message originated from outside of your organization. Clicking on any link or opening any attachment may be harmful to your computer or the City. If you do not recognize the sender or expect the email, please verify the email address and any attachments before opening. If you have any questions or concerns about the content, please contact IT staff at [IT@cityofsab.org](mailto:IT@cityofsab.org).

Bonnie,

Looking over this we have no issues with the conceptual plan, however, before anything transpires for demolition and actual new construction, we will need to see construction plans for the demo and new construction for review and approval. We will need to make sure that the demo doesn't affect the existing utilities within the area and make sure that any new connections are made correctly and to standards. This is master metered so making sure the level of service is being kept for existing buildings on site will be imperative. Also, we will need to see the square footage being demolished along with the square footage being rebuilt (Architectural Floor Plans) to assess if any additional Unit Connection Fees will be warranted.

Please let me know if you have any further questions or concerns.



**Melissa Caraway**

*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 | [www.sjcfl.us](http://www.sjcfl.us)

**From:** Bonnie Miller <bmill@cityofsab.org>

**Sent:** Wednesday, May 17, 2023 3:42 PM

**To:** Mellssa Caraway <mcaraway@sjcfl.us>; Larry Miller <lrmiller@sjcfl.us>, Phillip Gaskins <pgaskins@sjcfl.us>; Teri Pinson <tpinson@sjcfl.us>

**Cc:** Planning and Zoning <zoning@cityofsab.org>; patrickmckinley@regencycenters.com; cruen@regencycenters.com

**Subject:** Concept Review and Variance Applications for Publix Rebuild and Anastasia Plaza

Good Afternoon St. Johns County Utility Department,

Please review the attached concept review and variance applications for demolition of the existing Publix grocery store and rebuild of a new Publix and reconfiguration of the existing parking lot at Anastasia Plaza in St. Augustine Beach.

The concept review application is for the rebuild of the existing 48,555-square-foot Publix grocery store to a new 54,964-square-foot Publix, which after the concept review application, will require a major development application and final development order, which will be forwarded to you when it is submitted.

The variance application is for a reduction of the minimum parking space size requirement; reduction of required landscape buffer to 5 feet on the north side to accommodate the new truck dock; and to maintain the existing nonconforming impervious surface ratio coverage in a commercial land use district, which has a maximum ISR coverage of 70% per St. Augustine Beach Code.

Please forward any comments/concerns you may have about these applications to me by the end of the month, if possible, so we can include them in the application information that will be copied to the City of St. Augustine Beach Planning and Zoning Board, which will review these applications at its June 20, 2023 meeting.

Give me a call at the telephone number listed below if you have questions or need more information, or I can be reached via email.

Thanks,

*Bonnie Miller, Senior Planner  
City of St. Augustine Beach  
Building & Zoning Department  
2200 State Road A1A South  
St. Augustine Beach, Florida 32080  
Telephone Number : 904-484-9145*





**St. Johns County Fire Rescue Department  
Fire Marshal Office  
Plans Review Comment Sheet  
May 24, 2023**

Project Name	Publix Shopping Center
Project Address	1033 A1A Beach Blvd
Contractors Name	
Contractors Phone Number	
Sprinkler Contractor	
Underground	
Fire Alarm Contractor	
FHID	6624
<p>Plans Reviewed under Florida Uniform Fire Safety Standards or Florida Fire Prevention Code 7<sup>th</sup> edition. To help speed the review process you may include a written comment response summary to clarify or illustrate where corrections were made on plans. Please remember to use the Florida Fire Prevention Code 7th Ed for all code reference in a response to comments. The fire plans examiner does not use or have a copy of the Florida Building Code.</p>	

Submittal for a concept review and variance to demolish the existing Publix grocery store and rebuild a new Publix and reconfigure the parking lot. The grocery store will increase from 48,555sf to 54,964sf and will have a new truck dock.

Fire Rescue does not object to the concept. I will review in detail when the construction documents are submitted.

Reviewed using FFPC 7th edition effective Dec. 31, 2020.  
Reviewer: PJ Webb 904 209 1744

To schedule fire inspections please call 827-6842 (automated system). Questions about inspections please call 209-1740x1.

*Review by the AHJ shall not relieve the applicant of the responsibility for compliance with the Code.*

Plans Reviewed by  
PJ Webb - Plan Examiner  
3657 Gaines Rd  
St. Augustine, FL 32084  
Phone (904) 209- 1744  
Email pwebb@sjcfl.us

**ORDINANCE NO. 08-35**

**AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, RELATING TO THE COMPREHENSIVE PLAN; CONTAINING FINDINGS, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF ST. AUGUSTINE BEACH BY DESIGNATING THE FUTURE LAND USE OF THE FOLLOWING DESCRIBED LANDS OWNED BY ST JOHNS COUNTY, CURRENTLY DESIGNATED COMMERCIAL, AS PARK AND RECREATION:**

**A PARCEL OF LAND SITUATED IN GOVERNMENT LOT 8, SECTION 3, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:**

**COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 3 AND THE EAST RIGHT OF WAY LINE OF VACATED EWING STREET (CITY OF ST. AUGUSTINE BEACH ORDINANCE 99-24); THENCE NORTH 89 DEGREES 06 MINUTES 03 SECONDS EAST ALONG THE SAID SOUTH LINE OF SECTION 3, A DISTANCE OF 61.78 FEET FROM THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 06 MINUTES 03 SECONDS EAST, ALONG SAID SOUTH LINE OF SECTION 3 A DISTANCE OF 597.40 FEET TO THE WEST RIGHT OF WAY LINE OF COUNTY ROAD A-1-A (A 100 FOOT RIGHT OF WAY); THENCE NORTH 16 DEGREES 53 MINUTES 14 SECONDS EAST ALONG THE SAID WEST RIGHT OF WAY LINE OF COUNTY ROAD A-1-A, 423.11 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 40 SECONDS WEST, 726.62 FEET; THENCE SOUTH 00 DEGREES 53 MINUTES 41 SECONDS EAST A DISTANCE OF 400.90 FEET TO THE POINT OF BEGINNING.**

**AND PROVIDING AN EFFECTIVE DATE.**

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

**Section 1. Finding.** The City Commission of the City of St. Augustine Beach, Florida, finds that in the interest of the public health, safety, and welfare of the citizens of the City that as to the parcel of property described in the title of this Ordinance, the Comprehensive Plan of the City of St. Augustine Beach be amended to designate the future land use of such parcel as Parks and Recreation.

**Section. 2. Designation of Land Use.** The Comprehensive Plan of the City of St. Augustine Beach be, and the same is hereby, amended by designating all those

properties described in the Title of this Ordinance as Parks and Recreation.

**Section 3. Effective Date.** This Ordinance shall take effect as provided by Law.

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

ATTEST:   
City Manager

BY:   
Mayor-Commissioner

First Reading: December 1, 2008  
Second Reading: January 5, 2009

**ORDINANCE 08-36**

**AN ORDINANCE OF THE CITY OF ST. AUGUSTINE  
BEACH, FLORIDA AMENDING THE FUTURE LAND USE  
DESIGNATION OF THE LANDS HEREINAFTER  
DESCRIBED FROM COMMERCIAL TO RECREATION**

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST.  
AUGUSTINE BEACH, FLORIDA, as follows:**

Section 1. The Zoning Classification and Zoning Atlas of the City for the following described lands be, and the same are, hereby amended from Commercial to Recreation:

**A PARCEL OF LAND SITUATED IN GOVERNMENT LOT 8, SECTION 3,  
TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, AND  
BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:**

**COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF SAID  
SECTION 3 AND THE EAST RIGHT OF WAY LINE OF VACATED  
EWING STREET (CITY OF ST. AUGUSTINE BEACH ORDINANCE 99-  
24); THENCE NORTH 89 DEGREES 06 MINUTES 03 SECONDS EAST  
ALONG THE SAID SOUTH LINE OF SECTION 3, A DISTANCE OF  
61.78 FEET FROM THE POINT OF BEGINNING; THENCE CONTINUE  
NORTH 89 DEGREES 06 MINUTES 03 SECONDS EAST, ALONG SAID  
SOUTH LINE OF SECTION 3 A DISTANCE OF 597.40 FEET TO THE  
WEST RIGHT OF WAY LINE OF COUNTY ROAD A-1-A (A 100 FOOT  
RIGHT OF WAY); THENCE NORTH 16 DEGREES 53 MINUTES 14  
SECONDS EAST ALONG THE SAID WEST RIGHT OF WAY LINE OF  
COUNTY ROAD A-1-A, 423.11 FEET; THENCE SOUTH 89 DEGREES 56  
MINUTES 40 SECONDS WEST, 726.62 FEET; THENCE SOUTH 00  
DEGREES 53 MINUTES 41 SECONDS EAST A DISTANCE OF 400.90  
FEET TO THE POINT OF BEGINNING.**

Section 2. This Ordinance shall take effect upon passage.

PASSED by the City of St. Augustine Beach, Florida, on second reading this 5<sup>th</sup>  
day of January, 2009.

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

ATTEST:   
City Manager

BY:   
Mayor-Commissioner

Passed on First Reading: December 1, 2008

Passed on Second Reading: January 5, 2009

**City of St. Augustine Beach Building and Zoning Department  
Concept Review 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 concept review is being sought:

Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Subdivision \_\_\_\_\_

Street Address 1033 A1A Beach Blvd, St. Augustine, FL 32080

2. Location (N, S, W, E): West Side of (Street Name): A1A Beach Blvd

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

4. Real estate parcel identification number: 1742000020

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

MCW-RC-FL-Anastasia, LLC

One Independent Dr, Suite 114, Jacksonville, FL 32202

6. Current land use classification: CO (Commercial)

7. Section of land use code from which the concept review is being sought: Land Development Regulations

Section 12.02.06

8. Reasons for which the concept review is being sought: \_\_\_\_\_

Replace existing grocery store building with new building.

Create additional parking spaces for the shopping center.

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

Attached survey & site plan with site data table.



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

☒ Legal description of property

☒ Copy of warranty deed

☐ Owner Permission Form (if applicable)

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

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

☒ Survey to include all existing structures and fences

☐ Other documents or relevant information to be considered

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

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

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

Patrick McKinley

Print name (owner or his/ her agent)

Patrick McKinley

Print name (applicant or his/her agent)



Signature /date

5-15-23

Signature /date

One Independent Dr, Suite 114, Jacksonville, FL 32202

Owner/agent address

Applicant/agent address

904-598-7000

Phone number

Phone number

patrickmckinley@regencycenters.com

Email address

Email address

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

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

Date: 5-16-2023

Concept Review File #: CR 2023-01

Applicant's name: MCW-RC-FL-Anastasia, LLC

Applicant's address: One Independent Dr, Suite 114, Jacksonville, FL 32202

For concept review at: 1033 AIA Beach Blvd. - Publix  
at Anastasia Plaza

### Application Fees

Application Fee: \$300.00      Date Paid: 5-16-2023

Legal Notice Sign: \$10.00      Date Paid: 5-16-2023

Received by: Bonnie Miller

Date: 5-16-2023

Invoice #: I2301258

App. # 7266

Check # or type of credit or debit card: 1806794

## Instructions for Applying for a Concept Review

---

- 1) Per Section 12.02.06, all major developments, per the criteria in Section 12.02.03 of the City's Land Development Regulations, must be submitted to concept review.
- 2) The applicant/developer shall file a completed application and a concept plan as a prerequisite to obtaining concept review approval.
- 3) Concept review is preliminary approval which does not authorize actual construction, excavating, or alterations of land and/or structures. A concept review approval may recommend a change in the allowable use of land or a building and may include conceptual and conditional approvals prior to final development approval, or where a series of sequential approvals are required before action authorizes commencement of construction or land alteration. For purposes of this Code, concept review approvals include future land use map amendments, comprehensive plan amendments which affect land use or development standards, preliminary development plan approval, and master plan approval.
- 4) The concept review application shall be placed on the agenda of the next meeting of the Comprehensive Planning and Zoning Board that allows the giving of required notice. Notification of all property owners within a radius of 300 feet of the property for which the concept review is being sought shall be mailed by the Building and Zoning Department. 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 variance 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 variance 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.

## Procedures for Preliminary Plan/Concept Review Approval

---

The Comprehensive Planning and Zoning Board shall consider:

- 1) Characteristics of the site and surrounding area, including important natural and man-made features, the size and accessibility of the site, and surrounding land uses.
- 2) Whether the concurrency requirements of Article IV of this Code could be met if the development were built.
- 3) The nature of the proposed development, including land use types and densities, the placement of proposed buildings and other improvements of the site; the preservation of natural features, proposed parking areas; internal traffic circulation system; the approximate total ground coverage of paved areas and structures; and types of water and sewage treatment systems.
- 4) Conformity of the proposed development with the Comprehensive Plan, this Code and other applicable regulations.
- 5) Applicable regulations, review procedures, and submission requirements.

- 6) Concerns and desires of surrounding landowners and other affected persons.
- 7) Other applicable factors and criteria prescribed by the Comprehensive Plan, this Code, or other law.
- 8) If the applicant/developer chose to submit a preliminary development plan for concept review, a final development plan shall be submitted within six (6) months of approval of the preliminary plan. If this deadline is not met, the concept review approval expires and the applicant/developer must resubmit the plan for concept review, per Section 12.02.10.A.1 of the City's Land Development Regulations.

### Exceptions to Requirements of a Concept Review

---

Per Section 12.01.03 of the City's Land Development Regulations, a development permit may be issued for the following development activities in the absence of a final development order issued pursuant to this Code. **UNLESS OTHERWISE SPECIFICALLY PROVIDED, THE DEVELOPMENT ACTIVITY SHALL CONFORM TO THIS CODE AND THE DESIGN STANDARDS APPROVED BY THE ST. AUGUSTINE BEACH CITY COMMISSION.**

Please indicate the exemption claimed.

- ( ) Development activity necessary to implement a valid site plan/development plan on which the start of construction took place prior to the adoption of this Code and has continued in good faith. Compliance with the development standards in this Code is not required if in conflict with the previously approved plan.
- ( ) The construction or alteration of a one-family or two-family dwelling on a lot in a valid recorded subdivision approved prior to the adoption of this Code. Compliance with the development standards in this Code is not required if in conflict with the previously approved plat.
- ( ) The alteration of an existing building or structure so long as no change is made to its gross floor area, its use, or the amount of impervious surface on the site.
- ( ) The erection of a sign or the removal of protected trees on a previously developed site and independent of any other development activity on the site.
- ( ) The resurfacing of a vehicle use area that conforms to all requirements of this Code.
- ( ) A minor replat granted pursuant to the procedures in Section 12.03.00 of this Code.

## Preliminary Plan Concept Review

---

The following information is to be included on the preliminary plan submittal. Please indicate all items submitted pertaining to this review and make comments under each item below. ALL QUESTIONS MUST BE ANSWERED OR INDICATED NOT APPLICABLE (N/A).

( X ) Concept plan for the entire area, drawn on a scale of 1" = 100', with a total of twelve (12) copies.

(n/a) A development plan for the first phase or phases for which approval is sought.

(n/a) A development phasing schedule.

(n/a) Approximate size of the area of each phase.

(n/a) Proposed phasing of construction of public recreation.

(n/a) Total acreage in each phase and gross density of each phase.

(n/a) Number, height and type of residential units.

( X ) Total land area and dimensions of entire parcel.

(n/a) Location and amount of open space and types of activities proposed to be permitted on them.

( X ) Location of existing transmission lines, sewers, culverts, drain pipes, water mains, fire hydrants, and any public or private easements.

( X ) A vicinity map of the area within one (1) mile of site showing:

- a. Land use designation and boundaries
- b. Major public facilities
- c. Municipal boundary lines

(n/a) Specifications of the public improvements to be made and dedicated together with the timetable for making improvements.

- a. Show the necessary utility and infrastructure that will be in place at the time the impacts of development occur
- b. The development must not degrade existing or adopted levels of service for potable water, sanitary sewer, transportation, or drainage for other residents

( n/a ) Specification on map of which trees are to be removed. A landscape plan will be provided to show new and old trees as part of the Major Development Application.

( X ) Specification on map of all existing and proposed drainage facilities on the parcel, including off-site facilities which may impact land and structures on parcel.

( X ) A general parking and circulation plan.

(n/a) A traffic study. New square footage is less than existing.

( X ) All proposed parking areas.

(n/a) Location of any 100-year floodplain zones on parcel.

( X ) Total impervious surface coverage.

(n/a) Location of environmentally sensitive zones, any endangered animals and rare plant life.

( X ) Land rendered unusable for development purposes by deed restrictions or other legally enforceable limitations.



( X ) Contour lines at two (2)-foot intervals. See attached survey.

(n/a) All water courses, water bodies, floodplains, wetlands, important natural features, soil types and vegetative coverage.

(n/a) Listing of any historical structures on sites on the property or a statement that the site does not contain any.

( X ) Existing land use district of the parcel.

( X ) Approximate location intensity or density of proposed development.

(n/a) Lands to be dedicated or transferred to the public and the purposes for which land will be held and used.

(n/a) Impact of development on emergency evacuation routes.

If a subdivision sign is to be placed on the parcel, the applicant or developer will be required to apply for a sign permit.

Favorable consideration will be given to developments which protect environmentally sensitive lands or wildlife habitats and cluster development on the parcel in such a manner as not to impact these types of lands.

**Per Section 12.02.06.G of the City of St. Augustine Beach Land Development Regulations:** *"The Comprehensive Planning and Zoning Board shall issue no order, finding or other indication of approval or disapproval of the proposal, and no person may rely upon any comment concerning the proposal, or any expression of any nature about the proposal, made by any person during the concept review process as a representation or implication that the particular proposal will be ultimately approved or disapproved in any form."*

**SPECIAL WARRANTY DEED**

41-Rec  
1700  
250  
Doc  
32,550.00  
THIS SPECIAL WARRANTY DEED is made as of Nov. 5, 1993, by and between ST. AUGUSTINE '91 ASSOCIATES LIMITED PARTNERSHIP, a New Jersey limited partnership (the "Grantor") and RRC FL THREE, INC., a Florida corporation (the "Grantee") whose employer identification number is 59-3208185 and address is 121 Atlantic Place, Suite 200, Jacksonville, Florida 32202.

Grantor, in consideration of the sum of Ten Dollars(\$10.00) and other valuable consideration paid by the Grantee, receipt of which is hereby acknowledged, has granted, bargained and sold to the Grantee, its successors and assigns forever, the following described real property which is a portion of and identified by property appraiser's parcel identification number 174200-0000, located in St. Johns County, Florida, more particularly described as follows:

See attached Exhibit A (the "Property");

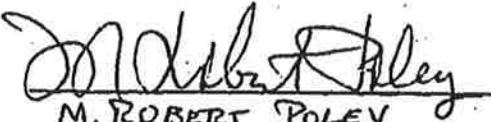
together with all the tenements, improvements, hereditaments, easements and appurtenances related to the Property, to have and to hold in fee simple forever.

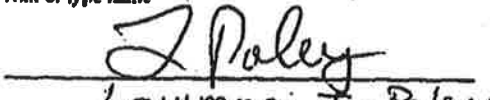
The benefits and obligations hereunder shall inure to and be binding upon the successors and assigns of Grantor and Grantee, and Grantor hereby covenants with grantee that, at the time of delivery of this deed: (i) Grantor is well seized of the Property; (ii) Grantor has good right and title to convey the Property; (iii) the Property is free and clear from all encumbrances, except those described on Exhibit B attached hereto; (iv) Grantor will perform all acts, deeds, conveyances and assurance necessary to perfect or confirm Grantor's title as conveyed hereby; and (v) Grantee will warrant and defend title to the Property against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

Grantor has executed this Deed on the date first written above.

Signed, sealed and delivered  
in the presence of:

ST. AUGUSTINE '91 ASSOCIATES  
LIMITED PARTNERSHIP, a New Jersey  
limited partnership

  
M. ROBERT POLEY  
Print or type name

  
Lawrence E. Poley  
Print or type name

By: HMC Properties, Inc., a New Jersey  
corporation as its Managing General  
Partner

By:   
William A. Scully  
Its Vice President

19.50  
61195  
Ret. Kevin Pleasant Esq  
Foley & LARONK  
300 LAUREL ST.  
JAX FLA 32202

Post office address of executing party:

235 MOORE STREET  
HACKENSACK, NEW JERSEY  
07601

STATE OF NEW JERSEY  
COUNTY OF BERGEN

The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of November, 1993, by William A. Scully, the Vice President of HMC Properties, Inc., as the managing general partner of St. Augustine '91 Associates Limited Partnership, a New Jersey limited partnership, on behalf of the partnership. He is personally known to me ~~or produced~~ as identification and did not take an oath.

Thelma Korneess

Typed or Printed Name

Notary Public, State of

Commission Number

My commission expires:

THELMA KORNEESS  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires May 31, 1996

1019 PAGE 2036

~~THESE~~

All that portion of the North 1/2 and the South 1/2 of GOVERNMENT LOT 1 AND GOVERNMENT LOT 2, Section 10, Township 8 South, Range 30 East, St. Johns County, Florida, which lies between County Highway No. A-1-A (Also known as Alternate A-1-A) and State Highway A-1-A being more particularly described as follows:

Begin at the intersection of the Northerly line of said Section 10 with the Easterly right-of-way line of said State Highway A-1-A; thence South 13 degrees 06 minutes 00 seconds East along said line, 939.96 feet; thence South 88 degrees 56 minutes 58 seconds East, 247.84 feet to the Westerly right-of-way line of said County Highway A-1-A also being a point on a curve leading to the right, thence along and around the arc of said curve and said right-of-way line being concave Easterly and having a radius of 2404.8 feet, an arc distance of 48.31 feet, said arc being subtended by a chord bearing and distance of North 18 degrees 11 minutes 52 seconds East, 48.31 feet to the point of Tangency of said curve; thence North 18 degrees 51 minutes 20 seconds East continuing along said right-of-way line, 907.99 feet to the aforementioned Northerly line of said Section 10; thence North 88 degrees 53 minutes 30 seconds West, along said last line, 220.83 feet; thence South 01 degrees 06 minutes 30 seconds West, 49.75 feet; thence North 88 degrees 53 minutes 30 seconds West, 122.80 feet; thence North 01 degrees 06 minutes 30 seconds East, 49.75 feet to the Northerly line of said Section 10; thence North 88 degrees 53 minutes 30 seconds West, along said line 425.88 feet to the Point of Beginning.

EXHIBIT A

## EXHIBIT B

Title Exceptions

1. Memorandum of Lease made between Richard M. Romano, Landlord, and Publix Super Market, Inc., a Florida corporation, Tenants, filed March 31, 1986 recorded in Official Records Book 700, Page 542, addendum recorded in Official Records Book 752, Page 909, of the public records of St. Johns County, Florida.

2. Declaration of covenants, restrictions and easements recorded in Official Records Book 701, Page 143, of the public records of St. Johns County, Florida.

3. Such state of facts as an accurate survey and personal inspection of the property would disclose.

COPY

Ch + Ret: Ulmer + Murawson, Pa. # 3990

3990

# State of Florida



## Department of State

I certify the attached is a true and correct copy of the Articles of Amendment, filed on November 6, 1996, for RRC FL THREE, INC. changing its name to REGENCY CENTERS, INC., a corporation organized under the laws of the State of Florida, as shown by the records of this office.

The document number of this corporation is P93000075103.

Recorded in Public Records St. Johns County, FL  
Clerk# 96041613 O.R. 1209 Pg 591 11:10AM 11/26/1996  
Recording \$9.00 Surcharge \$1.50

Given under my hand and the  
Great Seal of the State of Florida,  
at Tallahassee, the Capitol, this the  
Fourteenth day of November, 1996



CR2EO22 (2-95)

*Sandra B. Northam*

Sandra B. Northam  
Secretary of State



11-06-1996 11:02AM

FOLEY &amp; LARDNER/JACKSONVILLE

9043598700 P.03

Fax Audit No. H96000015640

**ARTICLES OF AMENDMENT  
OF  
RRC FL THREE, INC.  
(To reflect name change to Regency Centers, Inc.)**

Pursuant to Sections 607.1001, 607.1003, 607.1004, and 607.1006, Florida Business Corporation Act, the following provisions of the Articles of Incorporation of RRC FL Three, Inc., a Florida corporation, filed in Tallahassee on October 29, 1993 effective October 28, 1993, be and they hereby are amended in the following particulars:

Article I, Section 1 be and it hereby is amended to read as follows:

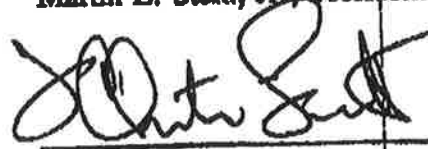
**"ARTICLE I**

Section 1.1 The name of this corporation is Regency Centers, Inc."

The foregoing amendment was adopted by the Stockholders and Directors of the corporation on the 31st day of October, 1996. The only voting group entitled to vote on the adoption of the Amendment consists of the holders of the corporation's common stock. The number of votes cast by such voting group was sufficient for approval by that voting group.

IN WITNESS WHEREOF, the undersigned President and Secretary of this corporation have executed these Articles of Amendment this 31st day of October, 1996.

  
Martin E. Stein, Jr., President

  
J. Christian Leavitt, Secretary

FILED  
96 NOV -6 PM 1:58  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

Prepared by: Linda Y. Kelso, Fla. Bar No. 298662  
Foley & Lardner  
200 Laura Street, Jacksonville, FL 32202  
904/359-2000

Fax Audit No. H96000015640

TOTAL P.03

**RECORD & RETURN TO:**

Chicago Title Insurance Company  
200 W. Forsyth Street, Suite 200  
Jacksonville, FL 32202  
Attention: Perry Craver, Esq.

(ENVELOPE)

# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"REGENCY/MACQUARIE TRUST II", A DELAWARE STATUTORY TRUST,  
WITH AND INTO "MCW-RC FL-ANASTASIA, LLC" UNDER THE NAME OF  
"MCW-RC FL-ANASTASIA, LLC", A LIMITED LIABILITY COMPANY  
ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE,  
AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-FIRST DAY OF  
NOVEMBER, A.D. 2002, AT 4 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF  
THE AFORESAID CERTIFICATE OF MERGER IS THE TWENTY-FIFTH DAY OF  
NOVEMBER, A.D. 2002.

Public Records of  
St. Johns County, FL  
Clerk# 02-071904  
O.R. 1859 PG 681  
09:51AM 12/06/2002  
REC \$13.00 SUR \$2.00



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

3572086 8100M

020720390

AUTHENTICATION: 2105294

DATE: 11-21-02

150201313

Prepared by and return to:

David C. Cook, Esq.  
Foley & Lardner  
200 Laura Street  
Jacksonville, Florida 32202  
040821/0206

0R1859PG 682

**CERTIFICATE OF MERGER OF  
REGENCY/MACQUARIE TRUST II**

a Delaware statutory trust

**INTO**

**MCW-RC FL-ANASTASIA, LLC**

a Delaware limited liability company

To the Secretary of State  
State of Delaware

MCW-RC FL-Anastasia, LLC, a Delaware limited liability company ("Surviving Entity"), for the purpose of merging with a Delaware statutory trust pursuant to Title 12, Section 3815 of the Delaware Code, hereby certifies that:

1. The name and jurisdiction of organization of each constituent entity are:

**NAME**

**JURISDICTION**

Regency/Macquarie Trust II  
MCW-RC FL-Anastasia, LLC

Delaware  
Delaware

2. An agreement of merger has been approved and executed by the Surviving Entity and Regency/Macquarie Trust II (the "Merging Trust"), which are all of the constituent entities.
3. The name of the Surviving Entity is MCW-RC FL-Anastasia, LLC.
4. The merger shall be effective on November 25, 2002.
5. The agreement of merger is on file at Foley & Lardner, ATTN: David C. Cook, Esq., 200 Laura Street, Jacksonville, Florida 32202.

0R1859PG 683

6. A copy of the agreement of merger will be furnished by the Surviving Entity, on request and without cost, to any person holding an interest in the Merging Trust.

Signed on November 21, 2002

MCW-RC FL-ANASTASIA, LLC, a Delaware limited liability company

By: Macquarie CountryWide-Regency, LLC, a Delaware limited liability company, Sole Member

By: Regency Centers, L.P., a Delaware limited partnership, Authorized Member

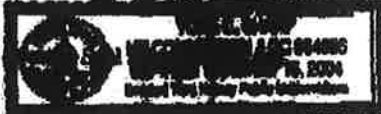
By: Regency Centers Corporation, a Florida corporation, Sole General Partner

By: [Signature]  
Lisa Palmer, Vice President

STATE OF Florida  
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 21st day of November, 2002, by Lisa Palmer, the Vice President of Regency Centers Corporation, a Florida corporation, which is the sole general partner of Regency Centers, L.P., a Delaware limited partnership, which is the authorized member of Macquarie CountryWide-Regency, LLC, a Delaware limited liability company, which is the sole member of MCW-RC FL-Anastasia, LLC, a Delaware limited liability company, on behalf of the company. Such person did not take an oath and: (notary must check applicable box)

- ☒ is/are personally known to me.  
☐ produced a current \_\_\_\_\_ driver's license as identification.  
☐ produced \_\_\_\_\_ as identification.



[Signature]  
Signature of Notary

Name of Notary Typed, Printed or Stamped)  
Commission Number (if not legible on seal): \_\_\_\_\_  
My Commission Expires (if not legible on seal): \_\_\_\_\_

PREPARED BY AND RETURN TO:  
John R. Ibach, Esquire  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32207

Tax I.D. No. 174200-0000  
CH12-15/3797382

**SPECIAL WARRANTY DEED**

**THIS INDENTURE**, made as of this 18<sup>th</sup> day of May, 2012, between, **ST. AUGUSTINE '91 ASSOCIATES LIMITED PARTNERSHIP**, a dissolved New Jersey limited partnership, whose address is 906 Mt. Kemble Avenue, Morristown, New Jersey 07960 ("**Grantor**"), and **MCW-RC FL-ANASTASIA, LLC**, a Delaware limited liability company ("**Grantee**"), whose address is One Independent Drive, Suite 114, Jacksonville, FL 32202-5019.

**WITNESSETH:**

Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, does hereby grant, bargain, sell and convey to Grantee and Grantee's successors and assigns forever that certain land (the "**Land**") situated in **St. Johns County, Florida**, more particularly described as follows:

See Exhibit "A" attached hereto and by this reference made a part hereof.

together with all tenements, hereditaments and appurtenances of Grantor belonging or in any wise appertaining to the Land (collectively, the "**Property**"), subject to the following permitted encumbrances (the "**Permitted Encumbrances**"):

1. Real estate taxes for the year 2012 and subsequent years;
2. Restrictions, covenants, conditions, easements and other matters as set forth in Declaration of Covenants, Restrictions and Easements recorded in Official Records Book 701, Page 143, as amended; and
3. Lease Agreement to Publix Super Markets, Inc., a Florida corporation, as evidenced by Addendum to Memorandum of Lease recorded in Official Records Book 752, Page 909.

**TO HAVE AND TO HOLD** the Property in fee simple forever.


Except as set forth in the Permitted Encumbrances, Grantor does hereby fully warrant the title to said Land, and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

This deed is delivered for the purpose of, and in connection with, the winding up of the partnership affairs of Grantor.

**IN WITNESS WHEREOF**, Grantor has caused this instrument to be executed in its name all as of the day and year first above written.

Signed, Sealed and Delivered  
in the presence of:

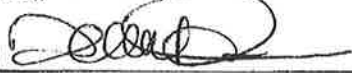
**ST. AUGUSTINE '91 ASSOCIATES  
LIMITED PARTNERSHIP**, a dissolved New  
Jersey limited partnership

  
Print Name: John D. Russo

  
Print Name: Cole Kleitsch

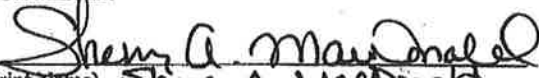
By: Owl Creek Capital Corp., a New Jersey  
corporation, as successor by merger to  
HMC Properties, Inc., a New Jersey  
corporation

Its: General Partner

By:   
Name: Deborah H. Imperatore  
Its: Sr. Vice President / Treasurer

STATE OF NEW JERSEY  
COUNTY OF Morris

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of May, 2012, by Deborah H. Imperatore, the Sr. Vice President / Treasurer of Owl Creek Capital Corp., a New Jersey corporation, as successor by merger to HMC Properties, Inc., a New Jersey corporation, the General Partner of St. Augustine '91 Associates Limited Partnership, a dissolved New Jersey limited partnership, on behalf of the partnership. She (check one) ☒ is personally known to me or ☐ has provided me with \_\_\_\_\_ (insert type of identification) as evidence that he is the individual who executed this instrument.

  
(Print Name) Sherry A. MacDonald  
Notary Public, State and County Aforesaid  
My Commission expires: 7/19/2012



**Exhibit "A"**

**PARCEL B**

That certain piece, parcel or tract of land being part of Section 10, Township 8 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows:

Commence at the Intersection of the Easterly right of way line of State Road A-1-A (also known as State Road No. 3) with the Northerly line of said Section 10; thence South 88 degrees 53 minutes 30 seconds East along said Northerly line, 425.88 feet to a 1/2" rebar and the POINT OF BEGINNING; thence continue South 88 degrees 53 minutes 30 seconds East along said Northerly line, 122.80 feet to a 1/2" rebar; thence South 01 degree 06 minutes 30 seconds West 49.75 feet; thence North 88 degrees 53 minutes 30 seconds West 122.80 feet; thence North 01 degree 06 minutes 30 seconds East 49.75 feet to the POINT OF BEGINNING.

Less and Except any part lying in road right of ways.



Map Printed: 5/10/2023

A1A APTS LLC  
1121 MILITARY CUTOFF RD STE C #387  
WILMINGTON NC 284053658

CHERONIS NICK ARTHUR,LORI ANN  
953 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

FOREMAN JOHN C ET AL  
7548 US HWY 1 S  
SAINT AUGUSTINE FL 32086000

ANCIENT CITY ACQUISITIONS LLC  
1 10TH ST  
APT 303  
SAINT AUGUSTINE FL 320800000

CITY OF ST AUGUSTINE BEACH  
2200 A1A SOUTH  
SAINT AUGUSTINE FL 320800000

GAMBONE JOSEPH JR,JOANN  
142 WOODS LN  
WAYNE PA 190873738

AVESTA HOLDINGS LLC  
3791 A1A S STE A  
SAINT AUGUSTINE FL 320800000

CONNER MATTHEW L,LACEY  
892 OCEAN PALM WAY  
SAINT AUGUSTINE FL 320808787

GARDNER BILLY F II,KATHERINE E  
896 OCEAN PALM WAY  
SAINT AUGUSTINE FL 320808787

BARCELONA BEACH LLC  
1430 BARCELONA ST  
SAINT AUGUSTINE FL 320800000

CURRAN NICHOLE,JOHN  
937 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

HAGENBUCH-REESE DEBORAH J  
290B SUNSET DR  
SAINT AUGUSTINE FL 320800000

BARNETT BANK OF ST JOHNS CO  
101 N TRYON ST  
NC1-001-03-81  
CHARLOTTE NC 282550000

DAGHER FAMILY TRUST D: 11-3-20  
5449 PELICAN WAY  
SAINT AUGUSTINE FL 320800000

KNOWLES DEAN G,JULIANNE  
5349 SOUNDVIEW AVE  
SAINT AUGUSTINE FL 320807238

BOTTEN TRUST  
965 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

DEL MAR VETERINARY HOSPITAL LL  
1023 A1A BEACH BLVD  
SAINT AUGUSTINE FL 320800000

KORMAN STEFAN  
916 MIDDLESEX ST  
LINDEN NJ 070362151

BOYD JENELLE ERICKSON,WILLIAM  
3048 FOURTH ST  
SAINT AUGUSTINE FL 320840000

DEMBOWSKI LINDA L  
305 SUNSET DR  
SAINT AUGUSTINE FL 320809101

MARSH CREEK OWNERS ASSOC INC  
C/O MAY MANAGEMENT SERVICES INC  
5455 A1A S  
SAINT AUGUSTINE FL 320800000

BOYLAN SCOTT PATRICK,KIM MARIE  
888 OCEAN PALM WAY  
SAINT AUGUSTINE FL 320800000

DUNN FAMILY REVOC TRUST  
941 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

MCW-RC FL-ANASTASIA LLC  
C/O PROPERTY TAX DEPARTMENT  
PO BOX 2539  
SAN ANTONIO TX 782990000

BROCK RALPH H  
118 MEADOW RUN LOOP  
FOLEY AL 365359240

FLA DEPT OF TRANSPORTATION  
1109 S MARION AVE  
MAIL STATION 2020  
LAKE CITY FL 320255874

MELWANI JOINT TRUST  
606 KETTNER CT  
SAINT AUGUSTINE FL 320860000

BURNETT DOUGLAS,ARAAN  
104 SEA GROVE MAIN ST  
SAINT AUGUSTINE FL 320800000

FOLLAND NATHAN ETAL  
931 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

MF MEDICAL MANAGEMENT LANDHOLD  
3560 A1A S  
SAINT AUGUSTINE FL 320800000

MVDZF GROUP LLC  
35 GABACHO CT  
SAINT AUGUSTINE FL 320950000

ST JOHNS COUNTY  
500 SAN SEBASTIAN VW  
SAINT AUGUSTINE FL 320840000

PANTRY INC  
PROPERTY TAX DC-17  
PO BOX 52085  
PHOENIX AZ 850720000

ST JOHNS COUNTY UTILITY DEPART  
500 SAN SEBASTIAN VW  
SAINT AUGUSTINE FL 320840000

PARSONS DALE H ETAL  
8 BROADWAY  
KISSIMMEE FL 347410000

SUNSET DR VILLA'S LLC  
206 7TH ST  
SAINT AUGUSTINE FL 320800000

PRESTERA PAUL ET AL  
961 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320808790

TUCKER JALIE ANN  
5745 SW 75TH ST - PMB 480  
GAINESVILLE FL 326085504

PYLES KEITH,ROBIN  
949 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

WALSH THOMAS  
PO BOX 123  
SAINT AUGUSTINE FL 320850123

SCHNEIDER SANDRA,COREY  
973 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

WALSH THOMAS A  
11 EUGENE PL  
SAINT AUGUSTINE FL 320805338

SEA COLONY NEIGHBORHOOD ASSOC  
2453 SOUTH THIRD STREET  
JACKSONVILLE FL 322500000

WRIGHT EDWARD C,JEANETTE S  
2 CEDAR POINT DR  
SAVANNAH GA 314051021

SEA COLONY NEIGHBORHOOD ASSOC  
2453 SOUTH THIRD STREET  
JACKSONVILLE BEACH FL 322500000

SEA COLONY NEIGHBORHOOD ASSOC  
432 OSCEOLA AVE  
JACKSONVILLE BEACH FL 322500000

SOROKA STUART  
900 OCEAN PALM WAY  
SAINT AUGUSTINE FL 320800000

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1744300050	A1A APTS LLC	1121 MILITARY CUTOFF RD STE C #387		WILMINGTON NC 284053658	8/72 SUNSET PARK LOT 5 BLK 10 OR5142/245
1744300070	A1A APTS LLC	1121 MILITARY CUTOFF RD STE C #387		WILMINGTON NC 284053658	8/72 SUNSET PARK LOT 7 BLK 10 OR5142/245
1744300080	A1A APTS LLC	1121 MILITARY CUTOFF RD STE C #387		WILMINGTON NC 284053658	8/72 SUNSET PARK BLK 10 LOT 8 OR5142/245
1744300100	A1A APTS LLC	1121 MILITARY CUTOFF RD STE C #387		WILMINGTON NC 284053658	8/72 SUNSET PARK LOT 10 BLK 10 OR5142/245
1726900400	ANCIENT CITY ACQUISITIONS LLC	1 10TH ST	APT 303	SAINT AUGUSTINE FL 320800000	4-24 SEVILLA GARDENS LOTS 40 THRU 45 BLK D & THAT PART OF VACATED EWING ST LYING E & S
1744500000	AVESTA HOLDINGS LLC	3791 A1A S STE A		SAINT AUGUSTINE FL 320800000	8/72 SUNSET PARK LOTS 1 & 2 BLK 12 OR2468/1440
1744400020	BARCELONA BEACH LLC	1430 BARCELONA ST		SAINT AUGUSTINE FL 320800000	8/72 SUNSET PARK LOT 2 BLK 11 OR5338/280
1742100010	BARNETT BANK OF ST JOHNS CO	101 N TRYON ST	NC1-001-03-81	CHARLOTTE NC 282550000	3-1 PT OF S1/2 OF GL 1 LYING BETWEEN SR 3 & A1A 167FT ON SR 3 & 164 FT ON A1A
1741920180	BOTTEN TRUST	965 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 18 &
1744400080	BOYD JENELLE ERICKSON,WILLIAM	3048 FOURTH ST		SAINT AUGUSTINE FL 320840000	8/72 SUNSET PARK LOT 8 BLK 11 OR4344/863
1741917230	BOYLAN SCOTT PATRICK,KIM MARIE	888 OCEAN PALM WAY		SAINT AUGUSTINE FL 320800000	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER
1744300090	BROCK RALPH H	118 MEADOW RUN LOOP		FOLEY AL 365359240	8/72 SUNSET PARK LOT 9 BLK 10 OR644/107 & 899/1157 & 1678 (C/D) OR899/1156 & 1677 (C/D)
1741917190	BURNETT DOUGLAS,ARAAN	104 SEA GROVE MAIN ST		SAINT AUGUSTINE FL 320800000	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER DEVELOPMENT
1741920210	CHERONIS NICK ARTHUR,LORI ANN	953 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 21

NONE(Anastasia Plaza Publix Rebuild (Parcel 174200-0020))

St. Johns County GIS Division 5/10/2023

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1725750000	CITY OF ST AUGUSTINE BEACH	2200 A1A SOUTH		SAINT AUGUSTINE FL 320800000	23 ALL S1/2 OF LOT 8 LYING W OF RD A1A (EX PT OR1549/1128) (EX PT IN OR2137/975)
1741917220	CONNER MATTHEW L,LACEY	892 OCEAN PALM WAY		SAINT AUGUSTINE FL 320808787	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER
1741920250	CURRAN NICHOLE,JOHN	937 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 25
1744400030	DAGHER FAMILY TRUST D: 11-3-20	5449 PELICAN WAY		SAINT AUGUSTINE FL 320800000	8/72 SUNSET PARK BLK 11 LOT 3 OR3275/93 & 3317/1497 & 5092/537
1744200000	DEL MAR VETERINARY HOSPITAL LL	1023 A1A BEACH BLVD		SAINT AUGUSTINE FL 320800000	8/72 SUNSET PARK LOTS 1 & 2 BLK 9 OR5290/1404
1744300020	DEMBOWSKI LINDA L	305 SUNSET DR		SAINT AUGUSTINE FL 320809101	8/72 SUNSET PARK LOT 2 BLK 10 OR923/1350
1741920240	DUNN FAMILY REVOC TRUST	941 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 24
1741900001	FLA DEPT OF TRANSPORTATION	1109 S MARION AVE	MAIL STATION 2020	LAKE CITY FL 320255874	1-A PT OF GL 1 & 4 LYING E OF A1A DOT PRCL #103 ORDER OF TAKING OR1106/1517
1741920260	FOLLAND NATHAN ETAL	931 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 26
1744400060	FOREMAN JOHN C ET AL	7548 US HWY 1 S		SAINT AUGUSTINE FL 32086000	8/72 SUNSET PARK LOT 6 BLK 11 OR5669/1185
1741920200	GAMBONE JOSEPH JR,JOANN	142 WOODS LN		WAYNE PA 190873738	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 20
1741917210	GARDNER BILLY F II,KATHERINE E	896 OCEAN PALM WAY		SAINT AUGUSTINE FL 320808787	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER
1744300000	HAGENBUCH-REESE DEBORAH J	290B SUNSET DR		SAINT AUGUSTINE FL 320800000	8/72 SUNSET PARK LOT 1 BLK 10 OR805/1136 & 1084/794 & 3045/299
1744400070	KNOWLES DEAN G,JULIANNE	5349 SOUNDVIEW AVE		SAINT AUGUSTINE FL 320807238	8/72 SUNSET PARK LOT 7 BLK 11 OR744/0289

NONE(Anastasia Plaza Publix Rebuild (Parcel 174200-0020))

St. Johns County GIS Division 5/10/2023



PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1744400090	KORMAN STEFAN	916 MIDDLESEX ST		LINDEN NJ 070362151	8/72 SUNSET PARK LOT 9 BLK 11 OR4176/1310 & 4184/859
1725580002	MARSH CREEK OWNERS ASSOC INC	C/O MAY MANAGEMENT SERVICES INC	5455 A1A S	SAINT AUGUSTINE FL 320800000	38/83-86 MARSH CREEK UNIT 8 REPLAT PARCELS A & B (FORMERLY TRACTS B & D AND
1742000020	MCW-RC FL-ANASTASIA LLC	C/O PROPERTY TAX DEPARTMENT	PO BOX 2539	SAN ANTONIO TX 782990000	2-2 & 2 PT OF GL 1 & 2 LYING E OF R/W OF RD SR 3 & W OF R/W A1A & PT OF GL 1 - 49.75 X 122.8FT PARCEL B
1744400040	MELWANI JOINT TRUST	606 KETTNER CT		SAINT AUGUSTINE FL 320860000	8/72 SUNSET PARK LOT 4 BLK 11 OR1064/1339 & 1340 & 1070/153 & 154(C/D'S) & 2087/1546
1726900360	MF MEDICAL MANAGEMENT LANDHOLD	3560 A1A S		SAINT AUGUSTINE FL 320800000	4-24 SEVILLA GARDENS LOTS 36 THRU 39 BLK D & THAT PT OF VACATED EWING ST LYING E OF LOTS 37 & 39 (EX R/W S-3 DB226/80)
1744300060	MVDZF GROUP LLC	35 GABACHO CT		SAINT AUGUSTINE FL 320950000	8/72 SUNSET PARK LOT 6 BLK 10 OR5497/1285
1742200000	PANTRY INC	PROPERTY TAX DC-17	PO BOX 52085	PHOENIX AZ 850720000	4 S250FT OF LOT 1 LYING BETWEEN RDS A1A & SR 3 OR1382/1126 &1497/600(MERGER)
1744400100	PARSONS DALE H ETAL	8 BROADWAY		KISSIMMEE FL 347410000	8/72 SUNSET PARK LOT 10 BLK 11 OR2593/1899
1741920190	PRESTERA PAUL ET AL	961 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320808790	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 19 (EX
1741920220	PYLES KEITH,ROBIN	949 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 22
1741920170	SCHNEIDER SANDRA,COREY	973 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 17 (EX
1741910001	SEA COLONY NEIGHBORHOOD ASSOC	2453 SOUTH THIRD STREET		JACKSONVILLE FL 322500000	36/1-11 & 38/65-66 SEA COLONY UT1 THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER
1741916277	SEA COLONY NEIGHBORHOOD ASSOC	2453 SOUTH THIRD STREET		JACKSONVILLE BEACH FL 322500000	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER
1741916278	SEA COLONY NEIGHBORHOOD ASSOC	2453 SOUTH THIRD STREET		JACKSONVILLE BEACH FL 322500000	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1741920001	SEA COLONY NEIGHBORHOOD ASSOC	432 OSCEOLA AVE		JACKSONVILLE BEACH FL 322500000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER ROADS &
1741917200	SOROKA STUART	900 OCEAN PALM WAY		SAINT AUGUSTINE FL 320800000	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER
1742300001	ST JOHNS COUNTY	500 SAN SEBASTIAN VW		SAINT AUGUSTINE FL 320840000	8/72 SUNSET PARK ROWS & PARKS DEDICATED TO SJC PER PLAT
1742000010	ST JOHNS COUNTY UTILITY DEPART	500 SAN SEBASTIAN VW		SAINT AUGUSTINE FL 320840000	2-1 PT OF GL'S 1 & 2 LYING E OF RD SR 3 LIFT STATION SITE 26 X 21FT ON RD OR781/303
1744400050	SUNSET DR VILLA'S LLC	206 7TH ST		SAINT AUGUSTINE FL 320800000	8/72 SUNSET PARK LOT 5 BLK 11 OR5674/506
1741920230	TUCKER JALIE ANN	5745 SW 75TH ST - PMB 480		GAINESVILLE FL 326085504	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 23
1744300040	WALSH THOMAS	PO BOX 123		SAINT AUGUSTINE FL 320850123	8/72 SUNSET PARK LOT 4 BLK 10 OR469/114 & 803/0817 & 828/292
1744300030	WALSH THOMAS A	11 EUGENE PL		SAINT AUGUSTINE FL 320805338	8/72 SUNSET PARK LOT 3 BLK 10 OR1455/840
1744400000	WRIGHT EDWARD C,JEANETTE S	2 CEDAR POINT DR		SAVANNAH GA 314051021	8/72 SUNSET PARK LOT 1 BLK 11 OR3774/1330



**City of St. Augustine Beach Building and Zoning Department  
Variance 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 variance is being sought:  
 Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address 1033 A1A Beach Blvd, St. Augustine, FL 32080
2. Location (N, S, W, E): West Side of (Street Name): A1A Beach Blvd
3. Is the property seaward of the Coastal Construction Control Line (CCCL)? Yes ☐ **No** (Circle one)
4. Real estate parcel identification number: 1742000020
5. Name and address of owner(s) as shown in St. Johns County Public Records: \_\_\_\_\_  
MCW-RC-FL-Anastasia, LLC  
One Independent Dr, Suite 114, Jacksonville, FL 32202
6. Current land use classification: CO - Commercial
7. Land use variance being sought: Parking space size, buffer size, impervious surface ratio
8. Section of land use code from which the variance is being sought: 6.06.04, 6.01.02, 6.03.05B1
9. Reasons for which the variance is being sought: Existing non-conforming uses for parking space size,  
buffer and impervious surface ratio. Parking space size is 9' x 18' existing and 9.5' x 18' proposed,  
however, drives are 25' wide.
10. Supporting data which should be considered by the Board: Attached survey and site plan with data table,  
showing existing parking space size and impervious surface ratio will be maintained. The northern  
landscape buffer will be reduced to 5' to accommodate the new truck dock.

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

☒ Legal description of property

☒ Copy of warranty deed

☐ Owner Permission Form (if applicable)

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

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

☒ Survey to include all existing structures and fences

☐ Other documents or relevant information to be considered

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

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

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

Patrick McKinley

Print name (owner or his/ her agent)

Patrick McKinley

Print name (applicant or his/her agent)



Signature /date

5-15-23

Signature /date

One Independent Dr, Suite 114, Jacksonville, FL 32202

Owner/agent address

Applicant/agent address

904-598-7000

Phone number

Phone number

patrickmckinley@regencycenters.com

Email address

Email address



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

**\*\*Variances 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 Comprehensive Planning and Zoning Board does not constitute approval for variation from the covenants and restrictions. \*\***

Date: 5-16-2023

Variance File #: VAR 2023-10

Applicant's name: MCW-RC-FL-Anastasia, LLC

Applicant's address: One Independent Dr, Suite 114, Jacksonville, FL 32202

For land use variance at: 1033 AIA Beach Blvd. - Publix  
at Anastasia Plaza

### Charges

Application Fee: \$400.00      Date Paid: 5-16-2023

Legal Notice Sign: \$10.00      Date Paid: 5-16-2023

Received by: Bonnie Miller

Date: 5-16-2023

Invoice # I 2301259

App. # 7267

Check # or type of credit or debit card 1806783



## Instructions for Applying for a Land Use Variance

- A land use variance seeks to allow for adjustments to the City's Land Development Regulations, such as setbacks or impervious surface requirements.
- The City's Comprehensive Planning and Zoning Board decides whether to grant or deny a variance request. The Board's decision MUST be based on whether the request meets each of the six conditions listed below.
- To help the Board evaluate your variance request, you must provide a reason or reasons for each of the six conditions. If you believe that a condition does not apply to your request, then you are to write "Not Applicable" and give the reason or reasons why the condition is not applicable to your request.
- Failure to provide a response to each of the six conditions will require the Building and Zoning Department to return your application to you. The Building and Zoning Department staff will gladly provide any assistance should you have questions regarding the listed conditions. You may use additional sheets of paper for your responses as needed. Documents may consist of pictures, photographs, maps, public records, letters from neighboring property owners or other items you may find to explain the circumstances for the variance request.

## Considerations for the Granting of a Land Use Variance

- 1) Describe the hardship that is created by following the current land use codes and regulations. Do the associated Land Development Regulations make it virtually impossible to use the property as zoned unless a variance is granted? If so, please explain.

The existing site was constructed prior to current code requirements going into effect. Following  
current regulation in the redevelopment of the site would reduce the parking below existing count  
and below an acceptable level to operate the businesses.

- 2) Describe similar variances that have been granted in the vicinity of the property since adoption of the City's Comprehensive Plan and Land Development Regulations.

Unknown

- 3) Was the property acquired after parts of the current Land Development Regulations (which are relevant to the requested variance) were adopted? Please explain factually.

No, the property was acquired in 1993 by a parent company of the current owner. See attached warranty deeds.

- 4) Explain how the variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.

The existing grocery store is one of the busiest stores in the Publix chain. The parking lot is being redesigned along with the new store to provide additional parking while the overall shopping center square footage is being reduced.

- 5) Explain how the granting of a variance will not alter the character of the neighborhood, diminish property values, or impair the appropriate use or development of adjacent properties.

The redevelopment will improve the character of the neighborhood with improved architecture, loading facilities, landscaping and parking.

- 6) If the variance were approved, what would be the effects on traffic congestion in nearby streets, danger of fire, and on-site or off-site flooding?

The existing stormwater system will be rehabilitated and any current flooding problems will be addressed.

## Documentation Needed for a Land Use Variance

- 1) The legal description of the parcel of land for which the variance 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 the lot and block number. Include street address and location indicating street boundary and side (north, south, east, west) and nearest intersecting street.
- 2) If the land is a portion of the lot, indicate what portion of the lot (for example, south one-half, north one-third, east one-fourth, etc.). If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.
- 3) The name(s) and address of the owner(s) of the property shall be provided, and this information shall agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.
- 4) Applicant shall provide a detailed description of the land use variance being sought. If this is more extensive than can be described on the form, additional sheets can be used.
- 5) Notification of all property owners within a radius of 300 feet of the property for which the variance being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide variance applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the variance 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 variance 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. Variance applicants may provide a separate petition with the signatures of affected property owners who approve or do not object to the granting of the requested variance, but these persons should not sign the application itself. Variance applicants should ensure correct names and addresses are provided, as incorrect information shall delay or nullify any action on the variance application.
- 6) The section(s) of the City's land use codes from which the variance is being sought shall be listed on the application. The Building and Zoning Department staff will assist you with this or any other matter involved in the variance application process.
- 7) A fee of \$400.00 will be charged for the variance administrative procedure and the legal advertising, along with \$10.00 for the legal notice sign, provided by the Building and Zoning Department, which will be posted on the property for which the variance is sought within clear view of the street and not more than 10 feet inside the property line.

**SPECIAL WARRANTY DEED**

41-Rec  
1700  
250  
Doc  
32,550.00  
THIS SPECIAL WARRANTY DEED is made as of Nov. 5, 1993, by and between ST. AUGUSTINE '91 ASSOCIATES LIMITED PARTNERSHIP, a New Jersey limited partnership (the "Grantor") and RRC FL THREE, INC., a Florida corporation (the "Grantee") whose employer identification number is 59-3208185 and address is 121 Atlantic Place, Suite 200, Jacksonville, Florida 32202.

Grantor, in consideration of the sum of Ten Dollars(\$10.00) and other valuable consideration paid by the Grantee, receipt of which is hereby acknowledged, has granted, bargained and sold to the Grantee, its successors and assigns forever, the following described real property which is a portion of and identified by property appraiser's parcel identification number 174200-0000, located in St. Johns County, Florida, more particularly described as follows:

See attached Exhibit A (the "Property");

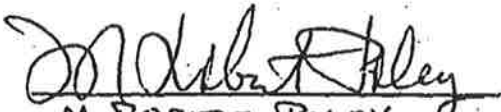
together with all the tenements, improvements, hereditaments, easements and appurtenances related to the Property, to have and to hold in fee simple forever.


The benefits and obligations hereunder shall inure to and be binding upon the successors and assigns of Grantor and Grantee, and Grantor hereby covenants with grantee that, at the time of delivery of this deed: (i) Grantor is well seized of the Property; (ii) Grantor has good right and title to convey the Property; (iii) the Property is free and clear from all encumbrances, except those described on Exhibit B attached hereto; (iv) Grantor will perform all acts, deeds, conveyances and assurance necessary to perfect or confirm Grantor's title as conveyed hereby; and (v) Grantee will warrant and defend title to the Property against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

Grantor has executed this Deed on the date first written above.

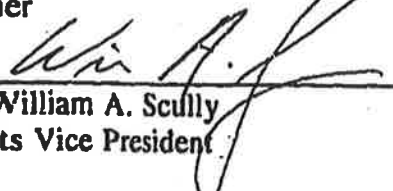
Signed, sealed and delivered  
in the presence of:

ST. AUGUSTINE '91 ASSOCIATES  
LIMITED PARTNERSHIP, a New Jersey  
limited partnership

  
M. ROBERT POLEY  
Print or type name

  
Lawrence F. Poley  
Print or type name

By: HMC Properties, Inc., a New Jersey  
corporation as its Managing General  
Partner

By:   
William A. Scully  
Its Vice President

19:50  
6195  
Ret. Kevin Pleasant Esq  
Foley & Larone  
300 LAUREL ST.  
JAX FLA 32202

Post office address of executing party:

235 MOORE STREET  
HACKENSACK, NEW JERSEY  
07601STATE OF NEW JERSEY  
COUNTY OF BERGEN

The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of November, 1993, by William A. Scully, the Vice President of HMC Properties, Inc., as the managing general partner of St. Augustine '91 Associates Limited Partnership, a New Jersey limited partnership, on behalf of the partnership. He is personally known to me ~~or produced~~ as identification and did not take an oath.

Thelma Rorner

Typed or Printed Name

Notary Public, State of

Commission Number

My commission expires:

THELMA RORNER  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires May 31, 1995

1019 PAGE 2036

~~THESE~~

All that portion of the North 1/2 and the South 1/2 of GOVERNMENT LOT 1 AND GOVERNMENT LOT 2, Section 10, Township 8 South, Range 30 East, St. Johns County, Florida, which lies between County Highway No. A-1-A (Also known as Alternate A-1-A) and State Highway A-1-A being more particularly described as follows:

Begin at the intersection of the Northerly line of said Section 10 with the Easterly right-of-way line of said State Highway A-1-A; thence South 13 degrees 06 minutes 00 seconds East along last said line, 939.96 feet; thence South 88 degrees 56 minutes 58 seconds East, 247.84 feet to the Westerly right-of-way line of said County Highway A-1-A also being a point on a curve leading to the right, thence along and around the arc of said curve and said right-of-way line being concave Easterly and having a radius of 2404.8 feet, an arc distance of 48.31 feet, said arc being subtended by a chord bearing and distance of North 18 degrees 11 minutes 52 seconds East, 48.31 feet to the point of Tangency of said curve; thence North 18 degrees 51 minutes 20 seconds East continuing along said right-of-way line, 907.99 feet to the aforementioned Northerly line of said Section 10; thence North 88 degrees 53 minutes 30 seconds West, along said last line, 220.83 feet; thence South 01 degrees 06 minutes 30 seconds West, 49.75 feet; thence North 88 degrees 53 minutes 30 seconds West, 122.80 feet; thence North 01 degrees 06 minutes 30 seconds East, 49.75 feet to the Northerly line of said Section 10; thence North 88 degrees 53 minutes 30 seconds West, along said line 425.88 feet to the Point of Beginning.

EXHIBIT A



## EXHIBIT B

Title Exceptions

1. Memorandum of Lease made between Richard M. Romano, Landlord, and Publix Super Market, Inc., a Florida corporation, Tenants, filed March 31, 1986 recorded in Official Records Book 700, Page 542, addendum recorded in Official Records Book 752, Page 909, of the public records of St. Johns County, Florida.

2. Declaration of covenants, restrictions and easements recorded in Official Records Book 701, Page 143, of the public records of St. Johns County, Florida.

3. Such state of facts as an accurate survey and personal inspection of the property would disclose.

COPY

en + Ret: Ulmer + Hurdison, Inc. # 2290

3990

# State of Florida



## Department of State

I certify the attached is a true and correct copy of the Articles of Amendment, filed on November 6, 1996, for RRC FL THREE, INC. changing its name to REGENCY CENTERS, INC., a corporation organized under the laws of the State of Florida, as shown by the records of this office.

The document number of this corporation is P93000075103.

Recorded in Public Records St. Johns County, FL  
Clerk# 96041613 O.R. 1209 PG 591 11:10AM 11/26/1996  
Recording \$9.00 Surcharge \$1.50

Given under my hand and the  
Great Seal of the State of Florida,  
at Tallahassee, the Capitol, this the  
Fourteenth day of November, 1996



CR2EO22 (2-95)

*Sandra B. Northam*

Sandra B. Northam  
Secretary of State

**ARTICLES OF AMENDMENT  
OF  
RRC FL THREE, INC.  
(To reflect name change to Regency Centers, Inc.)**

Pursuant to Sections 607.1001, 607.1003, 607.1004, and 607.1006, Florida Business Corporation Act, the following provisions of the Articles of Incorporation of RRC FL Three, Inc., a Florida corporation, filed in Tallahassee on October 29, 1993 effective October 28, 1993, be and they hereby are amended in the following particulars:

Article I, Section 1 be and it hereby is amended to read as follows:

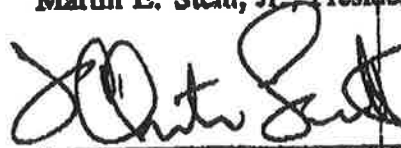
**"ARTICLE I**

Section 1.1 The name of this corporation is Regency Centers, Inc."

The foregoing amendment was adopted by the Stockholders and Directors of the corporation on the 31st day of October, 1996. The only voting group entitled to vote on the adoption of the Amendment consists of the holders of the corporation's common stock. The number of votes cast by such voting group was sufficient for approval by that voting group.

IN WITNESS WHEREOF, the undersigned President and Secretary of this corporation have executed these Articles of Amendment this 31st day of October, 1996.

  
Martin E. Stein, Jr., President

  
J. Christian Leavitt, Secretary

Prepared by: Linda Y. Kelso, Fla. Bar No. 298662  
Foley & Lardner  
200 Laura Street, Jacksonville, FL 32202  
904/359-2000

Fax Audit No. H96000015640

TOTAL P.03

FILED  
96 NOV -6 PM 1:58  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**RECORD & RETURN TO:**

Chicago Title Insurance Company  
200 W. Forsyth Street, Suite 200  
Jacksonville, FL 32202  
Attention: Perry Craver, Esq.

(ENVELOPE)

# Delaware

PAGE 1

*The First State*

1  
③  
4566

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"REGENCY/MACQUARIE TRUST II", A DELAWARE STATUTORY TRUST,  
WITH AND INTO "MCW-RC FL-ANASTASIA, LLC" UNDER THE NAME OF  
"MCW-RC FL-ANASTASIA, LLC", A LIMITED LIABILITY COMPANY  
ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE,  
AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-FIRST DAY OF  
NOVEMBER, A.D. 2002, AT 4 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF  
THE AFORESAID CERTIFICATE OF MERGER IS THE TWENTY-FIFTH DAY OF  
NOVEMBER, A.D. 2002.

Public Records of  
St. Johns County, FL  
Clerk# 02-071904  
O.R. 1859 PG 681  
09:51AM 12/06/2002  
REC \$13.00 SUR \$2.00



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

3572086 8100M

AUTHENTICATION: 2105294

020720390

DATE: 11-21-02

150201313

Prepared by and return to:

David C. Cook, Esq.  
Foley & Lardner  
200 Laura Street  
Jacksonville, Florida 32202  
040821/0208

0R1859PG 682

**CERTIFICATE OF MERGER OF  
REGENCY/MACQUARIE TRUST II**  
a Delaware statutory trust  
**INTO**  
**MCW-RC FL-ANASTASIA, LLC**  
a Delaware limited liability company

To the Secretary of State  
State of Delaware

MCW-RC FL-Anastasia, LLC, a Delaware limited liability company ("Surviving Entity"), for the purpose of merging with a Delaware statutory trust pursuant to Title 12, Section 3815 of the Delaware Code, hereby certifies that:

1. The name and jurisdiction of organization of each constituent entity are:

<u>NAME</u>	<u>JURISDICTION</u>
Regency/Macquarie Trust II	Delaware
MCW-RC FL-Anastasia, LLC	Delaware

2. An agreement of merger has been approved and executed by the Surviving Entity and Regency/Macquarie Trust II (the "Merging Trust"), which are all of the constituent entities.
3. The name of the Surviving Entity is MCW-RC FL-Anastasia, LLC.
4. The merger shall be effective on November 25, 2002.
5. The agreement of merger is on file at Foley & Lardner, ATTN: David C. Cook, Esq., 200 Laura Street, Jacksonville, Florida 32202.

0R1859PG 683

6. A copy of the agreement of merger will be furnished by the Surviving Entity, on request and without cost, to any person holding an interest in the Merging Trust.

Signed on November 21, 2002

MCW-RC FL-ANASTASIA, LLC, a Delaware limited liability company

By: Macquarie CountryWide-Regency, LLC, a Delaware limited liability company, Sole Member

By: Regency Centers, L.P., a Delaware limited partnership, Authorized Member

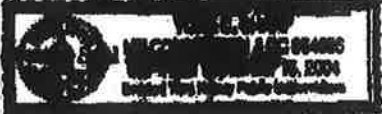
By: Regency Centers Corporation, a Florida corporation, Sole General Partner

By: [Signature]  
Lisa Palmer, Vice President

STATE OF Florida  
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 21st day of November, 2002, by Lisa Palmer, the Vice President of Regency Centers Corporation, a Florida corporation, which is the sole general partner of Regency Centers, L.P., a Delaware limited partnership, which is the authorized member of Macquarie CountryWide-Regency, LLC, a Delaware limited liability company, which is the sole member of MCW-RC FL-Anastasia, LLC, a Delaware limited liability company, on behalf of the company. Such person did not take an oath and: (notary must check applicable box)

- ☒ is/are personally known to me.  
☐ produced a current \_\_\_\_\_ driver's license as identification.  
☐ produced \_\_\_\_\_ as identification.



[Signature]  
Signature of Notary

Name of Notary Typed, Printed or Stamped

Commission Number (if not legible on seal): \_\_\_\_\_

My Commission Expires (if not legible on seal): \_\_\_\_\_



**PREPARED BY AND RETURN TO:**

John R. Ibach, Esquire  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32207

Tax I.D. No. 174200-0000  
CHD-15/3797382

**SPECIAL WARRANTY DEED**

**THIS INDENTURE**, made as of this 18<sup>th</sup> day of May, 2012, between, **ST. AUGUSTINE '91 ASSOCIATES LIMITED PARTNERSHIP**, a dissolved New Jersey limited partnership, whose address is 906 Mt. Kemble Avenue, Morristown, New Jersey 07960 ("Grantor"), and **MCW-RC FL-ANASTASIA, LLC**, a Delaware limited liability company ("Grantee"), whose address is One Independent Drive, Suite 114, Jacksonville, FL 32202-5019.

**WITNESSETH:**

Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, does hereby grant, bargain, sell and convey to Grantee and Grantee's successors and assigns forever that certain land (the "Land") situated in **St. Johns County, Florida**, more particularly described as follows:

See Exhibit "A" attached hereto and by this  
reference made a part hereof.

together with all tenements, hereditaments and appurtenances of Grantor belonging or in any wise appertaining to the Land (collectively, the "Property"), subject to the following permitted encumbrances (the "Permitted Encumbrances"):

1. Real estate taxes for the year 2012 and subsequent years;
2. Restrictions, covenants, conditions, easements and other matters as set forth in Declaration of Covenants, Restrictions and Easements recorded in Official Records Book 701, Page 143, as amended; and
3. Lease Agreement to Publix Super Markets, Inc., a Florida corporation, as evidenced by Addendum to Memorandum of Lease recorded in Official Records Book 752, Page 909.

**TO HAVE AND TO HOLD** the Property in fee simple forever.


Except as set forth in the Permitted Encumbrances, Grantor does hereby fully warrant the title to said Land, and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

This deed is delivered for the purpose of, and in connection with, the winding up of the partnership affairs of Grantor.

*IN WITNESS WHEREOF*, Grantor has caused this instrument to be executed in its name all as of the day and year first above written.

Signed, Sealed and Delivered  
in the presence of:

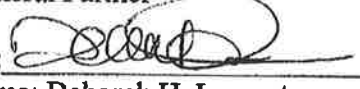
**ST. AUGUSTINE '91 ASSOCIATES  
LIMITED PARTNERSHIP**, a dissolved New  
Jersey limited partnership

  
Print Name: John D. Russo

  
Print Name: Cole Kleitich

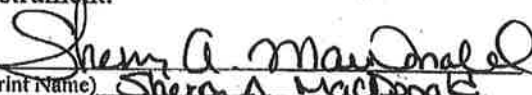
By: Owl Creek Capital Corp., a New Jersey  
corporation, as successor by merger to  
HMC Properties, Inc., a New Jersey  
corporation

Its: General Partner

By:   
Name: Deborah H. Imperatore  
Its: Sr. Vice President / Treasurer

STATE OF NEW JERSEY  
COUNTY OF Morris

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of May, 2012, by Deborah H. Imperatore, the Sr. Vice President / Treasurer of Owl Creek Capital Corp., a New Jersey corporation, as successor by merger to HMC Properties, Inc., a New Jersey corporation, the General Partner of St. Augustine '91 Associates Limited Partnership, a dissolved New Jersey limited partnership, on behalf of the partnership. She (check one) ☒ is personally known to me or ☐ has provided me with \_\_\_\_\_ (insert type of identification) as evidence that he is the individual who executed this instrument.

  
(Print Name) Sherry A. MacDonald  
Notary Public, State and County Aforesaid  
My Commission expires: 7/19/2012

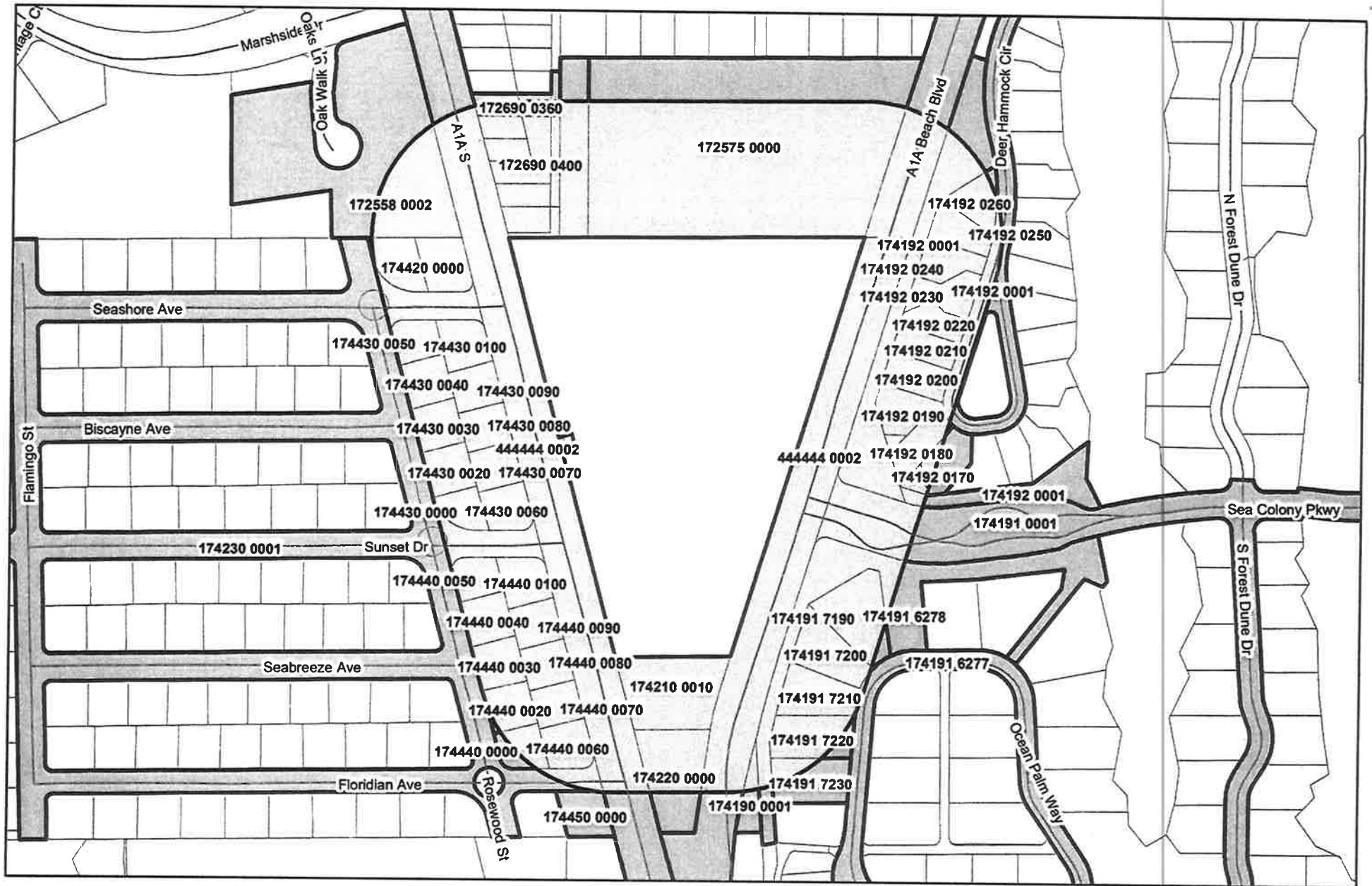
**Exhibit "A"**

**PARCEL B**

That certain piece, parcel or tract of land being part of Section 10, Township 8 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows:

Commence at the Intersection of the Easterly right of way line of State Road A-1-A (also known as State Road No. 3) with the Northerly line of said Section 10; thence South 88 degrees 53 minutes 30 seconds East along said Northerly line, 425.88 feet to a 1/2" rebar and the POINT OF BEGINNING; thence continue South 88 degrees 53 minutes 30 seconds East along said Northerly line, 122.80 feet to a 1/2" rebar; thence South 01 degree 06 minutes 30 seconds West 49.75 feet; thence North 88 degrees 53 minutes 30 seconds West 122.80 feet; thence North 01 degree 06 minutes 30 seconds East 49.75 feet to the POINT OF BEGINNING.

Less and Except any part lying in road right of ways.



# **Parcels within 300' of Anastasia Plaza Publix Rebuild (Parcel 174200-0020)**

A1A APTS LLC  
1121 MILITARY CUTOFF RD STE C #387  
WILMINGTON NC 284053658

CHERONIS NICK ARTHUR, LORI ANN  
953 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

FOREMAN JOHN C ET AL  
7548 US HWY 1 S  
SAINT AUGUSTINE FL 32086000

ANCIENT CITY ACQUISITIONS LLC  
1 10TH ST  
APT 303  
SAINT AUGUSTINE FL 320800000

CITY OF ST AUGUSTINE BEACH  
2200 A1A SOUTH  
SAINT AUGUSTINE FL 320800000

GAMBONE JOSEPH JR, JOANN  
142 WOODS LN  
WAYNE PA 190873738

AVESTA HOLDINGS LLC  
3791 A1A S STE A  
SAINT AUGUSTINE FL 320800000

CONNER MATTHEW L, LACEY  
892 OCEAN PALM WAY  
SAINT AUGUSTINE FL 320808787

GARDNER BILLY F II, KATHERINE E  
896 OCEAN PALM WAY  
SAINT AUGUSTINE FL 320808787

BARCELONA BEACH LLC  
1430 BARCELONA ST  
SAINT AUGUSTINE FL 320800000

CURRAN NICHOLE, JOHN  
937 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

HAGENBUCH-REESE DEBORAH J  
290B SUNSET DR  
SAINT AUGUSTINE FL 320800000

BARNETT BANK OF ST JOHNS CO  
101 N TRYON ST  
NC1-001-03-81  
CHARLOTTE NC 282550000

DAGHER FAMILY TRUST D: 11-3-20  
5449 PELICAN WAY  
SAINT AUGUSTINE FL 320800000

KNOWLES DEAN G, JULIANNE  
5349 SOUNDVIEW AVE  
SAINT AUGUSTINE FL 320807238

BOTTEN TRUST  
965 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

DEL MAR VETERINARY HOSPITAL LL  
1023 A1A BEACH BLVD  
SAINT AUGUSTINE FL 320800000

KORMAN STEFAN  
916 MIDDLESEX ST  
LINDEN NJ 070362151

BOYD JENELLE ERICKSON, WILLIAM  
3048 FOURTH ST  
SAINT AUGUSTINE FL 320840000

DEMBOWSKI LINDA L  
305 SUNSET DR  
SAINT AUGUSTINE FL 320809101

MARSH CREEK OWNERS ASSOC INC  
C/O MAY MANAGEMENT SERVICES INC  
5455 A1A S  
SAINT AUGUSTINE FL 320800000

BOYLAN SCOTT PATRICK, KIM MARIE  
888 OCEAN PALM WAY  
SAINT AUGUSTINE FL 320800000

DUNN FAMILY REVOC TRUST  
941 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

MCW-RC FL-ANASTASIA LLC  
C/O PROPERTY TAX DEPARTMENT  
PO BOX 2539  
SAN ANTONIO TX 782990000

BROCK RALPH H  
118 MEADOW RUN LOOP  
FOLEY AL 365359240

FLA DEPT OF TRANSPORTATION  
1109 S MARION AVE  
MAIL STATION 2020  
LAKE CITY FL 320255874

MELWANI JOINT TRUST  
606 KETTNER CT  
SAINT AUGUSTINE FL 320860000

BURNETT DOUGLAS, ARAAN  
104 SEA GROVE MAIN ST  
SAINT AUGUSTINE FL 320800000

FOLLAND NATHAN ETAL  
931 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

MF MEDICAL MANAGEMENT LANDHOLD  
3560 A1A S  
SAINT AUGUSTINE FL 320800000

MVDZF GROUP LLC  
35 GABACHO CT  
SAINT AUGUSTINE FL 320950000

ST JOHNS COUNTY  
500 SAN SEBASTIAN VW  
SAINT AUGUSTINE FL 320840000

PANTRY INC  
PROPERTY TAX DC-17  
PO BOX 52085  
PHOENIX AZ 850720000

ST JOHNS COUNTY UTILITY DEPART  
500 SAN SEBASTIAN VW  
SAINT AUGUSTINE FL 320840000

PARSONS DALE H ETAL  
8 BROADWAY  
KISSIMMEE FL 347410000

SUNSET DR VILLA'S LLC  
206 7TH ST  
SAINT AUGUSTINE FL 320800000

PRESTERA PAUL ET AL  
961 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320808790

TUCKER JALIE ANN  
5745 SW 75TH ST - PMB 480  
GAINESVILLE FL 326085504

PYLES KEITH,ROBIN  
949 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

WALSH THOMAS  
PO BOX 123  
SAINT AUGUSTINE FL 320850123

SCHNEIDER SANDRA,COREY  
973 DEER HAMMOCK CIR  
SAINT AUGUSTINE FL 320800000

WALSH THOMAS A  
11 EUGENE PL  
SAINT AUGUSTINE FL 320805338

SEA COLONY NEIGHBORHOOD ASSOC  
2453 SOUTH THIRD STREET  
JACKSONVILLE FL 322500000

WRIGHT EDWARD C,JEANETTE S  
2 CEDAR POINT DR  
SAVANNAH GA 314051021

SEA COLONY NEIGHBORHOOD ASSOC  
2453 SOUTH THIRD STREET  
JACKSONVILLE BEACH FL 322500000

SEA COLONY NEIGHBORHOOD ASSOC  
432 OSCEOLA AVE  
JACKSONVILLE BEACH FL 322500000

SOROKA STUART  
900 OCEAN PALM WAY  
SAINT AUGUSTINE FL 320800000



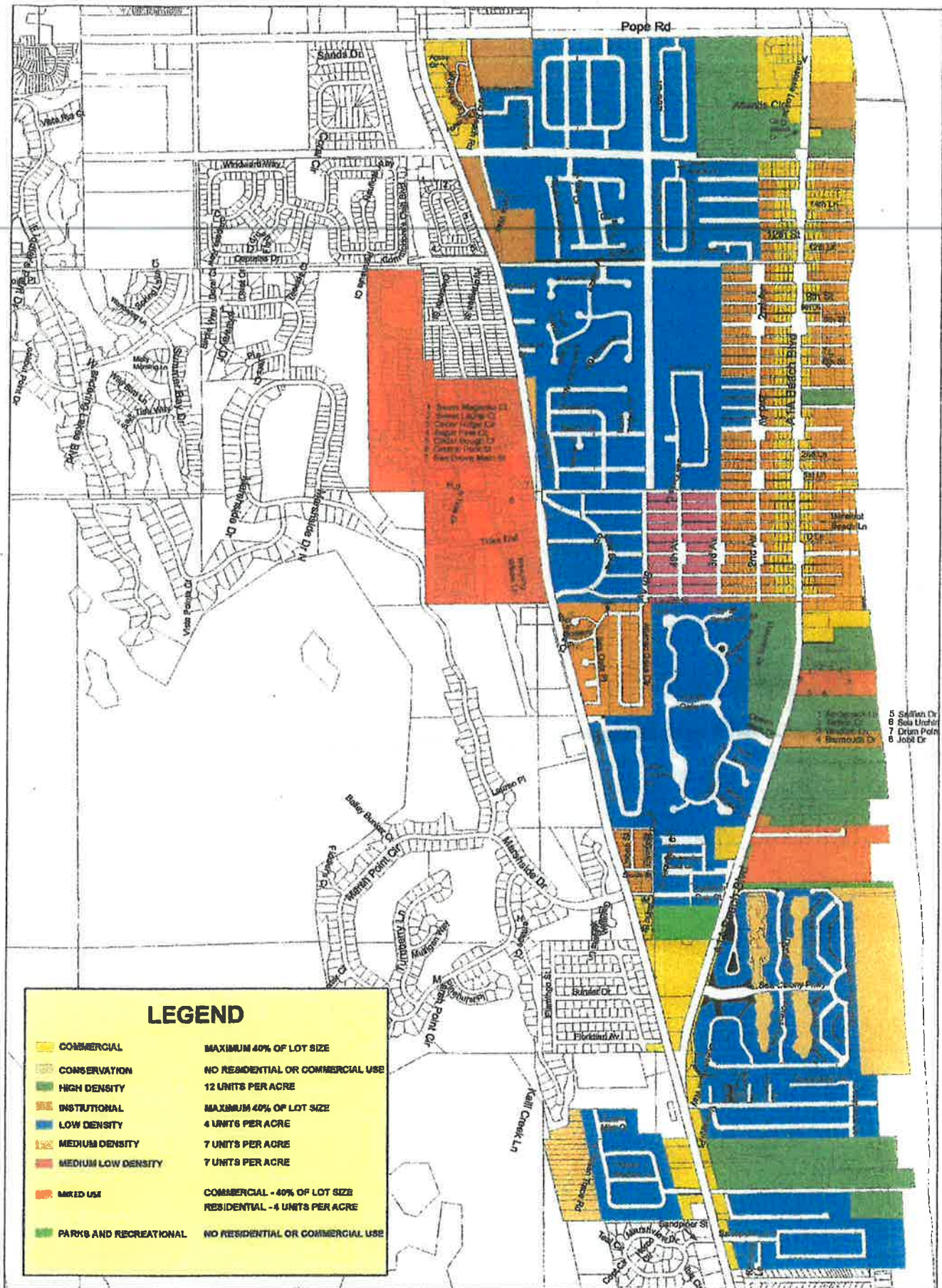
PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1744300050	A1A APTS LLC	1121 MILITARY CUTOFF RD STE C #387		WILMINGTON NC 284053658	8/72 SUNSET PARK LOT 5 BLK 10 OR5142/245
1744300070	A1A APTS LLC	1121 MILITARY CUTOFF RD STE C #387		WILMINGTON NC 284053658	8/72 SUNSET PARK LOT 7 BLK 10 OR5142/245
1744300080	A1A APTS LLC	1121 MILITARY CUTOFF RD STE C #387		WILMINGTON NC 284053658	8/72 SUNSET PARK BLK 10 LOT 8 OR5142/245
1744300100	A1A APTS LLC	1121 MILITARY CUTOFF RD STE C #387		WILMINGTON NC 284053658	8/72 SUNSET PARK LOT 10 BLK 10 OR5142/245
1726900400	ANCIENT CITY ACQUISITIONS LLC	1 10TH ST	APT 303	SAINT AUGUSTINE FL 320800000	4-24 SEVILLA GARDENS LOTS 40 THRU 45 BLK D & THAT PART OF VACATED EWING ST LYING E & S
1744500000	AVESTA HOLDINGS LLC	3791 A1A S STE A		SAINT AUGUSTINE FL 320800000	8/72 SUNSET PARK LOTS 1 & 2 BLK 12 OR2468/1440
1744400020	BARCELONA BEACH LLC	1430 BARCELONA ST		SAINT AUGUSTINE FL 320800000	8/72 SUNSET PARK LOT 2 BLK 11 OR5338/280
1742100010	BARNETT BANK OF ST JOHNS CO	101 N TRYON ST	NC1-001-03-81	CHARLOTTE NC 282550000	3-1 PT OF S1/2 OF GL 1 LYING BETWEEN SR 3 & A1A 167FT ON SR 3 & 164 FT ON A1A
1741920180	BOTTEN TRUST	965 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 18 &
1744400080	BOYD JENELLE ERICKSON,WILLIAM	3048 FOURTH ST		SAINT AUGUSTINE FL 320840000	8/72 SUNSET PARK LOT 8 BLK 11 OR4344/863
1741917230	BOYLAN SCOTT PATRICK,KIM MARIE	888 OCEAN PALM WAY		SAINT AUGUSTINE FL 320800000	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER
1744300090	BROCK RALPH H	118 MEADOW RUN LOOP		FOLEY AL 365359240	8/72 SUNSET PARK LOT 9 BLK 10 OR644/107 & 899/1157 & 1678 (C/D) OR899/1156 & 1677 (C/D)
1741917190	BURNETT DOUGLAS,ARAAN	104 SEA GROVE MAIN ST		SAINT AUGUSTINE FL 320800000	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER DEVELOPMENT
1741920210	CHERONIS NICK ARTHUR,LORI ANN	953 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 21

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1725750000	CITY OF ST AUGUSTINE BEACH	2200 A1A SOUTH		SAINT AUGUSTINE FL 320800000	23 ALL S1/2 OF LOT 8 LYING W OF RD A1A (EX PT OR1549/1128) (EX PT IN OR2137/975)
1741917220	CONNER MATTHEW L,LACEY	892 OCEAN PALM WAY		SAINT AUGUSTINE FL 320808787	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER
1741920250	CURRAN NICHOLE,JOHN	937 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 25
1744400030	DAGHER FAMILY TRUST D: 11-3-20	5449 PELICAN WAY		SAINT AUGUSTINE FL 320800000	8/72 SUNSET PARK BLK 11 LOT 3 OR3275/93 & 3317/1497 & 5092/537
1744200000	DEL MAR VETERINARY HOSPITAL LL	1023 A1A BEACH BLVD		SAINT AUGUSTINE FL 320800000	8/72 SUNSET PARK LOTS 1 & 2 BLK 9 OR5290/1404
1744300020	DEMBOWSKI LINDA L	305 SUNSET DR		SAINT AUGUSTINE FL 320809101	8/72 SUNSET PARK LOT 2 BLK 10 OR923/1350
1741920240	DUNN FAMILY REVOC TRUST	941 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 24
1741900001	FLA DEPT OF TRANSPORTATION	1109 S MARION AVE	MAIL STATION 2020	LAKE CITY FL 320255874	1-A PT OF GL 1 & 4 LYING E OF A1A DOT PRCL #103 ORDER OF TAKING OR1106/1517
1741920260	FOLLAND NATHAN ETAL	931 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 26
1744400060	FOREMAN JOHN C ET AL	7548 US HWY 1 S		SAINT AUGUSTINE FL 32086000	8/72 SUNSET PARK LOT 6 BLK 11 OR5669/1185
1741920200	GAMBONE JOSEPH JR,JOANN	142 WOODS LN		WAYNE PA 190873738	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 20
1741917210	GARDNER BILLY F II,KATHERINE E	896 OCEAN PALM WAY		SAINT AUGUSTINE FL 320808787	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER
1744300000	HAGENBUCH-REESE DEBORAH J	290B SUNSET DR		SAINT AUGUSTINE FL 320800000	8/72 SUNSET PARK LOT 1 BLK 10 OR805/1136 & 1084/794 & 3045/299
1744400070	KNOWLES DEAN G,JULIANNE	5349 SOUNDVIEW AVE		SAINT AUGUSTINE FL 320807238	8/72 SUNSET PARK LOT 7 BLK 11 OR744/0289

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1744400090	KORMAN STEFAN	916 MIDDLESEX ST		LINDEN NJ 070362151	8/72 SUNSET PARK LOT 9 BLK 11 OR4176/1310 & 4184/859
1725580002	MARSH CREEK OWNERS ASSOC INC	C/O MAY MANAGEMENT SERVICES INC	5455 A1A S	SAINT AUGUSTINE FL 320800000	38/83-86 MARSH CREEK UNIT 8 REPLAT PARCELS A & B (FORMERLY TRACTS B & D AND
1742000020	MCW-RC FL-ANASTASIA LLC	C/O PROPERTY TAX DEPARTMENT	PO BOX 2539	SAN ANTONIO TX 782990000	2-2 & 2 PT OF GL 1 & 2 LYING E OF R/W OF RD SR 3 & W OF R/W A1A & PT OF GL 1 - 49.75 X 122.8FT PARCEL B
1744400040	MELWANI JOINT TRUST	606 KETTNER CT		SAINT AUGUSTINE FL 320860000	8/72 SUNSET PARK LOT 4 BLK 11 OR1064/1339 & 1340 & 1070/153 & 154(C/D'S) & 2087/1546
1726900360	MF MEDICAL MANAGEMENT LANDHOLD	3560 A1A S		SAINT AUGUSTINE FL 320800000	4-24 SEVILLA GARDENS LOTS 36 THRU 39 BLK D & THAT PT OF VACATED EWING ST LYING E OF LOTS 37 & 39 (EX R/W S-3 DB226/80)
1744300060	MVDZF GROUP LLC	35 GABACHO CT		SAINT AUGUSTINE FL 320950000	8/72 SUNSET PARK LOT 6 BLK 10 OR5497/1285
1742200000	PANTRY INC	PROPERTY TAX DC-17	PO BOX 52085	PHOENIX AZ 850720000	4 S250FT OF LOT 1 LYING BETWEEN RDS A1A & SR 3 OR1382/1126 &1497/600(MERGER)
1744400100	PARSONS DALE H ETAL	8 BROADWAY		KISSIMMEE FL 347410000	8/72 SUNSET PARK LOT 10 BLK 11 OR2593/1899
1741920190	PRESTERA PAUL ET AL	961 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320808790	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 19 (EX
1741920220	PYLES KEITH,ROBIN	949 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 22
1741920170	SCHNEIDER SANDRA,COREY	973 DEER HAMMOCK CIR		SAINT AUGUSTINE FL 320800000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 17 (EX
1741910001	SEA COLONY NEIGHBORHOOD ASSOC	2453 SOUTH THIRD STREET		JACKSONVILLE FL 322500000	36/1-11 & 38/65-66 SEA COLONY UT1 THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER
1741916277	SEA COLONY NEIGHBORHOOD ASSOC	2453 SOUTH THIRD STREET		JACKSONVILLE BEACH FL 322500000	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER
1741916278	SEA COLONY NEIGHBORHOOD ASSOC	2453 SOUTH THIRD STREET		JACKSONVILLE BEACH FL 322500000	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER

PIN	NAME	ADDRESS	ADDRESS 2	CITY ST ZIP	LEGAL DESCRIPTION
1741920001	SEA COLONY NEIGHBORHOOD ASSOC	432 OSCEOLA AVE		JACKSONVILLE BEACH FL 322500000	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER ROADS &
1741917200	SOROKA STUART	900 OCEAN PALM WAY		SAINT AUGUSTINE FL 320800000	42/24-28 SEA COLONY UNIT 3 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER
1742300001	ST JOHNS COUNTY	500 SAN SEBASTIAN VW		SAINT AUGUSTINE FL 320840000	8/72 SUNSET PARK ROWS & PARKS DEDICATED TO SJC PER PLAT
1742000010	ST JOHNS COUNTY UTILITY DEPART	500 SAN SEBASTIAN VW		SAINT AUGUSTINE FL 320840000	2-1 PT OF GL'S 1 & 2 LYING E OF RD SR 3 LIFT STATION SITE 26 X 21FT ON RD OR781/303
1744400050	SUNSET DR VILLA'S LLC	206 7TH ST		SAINT AUGUSTINE FL 320800000	8/72 SUNSET PARK LOT 5 BLK 11 OR5674/506
1741920230	TUCKER JALIE ANN	5745 SW 75TH ST - PMB 480		GAINESVILLE FL 326085504	49/67-70 SEA COLONY UNIT 4 OF THE BEACH CLUB AT ANASTASIA RESIDENTIAL CLUSTER LOT 23
1744300040	WALSH THOMAS	PO BOX 123		SAINT AUGUSTINE FL 320850123	8/72 SUNSET PARK LOT 4 BLK 10 OR469/114 & 803/0817 & 828/292
1744300030	WALSH THOMAS A	11 EUGENE PL		SAINT AUGUSTINE FL 320805338	8/72 SUNSET PARK LOT 3 BLK 10 OR1455/840
1744400000	WRIGHT EDWARD C,JEANETTE S	2 CEDAR POINT DR		SAVANNAH GA 314051021	8/72 SUNSET PARK LOT 1 BLK 11 OR3774/1330





City of St. Augustine Beach

MARCH 2019

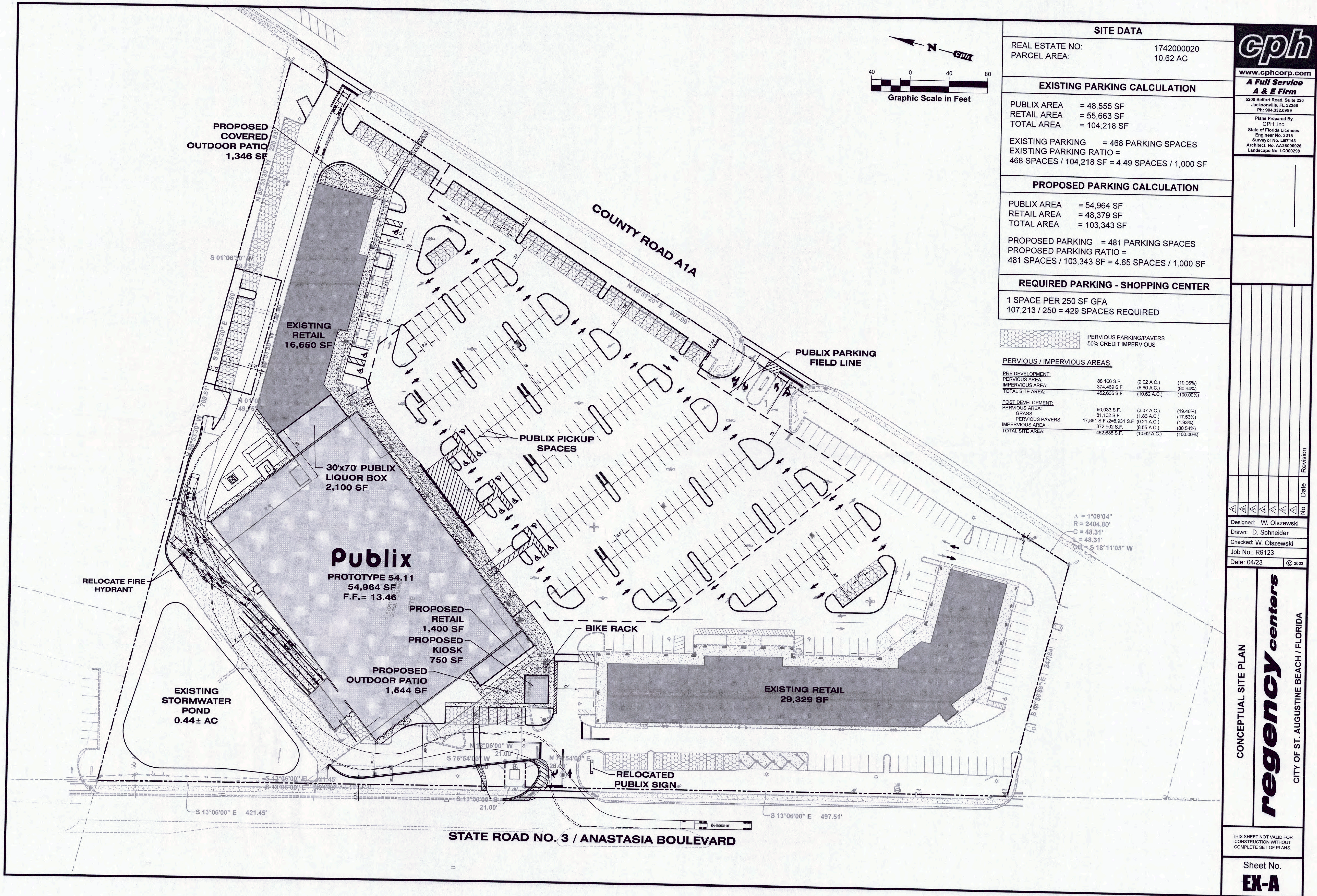


This map prepared by the City of St. Augustine Beach Public Works Department utilizing data from various sources. It is intended to be illustrative and to provide general information only.



City of St. Augustine Beach  
Public Works Department





SITE DATA	
REAL ESTATE NO:	1742000020
PARCEL AREA:	10.62 AC
EXISTING PARKING CALCULATION	
PUBLIX AREA	= 48,555 SF
RETAIL AREA	= 55,663 SF
TOTAL AREA	= 104,218 SF
EXISTING PARKING	= 468 PARKING SPACES
EXISTING PARKING RATIO =	468 SPACES / 104,218 SF = 4.49 SPACES / 1,000 SF
PROPOSED PARKING CALCULATION	
PUBLIX AREA	= 54,964 SF
RETAIL AREA	= 48,379 SF
TOTAL AREA	= 103,343 SF
PROPOSED PARKING	= 481 PARKING SPACES
PROPOSED PARKING RATIO =	481 SPACES / 103,343 SF = 4.65 SPACES / 1,000 SF
REQUIRED PARKING - SHOPPING CENTER	
1 SPACE PER 250 SF GFA	
107,213 / 250 =	429 SPACES REQUIRED

	PERVIOUS PARKING/PAVERS
	50% CREDIT IMPERVIOUS
PERVIOUS / IMPERVIOUS AREAS:	
<b>PRE DEVELOPMENT:</b>	
PERVIOUS AREA	88,166 S.F. (2.02 A.C.) (19.06%)
IMPERVIOUS AREA	374,469 S.F. (8.60 A.C.) (80.94%)
TOTAL SITE AREA	462,635 S.F. (10.62 A.C.) (100.00%)
<b>POST DEVELOPMENT:</b>	
PERVIOUS AREA	90,033 S.F. (2.07 A.C.) (19.46%)
GRASS	81,102 S.F. (1.86 A.C.) (17.53%)
PERVIOUS PAVERS	17,861 S.F. (0.40 A.C.) (3.86%)
IMPERVIOUS AREA	372,602 S.F. (8.55 A.C.) (80.54%)
TOTAL SITE AREA	462,635 S.F. (10.62 A.C.) (100.00%)

www.cphcorp.com  
**A Full Service A & E Firm**  
5200 Belfort Road, Suite 220  
Jacksonville, FL 32256  
Ph: 904.332.0999  
Plans Prepared By:  
CPH, Inc.  
State of Florida Licenses:  
Engineer No. 3215  
Surveyor No. LB7143  
Architect No. AA2600926  
Landscape No. LC000296

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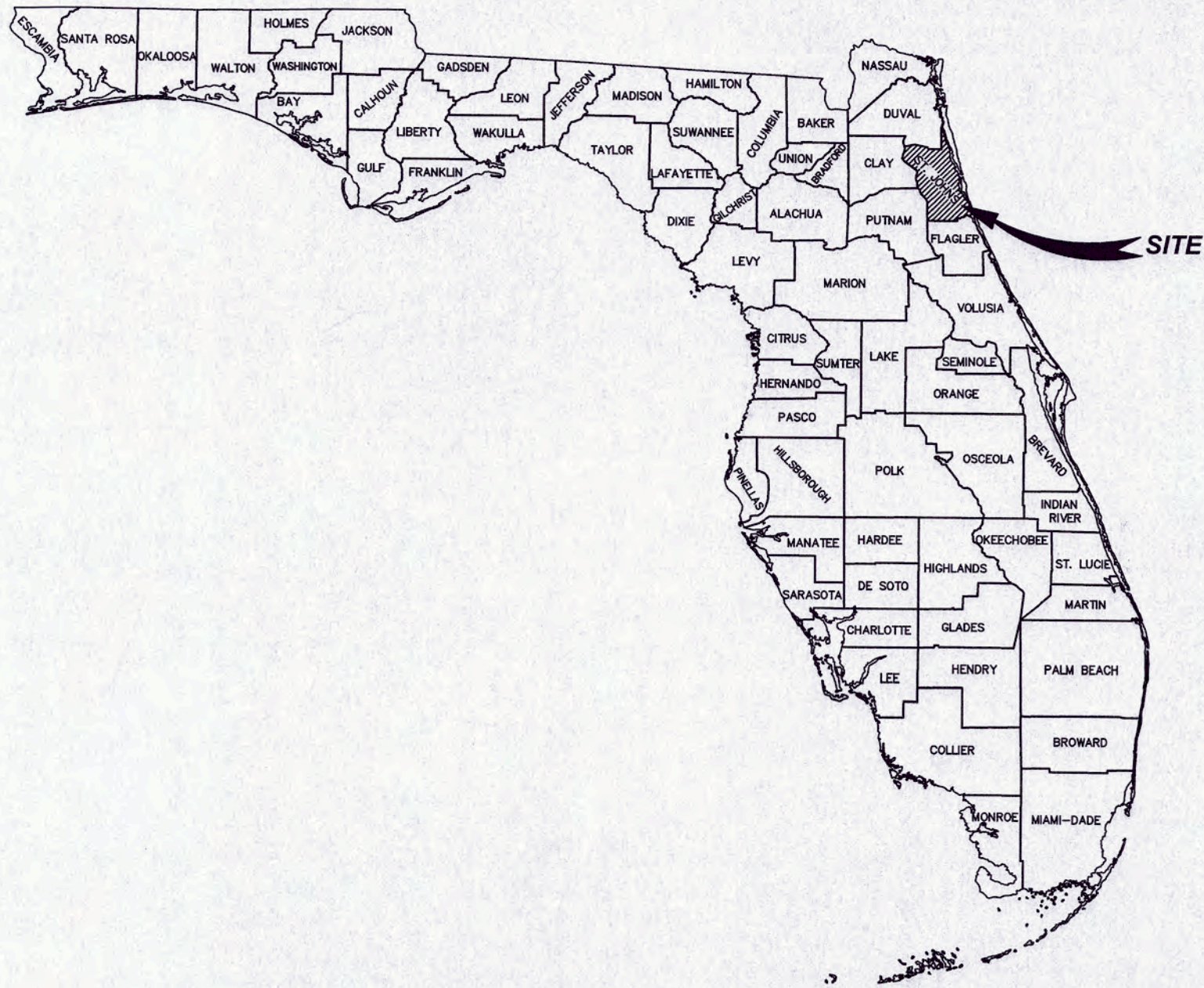
Designed: W. Olszewski  
Drawn: D. Schneider  
Checked: W. Olszewski  
Job No.: R9123  
Date: 04/23 © 2023

CONCEPTUAL SITE PLAN  
**regency centers**  
CITY OF ST. AUGUSTINE BEACH / FLORIDA

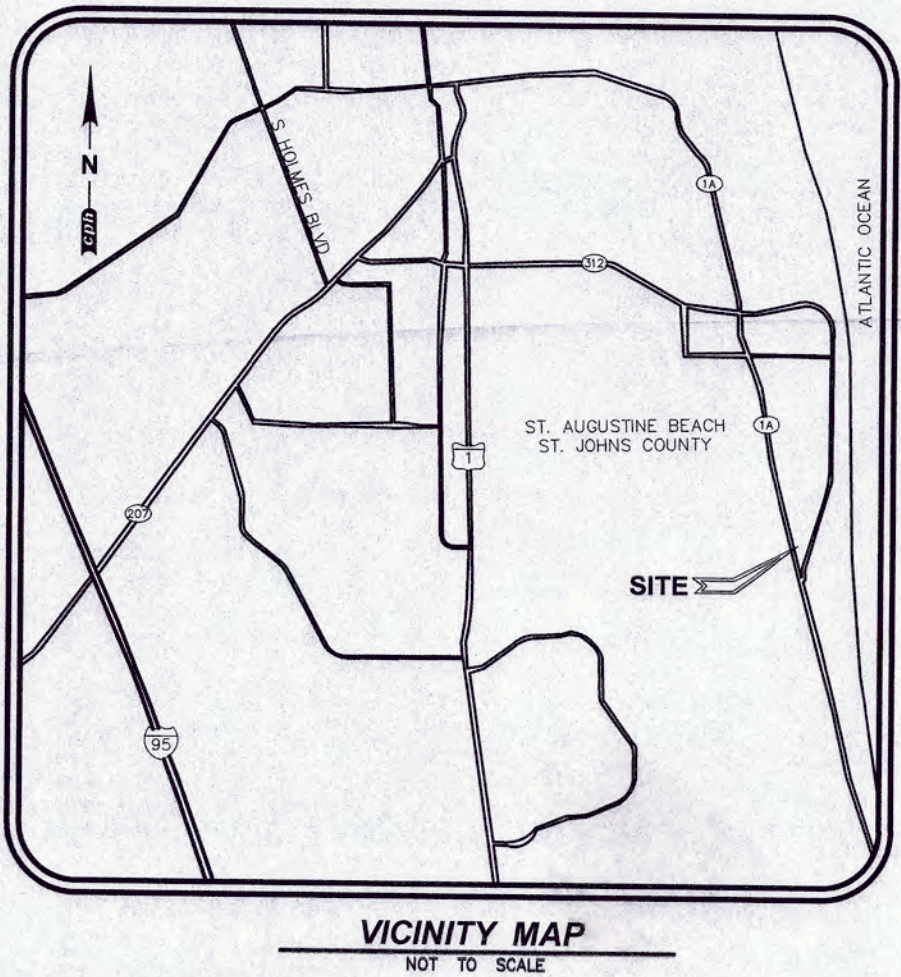
THIS SHEET NOT VALID FOR  
CONSTRUCTION WITHOUT  
COMPLETE SET OF PLANS.

Sheet No.  
**EX-A**





**BOUNDARY & TOPOGRAPHIC SURVEY**  
ALSO BEING AN  
(ALTA/NSPS LAND TITLE SURVEY)  
FOR  
**REGENCY CENTERS**  
AT  
1001 A1A (BEACH BOULEVARD)  
LYING IN  
**SECTION 10-TOWNSHIP 8 SOUTH-RANGE 30 EAST**  
**CITY OF ST. AUGUSTINE BEACH**  
**ST. JOHNS COUNTY, FLORIDA**



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Structural  
Surveyors  
Traffic / Transportation  
Development Coordination  
Offices in:  
• Florida  
• Puerto Rico  
• Connecticut  
• Maryland  
• Texas

**Legal Description:** (EXHIBIT "A" OF PROPERTY INFORMATION REPORT, AS PROVIDED BY THE CLIENT)

PARCEL A  
ALL THAT PORTION OF THE NORTH 1/2 AND THE SOUTH 1/2 OF GOVERNMENT LOT 1 AND GOVERNMENT LOT 2, SECTION 10, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, WHICH LIES BETWEEN COUNTY HIGHWAY A-1-A (ALSO KNOWN AS ALTERNATE A-1-A AND STATE HIGHWAY A-1-A BEING MORE PARTICULARLY FULLY DESCRIBED AS FOLLOWS:  
BEGIN AT THE INTERSECTION OF THE NORTHERLY LINE OF SAID SECTION 10 WITH THE EASTERLY RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY A-1-A; THENCE SOUTH 13 DEGREES 06 MINUTES 00 SECONDS EAST ALONG SAID LINE, 939.96 FEET; THENCE SOUTH 88 DEGREES 56 MINUTES 58 SECONDS EAST, 247.84 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID COUNTY HIGHWAY A-1-A ALSO BEING A POINT ON A CURVE LEADING TO THE RIGHT, THENCE ALONG AND AROUND THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 2404.8 FEET, AN ARC DISTANCE OF 48.31 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 18 DEGREES 11 MINUTES 5 SECONDS EAST, 48.31 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 18 DEGREES 51 MINUTES 20 SECONDS EAST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, 907.99 FEET TO THE AFOREMENTIONED NORTHERLY LINE OF SAID SECTION 10; THENCE NORTH 88 DEGREES 53 MINUTES 30 SECONDS WEST, ALONG SAID LAST LINE, 220.83 FEET; THENCE SOUTH 01 DEGREES 06 MINUTES 30 SECONDS WEST, 49.75 FEET; THENCE NORTH 88 DEGREES 53 MINUTES 30 SECONDS WEST, 122.80 FEET; THENCE NORTH 01 DEGREES 06 MINUTES 30 SECONDS EAST, 49.75 FEET TO THE NORTHERLY LINE OF SAID SECTION 10; THENCE NORTH 88 DEGREES 53 MINUTES 30 SECONDS WEST, ALONG SAID LINE 425.88 FEET TO THE POINT OF BEGINNING.  
TOGETHER WITH  
EASEMENT IN RECIPROCAL EASEMENT AGREEMENT, DATED NOVEMBER 5, 1993 AND RECORDED IN OFFICIAL RECORDS BOOK 1019, PAGE 2049 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.  
LESS AND EXCEPT:

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND LYING IN AND BEING PART OF GOVERNMENT LOT 1 AND GOVERNMENT LOT 2, SECTION 10, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY FULLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE INTERSECTION OF THE NORTH BOUNDARY OF SAID SECTION 10 WITH THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY A-1-A AND/OR STATE ROAD 3; THENCE S 13°06' 00" E, BY AND ALONG SAID EASTERLY RIGHT-OF-WAY A DISTANCE OF 421.45 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S 13°06' 00" E BY AND ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 21.00 FEET; THENCE, N 78°54' 00" E, AND PERPENDICULAR TO SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 26.00 FEET; THENCE N 13°06' 00" W AND PARALLEL WITH SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 21.00 FEET; THENCE S 78°54' 00" W AND PERPENDICULAR TO SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 26.00 FEET TO SAID EASTERLY RIGHT-OF-WAY AND THE POINT OF BEGINNING.  
PARCEL B  
THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND BEING PART OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A (ALSO KNOWN AS STATE ROAD NO. 3) WITH THE NORTHERLY LINE OF SAID SECTION 10; THENCE SOUTH 88 DEGREES 53 MINUTES 30 SECONDS EAST ALONG SAID NORTHERLY LINE, 425.88 FEET TO A 1/2" REBAR AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88 DEGREES 53 MINUTES 30 SECONDS EAST ALONG SAID NORTHERLY LINE, 122.80 FEET TO A 1/2" REBAR; THENCE SOUTH 01 DEGREE 06 MINUTES 30 SECONDS WEST 49.75 FEET; THENCE NORTH 88 DEGREES 53 MINUTES 30 SECONDS WEST 122.80 FEET; THENCE NORTH 01 DEGREE 06 MINUTES 30 SECONDS EAST 49.75 FEET TO THE POINT OF BEGINNING.  
LESS AND EXCEPT ANY PART LYING IN ROAD RIGHT OF WAYS.

**Symbol Legend:**  
NOT TO SCALE

- AIR RELEASE VALVE
- BORING HOLE LOCATION
- BRICK PAVERS
- CABLE TV RISER
- CENTRAL ANGLE
- CLEAN OUT
- CONCRETE
- CONCRETE LIGHT POLE
- CONCRETE LIGHT POLE (DUAL)
- CONCRETE LIGHT POLE (TRIPLE)
- CONCRETE LIGHT POLE (QUAD)
- CONCRETE MITERED END SECTION
- CONCRETE PAVERS
- CONCRETE RIP RAP
- CONCRETE UTILITY POLE
- CROSS ROAD SYMBOL
- CROSSLINK SIGNAL POLE
- DETECTABLE WARNING AREA
- DUAL SUPPORT SIGN
- ELECTRICAL MANHOLE
- ELECTRIC METER
- ELECTRICAL JUNCTION BOX
- ELECTRIC OUTLET
- ELECTRIC RISER
- FIBER OPTIC MARKER
- FIRE HYDRANT
- FLOOD LIGHT
- FOUND CONCRETE MONUMENT (AS NOTED)
- FOUND IRON PIPE (AS NOTED)
- FOUND IRON REBAR (AS NOTED)
- FOUND/SET NAIL (AS NOTED)
- UNKNOWN UTILITY MARKER
- UNKNOWN RISER
- UNKNOWN VALVE
- VENT (AS NOTED)
- WATER METER
- WATER SERVICE
- WATER SPIGOT
- WATER SPRINKLER
- WATER VALVE
- WELL
- WETLAND FLAG
- WOOD UTILITY POLE
- WOOD LINE MARKER
- WIRE HEIGHTS (SEE CHART)
- MAILBOX
- MONITOR WELLS
- NAIL & DISC (AS NOTED)
- PARKING SPACES (2)
- PULL BOX (AS NOTED)
- REVISION NUMBER (3)
- RECLAIMED WATER METER
- RECLAIMED WATER VALVE
- ROOF DRAIN
- SANITARY SEWER MANHOLE
- SANITARY SEWER VALVE
- SCHEDULE B ITEM NUMBER (8)
- SECTION CORNER
- 4" X 4" CM LB #7143
- 5/8" IR&C LB #7143
- SIGN
- SITE BENCH MARK
- STORM SEWER MANHOLE
- STRIPING (DIRECTIONAL)
- TELEPHONE CABLE RISER
- TELEPHONE MANHOLE
- TELEPHONE JUNCTION BOX
- TEST HOLE
- TRAFFIC SIGNAL BOX
- TRAFFIC SIGNAL SUPPORT POLE
- UNKNOWN MANHOLE
- UNKNOWN UTILITY MARKER
- UNKNOWN RISER
- UNKNOWN VALVE
- VENT (AS NOTED)
- WATER METER
- WATER SERVICE
- WATER SPIGOT
- WATER SPRINKLER
- WATER VALVE
- WELL
- WETLAND FLAG
- WOOD UTILITY POLE
- WOOD LINE MARKER
- WIRE HEIGHTS (SEE CHART)

**Sign Legend:**  
NOT TO SCALE

- ROW NUMBER SIGN
- BUS STOP SIGN
- DEAD END SIGN
- DO NOT ENTER SIGN (R5-1)
- HANDICAP SIGN
- DUAL HANDICAP SIGN
- INFORMATION SIGN
- KEEP RIGHT SIGN
- LEFT TURN ONLY
- MEDIAN SIGN
- NO DUMPING SIGN
- NO LEFT TURN SIGN (R3-2)
- NO LITTERING SIGN
- NO OUTLET SIGN
- NO PARKING FIRE LANE SIGN
- NO RIGHT TURN SIGN (R3-1)
- NO THRU TRAFFIC SIGN
- NO TRUCKS (R5-2)
- NO PARKING SIGN
- ONE WAY SIGN (R6-2)
- PEDESTRIAN CROSSING SIGN
- RIGHT TURN ONLY
- SPEED LIMIT SIGN
- STOP SIGN (R1-1)
- STREET SIGN
- TOW AWAY ZONE SIGN
- TRUCK ENTRANCE SIGN
- UNKNOWN SIGN
- WEIGHT LIMIT SIGN
- WRONG WAY SIGN
- YIELD SIGN

**Reference Material**

- PLAT OF SEVILLA GARDENS, AS RECORDED IN MAP BOOK 4, PAGE 24 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.
- PLAT OF WHISPERING OAKS, AS RECORDED IN MAP BOOK 34, PAGES 11-13 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.
- PLAT OF WHISPERING OAKS III, AS RECORDED IN MAP BOOK 41, PAGES 18-19 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.
- FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, STATE ROAD NO. A1A, SECTION NO. 78040-2509, DATED 11-22-93.
- FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, STATE ROAD NO. 3/ANASTASIA BOULEVARD, SECTION NO. 78040-2551, DATED 6-14-94.

**NOTE:**  
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 THROUGH 4 OF 4.  
TITLE BLOCK ABBREVIATIONS  
ENG = ENGINEERING L&E = LICENSED BUSINESS  
COA = CERTIFICATE OF AUTHORIZATION AND = ARCHITECTURAL  
LANDSCAPE = LANDSCAPE NA = NOT APPLICABLE L&E = LICENSED  
NO = NUMBER PO = POST OFFICE C = COPYRIGHT

**Survey Notes:**

- "SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."
- "ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES."
- THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 THROUGH 4 OF 4.
- THE LAST DAY FIELD WORK WAS PERFORMED WAS 2/1/18; ALL BOUNDARY CORNERS WERE RECOVERED OR SET AS NOTED HEREON.
- THE "LEGAL DESCRIPTION" HEREON IS BASED ON INFORMATION CONTAINED IN THE PROPERTY INFORMATION REPORT BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, ORDER NUMBER: 6713739, REPORT DATE DECEMBER 20, 2017 AT 5:00 P.M. AND WAS PROVIDED BY THE CLIENT.
- BEARINGS SHOWN HEREON ARE RELATIVE TO THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY A-1-A (S.R. NO. 3), ACCORDING TO THE DEED AS RECORDED IN OFFICIAL RECORDS BOOK 3567, PAGE 682 OF THE OFFICIAL RECORDS OF ST. JOHNS COUNTY, FLORIDA, AS BEING S 13°06' 00" E.
- HAVING CONSULTED THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 12109C0384H, CITY OF ST. AUGUSTINE BEACH, ST. JOHNS COUNTY, REVISED DATE SEPTEMBER 2, 2004, THE SUBJECT PROPERTY APPEARS TO BE IN ZONE X, WHICH ARE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND ZONE X SHADDED WHICH ARE AREAS OF 0.2% ANNUAL CHANCE FLOOD. AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD, NAVD '88, THIS DETERMINATION WAS BASED ON GEOSPATIAL DATA DOWNLOADED FROM WWW.FEMA.GOV AND THE SHAPE FILE DISPLAYED HEREON WAS REFERENCED TO ABOVE GROUND IMPROVEMENTS. THIS DETERMINATION WAS BASED ON A GRAPHIC INTERPOLATION OF SAID MAP AND NOT ON ACTUAL FIELD MEASUREMENTS.
- THE APPARENT USE OF THE LAND, AS CLASSIFIED BY THE STANDARDS OF PRACTICE SET FORTH IN RULE CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FS 472.027, ESTABLISHES THAT THE MINIMUM RELATIVE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY MEET THE HORIZONTAL CONTROL ACCURACY OF 1/10,000 FEET FOR A COMMERCIAL/HIGH RISK SURVEY. THE MEASUREMENTS AND CALCULATIONS OF THE CLOSED GEOMETRIC FIGURES WERE FOUND TO MEET THIS ACCURACY REQUIREMENT. THE EQUIPMENT USED TO VERIFY THE HORIZONTAL CONTROL ON THE SUBJECT SURVEY WAS A TOPCON TOTAL STATION MODEL# GPT-3005W, AND A TOPCON GPS HIPER PRO.
- HORIZONTAL WELL-IDENTIFIED FEATURES IN THIS SURVEY AND MAP HAVE BEEN MEASURED TO AN ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 0.05 (FT). THE EQUIPMENT USED TO LOCATE THE FEATURES WAS A TOPCON TOTAL STATION MODEL# GPT-3005W, AND A TOPCON GPS HIPER PRO.
- UNLESS OTHERWISE NOTED, ALL RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION CONTAINED IN THE PROPERTY INFORMATION REPORT BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, REPORT NO. 6713739, REPORT DATE DECEMBER 20, 2017 AT 5:00 P.M., AND WAS PROVIDED BY THE CLIENT.
- NO UNDERGROUND UTILITIES, FOUNDATIONS OR IMPROVEMENTS, IF ANY, HAVE BEEN LOCATED EXCEPT AS SHOWN.
- THIS SURVEY DOES NOT IDENTIFY THE LIMITS OR EXTENT OF POTENTIAL JURISDICTIONAL WETLAND BOUNDARIES.
- FENCES EXISTING ON, OVER OR ADJACENT TO SUBJECT PROPERTY, ARE DISPLAYED HEREON; OWNERSHIP WHETHER SINGULAR OR JOINT WAS NOT DETERMINED BY THIS SURVEY.
- VERTICAL FEATURE ACCURACY: "ELEVATIONS OF WELL-IDENTIFIED FEATURES CONTAINED IN THIS SURVEY AND MAP HAVE BEEN MEASURED TO AN ESTIMATED VERTICAL POSITIONAL ACCURACY OF 0.05 (FT)."
- DIMENSIONS ARE SHOWN RELATIVE TO UNITED STATES STANDARD FEET AND DECIMALS THEREOF, UNLESS THE OBJECT SHOWN IS COMMONLY IDENTIFIED IN INCHES, I.E. TREE DIAMETER, PIPE DIAMETER, ETC. TREES DEPICTED ARE COMMON NAMES AND MEASURED AND LABELED AS DIAMETER AT BREAST HEIGHT IN INCHES.
- CERTAIN INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR AS NOTED OR DISPLAYED HEREON.

**Parking Table**

STANDARD SPACES =	452
ACCESSIBLE HANDICAP SPACES =	16
TOTAL SPACES =	468

**Index of Sheets**

1	ALTA/NSPS LAND TITLE SURVEY (COVER SHEET)
2	ALTA/NSPS LAND TITLE SURVEY (COVER SHEET)
3	ALTA/NSPS LAND TITLE SURVEY (BOUNDARY & TOPOGRAPHIC SURVEY)
4	ALTA/NSPS LAND TITLE SURVEY (BOUNDARY & TOPOGRAPHIC SURVEY)

**Surveyor's Certification:**

Certified to: 2391 PARTNES, LLC AND CHICAGO TITLE INSURANCE COMPANY.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by Florida and NSPS, and includes Items 1-5, 8-9 and 13 of Table A thereof.

I hereby certify that the attached "ALTA/NSPS Land Title Survey" of the hereon-described property is true and correct to the best of my knowledge, information and belief as surveyed in the field on February 1, 2018. I further certify that this "Boundary & Topographic Survey" meets the standards of practice set forth in Rule Chapter 5J-17 of the Florida Administrative Code, pursuant to FS 472.027.

For the Firm By: Jeffrey W. Patterson  
Professional Surveyor and Mapper  
Florida Registration No. 6384

**Abbreviation Legend:**

- ACTUAL
- AIR CONDITIONER
- AMERICAN CONGRESS ON SURVEYING & MAPPING
- AMERICANS WITH DISABILITIES ACT
- AMERICAN LAND TITLE ASSOCIATION
- APPROXIMATE
- AIR RELEASE VALVE
- AVENUE
- AVERAGE
- BEARING BASIS
- BACK FLOW PREVENTER
- BLOCK
- BUILDING
- BOULEVARD
- BENCH MARK
- BACK OF CURB
- BACK OF WALK
- BUILDING SETBACK LINE
- BARBED WIRE FENCE
- DENOTES SHEET NUMBERING FOR ENGINEERING PLANS
- CALCULATED
- CHORD
- CABLE TELEVISION RISER
- CHORD BEARING
- CONCRETE BLOCK STRUCTURE
- CERTIFIED CORNER RECORD
- CURB & GUTTER
- CATCH INLET
- CENTERLINE
- CHAIN LINK FENCE
- CONCRETE MONUMENT
- CORRUGATED METAL PIPE
- CLEANOUT
- CONCRETE
- CORNER
- CORRUGATED PLASTIC PIPE
- COUNTY UTILITY EASEMENT
- CROSSWALK SIGNAL
- DELTA
- DESCRIPTION
- DEED BOOK
- DIAMETER AT BREAST HEIGHT IN INCHES
- DRAINAGE EASEMENT
- DEPARTMENT
- DUCTILE IRON PIPE
- DRIVE
- DRAINAGE AND UTILITY EASEMENT
- ENGINEERING PLAN
- ELECTRIC JUNCTION BOX
- UNDERGROUND ELECTRICAL LINES
- ELECTRIC
- ELEVATION
- ELLIPTICAL
- END OF INFORMATION
- EDGE OF PAVEMENT
- FIELD BOOK
- FLORIDA DEPARTMENT OF TRANSPORTATION
- FINISH FLOOR
- FLAT GRADE INLET
- FIBERGLASS LIGHT POLE
- FIRE HYDRANT
- FORCE MAIN
- FOUND
- FLORIDA POWER AND LIGHT
- FLORIDA STATUTES
- GRID (STATE PLANE)
- UNDERGROUND GAS LINES
- GOVERNMENT
- GROUND PENETRATING RADAR
- GREASE TRAP MANHOLE
- HIGH DENSITY POLYETHYLENE PIPE
- HOG WIRE FENCE
- IDENTIFICATION
- IRRIGATION CONTROL VALVE
- INFORMATION
- INVERT
- IRON PIPE
- IRON PIPE & CAP
- IRON ROD
- IRON REBAR & CAP
- IRRIGATION
- ARC LENGTH
- LICENSED BUSINESS NUMBER
- LIGHT POLE
- MEASURED
- MAP BOOK
- MAILBOX
- METERED END SECTION
- MANHOLE
- METAL LIGHT POLE
- MILES PER HOUR
- METAL POWER POLE
- NOT APPLICABLE
- NORTH AMERICAN VERTICAL DATUM
- NORTH AMERICAN DATUM
- NATURAL GROUND
- NATIONAL GEODETIC SURVEY
- NATIONAL GEODETIC VERTICAL DATUM
- NAIL AND DISK
- NUMBER
- NON-RADIAL
- NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS
- NON-TANGENT
- NOT TO SCALE
- OUTSIDE DIAMETER
- OFFICIAL RECORDS BOOK
- OFFICIAL RECORDS
- OVERHEAD UTILITY LINES
- OVERHEAD TRAFFIC LINES
- PLAT
- PLAT BOOK
- POINT OF CURVATURE
- POINT OF COMPOUND CURVATURE
- PERMANENT CONTROL POINT
- PROPOSED FINISHED FLOOR
- PAGE
- PAGES
- POINT OF INTERSECTION
- POST INDICATOR VALVE
- PARKER KAYLON
- POINT OF BEGINNING
- POINT OF COMMENCEMENT
- POINT ON LINE
- POWER POLE
- POINT OF REVERSE CURVATURE
- PERMANENT REFERENCE MONUMENT
- PROFESSIONAL SURVEYOR & MAPPER
- POINT OF TANGENCY
- POLYVINYL CHLORIDE PIPE
- PAVEMENT
- RANGE 30 EAST
- RADIUS
- RADIAL
- REINFORCED CONCRETE PIPE
- RECOVERED
- REVISION
- RADIUS POINT
- RIGHT-OF-WAY
- REGISTERED LAND SURVEYOR
- RADIUS POINT
- UNDERGROUND RECLAIM WATER LINE
- SPECIAL EASEMENT
- SECTION 10
- SANITARY SEWER MANHOLE
- STATE PLANE
- SQUARE
- SQUARE FEET
- STREET
- STORM DRAINAGE MANHOLE
- SIDEWALK
- TANGENT BEARING
- TOWNSHIP 8 SOUTH
- TOP OF BANK LINES
- TOE OF SLOPE LINES
- TREE LINES
- TRANSFORMER
- TRAFFIC SIGNAL BOX
- TRAFFIC SIGNAL SUPPORT POLE
- UNDERGROUND CABLE TV LINES
- TYPICAL
- UTILITY EASEMENT
- UNKNOWN
- UNDERGROUND TELEPHONE LINES
- WITH
- UNDERGROUND WATER LINE
- WOOD LIGHT POLE
- WATER METER
- WORK PROGRAM
- WOOD POST FENCE
- WOOD POWER POLE
- WATER VALVE

**Line Legend:**  
NOT TO SCALE

- 1 FOOT CONTOURS
- 5 FOOT CONTOURS
- ADJOINER PROPERTY LINES
- BARBED WIRE FENCE
- BROKEN LINE
- BURIED CABLE
- PERMANENT CABLE TELEVISION
- BURIED ELECTRIC
- BURIED FIBER OPTICS
- BURIED GAS
- BURIED RECLAIMED WATER LINE
- BURIED SANITARY LINES
- BURIED SANITARY SEWER FORCE MAIN LINE
- BURIED TRAFFIC CONTROL
- BURIED TELEPHONE LINE
- BURIED WATER LINES
- CENTER LINE R/W
- RANGE 30 EAST
- RADIUS
- REINFORCED CONCRETE PIPE
- EASEMENT LINES (EXISTING)
- EASEMENT LINES (PROPOSED)
- EDGE OF WATER LINES
- EXISTING DRAINAGE PIPES
- EXISTING DRAINAGE PIPES (OUTFALL NOT LOCATED)
- FIRE WATER MAIN LINES
- HOT WATER SUPPLY LINES
- IRRIGATION LINES
- OVERHEAD TRAFFIC LINES
- OVERHEAD UTILITY LINES
- RAILROAD TRACKS
- RIGHT-OF-WAY LINES
- SECTION LINES
- STONE WALL LINES
- TOP OF BANK LINES
- TOE OF SLOPE LINES
- TREE LINES
- TRAVERSE LINES
- UNKNOWN BURIED LINES
- VINYL FENCE
- WOOD FENCE
- WETLAND LINE
- ORANGE PAINT LINE
- GREEN PAINT LINE
- RED PAINT LINE
- WHITE PAINT LINE
- PURPLE PAINT LINE
- WATER LINE MARKER
- YELLOW PAINT LINE



FIDELITY NATIONAL TITLE INSURANCE COMPANY  
PROPERTY INFORMATION REPORT ORDER NO. 6713739  
REPORT DATE DECEMBER 20, 2017 AT 5:00 P.M.

1. LIMITED WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1859, PAGE 675. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
2. PARTNERSHIP AFFIDAVIT RECORDED IN OFFICIAL RECORDS BOOK 1859, PAGE 678. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
3. CERTIFICATE OF MERGER RECORDED IN OFFICIAL RECORDS BOOK 1859, PAGE 681. (NOT A SURVEY MATTER)
4. TRUSTEE' S AFFIDAVIT RECORDED IN OFFICIAL RECORDS BOOK 1859, PAGE 684. (DOCUMENTATION MISSING) (NO DETERMINATION)
5. MEMORANDUM OF LEASE RECORDED IN OFFICIAL RECORDS BOOK 1869, PAGE 1000. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
6. LLC AFFIDAVIT RECORDED IN OFFICIAL RECORDS BOOK 1941, PAGE 1699. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
7. MORTGAGE AND SECURITY AGREEMENT DATED APRIL 21, 2003, EXECUTED BY MCW-RC FL-ANASTASIA, LLC, A DELAWARE LIMITED LIABILITY COMPANY, IN FAVOR OF DES MOINES COMMERCIAL MORTGAGE PORTFOLIO, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND RECORDED APRIL 28, 2003 IN OFFICIAL RECORDS BOOK 1941, PAGE 1704, SECURING THE ORIGINAL PRINCIPAL AMOUNT OF \$4,480,000.00. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
8. ASSIGNMENT OF LEASES AND RENTS DATED APRIL 21, 2003, EXECUTED BY MCW-RC FL-ANASTASIA, LLC, A DELAWARE LIMITED LIABILITY COMPANY, IN FAVOR OF DES MOINES COMMERCIAL MORTGAGE PORTFOLIO, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND RECORDED APRIL 28, 2003 IN OFFICIAL RECORDS BOOK 1941, PAGE 1741. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
9. UCC-1 FINANCING STATEMENT LISTING MCW-RC FL-ANASTASIA, LLC, AS DEBTOR AND DES MOINES COMMERCIAL MORTGAGE PORTFOLIO, LLC, AS SECURED PARTY AND RECORDED IN OFFICIAL RECORDS BOOK 1941, PAGE 1753. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
10. SUBORDINATION, NON-DISTURBANCE AND ATTORNMEN T AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1941, PAGE 1759. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
11. AMENDMENT TO MORTGAGE AND SECURITY AGREEMENT AND SECURED PROMISSORY NOTE RECORDED IN OFFICIAL RECORDS BOOK 1968, PAGE 1697. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
12. ASSIGNMENT OF MORTGAGE AND SECURITY AGREEMENT, ASSIGNMENT OF LEASES AND RENTS AND GENERAL ASSIGNMENT RECORDED IN OFFICIAL RECORDS BOOK 2001, PAGE 1591. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
13. ASSIGNMENT OF MORTGAGE AND SECURITY AGREEMENT, ASSIGNMENT OF LEASES AND RENTS AND GENERAL ASSIGNMENT RECORDED IN OFFICIAL RECORDS BOOK 2111, PAGE 476. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
14. CORRECTED ASSIGNMENT OF MORTGAGE AND SECURITY AGREEMENT, ASSIGNMENT OF LEASES AND RENTS AND GENERAL ASSIGNMENT RECORDED IN OFFICIAL RECORDS BOOK 2111, PAGE 481. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
15. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2013, PAGE 746. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
16. RE-RECORDED ASSIGNMENT OF LEASES AND RENT RECORDED IN OFFICIAL RECORDS BOOK 2014, PAGE 1410. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
17. CORRECTED AMENDMENT TO MORTGAGE AND SECURITY AGREEMENT AND SECURED PROMISSORY NOTE RECORDED IN OFFICIAL RECORDS BOOK 2111, PAGE 467. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
18. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2112, PAGE 759. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
19. UCC-3 FINANCING STATEMENT AMENDMENT RECORDED IN OFFICIAL RECORDS BOOK 2175, PAGE 1179. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
20. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2329, PAGE 1831. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
21. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2459, PAGE 886. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
22. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2459, PAGE 887. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
23. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2495, PAGE 1418. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
24. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2543, PAGE 1869. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
25. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2564, PAGE 308. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
26. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2637, PAGE 443. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
27. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2659, PAGE 1227. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
28. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2696, PAGE 293. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
29. ASSIGNMENT OF MORTGAGE RECORDED IN OFFICIAL RECORDS BOOK 2783, PAGE 1186. (NOT A SURVEY MATTER)
30. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2953, PAGE 1779. (NOT A SURVEY MATTER)
31. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2973, PAGE 432. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
32. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 2976, PAGE 603. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
33. UCC-1 FINANCING STATEMENT RECORDED IN OFFICIAL RECORDS BOOK 2983, PAGE 545. (NOT A SURVEY MATTER)
34. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3009, PAGE 40. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
35. UCC-3 FINANCING STATEMENT AMENDMENT RECORDED IN OFFICIAL RECORDS BOOK 3042, PAGE 1293. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

36. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3051, PAGE 1816. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
37. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3062, PAGE 1234. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
38. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3141, PAGE 1260. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
39. CLAIM OF LIEN RECORDED IN OFFICIAL RECORDS BOOK 3195, PAGE 1580. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
40. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3221, PAGE 1904. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
41. RELEASE AND SATISFACTION OF RECORDED CLAIM OF LIEN RECORDED IN OFFICIAL RECORDS BOOK 3222, PAGE 340. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
42. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3223, PAGE 1396. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
43. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3231, PAGE 1973. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
44. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3238, PAGE 1627. (NOT A SURVEY MATTER)
45. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3243, PAGE 1004. (NOT A SURVEY MATTER)
46. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3245, PAGE 1956. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
47. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3260, PAGE 554. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
48. CLAIM OF LIEN RECORDED IN OFFICIAL RECORDS BOOK 3277, PAGE 731. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
49. NOTICE OF LIS PENDENS RECORDED IN OFFICIAL RECORDS BOOK 3305, PAGE 296. (NOT A SURVEY MATTER)
50. PLAINTIFFS NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE RECORDED IN OFFICIAL RECORDS BOOK 3333, PAGE 233. (NOT A SURVEY MATTER)
51. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3318, PAGE 1158. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
52. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3322, PAGE 728. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
53. SATISFACTION OF MORTGAGE RECORDED IN OFFICIAL RECORDS BOOK 3328, PAGE 103. (NOT A SURVEY MATTER)
54. UCC-3 FINANCING STATEMENT AMENDMENT RECORDED IN OFFICIAL RECORDS BOOK 3328, PAGE 107. (NOT A SURVEY MATTER)
55. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3340, PAGE 1083. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
56. RELEASE OF LIEN RECORDED IN OFFICIAL RECORDS BOOK 3345, PAGE 67. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
57. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3369, PAGE 1481. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
58. GRANT OF NON-EXCLUSIVE UTILITY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 3439, PAGE 1004. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
59. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3519, PAGE 147. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
60. SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 3563, PAGE 682. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
61. UCC-3 FINANCING STATEMENT AMENDMENT RECORDED IN OFFICIAL RECORDS BOOK 3590, PAGE 1734. (NOT A SURVEY MATTER)
62. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3641, PAGE 1638. (NOT A SURVEY MATTER)
63. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3676, PAGE 216. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
64. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3681, PAGE 1111. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
65. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3694, PAGE 1526. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
66. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3716, PAGE 764. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
67. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3775, PAGE 678. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
68. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3876, PAGE 286. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
69. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3876, PAGE 287. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
70. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 3879, PAGE 692. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
71. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 4142, PAGE 452. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

72. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 4151, PAGE 684. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
73. NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 4157, PAGE 479. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
74. UCC-1 FINANCING STATEMENT RECORDED IN OFFICIAL RECORDS BOOK 4232, PAGE 1732. (NOT A SURVEY MATTER)
75. UCC-3 FINANCING STATEMENT AMENDMENT RECORDED IN OFFICIAL RECORDS BOOK 4407, PAGE 390. (NOT A SURVEY MATTER)



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Revision

Date

No.

D.A.S.  
B.B.  
R.L.R.  
J.W.P.  
N/A  
02/01/18  
R9114.1  
© 2018

Field Crew:  
Drawn by:  
Checked by:  
Approved by:  
Scale:  
Date:  
Job No.:  
File: R9114.1.dwg

Survey Prepared By:  
CPH, Inc.  
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Eng. C.O.A. No. 3215  
Survey L.B. No. 7143  
Arch. Lic. No. AA2600926  
Lndscp. Lic. No. LC0000298

BOUNDARY & TOPOGRAPHIC SURVEY  
ALSO BEING AN  
(ALT/ANSPS LAND TITLE SURVEY)  
REGENCY CENTERS  
1007 A1A (BEACH BOULEVARD)  
SECTION 10 TOWNSHIP 8 SOUTH RANGE 30 EAST  
CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA

Sheet No.  
2  
of 4

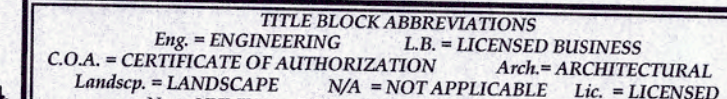
NOTE:  
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 THROUGH 4 OF 4.

TITLE BLOCK ABBREVIATIONS  
Eng. = ENGINEERING L.R. = LICENSED BUSINESS  
C.O.A. = CERTIFICATE OF AUTHORIZATION Arch. = ARCHITECTURAL  
Lndscp. = LANDSCAPE N/A = NOT APPLICABLE L.E. = LICENSED  
No. = NUMBER P.O. = POST OFFICE © = COPYRIGHT











## Jennifer Thompson

**From:** Douglas Burnett <dburnett@sjlawgroup.com>  
**Sent:** Friday, June 9, 2023 4:20 PM  
**To:** Kevin Kincaid; Chris Pranis; Hulsey Bray; Conner Dowling; Larry Einheuser; Hester Longstreet; Victor Sarris; Gary Smith; Rhys Slaughter  
**Cc:** Comm Samora; Comm Rumrell; Beth Sweeny; Comm George; Comm Morgan; Max Royle; Jennifer Thompson; Bonnie Miller  
**Subject:** Publix - CR 2023-01 and VAR 2023-10 - PZB - June 20 Agenda  
**Attachments:** Publix 2023 - potential roundabout.pdf; Crash A1A.pdf; Email requesting Traffic Crash DATA.pdf

**CAUTION:** This message originated from outside of your organization. Clicking on any link or opening any attachment may be harmful to your computer or the City. If you do not recognize the sender or expect the email, please verify the email address and any attachments before opening. If you have any questions or concerns about the content, please contact IT staff at IT@cityofsab.org.

PZB Board Members,

I am writing to suggest PZB consider a condition requiring the applicant to fund a roundabout at A1A Beach Blvd as part of the approval. Attached please find:

1. A rough overlay of a potential roundabout.
2. Spreadsheet of traffic crashes at the intersection from St. Johns County Sheriff's Office. Note: This does not include traffic crash data worked by SABPD.
3. Email requesting traffic crash data so you can see precisely what we requested from the Sheriff's Office.

As background and as many of you know, my wife and I live in the City of St. Augustine Beach, where we have raised our 4 daughters, and my business is located within the City of St. Augustine Beach. In fact, my wife and I own and built the building where St. Johns Law Group is located at the Sea Grove Town Center. I have been a developer attorney for about 20 years and often review applications that go before the City as a way of staying informed and in case a situation arises where I think I can lend some experience or insight. During the last 20 years, I also served as City Attorney at the City of St. Augustine Beach for about 6 years and, notably, I am responsible for suggesting and drafting the City's ordinance that prevented a cell tower from being constructed years ago in the location where Embassy Suites now stands.

I will tell you upfront that my wife and I are in favor of the application filed to improve the Anastasia Publix. It is greatly needed and will be an asset to our community.

That said, I believe that the request by the shopping center gives the City an important opportunity to address a major problem in the City . . . the intersection of the Anastasia Publix shopping center and A1A Beach Blvd. There are a number of problems with the intersection and it is highly unlikely that the factors required by FDOT in a warrant study will ever be met to trigger a traffic signal. The solution is a roundabout.

According to FDOT, roundabouts are favored because:

- There are over 300 roundabouts on local roads throughout Florida (there are several in St. Johns County)

- Roundabouts, compared to other intersection types, notably reduce severe crashes
- Implementing roundabouts has resulted in a 15 to 47 percent reduction in all crashes
- Improved safety
- Traffic calming
- Roundabouts promote a continuous flow of traffic; traffic is not required to stop

A roundabout at Anastasia Publix is fully capable of accommodating traffic volumes and would:

- All of the above plus . . .
- Reduce the chance of vehicles leaving the center going the wrong way and departing via the entrance, which is a common problem and experienced multiple times per day. Motorists routinely see the right lane of the entrance lanes as they are leaving the center as the correct exit lane.
- Reduce accidents
- Avoid the cross traffic conflict that is routinely experienced
- Slow vehicles that currently view the corridor as a long straight of way
- Enhance the southern entrance to our City . . . a roundabout would signal to visitors that they have arrived at the City . . . a more meaningful way to announce the City psychologically and set the tone for the coming pedestrian crosswalks that motorist experience from that point all the way to Pope Road. Speaking of which, Pope Road and A1A Beach Blvd would also be an excellent candidate for a roundabout as part of a long-range plan.

It would appear that there is right-of-way and land for a roundabout, as depicted in the attached. I think you should anticipate that any developer would not want to commit to designing, permitting and constructing the improvement due to the unknown risks. The more likely option would be a condition in the approval that the developer fund an engineer's estimated cost of the improvement with the City being responsible for design, permitting and construction. Perhaps, a condition for PZB would be to add the following:

**As a condition of granting CR 2023-01 and VAR 2023-10, and to mitigate for site access traffic which volume has grown over the last two decades to become problematic, the applicant, MCW-RC-FL-Anastasia, LLC, agrees to fund the engineer's estimate for a roundabout at A1A Beach Blvd by paying unto the City of St. Augustine Beach the total amount of \$\_\_\_\_\_ (the "Roundabout Funds"), which payment shall be made at the time of the applicant's construction plan approval by the City Building Department. The Roundabout Funds will be used by the City to design, permit and construct a roundabout at the entrance to the Anastasia Publix shopping center on A1A Beach Blvd. Should the City fail to fully construct the roundabout within five (5) years of receipt of the Roundabout Funds, the Roundabout Funds shall be refunded to the applicant.**

The above language would not lock the City into absolutely having to construct the roundabout. Rather, if the roundabout was anticipated to greatly exceed the funds from the developer, the City could commit to the additional expense or refund the money. This gives the City maximum flexibility and does not lock the City into expending public funds on a potential roadway improvement that is not fully vetted. This also makes the PZB condition something that gives the City Commission plenty of time to investigate, analyze and consider, meaning that PZB would not be overstepping its bounds.

The City, through PZB, may only get the June 20 opportunity to shape the long-term impact of the shopping center on A1A Beach Blvd, so please make the most of the opportunity.

Thank you for your consideration of this suggestion.

Respectfully,

Doug



Douglas N. Burnett  
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[www.sjlawgroup.com](http://www.sjlawgroup.com)  
104 Sea Grove Main Street  
St. Augustine, Florida 32080  
(904) 687-9126 cellular  
(904) 495-0400 office  
(904) 495-0506 facsimile  
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**FRAUD ALERT – PLEASE READ**

*For your protection, and due to the overwhelming number of fraudulent cashier's checks circulating in Florida, we require all funds to close a real estate transaction to be tendered in the form of a wire transfer. We will not accept cashier's checks. Our incoming wire instructions will be provided to you by way of a secure email that requires a login and password. The wire instructions supplied in the secure email are the only wire instructions used by St. Johns Law Group. You are advised not to wire any funds without first personally speaking with us to confirm the routing number and the account number. Furthermore, if you receive correspondence of any kind directing you to send money to any other account, please contact us immediately at (904) 495-0400.*

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## Douglas Burnett

---

**From:** Rebecca Ferris  
**Sent:** Friday, June 9, 2023 3:43 PM  
**To:** Douglas Burnett  
**Subject:** FW: Traffic Crash Stats from SJSO  
**Attachments:** Crash A1A.pdf

Thank you.

Becky

Rebecca Ferris  
Legal Assistant  
St. Johns Law Group  
[www.sjlawgroup.com](http://www.sjlawgroup.com)  
104 Sea Grove Main Street  
St. Augustine, Florida 32080  
(904) 495-0400 office  
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**From:** Palmer, Destiny <[dpalmer@sjso.org](mailto:dpalmer@sjso.org)>  
**Sent:** Friday, June 9, 2023 1:49 PM

**To:** Rebecca Ferris <[rferris@sjlawgroup.com](mailto:rferris@sjlawgroup.com)>; SO Records <[SJSORrecords@sjso.org](mailto:SJSORrecords@sjso.org)>  
**Subject:** RE: Traffic Crash Stats

Good Afternoon,

Please see attached.

Thank you,



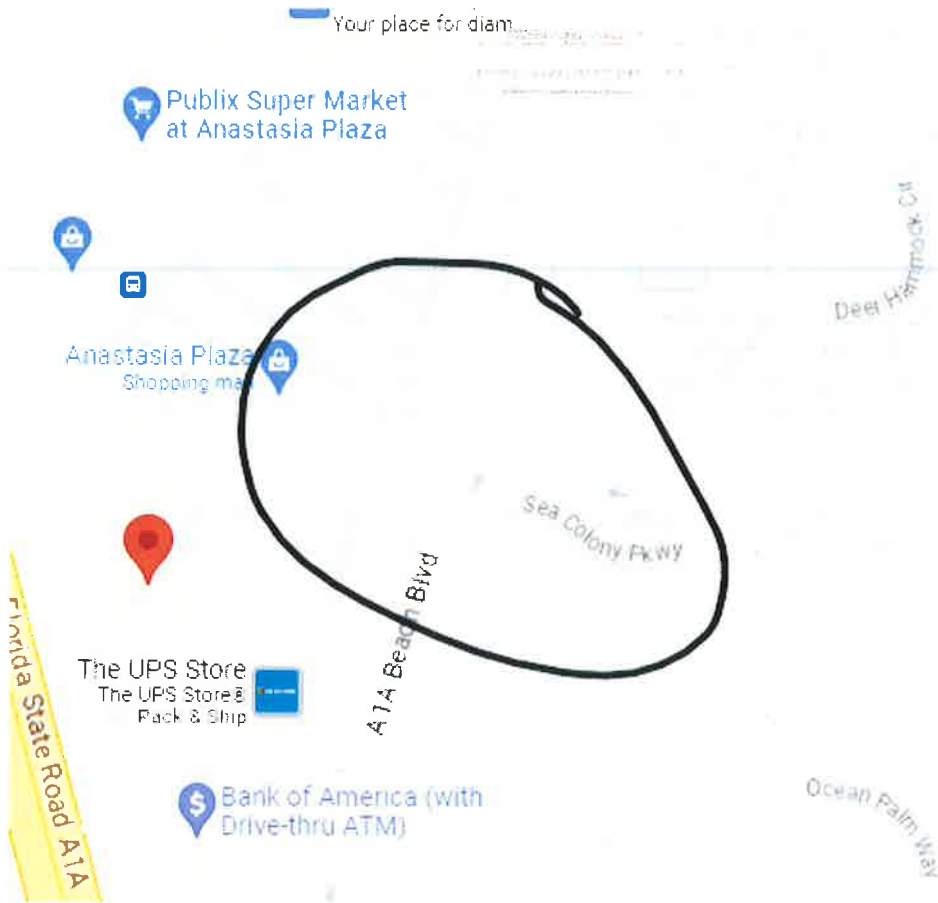
**Destiny Palmer**  
RECORDS SPECIALIST III | GNSV

**ST. JOHNS COUNTY SHERIFF'S OFFICE** | Robert A. Hardwick, Sheriff  
4015 Lewis Speedway, St. Augustine, Florida. 32084  
Office 904.810.6610 | Desk 904.209.2419

**From:** Rebecca Ferris <[rferris@sjlawgroup.com](mailto:rferris@sjlawgroup.com)>  
**Sent:** Friday, June 9, 2023 1:27 PM  
**To:** SO Records <[SJSORrecords@sjso.org](mailto:SJSORrecords@sjso.org)>  
**Subject:** Traffic Crash Stats

Good afternoon,

We are looking for traffic crash stats for the intersection of Publix located at 1033 A1A Beach Blvd & A1A Beach Blvd across from Sea Colony. If there is a charge for this service, please let me know before any search is conducted. We would like to have stats from June 1, 2022 – June 1, 2023.



Thank you.

Becky

Rebecca Ferris  
 Legal Assistant  
 St. Johns Law Group  
[www.sjlawgroup.com](http://www.sjlawgroup.com)  
 104 Sea Grove Main Street  
 St. Augustine, Florida 32080  
 (904) 495-0400 office  
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*instructions will be provided to you prior to closing and are also available upon request. Thank you for your understanding and cooperation.*

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06/01/2022 - 06/01/2023

DEFAULT

Date/Time Incident Received	Complaint Type	Occur:City/State/Zip
06/21/2022 19:27:19	CRASH	ST AUG BEACH FL 32080
07/10/2022 13:30:11	CRASH	ST AUG BEACH FL 32080
07/11/2022 13:02:40	CRASH	ST AUG BEACH FL 32080
07/27/2022 11:26:13	CRASH	ST AUG BEACH FL 32080
07/29/2022 12:48:14	CRASH	ST AUG BEACH FL 32080
07/31/2022 13:01:42	CRASH	ST AUG BEACH FL 32080
10/12/2022 11:12:00	CRASH	ST AUG BEACH FL 32080
10/28/2022 16:24:15	CRASH	ST AUG BEACH FL 32080
11/01/2022 14:29:53	CRASH	ST AUG BEACH FL 32080
11/18/2022 11:23:47	CRASH	ST AUG BEACH FL 32080
11/18/2022 16:35:56	CRASH	ST AUG BEACH FL 32080
01/01/2023 14:21:21	CRASH	ST AUG BEACH FL 32080
01/01/2023 14:21:36	CRASH	ST AUG BEACH FL 32080
01/25/2023 11:41:54	CRASH	ST AUG BEACH FL 32080
03/14/2023 18:29:28	CRASH	ST AUG BEACH FL 32080
03/26/2023 12:44:54	CRASH	SAINT AUGUSTINE FL 32080
03/28/2023 16:34:57	CRASH	ST AUG BEACH FL 32080
04/11/2023 09:35:44	CRASH	ST AUG BEACH FL 32080
05/03/2023 17:11:41	CRASH	ST AUG BEACH FL 32080
05/04/2023 10:45:53	CRASH	ST AUG BEACH FL 32080
COUNT		
20		