



**Growth Management Department**  
Mid-Anastasia Design Overlay District  
January 11, 2024 Public Meeting  
MADRB 2023-03 Sunset View

**To:** Mid-Anastasia Design Review Board

**From:** Saleena Randolph, Senior Planner

**Subject:** **MADRB 2023-03 Sunset View**, request waivers to the setback, landscape buffer, and signage requirements of the Mid-Anastasia Overlay District. This request is a companion application to PUD 2023-15 Sunset View PUD, which proposes to rezone approximately 2.42 acres of land from CG, RS-3 and OR to a Planned Unit Development to allow a maximum of 3 residential units and 7,854 sqft of commercial uses.

**Location:** 283, 285, 293 and 299 Dondanville Road

**Current Zoning:** Commercial General (CG), Residential Single Family (RS-3) and Open Rural (OR)

**FLUM:** Residential-C and Conservation

**Applicant:** Karen Taylor, Land Planner

**Owners:** 299 Dondanville Property LLC and Marshview Property LLC

**Applicable Standards:** Land Development Code (LDC), Part 3.08.00

**Hearing Date:** MADRB – January 11, 2024

**Commissioner District:** District 3

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### SUGGESTED MOTION/ACTION

**APPROVE:** Motion to recommend approval of **MADRB 2023-03 Sunset View**, recommending approval of the requested waivers to LDC Part 3.08.00 Mid-Anastasia Overlay Regulations. Specific waivers, as provided in the Staff Report, **are** consistent with the intent of the Overlay standards to provide protection of surrounding residential uses; cluster complementary uses; protect scenic views; enhance physical appearance through design and signage controls; protect community character and encourage pedestrian activity.

**DENY:** Motion to recommend denial of **MADRB 2023-03 Sunset View**, recommending denial of the requested waivers to LDC Part 3.08.00 Mid-Anastasia Overlay Regulations. Specific waivers, as provided in the Staff Report, **are not** consistent with the intent of the Overlay standards to provide protection of surrounding residential uses; cluster complementary uses; protect scenic views; enhance physical appearance through design and signage controls; protect community character and encourage pedestrian activity.

### **LDC Section 3.08.01 Purpose and Intent**

The purpose and intent of this Special District is to achieve specific goals and objectives of the St. Johns County Comprehensive Plan and establish additional requirements which regulate development in a manner that protects natural resources and further supports the provisions of Article IV of this Code, and maintains and enhances the diverse and unique character of the Mid- Anastasia Overlay District.

The objective of these requirements is to protect surrounding residential Uses; cluster complementary Uses; protect scenic views; enhance physical appearance through design and signage controls; protect community character and encourage pedestrian activity. These objectives shall be accomplished through the establishment and implementation of special guidelines, standards and criteria which shall apply to the location, character, compatibility and appearance of proposed cultural, institutional, commercial and multi-family land Uses, and to certain changes or renovations to such existing land Uses. The implementation of this Part shall be assisted by a Design Review Board, which shall be established in accordance with the administrative procedures of this Part. The review of activities which are subject to these additional requirements shall be performed with the goal of determining whether a proposed activity meets the goals, objectives and policies set forth in the Comprehensive Plan and the guidelines, standards and criteria of this Part.

### **LDC Section 3.08.10 Administrative Requirements**

The following requirements shall apply to all projects and activities that are subject to the Mid-Anastasia Overlay District. For those projects involving Signs less than fifteen (15) square feet in size, Ground and Wall Sign re-faces, re-painting, or other activities not requiring a County building permit, a minor review application shall be allowed. Additionally, a minor review shall be allowed for those other projects, which are determined by the County Administrator to be minor in nature. For all other projects, a regular review application shall be required.

#### **E. Management of Applications among Multiple Boards**

1. When a board or agency has made a decision or finding on an application, and the application or companion application will later appear before the Board of County Commissioners, its approval or approval with conditions shall constitute a recommendation to the Board of County Commissioners. The Board of County Commissioners may choose to accept the decision or finding of the board or agency, make a binding decision or finding of its own, or send the application back to the board or agency for a decision consistent with the Board of County Commissioners findings or suggestions.
2. This section does not impose any additional review standards on applications or board or agency decisions as set forth in this Code.

### **SUMMARY OF REQUEST**

The applicant is requesting the Board's review and approval for the following:

- reduced setback restrictions to the existing and proposed buildings/decks
- reduced landscape buffer requirements to existing and proposed site
- allow existing signage to remain

The applicant states the request for the waivers is in relation to the existing buildings, signage, and contemplated site improvements such as decking; the applicant also points out that there are no materials, landscaping, or fencing being added to the site at this time. Please note that the applicant does not want design review during this submittal; the applicant will provide design plans after/if this project is approved for the proposed rezoning. The applicant understands that any changes to the buildings, decks, landscaping, fencing, signage, colors, and material changes will require a separate application, review, and approval by the Design Review Board.

**SETBACKS:**

*LDC Sec. 3.08.05 Minimum Yard Requirements (provided in part)*

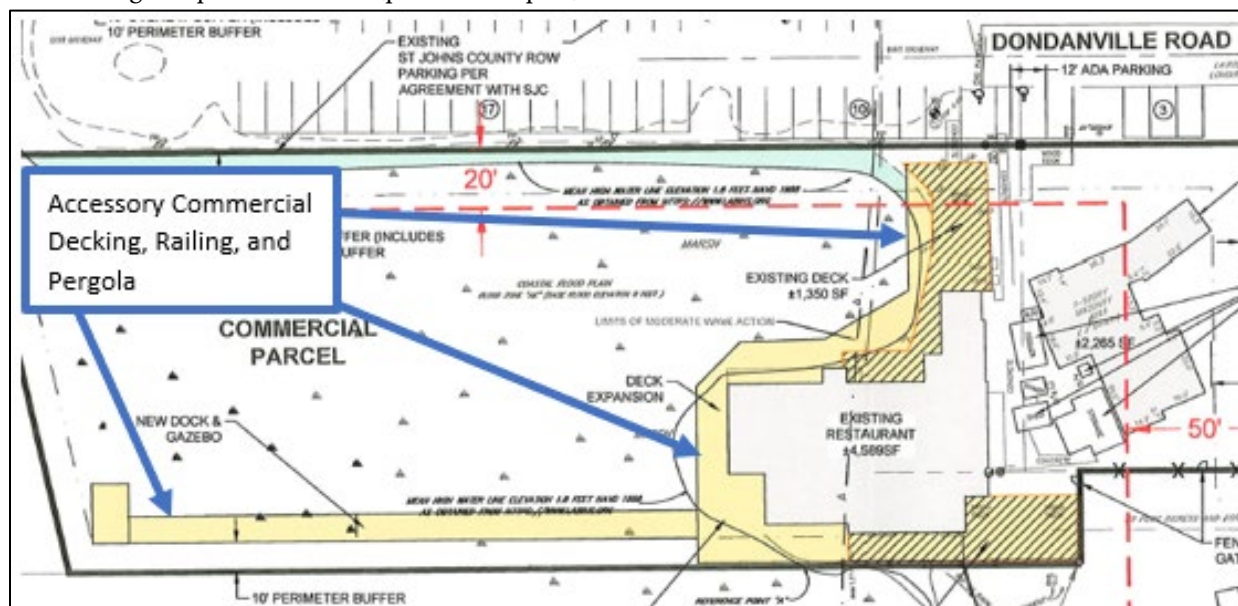
- B. Front along any other delineated roadway: 15 feet for a Building up to and including 20 feet in height; 20 feet for a Building above 20 feet in height.*
- C. Side: 10 feet.*
- D. For Buildings proposed on sites which adjoin an existing residential Use or residentially-zoned Lands, the minimum adjoining a Side or Rear Yard, or both is 30 feet for a Building up to and including 20 feet in height; 50 feet for a Building above 20 feet in height.*
- E. Accessory Uses and Structures*
  - 2. Accessory Uses and Structures (excluding parking lots), shall not be allowed closer to the Overlay District Delineated Roadway than any Building on the site.*

As provided in the application materials, it appears the existing Restaurant meets the above placement criteria, but the existing Residential Structure and Commercial/Residential Accessory Structures do not. The following is a review of the site and applicable LDC regulations:

**Commercial Decking, Deck Railing, Pergola –**

- Requested waiver from LDC Sec. 3.08.05.B, 3.08.05.C and 3.08.05.E.2:
  - LDC requires decking to be placed no closer to the road than the main building
  - LDC requires a 15-foot Front Yard setback and 10-foot Side Yard setback for the decking, railing, and pergola
- Proposed Request:
  - Allow decking to remain closer to the road than the main building
  - Allow decking, railing, and pergola to remain at a 10-foot Front Yard and a 0-foot Side Yard setback
  - Allow an expansion to decking, railing, and pergola not to exceed the current encroachments
- Justification: the existing decking is an Accessory Structure; it is currently placed within the front building setback, to the edge of the southern property line and closer to the roadway than the main use structure. The decks were constructed prior to the Overlay regulations. Areas of the decking were constructed around existing trees to minimize impacts. The entrance to the restaurant contains a portion of the existing decking. The applicant is requesting that the deck, railing, and pergola be allowed to remain and be allowed an expansion.

Existing/Proposed Site Plan (provided in part):

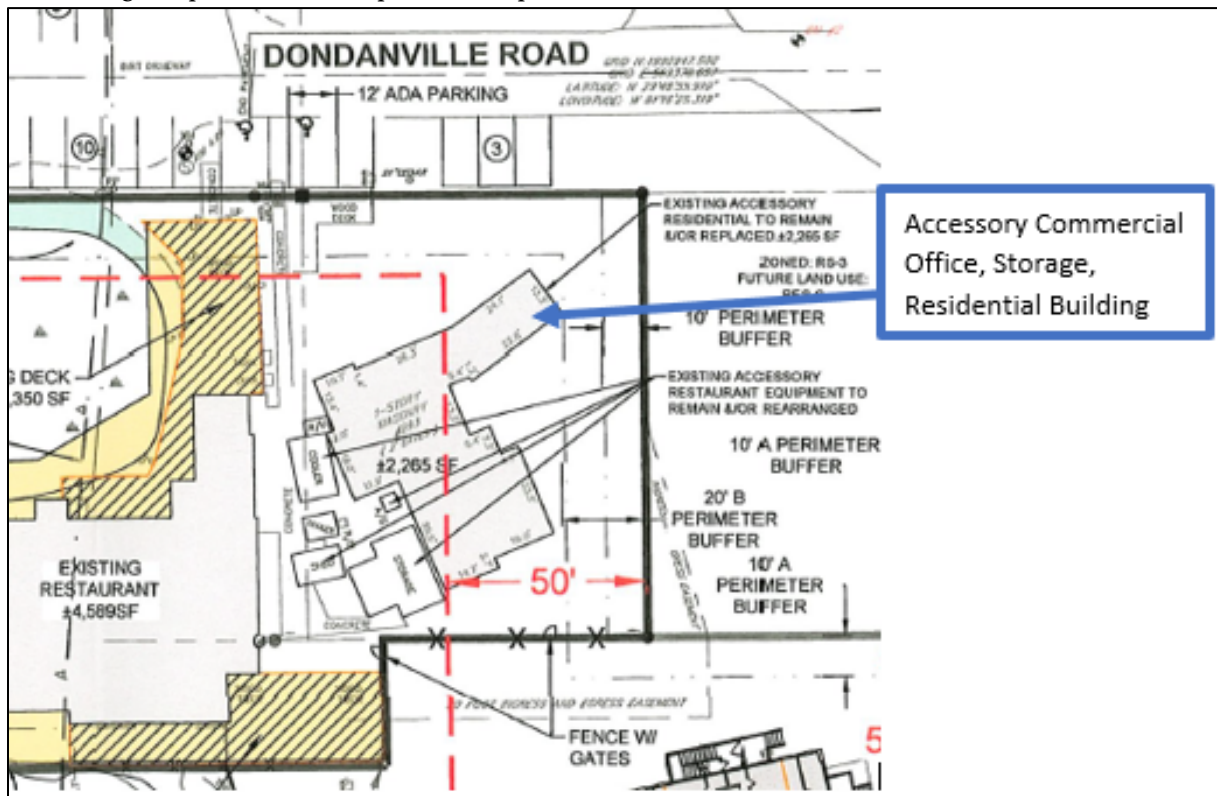


## SETBACKS continued:

**Commercial Office/Storage/Residential Building –**

- Requested waiver from LDC Sec. 3.08.05.D and 3.08.05.E.2
  - LDC requires accessory structures to be placed no closer to the road than the main building
  - LDC requires building heights of 20' or less, a 30-foot Side and Rear Yard setback from a neighboring residential site
  - LDC requires building heights more than 20', a 50-foot Side and Rear Yard setback from a neighboring residential site
- Proposed Request:
  - Allow structure to remain in current placement
  - Allow reconstruction of structure and ability to build higher than existing
  - Allow a \_\_\_\_\_-foot Side and Rear Yard setback from the neighboring residential sites
- Justification: the existing restaurant/office/storage building is an Accessory Structure; it is currently approximately 20 feet in height and would require a front yard setback of 15 foot from Dondanville Road and 50 foot from the neighboring residential site located to the east. This existing building currently violates LDC Section 3.08.05.D and 3.08.05.E.2 as the building is approx. 20 feet from the side property line of the adjacent residential use and is located closer to the roadway than the main use structure. The applicant is requesting that this structure be allowed to remain and replaced onsite; the applicant is also wanting permission to rebuild the structure higher than the existing 20' height explaining that the existing structure floods on occasion. An increased elevation will be required to mitigate flooding and allow a different roof style; the applicant also does not want to remove any existing large trees on the site. The existing structure was constructed prior to the Overlay regulations.
- NOTE: the amount of reduced setback is unknown and will need to be verified by the applicant at the hearing.

Existing/Proposed Site Plan (provided in part):

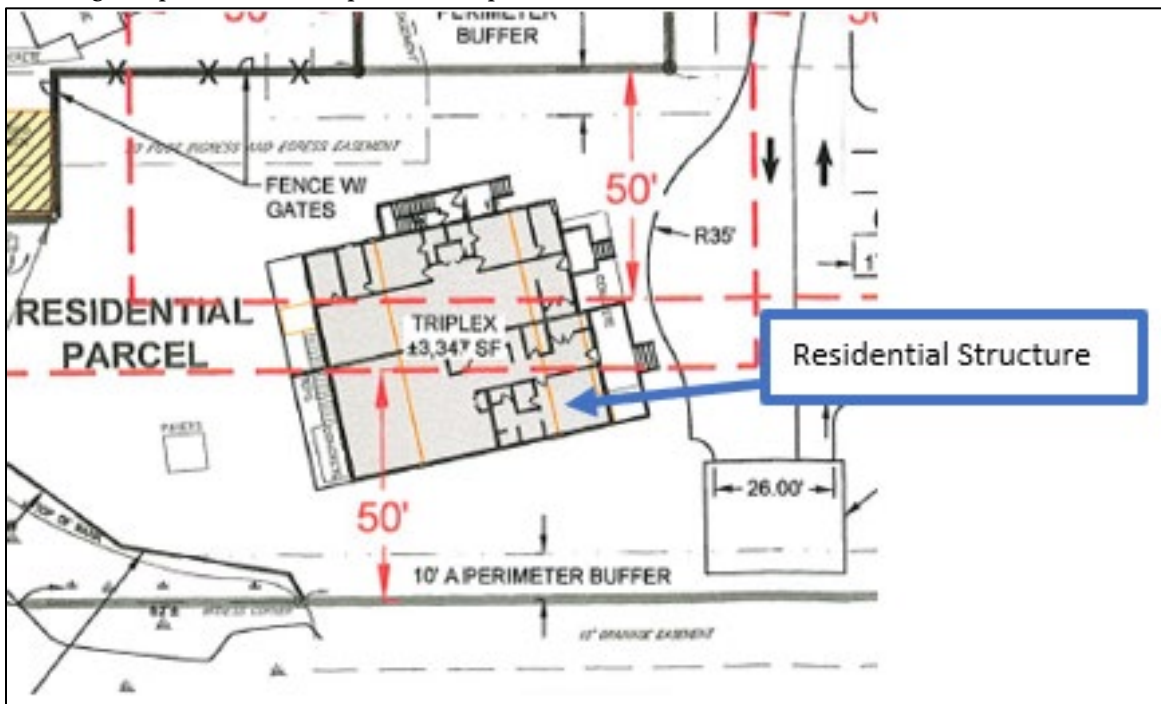


## SETBACKS continued:

**Residential Structure –**

- Requested waiver from LDC Sec. 3.08.05.D
  - LDC requires a 50-foot setback from all neighboring residential sites
- Proposed Request:
  - Allow structure to remain in current placement
  - Allow reconstruction of structure and ability to enlarge
  - Allow a 20-foot setback from the neighboring south residential site
  - Allow a \_\_\_\_\_-foot setback from the neighboring north residential site
- Justification: the existing residential structure located to the southeast of the site is currently placed within the required 50-foot setback from the existing residential sites to the north and south. This existing building currently violates LDC Section 3.08.05.D as it is approx. 30 feet from the north and south property line. The applicant is requesting that this structure be allowed to remain and be allowed an expansion as a tri-plex. The applicant states the home conversion would meet a 20' setback from the south property line. The existing structure was constructed prior to the Overlay regulations.
- NOTE: the amount of reduced setback from the property to the north is unknown and will need to be verified by the applicant at the hearing.

Existing/Proposed Site Plan (provided in part):

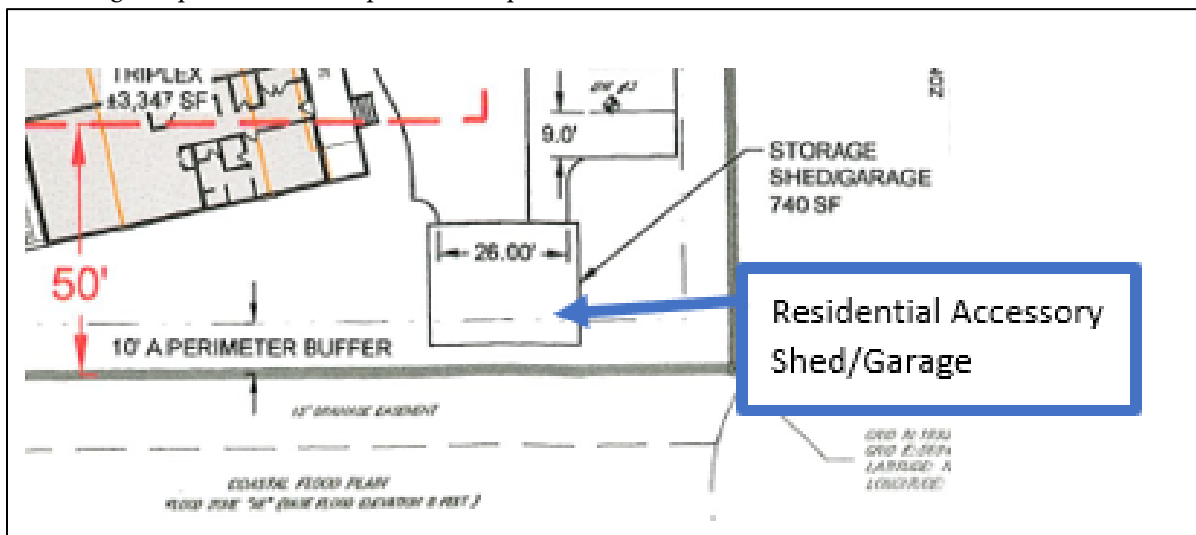


## SETBACKS continued:

**Residential Accessory Shed/Garage –**

- Requested waiver from LDC Sec. 3.08.05.D
  - LDC requires building heights of 20' or less, a 30-foot Side and Rear Yard setback from a neighboring residential site
- Proposed Request:
  - Allow structure to remain in current placement
  - Allow shed to remain at a 5' side yard setback
  - Allow potential garage to be placed at a 10' setback
  - If shed or garage is removed, it would be replaced at a 10' side yard setback
- Justification: the existing the existing structure located to the southeast of the site is currently placed within the 30-foot setback from existing residential sites to the south. This existing structure violates LDC Section 3.08.05.D as it currently sits 5 feet from the property line. The applicant is requesting that this structure be allowed to stay and be allowed an expansion. The existing structure was constructed prior to the Overlay regulations.

Existing/Proposed Site Plan (provided in part):



**BUFFERS:**

*LDC Sec. 3.08.06 Additional Buffering Requirements (provided in part)*

- A. *Buffers may be placed within required Yards, and where reasonably possible, shall contain native vegetation existing on the site proposed for Development. In addition to the Buffering and Screening Requirements of Section 6.06.04, the following requirements shall apply in the Mid-Anastasia Overlay District.*
  2. *A minimum 15-foot buffer from the right-of-way of any other delineated roadway.*
- B. *The above buffers shall be landscaped in accordance with Section 6.06.04, paragraphs a. and c. of Screening Standards "C", which state:*
  1. *A row of evergreen Canopy Trees which are not less than 10 feet high at the time of planting, a minimum of 2-inch caliper, and are spaced not more than 20 feet apart. The Trees are to be planted within ten 10 feet of the property line; and*
  2. *Lawn, low growing evergreen plants, evergreen ground cover, or mulch covering the balance of the buffer.*
- C. *The width of a required Buffer shall be measured beginning at the property line. Continuation of landscaping into the right-of-way, where feasible and not otherwise prohibited by these regulations is encouraged. Required buffers shall be included in all plans submitted for review.*
- D. *Sidewalks and pedestrian seating may be placed in required buffers.*
- E. *The Design Review Board may request the use of certain vegetation and plant species where an established or preferred species exists on a site or within adjacent development.*

As provided in the application materials, it appears the existing buffering at the roadway does not meet the Overlay requirements. The following is a review of the site and applicable LDC regulations:

**Commercial Parcel –**

- Requested waiver from LDC Sec. 3.08.06.A.2 and 3.08.06.B
  - LDC requires a 15-foot landscaped buffer along the roadway
- Proposed Request:
  - Require no additional buffering along the marsh area parking to the north and south along Dondanville Road; allow the current landscaping to remain
  - Allow the deck to remain within the buffer
  - Allow a reduced 10' buffer along the restaurant frontage
  - Allow a 6' fence within the buffer in front of the Commercial Office/Storage/Accessory structure
- Justification: as provided within the applicant's narrative and above review, the applicant is requesting a waiver from LDC Section 3.08.06 to allow for a reduction in buffering requirements for the commercial parcel specifically along the front marsh area and the existing front decking area. The existing site to the west (along the parking area) appears to contain a water line that would not allow the above buffering requirements (Image 1). This area also contains the existing decking and proposed decking expansion; the decking may be similar to the above LDC Section 3.08.06.D which allows sidewalks and seating placement within the buffers (Image 2). The existing site in front of the accessory structure currently contains a wood fence at approximately 6 feet in height to provide buffering (Image 3). The applicant has provided the required buffering notation on the submitted plans (Image 4).

**BUFFERS continued:**

Image 1:



Image 2:



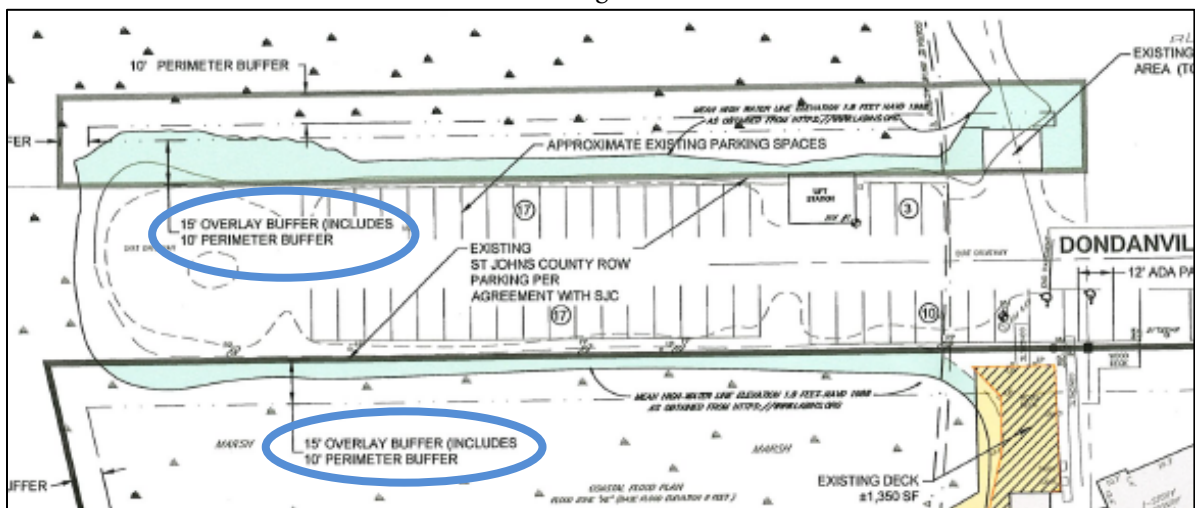


BUFFERS continued:

Image 3:



Image 4:



## BUFFERS continued:

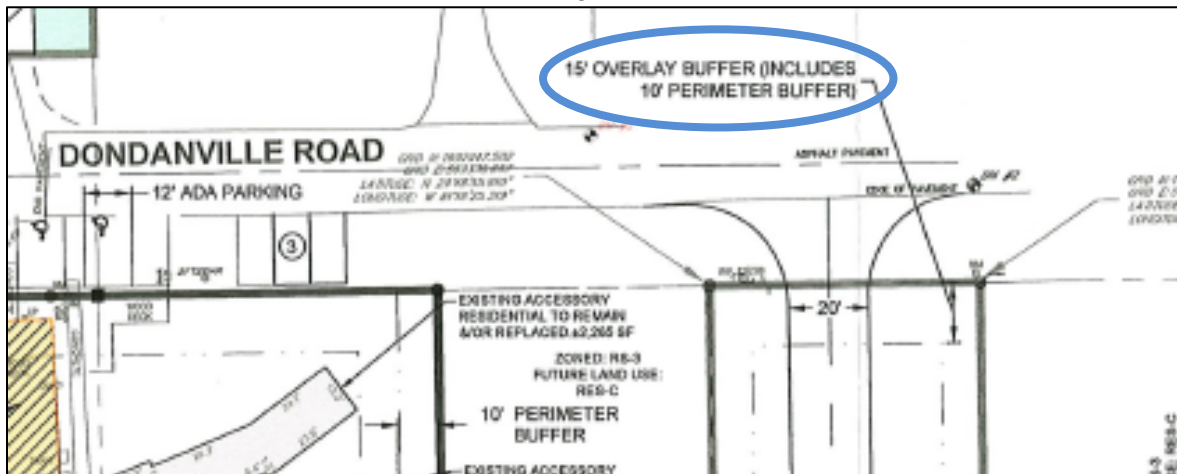
**Residential Parcel –**

- Requested waiver from LDC Sec.Unknown
  - LDC requires LDC requires a 15-foot landscaped buffer along the roadway
- Proposed Request:
  - No Waivers appear to be requested
- Justification: the existing residential site only contains a limited amount of roadside frontage. The existing site appears to contain minimal buffering along with the residential driveway (Image 5). The applicant has provided the required buffering notation on the submitted plans (Image 6). It does not appear any waiver of buffering is being requested to the residential parcel.
- NOTE: the applicant will need to verify that no waiver to buffering is being requested on the residential parcel.

Image 5:



Image 6:



**SIGNAGE:**

*LDC Sec. 3.08.07 Additional Signage Requirements (provided in part)*

*All multi-family and commercial Signs, including new Signs and replacement of existing Signs, shall be governed as set forth in Article VII of this Code, and the following additional requirements shall apply.*

- A. General provisions applying to multi-family and commercial Signs in the Mid-Anastasia Overlay District:*
- 1. All Ground Signs shall be wide-based monument style. Pylon Signs are only permitted when monument style signs cannot be adequately located due to site constraints as determined by the DRB.*
  - 2. The overall height of a Sign Structure shall be 12 feet including any foundation supporting the Sign. A foundation used to support a Sign shall not exceed 4 feet in height. The use of dirt, sand or other material to elevate the height of a Sign on a mound is prohibited.*
  - 3. The colors and materials of Signs shall be similar to and compatible with the architectural style and colors and materials of the related commercial or multi-family Building. Any icons that is not similar to and compatible with the architectural styles, colors, and materials of the related building shall be restricted to a maximum 15% of the advertising display area, unless additional area is approved by the DRB.*
  - 4. Signs should be oriented to pedestrians and scaled appropriately.*
  - 5. Signs must be professionally designed, lettered and constructed.*
  - 6. Signs may be double faced.*
  - 7. Wall Signs shall be mounted directly upon wall surfaces, and shall not be mounted upon raceways or other protrusions from the wall surface.*
  - 8. All ground or pylon Signs shall include the street number in a size and manner that is clear and visible. Street numbers should also be visible on the front of buildings.*
  - 9. In construing the provisions of this Section, messages not exceeding 6 inches in height erected within or upon doors and windows shall not be counted in computing the number of Signs.*
  - 10. Any lighting shall be white in color for all signs, unless different lighting is required by the County for purposes of protecting turtles. External lighting must conceal and shield the light.*
  - 11. Molded vinyl or plastic internally illuminated wall Signs shall not be allowed.*
  - 12. For Signs that contain federally registered trademarks or service marks, documentation of such registration shall be provided with the application for review.*
  - 13. Where feasible, as determined by the approval authority, all Ground Signs shall use shrubs that are 24 inches at the time of planting around the base of the sign. These must be planted within 30 days of the sign installation.*
- B. Ground or Pylon Signs: Number and size of Signs permitted for the street frontage*
- 1. For Sites 5 acres or less: 1 on-site Sign, not to exceed 32 square feet for each Sign Face, may be located on each arterial or collector street frontage.*
  - 2. For Sites more than 5 acres: 1 on-site Sign, not to exceed 60 square feet for each Sign Face, may be located on each arterial or collector street frontage.*
  - 3. New Ground Signs and alterations to existing Ground Signs requiring a DRB review shall be externally illuminated with downward facing fixtures and hours of illumination to cease no later than 30 minutes after business closing, unless additional time is approved by the DRB*
- C. Additional Directional Signs Allowed*
- In addition to the above Signs, two directional Ground Signs limited to 2 square feet per Sign are allowed. The maximum allowable height shall be 3 feet.*

As provided in the application materials, it appears the existing signage at the roadway does not meet the Overlay requirements. The following is a review of the site and applicable LDC regulations:

**SIGNAGE continued:****Commercial Parcel** –

- Requested waiver from LDC Sec.3.08.07
  - LDC allows a maximum of one (1) sign sized at 32 ADA, illuminated, professionally designed, colors compatible with architectural style of building, etc.
- Proposed Request:
  - Allow existing sign to remain as-is
- Justification: the existing site contains one (1) on-site monument sign (Image 7). The applicant is asking a waiver to allow the existing signage to remain in its current configuration, size, and design until other improvements are planned for the restaurant. The applicant states that once revisions are made to the restaurant, this signage will be updated.

Image 7:

**CORRESPONDENCE/PHONE CALLS**

As of the writing of this staff report, Staff has received two phone calls regarding this request; the callers wanted details to the planned changes to the site.

**SUGGESTED ACTION TO APPROVE**

The Design Review Board may consider a motion to recommend approval of **MADRB 2023-03 Sunset View**, recommending approval of waivers to certain sections of LDC Part 3.08 as described within the application and supporting documents.

**SUGGESTED ACTION TO DENY**

The Design Review Board may consider a motion to recommend denial of **MADRB 2023-03 Sunset View**, recommending denial of waivers to certain sections of LDC Part 3.08 as described within the application and supporting documents.

**ATTACHMENTS:**

1. Application and Supporting Documents
2. LDC, Part 3.08.00 Mid-Anastasia Overlay District
3. Draft Final Orders

**ATTACHMENT 1**  
**APPLICATION AND SUPPORTING**  
**DOCUMENTS**

# Sunset View

## Mid-Anastasia Overlay Request

### Design Review Board Application

**REASON / REQUEST:** The applicant recently acquired Cowboy’s Restaurant, which included the restaurant itself, the adjacent residential office building and a one acre parcel to the South that contains a single family home. The property has a variety of zoning designations and the applicant would like to upgrade the site, so has filed a Planned Unit Development (PUD) to allow for improvements to the existing buildings and grounds. This application is for waivers to the Mid Anastasia Overlay for reductions in setbacks and buffers as they relate to the existing improvements and any proposed changes, plus an allowance for the commercial sign. It does not include the Architectural Plans, the Signage Plans or the Landscape Plans, which will move forward at a later date, provided the PUD is approved by the St. Johns County Board of County Commissioners.

**SUBMITTAL DATE:**

November 13, 2023, Revised December 15, 2023, Additional Information December 19, 2023

**SUBMITTED ON BEHALF OF:**

Hanjing “Lee” Shu  
299 Dondanville Property, LLC and Marshview Property, LLC  
701 Anastasia Boulevard, St. Augustine, FL 32080  
(904) 377-8006 / Email: [Around366@gmail.com](mailto:Around366@gmail.com)

**AUTHORIZED AGENT FOR THE APPLICANT:**

Karen Taylor, Karen M. Taylor Land Planner  
77 Saragossa Street, St. Augustine, FL 32084  
904-826-0600 / 904-501-4373 Email: [taylorplanner@bellsouth.net](mailto:taylorplanner@bellsouth.net)

**APPLICATION**

**EXHIBITS**

- |                  |  |
|------------------|--|
| EXHIBIT A        | Legal Description                                      |
| <u>EXHIBIT B</u> | <u>Request Narrative</u>                               |
| <u>EXHIBIT C</u> | <u>Master Development Plan Map</u>                     |
| EXHIBIT D        | Maps   |
| EXHIBIT E        | Authorization  |
| EXHIBIT F        | Proof of Ownership (Deed)                              |
| EXHIBIT G        | Site Pictures  |
| EXHIBIT H        | Preliminary Architectural Plans (For Information Only) |
| <u>EXHIBIT I</u> | <u>Additional Site Plan Maps</u>                       |

**PARCEL IDENTIFICATION NUMBER(S):** 175950-0000 (restaurant), 175720-0230 (restaurant/house/office), 175765-0000 (house), 175720-0223 (vacant lot), 174150-0010 (north sliver)



Application for Overlay District Review

Growth Management Department
Planning and Zoning Section
4040 Lewis Speedway, St. Augustine, FL 32084
Phone: 904.209.0675; Fax: 904.209-0576

Date November 13, 2023 Overlay District Mid Anastasia Property ID No (Strap) See Title Sheet

Applicant Karen Taylor on behalf of Lee Shu Phone Number 904-826-0600
Address 77 Saragossa Street Fax Number cell 904-501-4373
City St. Augustine State FL Zip Code 32084 E-mail taylorplanner@bellsouth.net

Project Name Sunset View

Project Address & Location 299 and 283 Dondanville Road, West of SR A-1-A, South of City of St. Augustine Beach

Type of Review [X] Commercial Use [X] Multi-family Use [ ] Other:
Check all that apply
The Project Involves [ ] New Building [X] Changes to an existing Building [ ] Exterior Repainting [X] Signage (Individual)
Check all that apply
[ ] Unified Sign Plan [X] Fences / Walls [ ] Parking / Lighting [X] Landscaping / Buffers
[ ] Other: Waivers to setbacks, buffers and signage

Describe Project and work proposed to be done (Provide additional information by attachment as needed)

Applicant owns Cowboy's Restaurant and the single family home behind it (to the South). Zoning is inconsistent so applicant has applied for a rezoning to PUD. The PUD would allow for improvements, modifications and remodeling or rebuilding if necessary for the restaurant, an adjacent office/residence, and conversion of a 2 story single family home to a 2 story triplex. The existing buildings and other site improvements do not meet the required setbacks and buffers within the Overlay, nor do the sites allow for buildings that would meet the required setbacks and buffers. Please see a detailed description of the project and the requested waivers attached Overlay Narrative, Exhibit B for details, as well as a copy of the Master Development Plan Map (MDP Map) for the PUD application, Exhibit C, and a number of photographs of the property for reference.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:
Signature of owner or person authorized to represent this application:

Signed By [Handwritten Signature]

Printed or typed name(s) Karen M Taylor

Contact Information of person to receive all correspondence if different than applicant:

[X] Phone Number 904-826-0600 [ ] Fax Number 904-501-4373 [ ] E-mail taylorplanner@bellsouth.net
[ ] Postal Address 77 Saragossa Street Name
City St. Augustine State FL Zip Code 32084

Please notify the Planning and Zoning Section at 904.209.0675 if you need any special assistance or accommodations to attend the meeting or if you have any questions concerning this application.

Please list any applications currently under review or recently approved which may assist in the review of this application including the name of the PUD/PRD: PUD 2023-15

**EXHIBIT B**  
**Project Narrative**  
**Sunset View Mid-Anastasia Overlay Request**

**Application Summary:** The property sought to be rezoned consists of approximately 2.42 acres, which based upon the uplands, described by the Legal Description, Exhibit A. It is situated in St. Johns County at the West end of Dondanville Road on Anastasia Island, on the West side of State Road A-1-A (SR A-1-A) and has considerable frontage on the Intracoastal Waterway. The property is at the Western end of a residential subdivision called Williamson Manor, but only 2 of the lots fall within that subdivision, Lot 25 and Lot 23 of Block 2. The remainder of the parcels have just been divided over time.

The property contains “Cowboy’s” restaurant, which has been in business for over 40 years, as well as 2 residential homes: one immediately East of the restaurant, which has been used to house restaurant workers and also for office space, and one immediately South, which has been rented independently. There is also a vacant subdivision lot along the roadway. The restaurant uses the West end of the Dondanville Road Right-of-Way (ROW) for parking and has an agreement with St. Johns County for the use. The overall property to be rezoned also includes a small sliver of land along the North boundary of the ROW, across from the restaurant, which is adjacent to the lift station and contains a dumpster enclosure used by the restaurant. That parcel is part of a larger parcel that actually runs along the North side of the ROW to a point just short of the channel of the Intracoastal Waterway, which is primarily wetlands.

**Specifics for the PUD Application:** The Master Development Plan Map (MDP Map), Exhibit C, indicates the general layout for the Commercial Parcel as well as the Residential Parcel.

**A. Commercial Parcel:** This parcel includes the restaurant, has evolved over the years and has been designed to make use of the natural features, such as the marsh and significant majestic trees, with design elements that appropriately blend with the surrounding properties. It includes the adjacent residence/office building, which has been used for a number of things related to the restaurant needs, but is currently used for a residence and office. The applicant wants to be able to make improvements to this building (as allowed) in the future, either through remodeling or replacement. The Parcel includes 6,854 square feet of commercial space, which includes the current 4,589 square foot restaurant, the existing deck and is allowing for improved decking and a possible future dock area extending towards the Intracoastal waterway. The site also includes a 2,265 square foot accessory residence/office, that will either be remodeled or replaced in the same general area. The PUD allows for an increase in building square footage of up to 1,000 square feet between the 2 buildings or a total of 7,854 square feet and an increase in decking and a possible dock, for a total of 4,376 square feet. The site also includes the associated parking for both that falls within the ROW and outside of the boundaries of the PUD, but does include a sliver of property along the South side of the ROW. Both buildings will meet the required 15’ Overlay building setback along Dondanville Road, however, the existing deck areas encroach in the buffer and will remain. Since the site is fully developed, the applicant plans to leave the site “as is” until other improvements are made, which will then conform to the Land Development Code (LDC) requirements, including those of the Mid-Anastasia Overlay District where possible. However, due to the existing building locations and uplands and wetlands combinations, there are a number of situations that do not currently meet the Overlay requirements and will be unable to meet them in the future.

**B. Residential Parcel:** This parcel includes replacement of the existing two-story single family home with a triplex, as well as maintenance of an existing storage shed. The parcel is the combination of 2 different lots, one within the platted subdivision along Dondanville Road and the other just South of that parcel. The applicant desires to convert the existing home to a triplex within the footprint of an existing home (currently 3,038 square feet) with a slight increase square footage to 3,347 square feet to allow for design



improvements for the 3 units. The building is planned to have 2 single story units (stacked) with an outside stairway access to the upper unit, and one 2 story unit, with all 3 being attached. An existing 740 square foot “storage shed/garage” will be also be maintained for use by the residents and may be converted to garage space and other garage space may also be added. The site will be accessed directly from Dondanville Road with related parking and separate access provided by a 20’ wide single drive entrance/exit and provide for paved parking on site. The project will provide for a 20’ front yard setback from Dondanville Road (with a 15’ buffer) and will provide for a 10’ setback (including the 10’ PUD buffer) around the remainder of the site, except for the garage, and is providing a bulkhead to stabilize the shoreline portion of the site. A waiver has been included for the existing storage shed/garage setback and buffer, allowing for a 5’ setback. However, should that building be removed, then any new construction will meet a 10’ setback and provide the 10’ buffer.

**C. Site Specifics:** The development area of the site is approximately 2.42 acres and will allow for both the commercial uses and the residential uses. The Commercial Parcel is approximately 1.63 acres, with .59 acres of uplands and the Residential Parcel is 0.79, with .77 acres of uplands. Although the site for falls within both the Res C Coastal and Conservation land use, density has been calculated for the Residential Parcel independently, and the 3 residential units meets the allowable density of 4 units per acre. The Commercial Parcel does not factor into the density and the residential/office building will be an accessory use, so is also not subject into a density calculation. The design is somewhat fixed for the Commercial Parcel, and includes a number of trees, which will be preserved. The Residential Parcel has been designed to provide for the improvements to fall within the existing building area as well as the cleared areas and will also maintain a significant number of trees and bushes and the outside perimeter will provide a 10’ A Screening buffer. The 2 boundaries adjacent to the residential lot (that is not part of the PUD) is fenced and will also meet the same required buffers. The buffer adjacent to the Commercial Parcel will meet a 20’ B Screening buffer and is currently fenced, as well.

The overall development does not plan to impact any of the wetlands, but is proposing some additional deck space for the restaurant that will extend over the marsh, as will a proposed future dock and gazebo as noted. The applicant has received a permit to provide a bulkhead along the jurisdictional wetland line of the Residential Parcel in accordance with the County requirements and those of FDEP and the permit. This will help stabilize the shoreline, so no upland buffer will be required. The triplex will be situated in the same location as the existing home, and the required improvements for access and parking will be on the far Eastern portion of the site, away from the wetlands. The applicant does anticipate some improvements in the residential “yard” area between the Triplex and the marsh, that could include a pool, patios, and gazebos, as well as a possible conversion of parking spaces to garage spaces adjacent to the building, and plans to provide fencing between this site and the Commercial Parcel, with pathways and gates for access between the 2 sites.

**D. Requested Waivers:** Because both parcels have been developed for years and contain a combination uplands and wetlands, that are used for a number of buildings and accessory uses (like decks and sheds) and are located in a developed residential area, the applicant is seeking a number of waivers to allow improvements to the site, while maintaining the unique character of the site and the improvements. Please see Exhibit G, Photographs and Exhibit I, Additional Site Plan Maps, for reference.

#### **1. Waiver Yard Setbacks / Buffers (Commercial):**

The PUD provides that setbacks shall be measured per Section 6.01.03 of the Land Development Code and building setbacks shall meet the requirements of Section 3.08.05 of the Land Development Code, where applicable. Per the Mid Anastasia Overlay, buildings and structures attached to the buildings would be required to meet the requirements of 3.08.05.D requiring a 15’ Front Yard, and a 30’ setback for any side or rear yard for a structure under 20’ in height, and a 50’

setback for any structure over 20' in height. Since the site has already been developed and the buildings for the Commercial Parcel have been in place for many years, they do not meet the setback requirements for the Mid Anastasia Overlay District.

- **Restaurant:** The Restaurant is over 20' in height and more than 20' from the road, but the "front" decking is not. It is across the street from Residential, and adjacent to Conservation to the West. The building is approximately 10' from the South property line and the deck extends to the property line. It will be adjacent to the Residential Parcel in the PUD. Only the front yard of the restaurant itself can meet the 15' yard required by the Overlay (except for the exceptions listed below). So, the applicant is asking for a waiver to Section 3.08.05.B. for the required yards (buildings setbacks), and proposing instead that the setbacks for existing buildings and structures shall meet a minimum of 15' front yard setback adjacent to the right-of-way (per the Overlay), and at least a 10' setback for any side or rear yard, as well as a minimum 20' setback between buildings on site, for new construction, with some exceptions (included as waivers) below.
- **West and South Decks:** This waiver would be for the Westerly deck that serves as access for the restaurant, which is approximately 10' from the edge of the ROW, the Easterly fence in front of the residential/office building, which sits immediately adjacent to the ROW, and the rear deck that also immediately along the South boundary, which is marsh. The westerly and rear decks are in place and were constructed "around" the existing trees in the front and are useful to the guests either entering the restaurant or waiting for seating in the front, and allow for outdoor dining in the back. The decks associated with the front of the restaurant, along the road are approximately 10' from the property line and those that are part of the restaurant along the South property line are constructed up to the property line. These decks do not meet the required setback, so a waiver to Section 3.08.06.B is being requested to allow these decks to remain and allow for the future deck expansions provided for within the PUD.
- **Fence:** There is a 6' high fence along the front of the residential/office building that runs along the Dondanville Road ROW. The fence sits on the ROW line (which has some of the parking) and it screens the residence/office. It does not meet the LDC requirements found in Section 6.06.04.B.1. that allows for only a 4' height along the Street.

So a waiver is requested to Section 3.08.06. of the LDC, to reduce the requirement for the 15' buffer along the restaurant frontage to allow for a 10' setback/buffer for the decking associated with the restaurant buildings along the Dondanville Road frontage, and then allow for a 0' setback/buffer for the fence along the area adjacent to the parking on the South side of the right-of-way, and then allow for a 0' setback along the South property line (adjacent to the marsh) for the back decking.

- **Residential/Office Building:** The request is also for a waiver for the residential/office building. It is not 50' from the road and is less than 50' from the residence to the East. It is in pretty bad shape and floods, so basically needs to be replaced. It's about 20' in height, and 20' from the road as well as 20' from the house to the East. The applicant wants to replace it and she would like the allowance for over 20' in height to accommodate for the increased finished floor elevation that will be required and to provide for a more attractive roof style, plus she wants to be able to work with the existing trees (the trees on the site would preclude her moving it back to the South). So, a waiver is also requested is to allow for the existing restaurant and residence/office building to allow for a reduction in the side

and rear yard setbacks as outlined in Section 3.08.05.D. and use the 10' rear and side setback/buffer.

As noted, these buildings, decks and fences have been in place for many years and due to the constrained size of the site (and upland areas) and their placement, application of the required setbacks would not allow for the buildings as they stand, nor allow for any additions or improvements to the buildings, which is one of the reasons for the PUD rezoning. And, if the buildings were irreparably damaged by a storm or fire, the site does not offer enough uplands or widths to rebuild any structures that will meet the Mid Anastasia side and rear yard setbacks. So, the waiver request is also to allow the commercial buildings to be reconstructed in the same general locations as currently exist, provided the front setback is met as delineated above.

**2. Waiver Roadway Buffer (Commercial):** The PUD provides for a 15' landscaped buffer along Dondanville Road in accordance with Section 3.08.06.B of the LDC for the street frontage along the restaurant building. The above buffer shall be landscaped in accordance with Section 6.06.04, paragraphs a. and c. of Screening Standards "C", which includes a row of evergreen Canopy Trees which are not less than 10' high at the time of planting, a minimum of 2" caliper, and are spaced not more than 20' apart. The Trees are to be planted within 10' of the property line; and Lawn, low growing evergreen plants, evergreen ground cover, or mulch covering the balance of the buffer and sidewalks and pedestrian seating may be placed in required buffers. In this case, the buffer would fall along the parking lot (road right-of-way), which is either sand or marsh and subject to tidal flooding. So, the waiver request is to Section 3.08.06.B to allow for NO buffer along the along the Marsh on either the North side or the South side of Dondanville Road, where there are no improvements. As noted, these areas are marshland, which makes them unsuitable for landscape materials, and these areas have no features which need buffering. Photo's of these areas can be found in Exhibit G, Site Photographs.

**3. Waiver Signage (Commercial):** The project will have up to one on-premise ground signs along Dondanville Road, on either one side or either side of the roadway, or across the entrance, consistent with Section 3.08.07 B of the LDC, in the location generally shown on the MDP Map, Exhibit C. The sign will be wide-based monument style signs, at a maximum of 32 square feet each and no more than 12' in height with materials and colors compatible with the architectural style and materials of the buildings and meet all other section standards. The signage may be lighted or externally illuminated and shall be landscaped. The applicant is requesting a waiver to Section 3.08.07.B to allow the existing signage to remain in its current configuration, size and design, until other improvements are planned for the restaurant building. The existing sign matches the overall "Cowboy's" logo design and colors, and the design and colors of the building. They are shown within Exhibit G, Site Photographs. At the time that improvements are requested to the restaurant (including the decks), all signage will be brought up to the current required Overlay standards.

**4. Waiver Yard Setbacks / Buffers (Residential):** Per the PUD, setbacks shall be measured per Section 6.01.03 of the LDC and setbacks shall meet the requirements of Section 3.08.05.D. of the Land Development Code, where applicable. The Mid Anastasia Overlay would require any structures to meet the requirements of the Overlay and provide at least a 15' front yard and a 30' setback for any side or rear yard for a structure under 20' in height, and a 50' setback for any structure over 20' in height. The existing residential building is adjacent to Residential Parcel on the South and North (between the road). It is over 20' in height and the triplex to replace it (in the same location) will be over 20' in height (as is the existing home). Its approximately 30' from the single family home to its North, and approximately 30' from the multifamily to the South. It is part of the overall PUD, so a structure per 3.08.05.D of the Overlay. The shed/garage on the Residential Parcel is 5' from the property line on the South side and less than 20' in height, so would require a

30' setback. The parking is not covered, but the applicant wants the flexibility to change some of the parking to a garage if needed, which would be only 10' from the East property line. So, the request would be to allow for a reduced buffer from Section 3.08.05.D. for the existing shed and the possible future garage. Pictures can be found in Exhibit G, Site Pictures and the buildings shown on Exhibit I, Additional Site Plan Maps.

As the site has already been developed and includes the use of the existing structures, the applicant asking for a waiver to Section 3.08.05.D of the LDC to allow for setbacks for the existing buildings and structures to meet a minimum 5' side yard for the storage shed, 10' for the possible garage and a 20' side yard for the existing home remodeled to the triplex, as well as a minimum of a 10' setback between buildings on the site. Both of these buildings have been in place for a number of years. Use of the existing residence is important to the viability of the project and the existing garage/storage shed actually works as a buffer between this site and the adjacent multifamily residential site. It includes trees and other vegetation within the 5' setback area that exists, plus the majority of the buffer along the South line will meet the required 20' setback and the required perimeter buffer. The residential structure proposed (and where it currently exists) is and will be very similar in size and design, as well as location on the lot, to the adjacent multifamily buildings, along the South side of the site. These buildings were also constructed prior to the overlay and so they do not meet the new setbacks requirements either. So, the waiver is to allow for the existing home conversion to meet the 20' setback from the South Property line and the storage shed/garage to meet a 5' setback from the South property line and 20' setback from the East property line.

And, the request also includes a waiver that should the triplex building be irreparably be damaged from storms or fire, the residential building can be reconstructed in the same general location as it currently exists, meeting the alternative setback requirements as outlined above. As noted, the Mid-Anastasia Overlay setbacks would preclude rebuilding the buildings in their present location and the size of the uplands and relationship to the adjacent parcels, would not accommodate a reasonable sized structure. However, should the garage/storage building be removed, then any replacement building would be required to meet the 20' side setback.

**5. Waiver Perimeter Buffer (Residential):** A 10' landscaped perimeter buffer will be provided around the project perimeter, including along the boundaries of the out parcel in accordance with Section 5.03.03 of the LDC. The intent is to maintain any existing natural vegetation, but plans are to augment the buffer with native/natural vegetation and meet the desired screening and performance standards. The waiver is to allow the buffer to be reduced to 5' along the area on the South side of the Residential Parcel for the garage/storage building, while otherwise providing the appropriate buffering and screening in accordance with Section 3.08.06.D of the LDC, unless requested to be waived above.

As noted, the property has a variety of zoning designations and the applicant would like to be able to upgrade the site, so has filed a Planned Unit Development (PUD) to allow for improvements to the existing buildings and grounds. The site has been developed over the years and there are a number of areas that cannot meet the standards required by The Mid Anastasi Overlay or other standards in the LDC. This application is for waivers to the Mid Anastasia Overlay for reductions in setbacks and buffers as they relate to the existing improvements and any proposed changes, plus an allowance to be able to maintain the commercial sign. In summary, the waiver requests are to:

**Section 3.08.05.D** to allow for reduced setbacks for the restaurant, the triplex building, from the 50' requirements and the shed/garage and the parking area conversion to a garage from the 30' requirement.

**Section 3.08.06** to allow for a reduction to the buffer standards for the areas along open portion of the commercial parcel (adjacent to the parking and within the marsh), and along the decks that already exist.

**Section 3.08.07.B** to allow for the existing signage to remain until improvements are made to the restaurant building.

**Section 6.06.04.B.1** to allow for the fence height along the roadway to be 6' in height instead of the required 4' in height.

**Section 5.03.03.B** to allow for a 5' PUD perimeter buffer, instead of the required 10' and a 0' perimeter buffer for the rear decking.

**E. Preliminary Architectural Plans:** The applicant engaged an Architect to study the possibility of renovating the existing two-story single family home to provide for a triplex. As noted, the idea is to convert the existing home to a triplex within the footprint of an existing home (currently 3,038 square feet) with a slight increase square footage to 3,347 square feet to allow for design improvements for the 3 units and exterior stairs. The building is planned to have 2 single story units (stacked) with an outside stairway access to the upper unit, and one 2 story unit, with all 3 being attached. An existing 740 square foot "storage shed/garage" will be also be maintained for use by the residents and may be converted to garage space and other garage space may also be added. The preliminary plans are attached as Exhibit H and for informational purposes only, with specific design details and colors, as well as site improvements and landscaping, to be presented at a future DRB meeting.

**GENERAL NOTES**

1. THE MASTER DEVELOPMENT PLAN IS A GENERAL REPRESENTATION OF THE APPROVED PLAN OF DEVELOPMENT. FINAL CONSTRUCTION PLANS SHALL DEMONSTRATE COMPLIANCE WITH ANY REQUIREMENTS OF THE PUD AND APPLICABLE LAND DEVELOPMENT REGULATIONS.
2. ALL THE FACILITIES AND ELEMENTS OF THE SITE (INCLUDING ACCESSIBLE ROUTES AND PARKING) SHALL MEET THE REQUIREMENTS OF THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION (FACBC), ADOPTED PURSUANT TO SECTION 553.503, F.S. AND BASED ON THE ADA STANDARDS FOR ACCESSIBILITY DESIGN AND FAIR HOUSING ACT, IF APPLICABLE.
3. SITE LIES WITHIN FLOOD ZONE "AE".
4. STORMWATER RUNOFF SHALL ENTER THE EXISTING MASTER STORMWATER MANAGEMENT SYSTEM PER SJRWMD PERMIT NUMBER 40-109-28492-10.
5. ALL SOLID WASTE SCREENING SHALL MEET THE REQUIREMENTS OF ST. JOHNS COUNTY LAND DEVELOPMENT CODE SECTION 6.06.04.B.8.
6. SITE LIGHTING SHALL MEET THE REQUIREMENTS OF ST. JOHNS COUNTY LAND DEVELOPMENT CODE SECTION 6.09.00.
7. MONUMENT SIGNAGE SHALL CONFORM WITH THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE.
8. PROPOSED TRIPLEX SHALL BE SPRINKLERED AND A FIRE HYDRANT SHALL BE LOCATED WITHIN 330' OF THE STRUCTURE.
9. PEDESTRIAN PATHWAY TO BE PROVIDED BETWEEN RESIDENTIAL PARCEL AND COMMERCIAL PARCEL VIA A CONNECTING PATHWAY, WITH SPECIFICS TO BE DETAILED ON CONSTRUCTION PLANS.

SITE DATA TABLE		
TOTAL PROJECT AREA	105,415 SF	2.42 AC
<b>COMMERCIAL PARCEL</b>		
TOTAL AREA	1.63 AC	
WETLANDS	1.04 AC	
UPLANDS	0.59 AC	
RESTAURANT	4,589 SF	
ACCESSORY RESIDENCE/OFFICE	2,265 SF	
SQUARE FOOTAGE INCREASE (ALLOWED)	1,000 SF	
EXISTING CONCRETE	1,021 SF	
EXISTING DECK	2,619 SF	
NEW DECK & DOCK	4,376 SF	
NEW UNPAVED PARKING	316 SF	
<b>RESIDENTIAL PARCEL</b>		
TOTAL AREA	0.79 AC	
WETLANDS	0.02 AC	
UPLANDS	0.77 AC	
CURRENT HOME	3,038 SF	
TRIPLEX (CONVERSION)	3,347 SF	
STORAGE SHED/GARAGE	740 SF	
GARAGE, PATIO & POOLS, SQUARE FOOTAGE INCREASE (ALLOWED)	4,000 SF	
PROPOSED PAVEMENT	7,147 SF	
TOTAL IMPERVIOUS AREA	34,142 SF	
TOTAL PERVIOUS AREA	71,273 SF	
TOTAL IMPERVIOUS %	70% MAX	32%
TOTAL PERVIOUS %	68%	
OPEN SPACE	71,273 SF	68%
FLOOR AREA	MAX 50%	18,201 SF
FLOOR AREA RATIO (FAR)	17.27%	

MAXIMUM BUILDING HEIGHT		35'
PARCEL NUMBER(S)	175950-0000, 175765-0000, 175720-0223, 175720-0230, 174150-0010	
FLOOD ZONE	AE	
FUTURE LAND USE DESIGNATION	RESIDENTIAL-C / CONSERVATION	
<b>WETLAND DATA</b>		
WETLAND CONSERVATION	1.06 AC	
UPLAND PRESERVATION	0.13 AC	5.5%
SIGNIFICANT NATURAL HABITAT	N/A	
TOTAL NATURAL ACRES	1.19 AC	

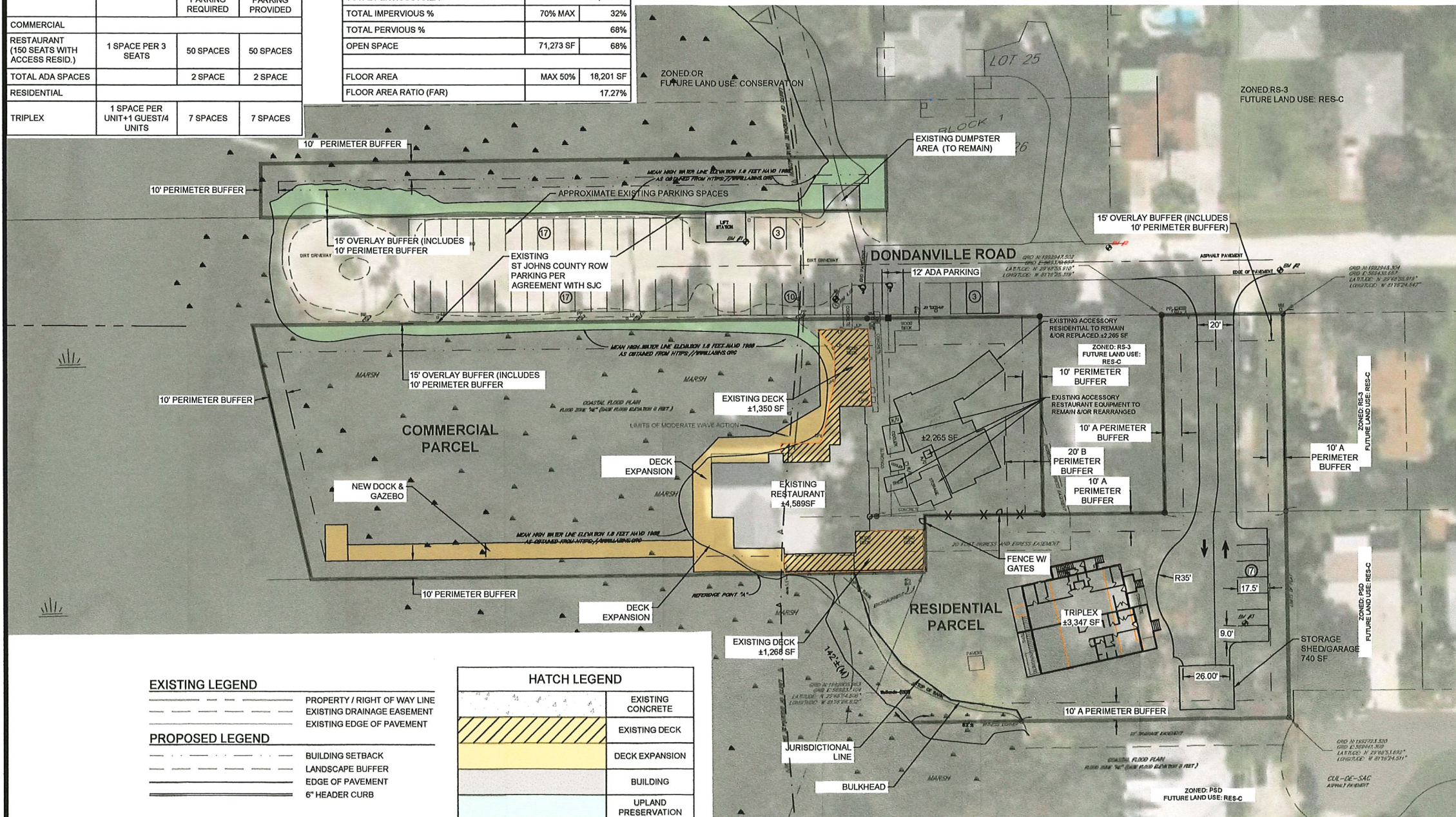
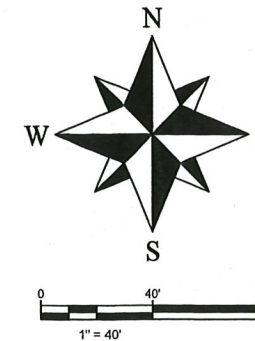
BUFFER TABLE		AREA
15' OVERLAY BUFFER AREA	2,450 SF	
10' PERIMETER BUFFER AREA	15,575 SF	
AVERAGED BUFFER AREA	33,948 SF	

SETBACK TABLE		SETBACK
COMMERCIAL STRUCTURES (EXISTING)	15'F/10'S/10'R (RESTAURANT), (RESIDENCE/OFFICE)	
RESIDENTIAL STRUCTURES (EXISTING)	15'F/5'S/5'R (GARAGE), 15'F/20'S/5'R (TRIPLEX)	
NEW STRUCTURES	15'F/30'S/30'R (<20' HIGH), 15'F/50'S/50'R (>20' HIGH)	

PARKING TABLE			
	PARKING REQUIRED	PARKING PROVIDED	
COMMERCIAL			
RESTAURANT (150 SEATS WITH ACCESS RESID.)	1 SPACE PER 3 SEATS 50 SPACES	50 SPACES	50 SPACES
TOTAL ADA SPACES	2 SPACE	2 SPACE	
RESIDENTIAL			
TRIPLEX	1 SPACE PER UNIT+1 GUEST/4 UNITS 7 SPACES	7 SPACES	7 SPACES

THE MASTER DEVELOPMENT PLAN IS A GENERAL REPRESENTATION OF THE APPROVED PLAN OF DEVELOPMENT. FINAL CONSTRUCTION AND ENGINEERING PLANS MUST DEMONSTRATE COMPLIANCE WITH ALL REQUIREMENTS OF THE P.U.D./P.R.D. AND OTHER APPLICABLE LAND DEVELOPMENT REGULATIONS.

APPROVED: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 ORDINANCE NUMBER: \_\_\_\_\_  
 FILE NUMBER: \_\_\_\_\_



EXISTING LEGEND	
	PROPERTY / RIGHT OF WAY LINE
	EXISTING DRAINAGE EASEMENT
	EXISTING EDGE OF PAVEMENT
PROPOSED LEGEND	
	BUILDING SETBACK
	LANDSCAPE BUFFER
	EDGE OF PAVEMENT
	6" HEADER CURB

HATCH LEGEND	
	EXISTING CONCRETE
	EXISTING DECK
	DECK EXPANSION
	BUILDING
	UPLAND PRESERVATION

**MAVERICK ENGINEERING**  
 10 WILLOW WINDS PARKWAY  
 ST. JOHNS, FLORIDA 32259

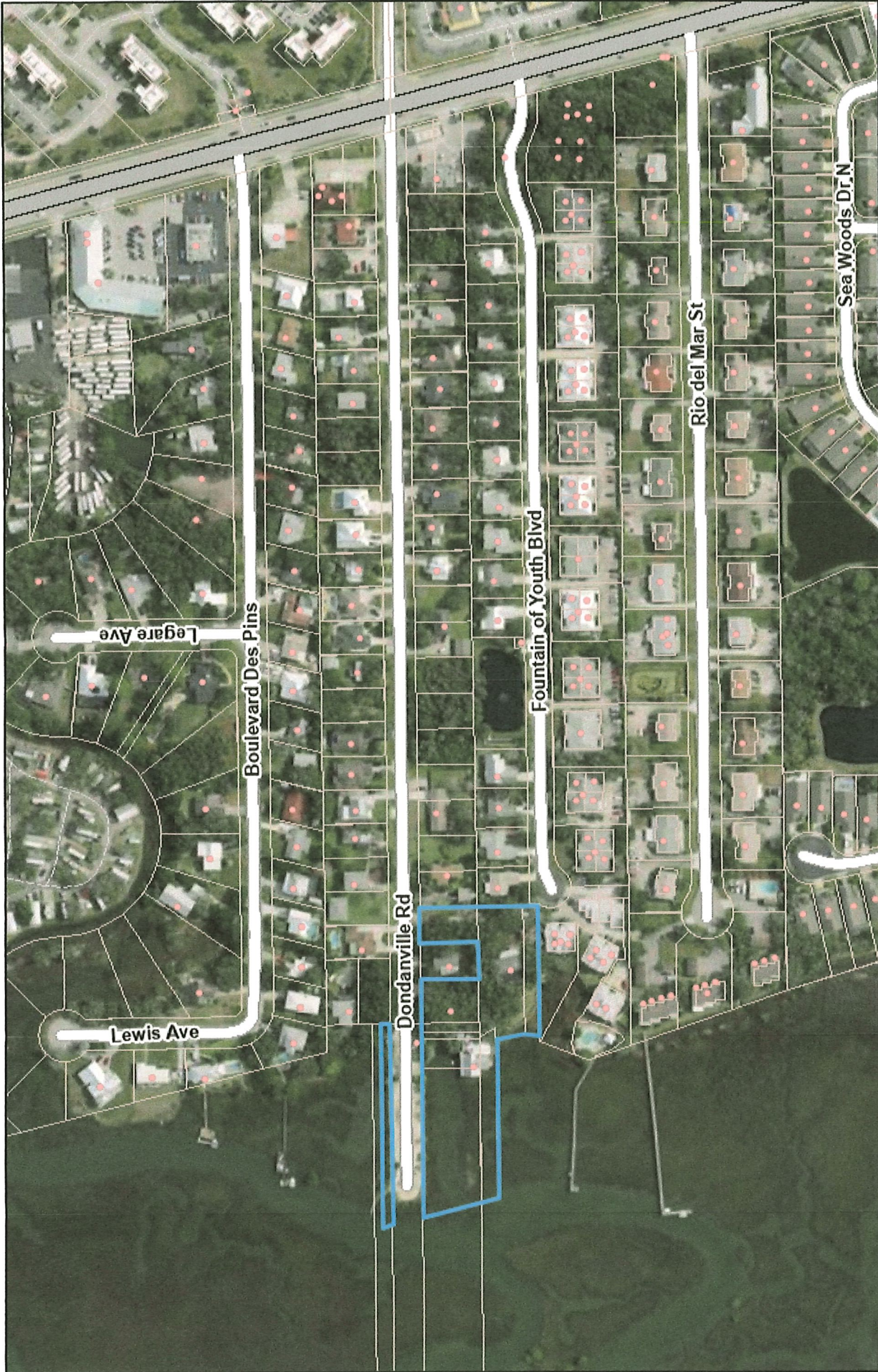


**REVISIONS**

#	DATE	DESCRIPTION

DRAWING BY: MS  
 DESIGN BY: PJS  
 CHECKED BY: JWC  
 DATE: 07-27-2023  
 PROJECT #: 2230

**EXHIBIT C**  
**MASTER DEVELOPMENT PLAN MAP**  
**SUNSET VIEW PLANNED UNIT DEVELOPMENT**



# EXHIBIT D - Location - Sunset View PUD

Map created with St. Johns County's iMap

**DISCLAIMER:**  
 This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. The St. Johns County GIS Division disclaims all responsibility for the accuracy or completeness of the data shown hereon.

Date Created: 6/14/2023



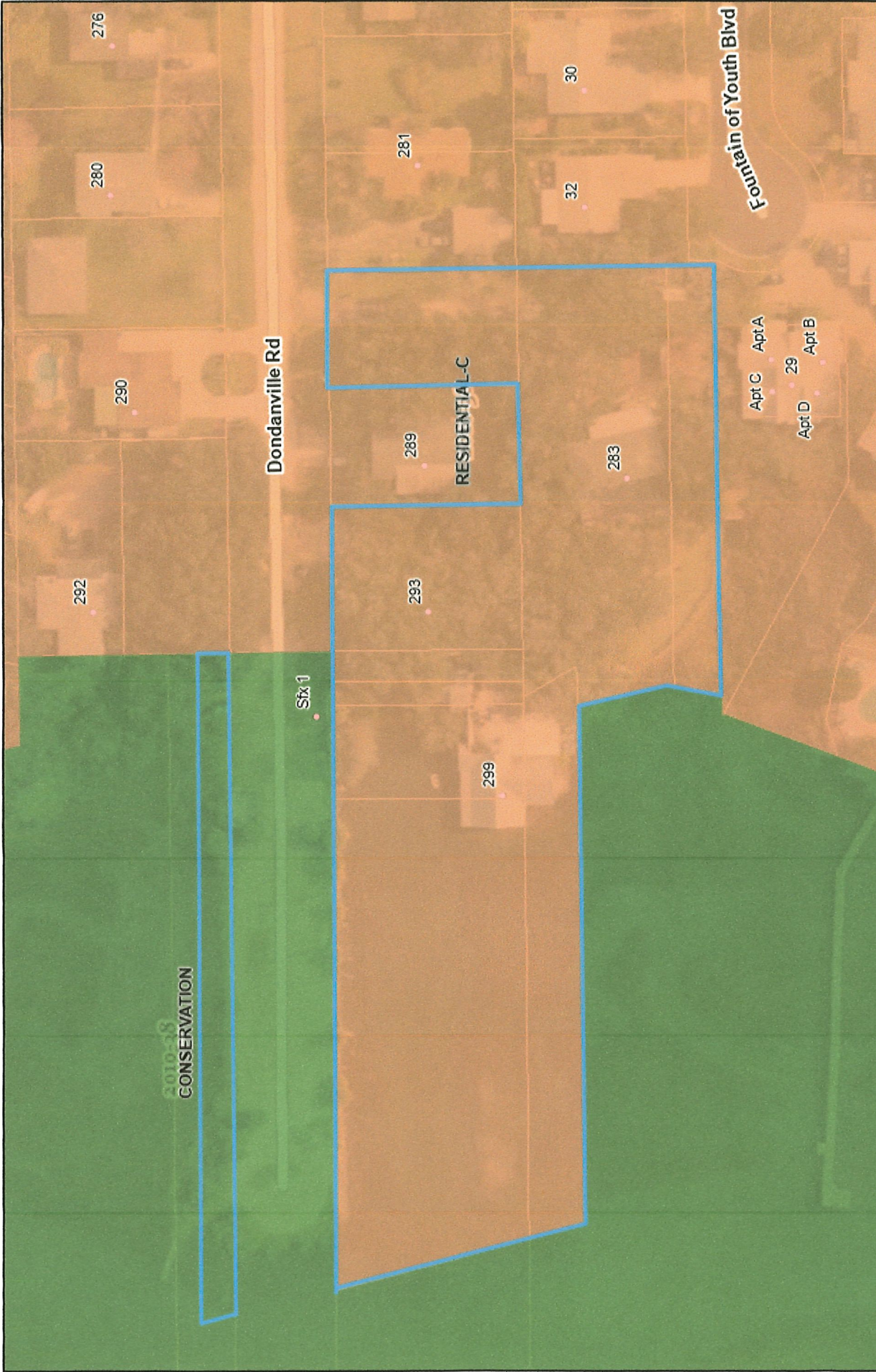
# EXHIBIT D - Aerial - Sunset View PUD

Map created with St. Johns County's iMap

**DISCLAIMER:**  
This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. The St. Johns County GIS Division disclaims all responsibility for the accuracy or completeness of the data shown hereon.

Date Created: 6/14/2023





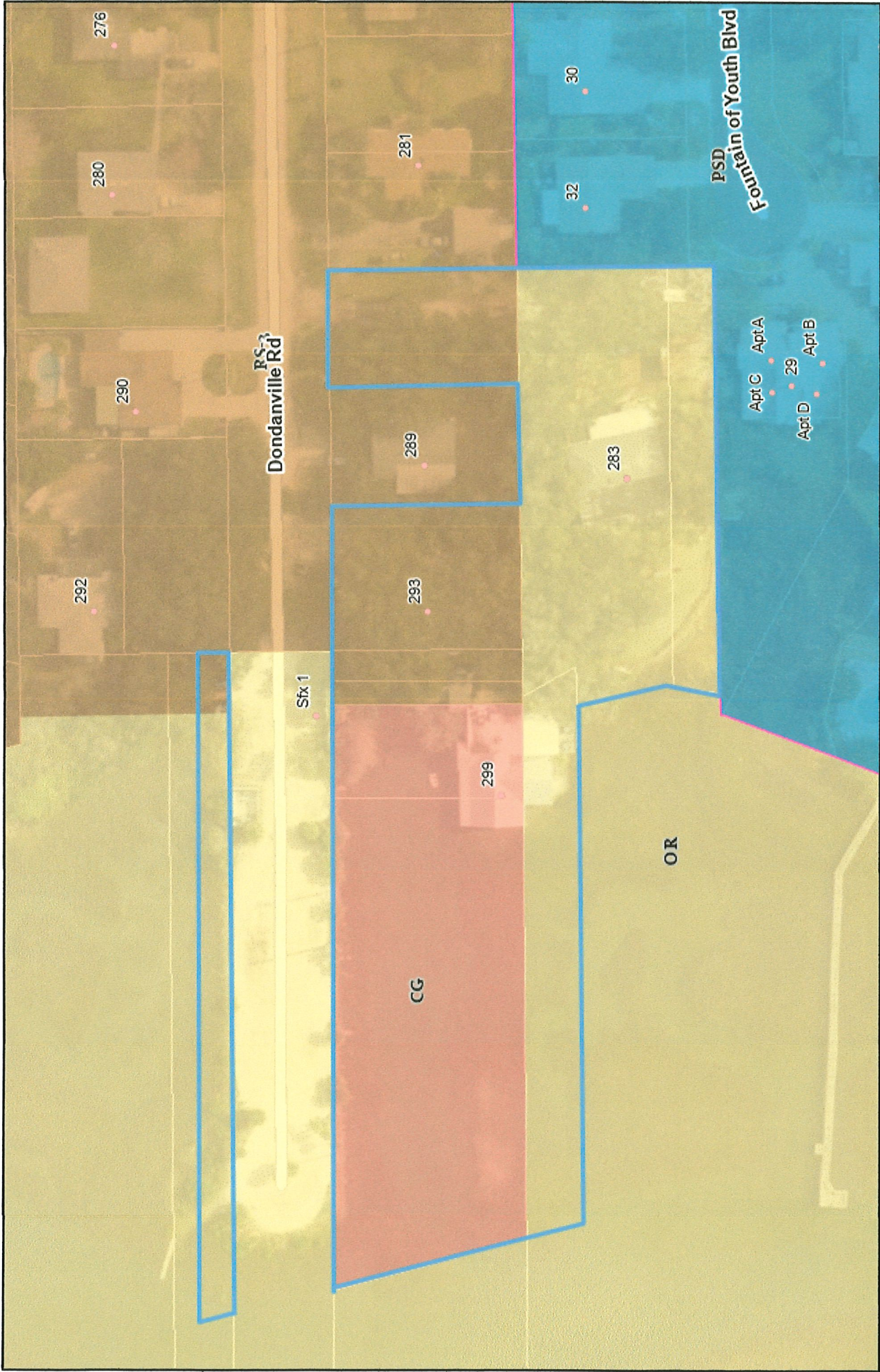
Map created with St. Johns County's iMap

**DISCLAIMER:**  
This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. The St. Johns County GIS Division disclaims all responsibility for the accuracy or completeness of the data shown hereon.

Date Created: 6/14/2023

## EXHIBIT D - Future Land Use - Sunset View PUD





## EXHIBIT D - Zoning - Sunset View PUD

Map created with St. Johns County's iMap

**DISCLAIMER:**  
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Date Created: 6/14/2023

**EXHIBIT G**  
**Site Pictures**  
**Sunset View Mid-Anastasia Overlay Request**



Sign and Front Deck, Fence Between Restaurant and Residential/Office



Front Deck and Sign, Fence along Residential/Office



Commercial Parcel Restaurant Deck and Building



Commercial Parcel Restaurant, ROW Parking and Buffer Area



Commercial Parcel ROW Parking and Buffer Area



Commercial Parcel Residence/Office





Commercial Parcel Restaurant South Deck, Adjacent Neighbors



Commercial Parcel South Restaurant Deck, Adjacent Residential Parcel View



Commercial Parcel South Restaurant Deck Looking West



Residential Parcel Entrance, Existing House, Storage/Garage & Adjacent Neighbor Fence



Residential Parcel, Residential Home and Adjacent Neighbor Home and Fence



Residential Parcel Buffer Behind Storage/Garage Building, Adjacent Neighbor and Fence



Residential Parcel South Buffer and Rear Yard, Adjacent Marsh & Dock



Residential Parcel Backyard, Existing Marsh/Wetland Line, Adjacent Dock





Residential Parcel Rear View of Existing Home and Buffer to Adjacent Neighbors



Residential Parcel Existing House, Entrance Drive, Adjacent Neighbor Fences



Residential Parcel Entrance from Dondanville Road, Adjacent East & South Neighbor Fences



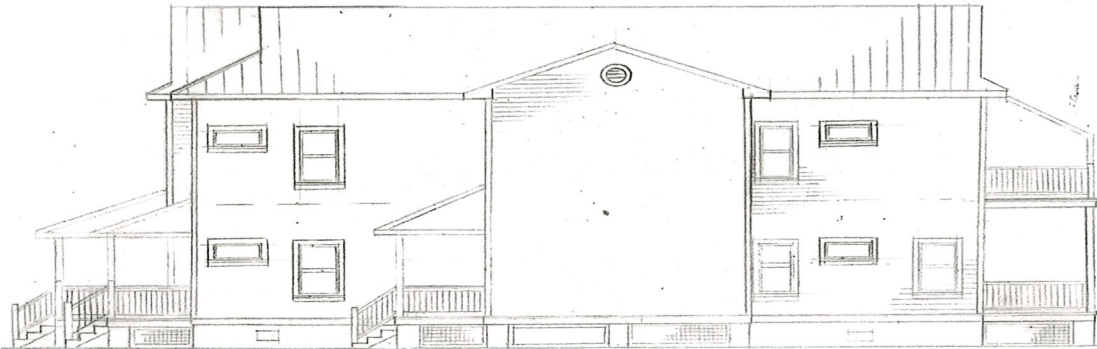
Residential Parcel, Adjacent South Neighborhood

**EXHIBIT H**  
**Preliminary Architectural Plans**  
**For Information Only**  
**Sunset View Mid-Anastasia Overlay Request**



EAST ELEVATION  
 $\frac{1}{8}'' = 1'-0''$

4/24/23



NORTH ELEVATION  
 $\frac{1}{8}'' = 1'-0''$

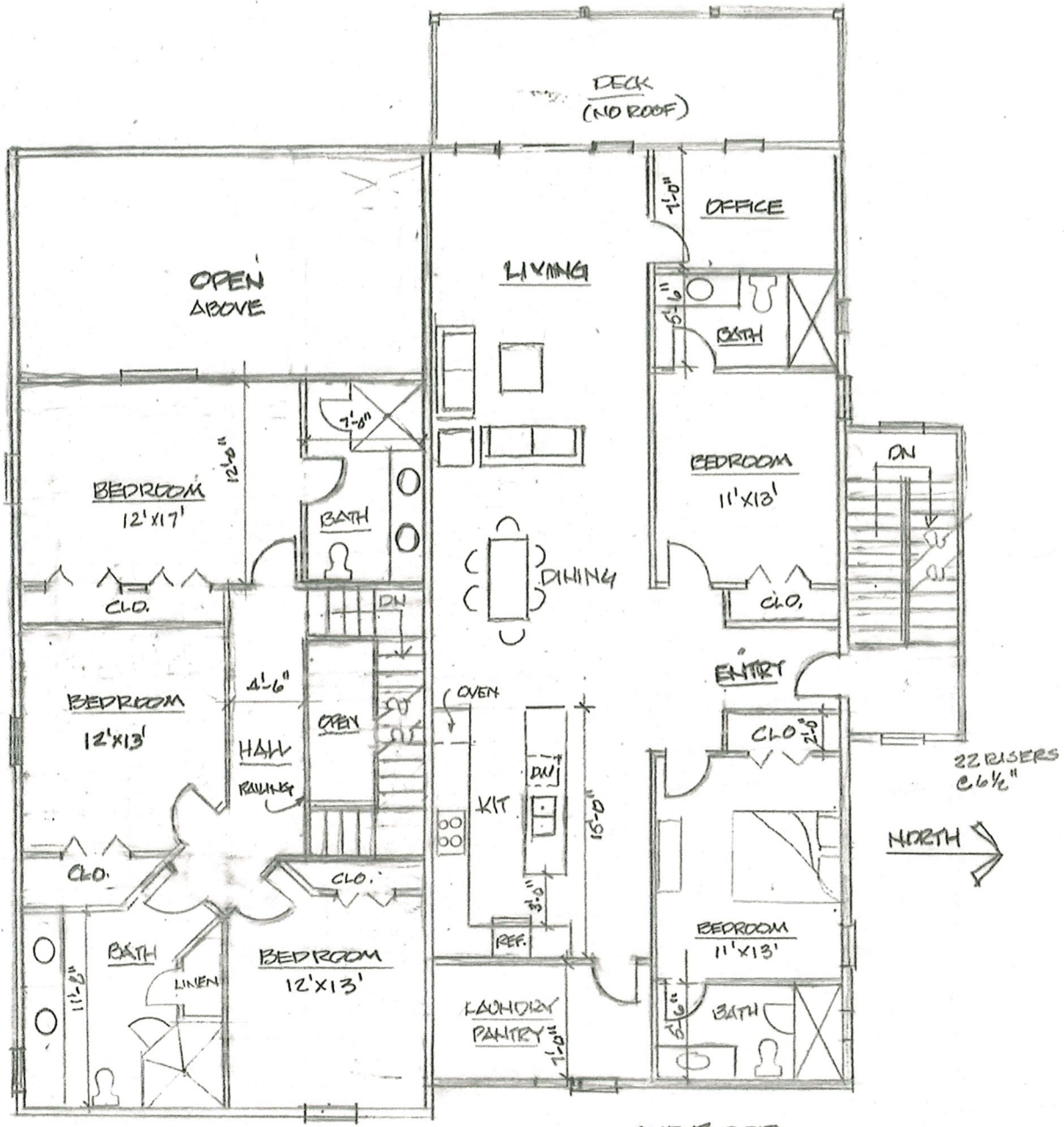
4/24/23



WEST ELEVATION  
 $\frac{1}{8}'' = 1'-0''$

4/24/23





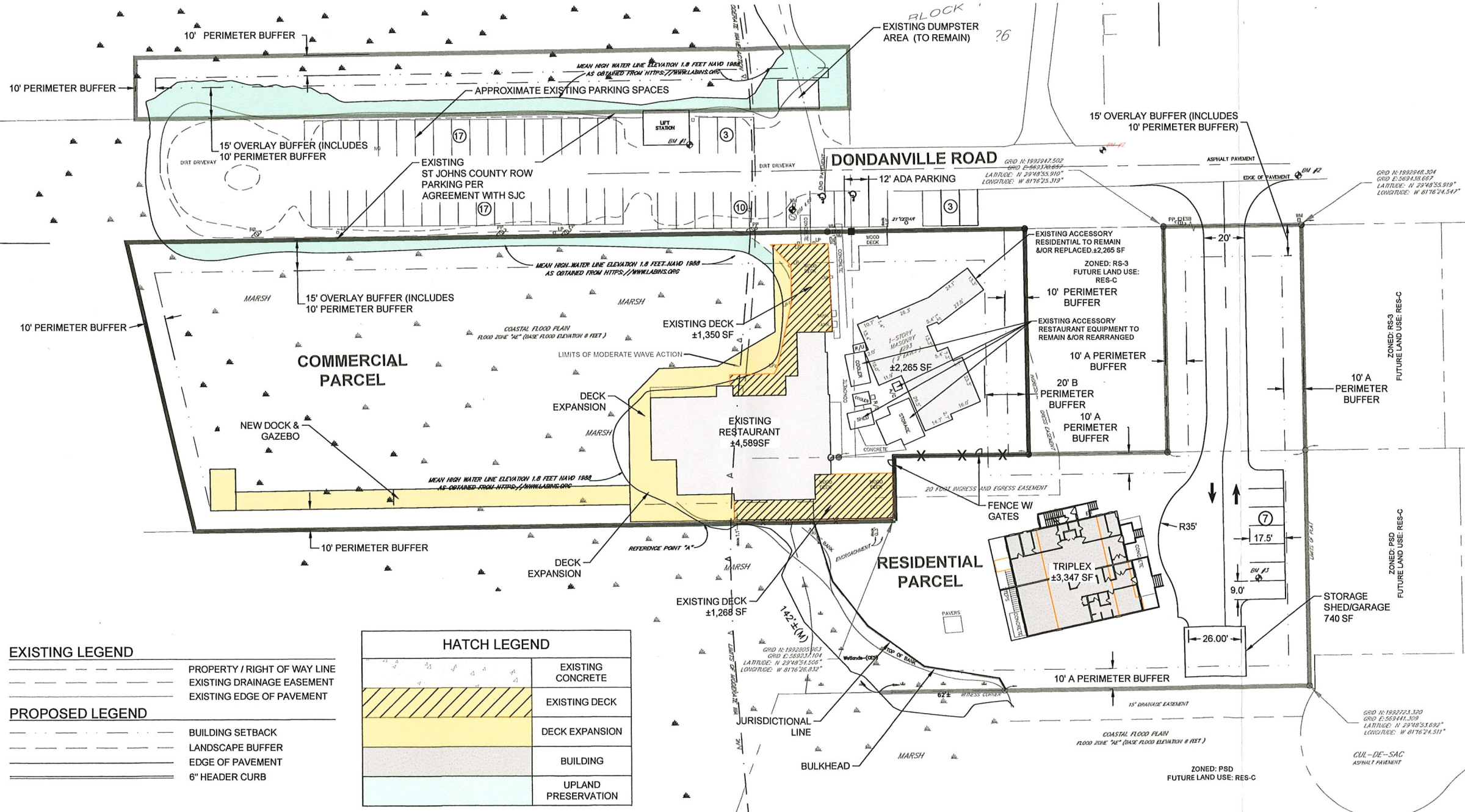
2ND FLOOR  
 1/8" = 1'-0"

4/11/23  
 REV. 4/11/23



DRAWING BY: MS  
 DESIGN BY: PJS  
 CHECKED BY: JWC  
 DATE: 07-27-2023  
 PROJECT #: 2230

**EXHIBIT I**  
**ADDITIONAL SITE PLAN MAPS**  
**SUNSET VIEW MID-ANASTASIA OVERLAY REQUEST**



EXISTING LEGEND	
	PROPERTY / RIGHT OF WAY LINE
	EXISTING DRAINAGE EASEMENT
	EXISTING EDGE OF PAVEMENT
PROPOSED LEGEND	
	BUILDING SETBACK
	LANDSCAPE BUFFER
	EDGE OF PAVEMENT
	6" HEADER CURB

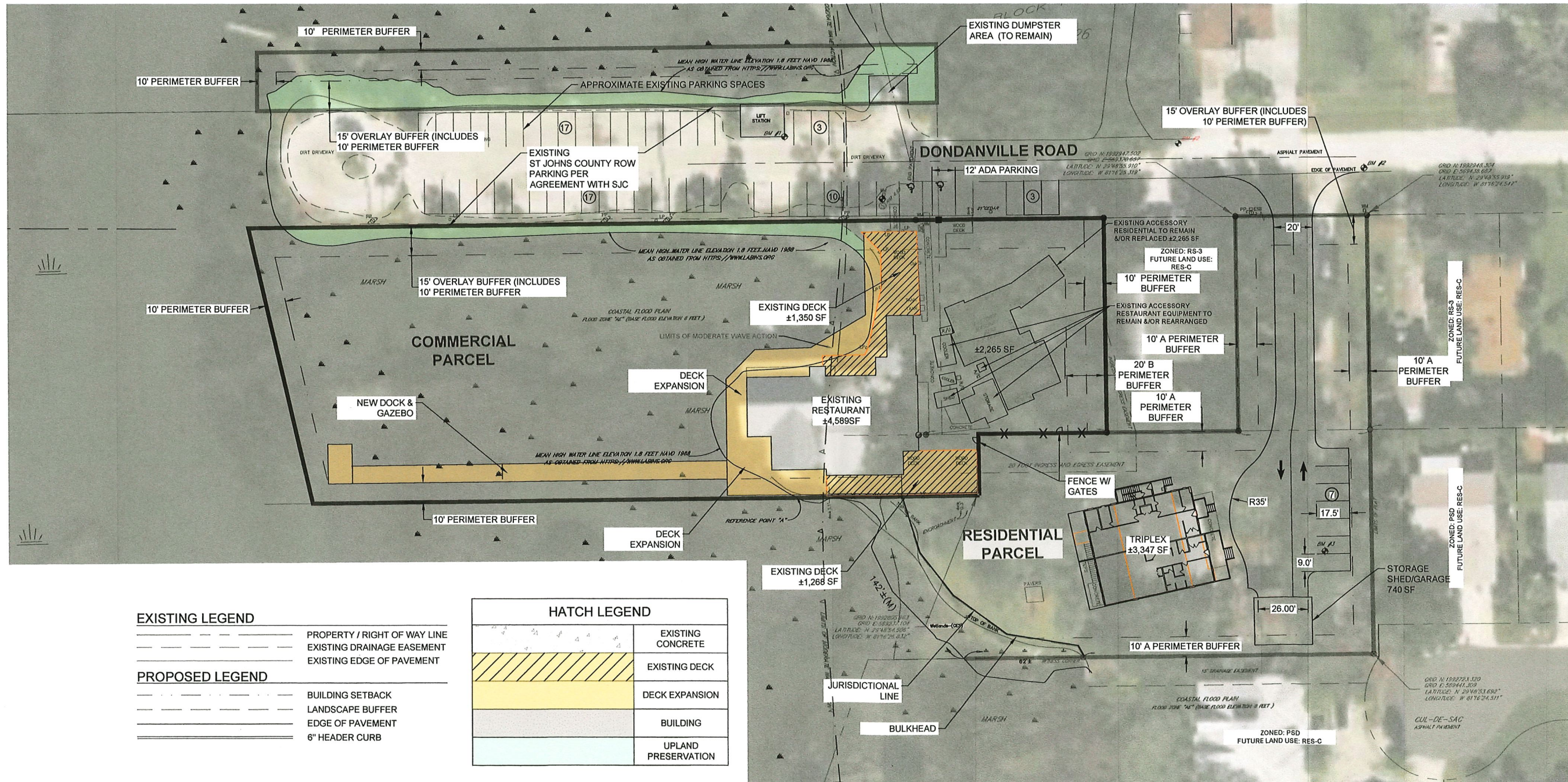
HATCH LEGEND	
	EXISTING CONCRETE
	EXISTING DECK
	DECK EXPANSION
	BUILDING
	UPLAND PRESERVATION





DRAWING BY: MS  
 DESIGN BY: PJS  
 CHECKED BY: JWC  
 DATE: 07-27-2023  
 PROJECT #: 2230

**EXHIBIT I**  
**ADDITIONAL SITE PLAN MAPS**  
**SUNSET VIEW MID-ANASTASIA OVERLAY REQUEST**



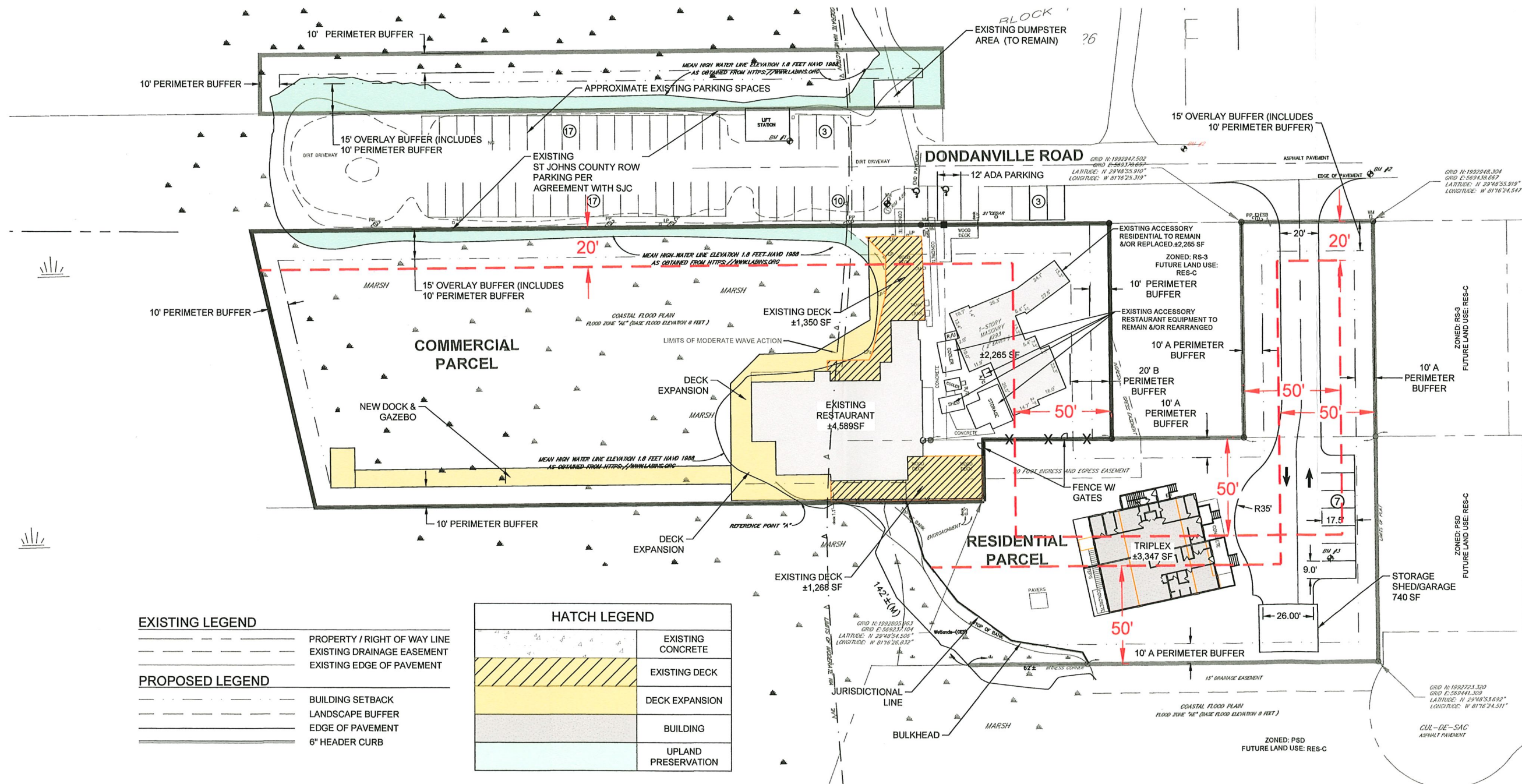
EXISTING LEGEND	
	PROPERTY / RIGHT OF WAY LINE
	EXISTING DRAINAGE EASEMENT
	EXISTING EDGE OF PAVEMENT
PROPOSED LEGEND	
	BUILDING SETBACK
	LANDSCAPE BUFFER
	EDGE OF PAVEMENT
	6" HEADER CURB

HATCH LEGEND	
	EXISTING CONCRETE
	EXISTING DECK
	DECK EXPANSION
	BUILDING
	UPLAND PRESERVATION



DRAWING BY: MS  
 DESIGN BY: PJS  
 CHECKED BY: JWC  
 DATE: 07-27-2023  
 PROJECT #: 2230

**EXHIBIT I**  
**ADDITIONAL SITE PLAN MAPS**  
**SUNSET VIEW MID-ANASTASIA OVERLAY REQUEST**



EXISTING LEGEND	
	PROPERTY / RIGHT OF WAY LINE
	EXISTING DRAINAGE EASEMENT
	EXISTING EDGE OF PAVEMENT
PROPOSED LEGEND	
	BUILDING SETBACK
	LANDSCAPE BUFFER
	EDGE OF PAVEMENT
	6" HEADER CURB

HATCH LEGEND	
	EXISTING CONCRETE
	EXISTING DECK
	DECK EXPANSION
	BUILDING
	UPLAND PRESERVATION

**ATTACHMENT 2**  
**LDC, PART 3.08.00**  
**MID-ANASTASIA OVERLAY**  
**DISTRICT**

## **Part 3.08.00 Mid-Anastasia Overlay District**

### **Sec. 3.08.01 Purpose and Intent**

The purpose and intent of this Special District is to achieve specific goals and objectives of the St. Johns County Comprehensive Plan and establish additional requirements which regulate development in a manner that protects natural resources and further supports the provisions of Article IV of this Code, and maintains and enhances the diverse and unique character of the Mid-Anastasia Overlay District.

The objective of these requirements is to protect surrounding residential Uses; cluster complementary Uses; protect scenic views; enhance physical appearance through design and signage controls; protect community character and encourage pedestrian activity. These objectives shall be accomplished through the establishment and implementation of special guidelines, standards and criteria which shall apply to the location, character, compatibility and appearance of proposed cultural, institutional, commercial and multi-family land Uses, and to certain changes or renovations to such existing land Uses. The implementation of this Part shall be assisted by a Design Review Board, which shall be established in accordance with the administrative procedures of this Part. The review of activities which are subject to these additional requirements shall be performed with the goal of determining whether a proposed activity meets the goals, objectives and policies set forth in the Comprehensive Plan and the guidelines, standards and criteria of this Part.

### **Sec. 3.08.02 Delineation of the Mid-Anastasia Overlay District**

- A. The Mid-Anastasia Overlay District, as delineated herein, is a special district in the form of an overlay superimposed upon the various zoning districts. This special district encompasses all that land situated within unincorporated St. Johns County extending from the entrance of Anastasia State Park on the North, extending to Owens Avenue on the South, and the Matanzas River on the West and the Atlantic Ocean on the East.
- B. Delineated roadways within the Mid-Anastasia Overlay District shall include State Road A1A South, State Road 312, Mizell Road, West Pope Road and West 16<sup>th</sup> Street.

### **Sec. 3.08.03 Uses and Activities Subject to Mid-Anastasia Overlay District Standards**

- A. All standards prescribed in this Part shall apply to all Uses contained within all zoning categories (including PUD's, PSD's, and PRD's) excluding single-family dwellings; Two-Family Dwellings; mobile homes; roadside stands; temporary uses; plant nurseries, barns, corrals, greenhouses and other substantially similar Structures; and boarding stables and riding academies. These requirements shall apply to property proposed for Development as a permitted Use, as well as to additions, exterior remodeling and renovations hereafter undertaken within the Mid-Anastasia Overlay District.
  - 1. Exterior remodeling and renovation shall be defined as any activity changing the exterior of a Structure that requires a County Building Permit, and also the repainting of any Structure to a color other than the existing color, as well as to Construction or alteration of fences or decks.
  - 2. These regulations shall apply to only that portion being added, remodeled, renovated or changed.

3. Landscaping, buffers, signage, parking lots and Structures may be maintained and repaired, Buildings re-painted using the same colors, and roofs repaired and replaced with the same materials and colors, without a review by the Design Review Board (DRB)
4. Any non-conforming Uses or Structures impacted by this Part shall follow Part 10.03.00 of this Code concerning non-conforming regulations.

**B. Allowable Uses**

The Uses for the property contained within the Mid-Anastasia Overlay District shall be as prescribed in the various zoning districts underlying the Mid-Anastasia Overlay District, except where such Use is not permitted by the St. Johns County Comprehensive Plan.

**C. Exemptions**

The following activities shall be exempt from review as otherwise required by this Part. In the event of any conflict related to an exempt activity, it shall be the responsibility of the County Administrator to determine that a proposed exempt activity is in compliance with this Part.

1. Repainting of Structures in existing colors.
2. Additions to the rear of a Structure not exceeding two-hundred and fifty (250) square feet which are of similar architectural style as the existing Structure, and consist of like exterior finishes and colors including windows and doors.
3. Replacement of roofing with like roofing materials.
4. Replacement of windows and doors, and existing porches, patio overhangs, porte cocheres or carports which are replaced in a similar style as the existing Structure or main portion of the existing Structure and consist of like exterior finishes and colors.
5. Replacement of landscaping consistent with a previously approved landscape plan or replacement of existing landscaping with like landscaping material.
6. Non-substantive changes, which do not change the character, design or commonly observed appearance of a site or Structure.

**Sec. 3.08.04 Development Standards**

The following general development standards shall apply within the Mid-Anastasia Overlay District:

- A. Roof design shall be hipped, shed or gable unless otherwise approved by the Design Review Board. Horizontal roofs, which give the appearance of flat roofs, shall not be allowed. Long monotonous facade designs including, but not limited to, those characterized by unrelieved repetition of shape or form or design elements, or by unbroken extension of line shall be avoided. The maximum length of any Building parallel to a roadway shall be 120 feet.

- B. Work areas, storage doors and open bays shall not open toward, face or otherwise be visible from any delineated roadway or any adjacent residential properties. The DRB may consider alternative screening and design concepts to shield work areas, storage doors and open bays from delineated roadway or any adjacent residential properties.
- C. Heating, ventilation and air conditioning equipment, duct work, air compressors, and other fixed operating machinery shall be either screened from view with fencing architecturally compatible with the Building; or vegetation; or located so that such items are not visible from any roadway or adjacent residential properties. Trash receptacles, dumpsters, utility meters, above-ground tanks, satellite dishes (except as provided by Florida law), Antenna, and other such Structures shall be similarly screened or made not visible.
- D. Chain link, barbed wire and similar fencing shall not be allowed in any required Front Yard, and where such fencing can be viewed from any delineated roadway, landscaping or berming shall be provided to prohibit visibility from such roadway or any adjacent residential properties. The fencing and screening provisions of Articles 2.02.04.C and 6.06.04 shall also apply.
- E. Architectural lighting shall be recessed under roof overhangs or generated from a concealed light source, or low level light fixtures. Site lighting shall be of low-intensity, shall be of white light which does not distort colors and shall not spill over into adjoining properties, roadways or in any way interfere with the vision of oncoming motorists. Specifically, lighting shall be downward facing full cut-off, no higher than 20 feet and s all have a maximum illumination level of 0.30 foot-candles at ground level at the lot line.
- F. The maximum vertical clearance of Canopies provided over the pump islands at gas stations, service stations and convenience stores shall not exceed seventeen (17) feet in height from established grade to the underside of the canopy. The maximum height of a canopy shall not exceed twenty-four (24) feet from established grade.

### **Sec. 3.08.05 Minimum Yard Requirements**

- A. Front along State Road AIA South: Twenty (20) feet for a Building up to and including twenty (20) feet in height; ; thirty (30) feet for a Building Above twenty (20) feet in height.
- B. Front along any other delineated roadway: Fifteen (15) feet for a Building up to and including twenty (20) feet in height; twenty (20) feet for a Building above twenty (20) feet in height.
- C. Side: Ten (10) feet.
- D. For Buildings proposed on sites which adjoin an existing residential Use or residentially-zoned Lands, the minimum adjoining a Side or Rear Yard, or both is thirty (30) feet for a Building up to and including twenty (20) feet in height; . Fifty (50) feet for a Building above twenty (20) feet in height.
  - a. Accessory Uses and Structures Accessory uses and structures, Aand parking lots, shall be adequately screened from any Palm Valley Overlay District delineated roadway.
  - b. Accessory Uses and Structures (excluding parking lots), shall not be allowed closer to the Palm Valley Overlay District Delineated Roadway than any Building on the

site.

- F. A distance of eight (8) feet shall separate parking areas and Buildings. This area shall be measured from the exterior wall and shall be used for landscaping and walkways, of which a minimum of three (3) feet shall be used for landscaping.

**Sec. 3.08.06 Additional Buffering Requirements**

- A. Buffers may be placed within required Yards, and where reasonably possible, shall contain native vegetation existing on the site proposed for Development. In addition to the Buffering and Screening Requirements of Section 6.06.04, the following requirements shall apply in the Mid-Anastasia Overlay District.
  - 1. A minimum twenty (20) foot buffer from the right-of-way of State Road A1A South except Scenic Highway A1A as described in 6.06.02.F.2.b.
  - 2. A minimum fifteen (15) foot buffer from the right-of-way of any other delineated roadway.
- B. The above buffers shall be landscaped in accordance with Section 6.06.04, paragraphs a. and c. of Screening Standards "C", which state:
  - 1. A row of evergreen Canopy Trees which are not less than ten (10) feet high at the time of planting, a minimum of two (2) inch caliper, and are spaced not more than twenty (20) feet apart. The Trees are to be planted within ten (10) feet of the property line; and
  - 2. Lawn, low growing evergreen plants, evergreen ground cover, or mulch covering the balance of the buffer.
- C. The width of a required Buffer shall be measured beginning at the property line. Continuation of landscaping into the right-of-way, where feasible and not otherwise prohibited by these regulations is encouraged. Required buffers shall be included in all plans submitted for review.
- D. Sidewalks and pedestrian seating may be placed in required buffers.
- E. The Design Review Board may request the use of certain vegetation and plant species where an established or preferred species exists on a site or within adjacent development.

**Sec. 3.08.07 Additional Signage Requirements**

All multi-family and commercial Signs, including new Signs and replacement of existing Signs, shall be governed as set forth in Article VII of this Code, and the following additional requirements shall apply.

- A. General provisions applying to multi-family and commercial Signs in the Mid-Anastasia Overlay District:
  - 1. All Ground Signs shall be wide-based monument style. Pylon Signs are only permitted when monument style signs cannot be adequately located due to site

constraints as determined by the DRB.

2. The overall height of a Sign Structure shall be twelve (12) feet including any foundation supporting the Sign. A foundation used to support a Sign shall not exceed four (4) feet in height. The use of dirt, sand or other material to elevate the height of a Sign on a mound is prohibited.
  3. The colors and materials of Signs shall be similar to and compatible with the architectural style and colors and materials of the related commercial or multi-family Building. Any icons that is not similar to and compatible with the architectural styles, colors, and materials of the related building shall be restricted to a maximum fifteen percent (15%) of the advertising display area, unless additional area is approved by the DRB.
  4. Signs should be oriented to pedestrians and scaled appropriately.
  5. Signs must be professionally designed, lettered and constructed.
  6. Signs may be double faced.
  7. Wall Signs shall be mounted directly upon wall surfaces, and shall not be mounted upon raceways or other protrusions from the wall surface.
  8. All ground or pylon Signs shall include the street number in a size and manner that is clear and visible. Street numbers should also be visible on the front of buildings.
  9. In construing the provisions of this Section, messages not exceeding six (6) inches in height erected within or upon doors and windows shall not be counted in computing the number of Signs.
  10. Any lighting shall be white in color for all signs, unless different lighting is required by the County for purposes of protecting turtles. External lighting must conceal and shield the light.
  11. Molded vinyl or plastic internally illuminated wall Signs shall not be allowed.
  12. For Signs that contain federally registered trademarks or service marks, documentation of such registration shall be provided with the application for review.
  13. Where feasible, as determined by the approval authority, all Ground Signs shall use shrubs that are twenty-four (24) inches at the time of planting around the base of the sign. These must be planted within 30 days of the sign installation.
- B. Ground or Pylon Signs: Number and size of Signs permitted for the street frontage
1. **For Sites five (5) acres or less:** One (1) on-site Sign, not to exceed thirty-two (32) square feet for each Sign Face, may be located on each arterial or collector street frontage.
  2. **For Sites more than five (5) acres:** One (1) on-site Sign, not to exceed sixty (60) square feet for each Sign Face, may be located on each arterial or collector street



frontage.

3. New Ground Signs and alterations to existing Ground Signs requiring a DRB review shall be externally illuminated with downward facing fixtures and hours of illumination to cease no later than 30 minutes after business closing, unless additional time is approved by the DRB.

C. Additional Directional Signs Allowed

In addition to the above Signs, two directional Ground Signs limited to two (2) square feet per Sign are allowed. The maximum allowable height shall be three (3) feet.

D. Commercial Wall, Hanging and Awning Signs: **Single-Story Buildings**

1. In addition to the above Signs, a commercial use is allowed one wall Sign not to exceed twenty-four (24) square feet and may be allowed on each street side of the Building.
2. Where a single-story Building is divided into units for several businesses, with separate entrances, one wall Sign as specified above is authorized for each business entrance, not to exceed twenty-four (24) square feet in advertising display area. In addition, each business entrance may have one double-faced hanging Sign under covered walkways with maximum dimensions of two (2) feet vertical by four (4) feet horizontal.
3. One awning Sign or one window identification Sign may be substituted for a wall Sign, with sign display area not to exceed twenty-four (24) square feet in area.

E. Commercial Wall, Hanging and Awning Signs: **Multi-Story Buildings**

1. Where a multi-Story Building is divided into units or floors for several businesses, one wall Sign, not exceeding twenty-four (24) square feet of area, may be allowed on each street side of the Building.
2. In addition to the above Wall Sign, where a multi-Story Building is divided into units or floors for several businesses, one awning Sign, not exceeding twenty-four (24) square feet of display area, may be allowed over each first story entrance, provided that any such awning sign is an integral and unified part of the architectural design of the entire building.
3. One double-faced hanging Sign under covered walkways with maximum dimensions of two (2) feet vertical by four (4) feet horizontal is allowed for each business entrance.

F. Multiple Tenant Directory Signs

For office and professional Buildings with multiple tenants, one directory Sign containing only the suite number, the names of individuals, organizations or businesses occupying the Building not exceeding fifteen (15) square feet of face area is allowed. Such signs may be wall signs or ground signs. Such signs are permitted in addition to any other allowed signs.

G. Prohibited Signs

In addition to those Signs prohibited within Section 7.08.01, the following Signs are prohibited in the Mid-Anastasia Overlay District.

1. Flashing or animated Signs with any moving parts.
2. Signs painted on, or displayed from the roof of any Building or Structure.
3. Statues, flags, banners, pennants, and inflatables used for advertising purposes, except as may be allowed by Article VII and Section 3.08.07.I of this Part.
4. Exterior Signs containing exposed neon, except those specifically approved by the Design Review Board and found consistent with the Purpose and Intent of this Part.
5. Interior neon window Signs, which exceed more than thirty percent (30%) of window area. In no case shall an interior neon sign exceed twelve (12) square feet.

H. The following provisions apply to temporary signage:

1. Banner signs shall be allowed between the timeframe of overlay application submittal and up to a period of sixty (60) days after permanent sign approval by the DRB. This shall consist of no more than three (3) signs at a maximum advertising display area of twenty-four (24) square feet each.
2. Banner signs shall be allowed in accordance with Section 7.05.00 and 7.07.01.A for a period of sixty (60) days per calendar year, not to exceed one (1) time in one (1) month and not to exceed ten (10) days per each event. This shall consist of no more than three (3) signs at a maximum advertising display area of sixty (60) square feet each.

I. Administrative Approval of Specific Signage

1. Any ground sign reface thirty-two (32) square feet or portion thereof in size provided the colors closely match any colors associated with the building and text type/sizes are similar to other DRB approved signage located on the ground sign face.
2. Any Wall, Awning or Window Sign reface twenty-four (24) square feet or any Hanging Sign up to eight (8) square feet or portion thereof in size provided the colors closely match any colors associated with the Building and text type and sizes are similar to other DRB approved signage located on existing Wall Signs on the same Building.
3. Any Directional Sign that is two (2) square feet or less in size.
4. Any wall, awning, ground, hanging and/or window identification signage within a Unified Sign Plan that is approved by the DRB.

J. Unified Signage Plan (USP)

The USP is an elective master plan for all Project (wall, ground, awning, and window) identification signs located for multi-family and commercial properties. The purpose of the USP is to develop a cohesive sign strategy/design that meets code, expresses the desire of the DRB, and allows an expedited approach to review signage. The USP shall follow the below requirements:

1. All signage must adhere to the overlay district code.
2. The USP shall provide information relating, but not limited, to the size of the advertising display area (minimum and maximum), type of sign (i.e. box or individual letter), mounting procedures, lighting, colors, font, materials, icons, and any other relevant information required by the County.
3. The DRB must consider the USP prior to approve of the USP and may require any conditions it finds necessary to meet the purpose and intent of the overlay code.

L. Signs Exempt from this Part

Real Estate for Sale or Lease, Contractor Identification Signs, trespass and alarm warning Signs, which are in compliance with the requirements of this Section are Exempt from this Part. However, if in the determination of the County Administrator, any Signs may be in conflict with the Purpose and Intent of the Mid-Anastasia Overlay District, a review by the Design Review Board may be required and appropriate modifications ordered.

**Sec. 3.08.08 Design Review Guidelines**

The pleasing and compatible relationship of architecture and design elements within the Mid-Anastasia Overlay District is of important public concern. The design of Structures and their materials and colors must be visually harmonious with the overall appearance, history and cultural heritage of the Mid-Anastasia Overlay District. Development must also be compatible with the natural landforms, existing coastal vegetation, dune systems and native beach and estuarine environments. Compatibility with existing adjacent Structures and approved development plans must also be considered. The intent of these standards is not to restrain diversity or innovative architecture, but to reduce incompatible and adverse impacts, and to insure an aesthetically pleasing environment. To accomplish this, the following guidelines shall apply to new Buildings, certain exterior renovations, and related site improvements.

- A. Proposed Development shall be located and configured in a visually complementary manner with the existing terrain and vegetation of the Parcel and surrounding Parcels. Structures shall obstruct as little as reasonably practical scenic views from the main road or from existing Structures and the natural environment. Structures shall not dominate any general Development or adjacent Building that is substantially in compliance with this Code. This may be accomplished by the use of architectural features and/or siting of proposed Structures to reduce the appearance of excessive and inappropriate height or mass of proposed Structures.
- B. New Buildings shall be designed to contribute to the image of the Mid-Anastasia Overlay District as a beach community with a pedestrian-oriented, non-urban scale and character.
- C. Buildings that are reflective of Florida's wood-frame vernacular architectural styles such as "Florida Cracker", shingle and low-country, Spanish Eclectic, Craftsman and Bungalow

styles shall be considered appropriate.

- D. To encourage pedestrian activity, buildings should where possible incorporate the following design patterns and details:
  - 1. A Building's main entrance should face the main roadway. Buildings located at street corners should have entrances at the corner.
  - 2. Blank walls facing the main roadway should be avoided. The use of entrance ways and display windows should be used to create business and store fronts that are inviting to the pedestrian.
- E. Outdoor pedestrian seating areas are encouraged, and similarly, outdoor cafe-type seating is encouraged.

### **Sec. 3.08.09 Design Elements and Materials**

The following specific design criteria shall apply to Development regulated by the Mid-Anastasia Overlay District:

- A. Roofs shall consist of wood or asphalt composition shingles, barrel tile, clay tile or similar non-reflective material having a natural texture and appearance. Metal roofs shall be allowed where they are characteristic of a recognized architectural style.
- B. Exterior walls on all sides shall be stucco, tabby, shingle, wood siding, exterior insulation-and-finish systems (EIFS), brick or other materials with similar texture and appearance. The DRB may consider other materials which are similar to the finishes listed above and provide for a cohesive building concept.
- C. Exterior colors of paints and stains of new Construction or Development shall be subdued and nature-blending with no more than three (3) colors per Building, excluding roof color. The DRB may allow up to two (2) additional colors for building accents (e.g. trim, awnings, columns, and shutters). Such hues of green, brown, blue, grey, tan and beige shall be considered appropriate. Public art such as murals will not be applicable to the color standards in this paragraph. The design of the mural will not exceed a maximum of fifteen percent (15%) of the façade in which it is located unless additional area is approved by the DRB.
- D. Roof and exterior wall surfaces, with the exception of glass doors and windows shall be non-reflective. Any glass coating shall not reflect outward and shall be limited in color to gray or green.
- E. Administrative Approval of Design Elements, Materials, and Exterior Finishes
  - 1. The Design Review Board, shall, with assistance of the County, develop architectural design guidelines in accordance with Section 3.08.01 of this Part. Such guidelines shall be adopted by the Board of County Commissioners and shall, at a minimum, include color palettes for exterior materials and finishes.
  - 2. Upon the adoption of color palettes for exterior materials and finishes, exterior painting of existing Structures and Buildings with a selection from the preferred color

palette may be approved by the County Administrator. However, if in the determination of the County Administrator, any proposed exterior painting appears to be in conflict with the Purpose and Intent of the Mid Anastasia Overlay District or with the preferred color palette, a review by the Design Review Board may be required.

### **Sec. 3.08.10 Administrative Requirements**

The following requirements shall apply to all projects and activities that are subject to the Mid-Anastasia Overlay District. For those projects involving Signs less than fifteen (15) square feet in size, Ground and Wall Sign re-faces, re-painting, or other activities not requiring a County building permit, a minor review application shall be allowed. Additionally, a minor review shall be allowed for those other projects, which are determined by the County Administrator to be minor in nature. For all other projects, a regular review application shall be required.

#### **A. Functions and Establishment of the Design Review Board**

The St. Johns County Board of County Commissioners shall direct the following functions to determine compliance with the Mid-Anastasia Overlay District:

1. The St. Johns County Board of County Commissioners shall establish by appointment a Design Review Board. Except as otherwise provided in this Code, it shall be the role of the Design Review Board to determine compliance with this Part.
2. The Design Review Board shall consist of five (5) members and two (2) alternates. Membership qualifications and the initial membership term shall be set by resolution of the Board of County Commissioners. The initial terms shall be staggered in 1, 2, 3, and 4 year terms. Except for the initial term, members shall be appointed to a four (4) year term, with an additional four (4) year term as approved by the Board of County Commissioners. Members shall serve at the pleasure of the Board of County Commissioners.
3. The Board of County Commissioners shall adopt by Resolution bylaws, operating procedures, and membership requirements of the DRB which shall be in accordance with all applicable St. Johns regulations Codes and State and Federal laws. The DRB may recommend changes to its bylaws, operating procedures, and membership criteria, to be approved by the Board of County Commissioners.
4. The Design Review Board shall meet as needed in order to fulfill its functions in a timely manner. Reasonable public notice shall be provided for all meetings of the Design Review Board, and all meetings shall be open to the public. The Design Review Board shall appoint a member or support staff to keep minutes of its proceedings and other official actions. A majority vote of a present quorum shall be required in order to take final action on an application.
5. Any previous citizen appointed to the DRB shall have the opportunity to reapply and have the same term limits as prescribe in subsection A.2, provided they have not been excluded by the Board of County Commissioners because of longevity on the DRB. If longevity is an issue, the citizen must wait a period of two (2) years from the date of their original expiration before reapplying to the DRB.

#### **B. Application and Permitting Requirements**

1. The County Administrator shall develop application forms and review procedures to assist the Design Review Board in determining compliance with the Mid-Anastasia Overlay District requirements. The Design Review Board shall meet as required to review applications and take action in a timely manner on all applications submitted for review.
2. Following any final action, the Design Review Board or its authorized support staff shall provide a written order to the Applicant stating that the request complies, complies with conditions, or does not comply, with the Mid-Anastasia Overlay District requirements. Any determination by the Design Review Board shall be supported by appropriate findings of fact.
3. The Applicant shall provide a copy of the final order of approval prior to obtaining construction permits as required for the proposed project or activity.
4. In general, all applications that are subject to the County's established development review process shall proceed through a first submittal development review prior to being scheduled for the Design Review Board. Any DRC comments that have not been addressed at the time of Design Review Board meeting shall be noted by the Applicant. If appropriate, the Design Review Board may attach conditions to its determinations related to outstanding development review comments. The Design Review Board shall not request modifications that are not in compliance with other land development regulations.

C. Vested Rights Determinations

1. As an alternative to a determination that a Project or activity complies with this Part, the Applicant may demonstrate that vested rights to proceed with the proposed Project or activity have been legally established, and/or demonstrate that the County is equitably estopped from applying Part 3.08.00 of this Code. Vested rights determinations shall be made in accordance with Part 10.02.00 of this Code. The legal requisites for such determinations and burdens of proof shall be those provided by applicable Federal and State Law. Applicants shall have the burden of demonstrating vested rights or equitable estoppel.
2. A Planned Unit Development (PUD) may be expanded, without a vested rights or estoppel determination, if the proposed addition(s) adjoins the existing PUD. The more restrictive standards and criteria of the existing PUD or the Mid-Anastasia Overlay District shall apply to the expansion.

D. Variances and Appeals

An Applicant may apply and be granted or denied a Variance from one or more standards of this Part. Variances or modifications to these requirements shall be governed as follows:

1. Any Variance or modification within existing PSD/PUDs to these requirements may be granted only by the Board of County Commissioners. Notwithstanding any other provision in the Land Development Code, such requests shall be considered by the Board of County Commissioners as a Non-Zoning variance pursuant to the requirements of Section 10.04.03 of this Code in lieu of the procedures set forth in

Section 5.03.05. Requests to change specific provisions not pertaining to the District requirements within PUDs and PSDs shall be processed pursuant to Section 5.03.05.

2. Any affected or aggrieved person may Appeal a written determination of the Design Review Board to the Board of County Commissioners, in accordance with Section 9.07.04, by filing such Appeal in writing to the County administrator within thirty (30) days of any such written determination.

E. Management of Applications among Multiple Boards

1. When a board or agency has made a decision or finding on an application, and the application or companion application will later appear before the Board of County Commissioners, its approval or approval with conditions shall constitute a recommendation to the Board of County Commissioners. The Board of County Commissioners may choose to accept the decision or finding of the board or agency, make a binding decision or finding of its own, or send the application back to the board or agency for a decision consistent with the Board of County Commissioners findings or suggestions.
2. This section does not impose any additional review standards on applications or board or agency decisions as set forth in this Code.

F. **Administrative Approval**

1. Delegation of Signing Authority. In the event that the Design Review Board has determined compliance with this Part, the DRB may authorize its support staff to sign and render and Order approved by the DRB in lieu of the Chair or Vice-Chair.
2. Failure to Hold a Quorum. In the event that the Design Review Board is unable to gather a quorum to render a decision on an application scheduled for a hearing before the DRB and is unable to gather another quorum within ten (10) days of the scheduled hearing, the County Administrator shall determine compliance with the provisions of the Mid-Anastasia Overlay District.
3. Failure to Establish a Design Review Board. Failure in the event that the St. Johns County Board of County Commissioners are unable to establish a Design Review Board as defined by this Part, it shall be the responsibility of the County Administrator to determine compliance with the provisions of this Part. Failure to establish shall mean that at any time there are less than three (3) regular members appointed to the DRB.

**ATTACHMENT 3**  
**DRAFT FINAL ORDERS**  
**APPROVAL / DENIAL**





ORDER OF THE ST. JOHNS COUNTY, FLORIDA  
DESIGN REVIEW BOARD  
OF THE MID-ANASTASIA OVERLAY DISTRICT

**RE:** Karen Taylor, Land Planner  
77 Saragossa Street  
St. Augustine, FL 32084

**FILE NUMBER:** MADRB 2023-03 Sunset View

**PARCEL ID:** 174150-0010, 175720-0230, 175720-0223, 175765-0000, 175950-0000

**DATE OF HEARING:** January 11, 2024

**ORDER RECOMMENDING APPROVAL**

The above referenced application, MADRB 2023-03 Sunset View, a request for specific waivers to the setback, landscape buffer, and signage requirements of the Mid-Anastasia Overlay District, specifically located at 283, 285, 293, and 299 Dondanville Road, came before the Mid-Anastasia Design Review Board (MADRB) for a public hearing on January 11, 2024.

**FINDINGS OF FACT**

Having considered the application, supporting documents, statements made by the Applicant and Staff, and all evidence presented during the public hearing, the Board finds as follows:

1. The request **is** consistent with the intent of the Overlay standards to provide protection of surrounding residential uses; cluster complementary uses; protect scenic views; enhance physical appearance through design and signage controls; protect community character and encourage pedestrian activity.

NOW THEREFORE, based on the said Findings of Fact, the Board hereby **recommends approval** of this application, as submitted, subject to the following **conditions**:

1. Any changes to the exterior of the site will require additional review by the Mid-Anastasia Design Review Board; changes include, but are not limited to, new or existing buildings, decks, buffers, and signage.
2. Setbacks: Commercial Decking, Deck Railing, Pergola –
  - a. Allow decking to remain closer to the road than the main building
  - b. Allow decking, railing, and pergola to remain at a 10-foot Front Yard and a 0-foot Side Yard setback
  - c. Allow an expansion to decking, railing, and pergola not to exceed the current encroachments
3. Setbacks: Commercial Office/Storage/Residential Building –
  - a. Allow structure to remain in current placement
  - b. Allow reconstruction of structure and ability to build higher than existing
  - c. Allow a \_\_\_\_\_-foot Side and Rear Yard setback from the neighboring residential sites
4. Setbacks: Residential Structure –
  - a. Allow structure to remain in current placement
  - b. Allow reconstruction of structure and ability to enlarge





ORDER OF THE ST. JOHNS COUNTY, FLORIDA  
DESIGN REVIEW BOARD  
OF THE MID-ANASTASIA OVERLAY DISTRICT

**RE:** Karen Taylor, Land Planner  
77 Saragossa Street  
St. Augustine, FL 32084

**FILE NUMBER:** MADRB 2023-03 Sunset View

**PARCEL ID:** 174150-0010, 175720-0230, 175720-0223, 175765-0000, 175950-0000

**DATE OF HEARING:** January 11, 2024

**ORDER RECOMMENDING DENIAL**

The above referenced application, MADRB 2023-03 Sunset View, a request for specific waivers to the setback, landscape buffer, and signage requirements of the Mid-Anastasia Overlay District, specifically located at 283, 285, 293, and 299 Dondanville Road, came before the Mid-Anastasia Design Review Board (MADRB) for a public hearing on January 11, 2024.

**FINDINGS OF FACT**

Having considered the application, supporting documents, statements made by the Applicant and Staff, and all evidence presented during the public hearing, the Board finds as follows:

1. The request **is not** consistent with the intent of the Overlay standards to provide protection of surrounding residential uses; cluster complementary uses; protect scenic views; enhance physical appearance through design and signage controls; protect community character and encourage pedestrian activity.

NOW THEREFORE, based on the said Findings of Fact, the Board hereby **recommends denial** of this application as submitted.

This decision may be appealed to the St. Johns County Board of County Commissioners within thirty (30) days of the signing of this Order, pursuant to Section 9.07.04 of the Land Development Code. Deed Restrictions, if any, are not affected by the actions of the Board or this Order.

All applicable state or federal permits must be obtained before commencement of the development. Issuance of a development permit or development order by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

