

1

AGENDA ITEM
Planning & Zoning

Meeting

3/21/2024

MEETING DATE

TO: Planning and Zoning Board Members

DATE: March 11, 2024

FROM: Marie Colee, Assistant Program Manager

PHONE: 904 209-0662

SUBJECT OR TITLE: SUPMAJ 2024-01 Main Street Specialty Shops

AGENDA TYPE: Business Item, Ex Parte Communication, Order, Report

PRESENTER: Jena Dennis

BACKGROUND INFORMATION:

Request for a Special Use Permit pursuant to Section 3.12.04 and 2.03.01.A to allow for two Specialty Shops located within an existing building in RG-2 zoning, specifically located at 308 North Main Street.

SUGGESTED MOTION/RECOMMENDATION/ACTION:

APPROVE: Motion to approve SUPMAJ 2024-01 Main Street Specialty Shops, based on eight (8) findings of fact, and subject to eight (8) conditions, as provided in the Staff Report.

DENY: Motion to deny SUPMAJ 2024-01 Main Street Specialty Shops, based on six (6) findings of fact, as provided in the Staff Report.



Growth Management Department
PLANNING DIVISION REPORT
Application for Special Use Permit
SUPMAJ 2024-01 Main Street Specialty Shops

To: Planning and Zoning Agency

From: Marie Colee, Assistant Program Manager

Date: February 28, 2024

Subject: **SUPMAJ 2024-01 Main Street Specialty Shops**, a request for a Special Use Permit pursuant to Section 3.12.04 and 2.03.01.A to allow for two Specialty Shops located within an existing building in RG-2 zoning, specifically located at 308 North Main Street.

Applicant: Jena Dennis

Owner: 308 North Main Street, LLC

Hearing dates: Planning and Zoning Agency – March 21, 2024

Commissioner District: District 2

SUGGESTED MOTION / ACTION:

APPROVE: Motion to approve **SUPMAJ 2024-01 Main Street Specialty Shops**, based on eight (8) findings of fact, and subject to eight (8) conditions, as provided in the Staff Report.

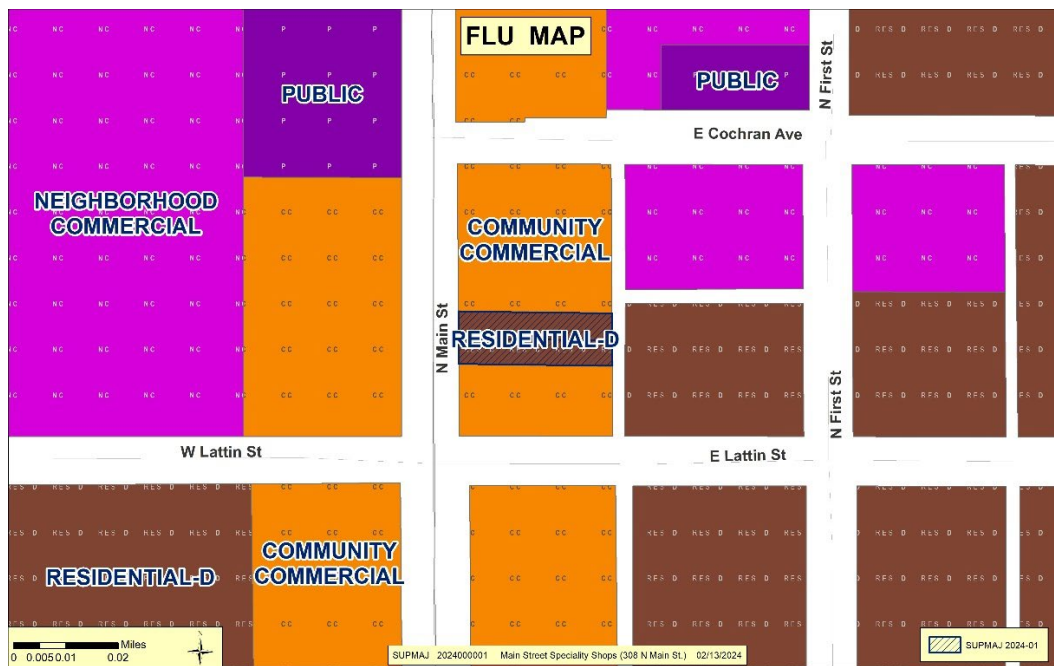
DENY: Motion to deny **SUPMAJ 2024-01 Main Street Specialty Shops**, based on six (6) findings of fact, as provided in the Staff Report.

MAP SERIES

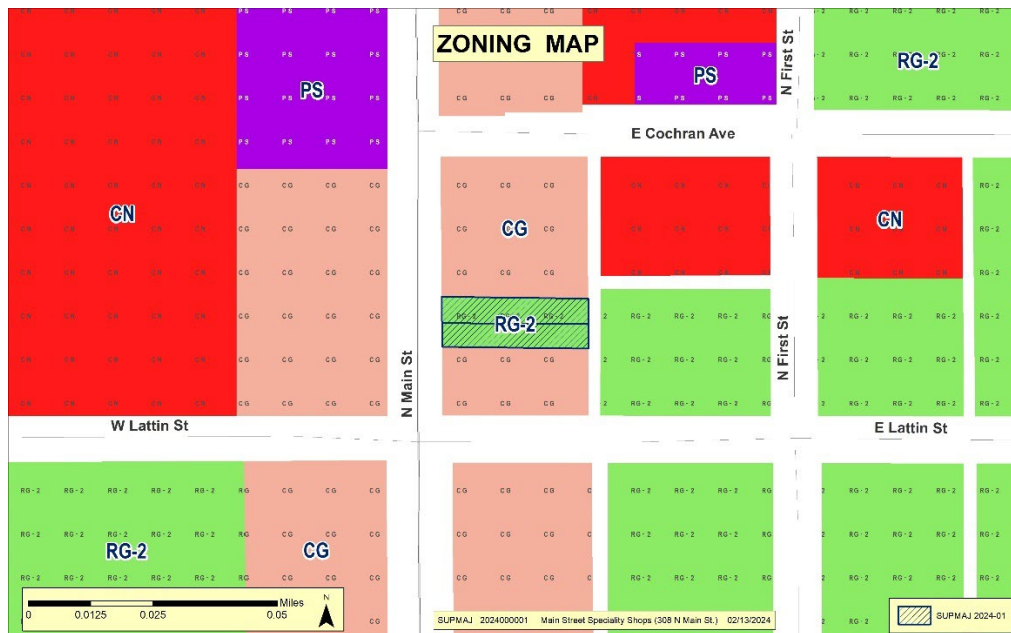
Location Map: The subject property is located on the eastern side of North Main Street, south of East Saint Johns Avenue within the Hastings Overlay District.



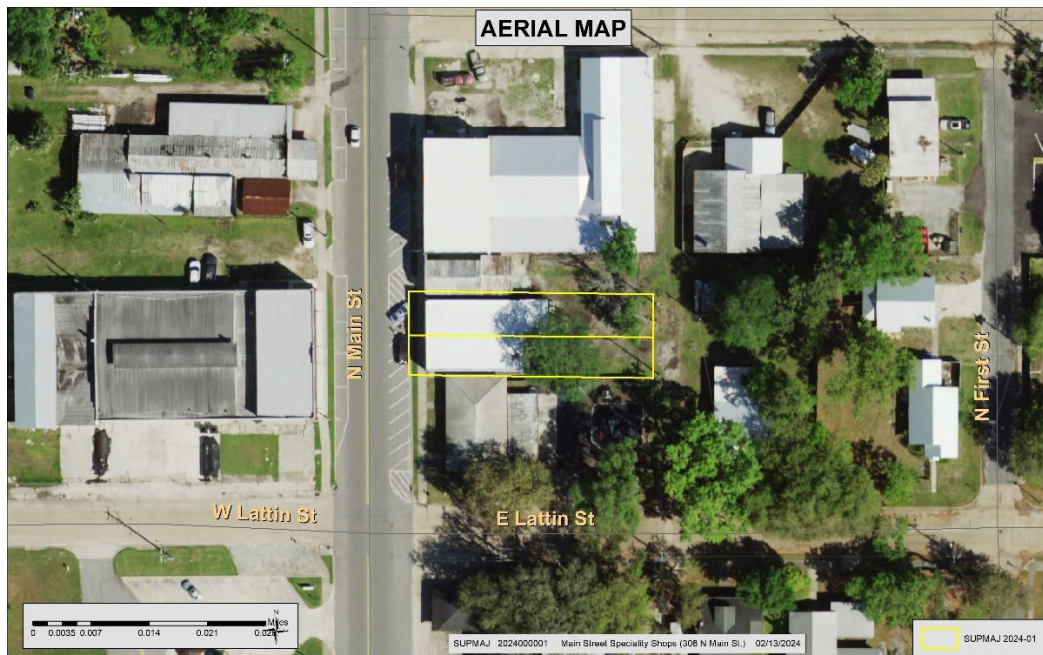
Future Land Use: The subject property is designated Residential-D on the Future Land Use Map (FLUM). Areas to the east are also designated Residential-D with adjacent FLUM designations of Community Commercial.



Zoning District: The subject property along with properties to the east are currently zoned Residential, General (RG-2). Surrounding zonings include Commercial General (CG); Commercial Neighborhood (CN) and Public Service (PS).



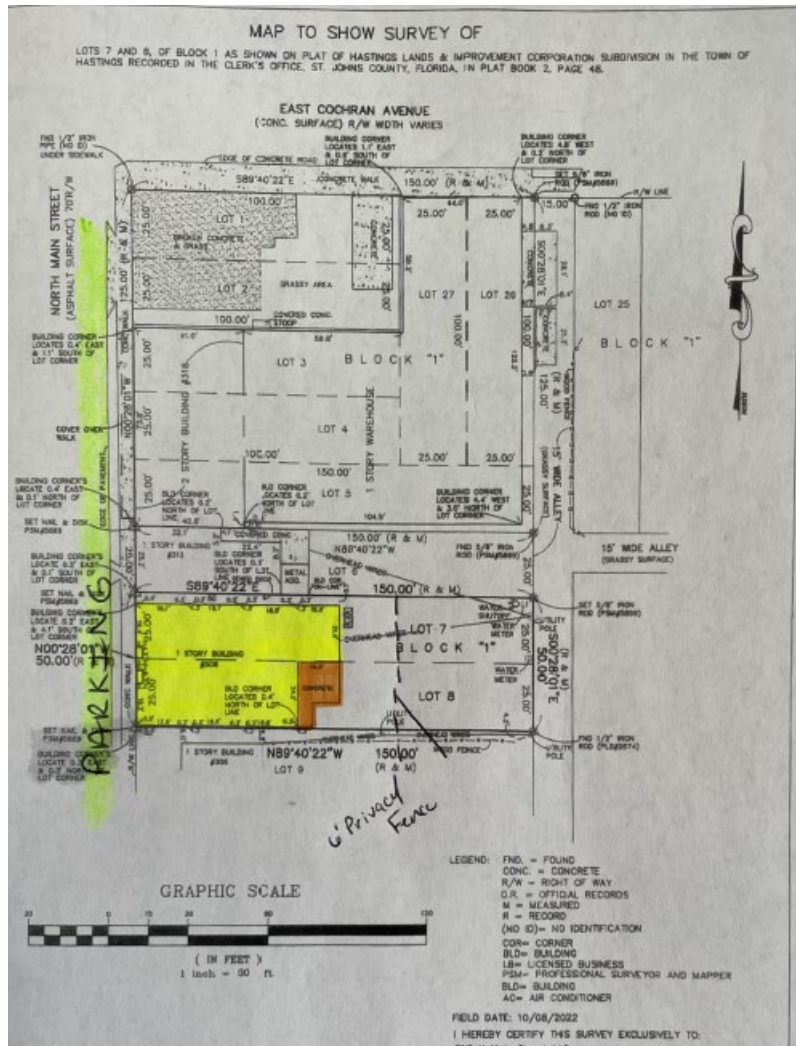
Aerial Imagery: The subject property is developed with an existing commercial building currently. Previous uses of the structure include an American Legion, mortuary along with other commercial uses.



APPLICATION SUMMARY

This is a request for a Special Use Permit to allow for two Specialty Shops as provided in Section 3.12.04 of the Hastings Overlay and Section 2.03.01.A of the St. Johns County Land Development Code. The request would be to allow for Specialty Shops.

Site Plan:



DEPARTMENT REVIEW

This application was routed to all appropriate reviewing departments. There are no open comments.

Fire Services: There is no objection to the use inside the building. This building is currently vacant. A permit was pulled to renovate the bathrooms. Proposed changes to the building will require the submittal of plans to the Fire Marshal's Office and Building Department, showing compliance with the Fire and Building Code prior to occupancy of the space or building.

Office of the County Attorney Review: Applicant bears the burden of demonstrating by competent substantial evidence that the request meets the general standards of LDC section 2.03.01 as well as any specific standards required by that special use. The Agency may consider competent substantial evidence that the general or specific standards are not met and are, in fact, adverse to the public interest. Special Uses are uses, if the specific conditions are met, that would be allowable unless there is a determination that the use would adversely affect the public interest. Pursuant to LDC section 2.03.01.F, the Agency may prescribe appropriate conditions to mitigate any evidenced incompatibility and to assure that potential adverse and negative effects are avoided.

Planning and Zoning Division: Review by Staff finds the subject property is designated Residential-D on the Future Land Use Map and zoned RG-2. Further, the property is located within the Hastings Overlay District and is developed with, an existing building, which is divided into two units. According to County Records, the building was built in 1950. Throughout time the property has been used for various commercial businesses.

The Town of Hastings was dissolved in 2018 and St. Johns County acquired the Town. Ordinance 2018-4 amended the 2025 Comprehensive Plan to include the lands in the former Town of Hastings and Ordinance 2018-5 rezoned the lands to County zoning districts.

- Staff finds the use to be compatible with the surrounding area as all of Main Street is zoned commercial.
- The applicant has provided information stating there will be no need for a dumpster at this location as residential pick up will be utilized by rolling cans.
- Deliveries are intended to be made from Main Street during off peak hours or from Lattin as needed.
- There will be no primary access through the rear of the property; however, there is potential for employee parking if needed.

The applicant states a 6' wood privacy fence provides buffering to the adjacent residential use to the east.

Land Development Code Reference and Criteria for Action:

Article XII, Definitions:

Special Use: Means a Use that would not be appropriate generally or without restriction throughout a zoning division or district but which if controlled as to number, area, location, or in relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare. Such Uses may be permissible in a zoning classification or district upon the granting of a Special Use and meeting the requirements of this Code.

Sec. 2.03.01.A General Provisions on Special Uses (provided in part)

- A. Special Use shall be approved by the Planning and Zoning Agency only upon a determination that the application and evidence presented establish that:

1. **The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or this Code;**

This use is not detrimental to the public. It has been used as commercial for over 100 years. Applicant states this is simply a zoning coding error when St. Johns County took over Hastings.

2. **The Use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent Uses or on community facilities or services; and**

The property was used in the past as commercial and adjacent parcels are commercial; it continuing to be operated as commercial will not have a negative impact on adjacent parcels.

3. **If access is provided by a Street maintained by the Florida Department of Transportation (FDOT) a copy of the results of a pre-application meeting with FDOT is required unless otherwise deemed not necessary by the County Administrator**

N/A. Access is from Main Street, a County road.

4. **The Use, which is listed as a Special Use in the district in which it is proposed to be located, complies with all required regulations and standards of this Article II unless greater or more stringent regulations are contained or provided in the Comprehensive Plan or elsewhere in this Code for the Special Use.**

The use complies with all required regulations and standards in this Article.

Section 3.12.04 - Uses and Activities subject to the requirements of the Hastings Overlay

A. Allowable and Special Uses Notwithstanding any other provision in the Land Development Code, the uses for property contained within the Hastings Overlay District shall be as prescribed in this section and Table 3.12.4, except where such use is not permitted by the St. Johns County Comprehensive Plan. This table is interpreted to identify special treatment of uses within the Overlay District and to allow uses by right and by Special Use approval. Those uses specifically listed within the table that are not "Approved by right" or as a "Special Use", shall be prohibited in this Overlay, regardless of its allowance in the underlying Zoning District. Where a use is allowed in the underlying zoning district but not specifically listed in Table 3.12.04, the use shall be allowed as in the underlying zoning district. Properties rezoned to other zoning districts unaddressed by this Part shall comply with all other applicable Land Development Code requirements. Uses are subject to applicable Supplemental Design Standards in Part 6.08.00.

Table 3.12.04
PERMITTED USES BY ZONING DISTRICT

USES	ZONING DISTRICT						
	RG-2	CN	CI	CG	PS	OR	IW
Specialty Shops	S	A	A	A			

PHONE CALLS/CORRESPONDENCE

Staff has not received any phone calls or correspondence regarding this request as of the writing of this Staff Report.

FINDINGS OF FACT/ACTION

Staff has provided eight (8) findings of fact that are subject to eight (8) conditions for approval, and six (6) findings of fact to deny the requested Special Use.

ATTACHMENTS

1. Application and Supporting Materials
2. Draft Final Orders

SUGGESTED MOTION/FINDINGS/CONDITIONS TO APPROVE REQUEST

Motion to approve **SUPMAJ 2024-01 Main Street Specialty Shops**, request for a Special Use Permit pursuant to Section 2.03.01.A and Section 3.12.04 to allow for two Specialty Shops located within an existing building in RG-2 zoning, specifically located at 308 North Main Street, subject to the following conditions:

1. The Special Use Permit is granted to the 308 North Main Street, LLC, and shall be non-transferable to any other location or entity.
2. Approval granted as outlined on the site plan labeled as Exhibit B submitted by the applicant and made a part of this application.
3. Applicant agrees that St. Johns County may inspect the site for compliance with the Final Order and all other relevant requirements at the time of the Special Use is being exercised.
4. This approval of the Special Use Permit may be revoked by the County Administrator or designee, in his/her sole discretion, upon a determination of violation of the conditions set forth herein or a violation of any Federal, State, or Local law or regulation. Appeals of decisions by the County Administrator may be appealed to the Board of County Commissioners.
5. The Special Use Permit shall be commenced within one (1) year of the signing of the Order; otherwise all rights granted herein shall be null and void. Commencement will be defined as issuance of a Development Permit by the St. Johns County Operations Division.
6. The Special Use Permit is granted under the conditions of continual use. A Special Use that, once commenced, remains idle, discontinued or unused for a continuous period of one (1) calendar year shall no longer be valid and all rights granted herein shall become null and void.
7. Approval of the Special Use does not release project from compliance with all relevant requirements of the St Johns County Land Development Code, Comprehensive Land Use Plan, Florida Building Code and any other Agency having jurisdiction.
8. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.

(Additional conditions may be added as a result of the public hearing)

Suggested Findings:

1. The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or this Code.
2. The use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.
3. The use, which is listed as a Special Use in the Residential, General (RG-2) zoning district complies with all required regulations and standards of Article II of the Land Development Code.
4. The request complies with Section 2.03.01.A, Section 3.12.04 and Article XII of the Land Development Code.
5. The request is not in conflict with the Future Land Use Map Designation of Residential – D.
6. The requested Use, although not generally appropriate or without restriction throughout the zoning district, when controlled as to the number, location and relationship, to the neighborhood, promotes the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare of the residents of the area.
7. The requested Use is not in conflict with the development patterns of the area.
8. The applicant, at the public hearing, has stated no objections to the proposed conditions.

(The Agency may choose any or all of the above Findings or may provide additional Findings to support the motion)

SUGGESTED MOTION/FINDINGS TO DENY REQUEST

Motion to deny **SUPMAJ 2024-01 Main Street Specialty Shops**, request for a Special Use Permit pursuant to Section 2.03.01.A and Section 3.12.04 to allow for two Specialty Shops located within an existing building in RG-2 zoning, specifically located at 308 North Main Street, based upon the following suggested findings:

1. The Special Use cannot be granted without substantial detriment to the public good and will substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or this Code.
2. The use is not compatible with the contiguous and surrounding area and will impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.
3. The use, which is listed as a Special Use in the Residential, General (RG-2) zoning district does not comply with all required regulations and standards of Article II of the Land Development Code.

4. The request is not in compliance with Section 2.03.01.A, Section 3.12.04 and Article XII of the Land Development Code.
5. The request is in conflict with the Future Land Use Map Designation of Residential - D.
6. The requested Use is in conflict with the development patterns of the area.

(The Agency may choose any or all of the above Findings or may provide additional Findings to support the motion)

Attachment 1

Application and Supporting Documents



St. Johns County Growth Management Department

Application for: Special Use

Date 02/12/24 Property Tax ID No 0420100000

Project Name Main Street Specialty Shops

Property Owner(s) 308 N Main St LLC Phone Number 904-806-4274

Address 308 N Main Street Fax Number

City Hastings State FL Zip Code 32145 e-mail gerealtyteam@gmail.com

Are there any owners not listed? ☒ No ☐ Yes If yes please provide information on separate sheet.

Applicant/Representative Jena Dennis Phone Number 904-806-4274

Address 105 S Ponce De Leon Blvd Fax Number

City St Augustine State FL Zip Code 32084 e-mail gerealtyteam@gmail.com

Property Location 308 N Main Street, Hastings, FL 32145

Major Access State Road 207 Size of Property .190 Ac Cleared Acres (if applicable) N/A

Zoning Class RG-2 No. of lots (if applicable) N/A Overlay District (if applicable) Hastings Overlay

Water & Sewer Provider St. Johns County Future Land Use Designation Res-D

Present Use of Property Vacant - Most recently mortuary / commercial Proposed Bldg. S.F. 3,052

Project Description (use separate sheet if necessary)

Request Special Use Permit pursuant to LDC Sections 3.12.04 and 2.03.01.A to allow Specialty Shops, for the purpose of operating a bakery, coffee shop, art gallery, flower shop or furniture store in the existing two-unit building. Building historically has always utilized on-street parking. Both units of this property have always been used for commercial purposes only, and never in its history been residential. Previously it has been Napa Auto Parts, a furniture store, a pharmacy, a attorneys office, a mortuary, an American Legion, and other commercial uses. Both units are hooked to St. Johns County water & Sewer, and each unit has its own power meter. All of the units along Main Street are commercial, and it is believed that this property was coded in error when St. Johns County took over Hastings in 2018.

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: C2024-000384 has been submitted by Ian MacDonald for Chocolattes (Cake Shop & Bakery).

I understand that reasonable inspections of the subject property may be made as part of the application review process. I understand that any material misrepresentations or errors contained in this application or supporting documents may void an approved application, at the reasonable determination of the County considering the Land Development Code, Comprehensive Plan, and other applicable regulations.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of owner or person authorized to represent this application:

Signed By

Printed or typed name(s) Jena Dennis

Revised August 24, 2015

Sec. 2.03.01.A General Provisions on Special Uses (provided in part)

A. Special Use shall be approved by the Planning and Zoning Agency only upon a determination that the application and evidence presented establish that:

1. The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or this Code;

This use is not a detriment to the public. It has been used as a commercial for over 100 years. This is simply a zoning coding error when st. Johns County took over Hastings.

2. The Use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent Uses or on community facilities or services; and

All Adjacent parcels are commercial as well and it continuing to be operated as commercial will not have a negative impact on adjacent parcels

3. If access is provided by a Street maintained by the Florida Department of Transportation (FDOT) a copy of the results of a pre-application meeting with FDOT is required unless otherwise deemed not necessary by the County Administrator

Access is from a County Road, not DOT

4. The Use, which is listed as a Special Use in the district in which it is proposed to be located, complies with all required regulations and standards of this Article II unless greater or more stringent regulations are contained or provided in the Comprehensive Plan or elsewhere in this Code for the Special Use.

The use complies with all required regulations and standards in this Article

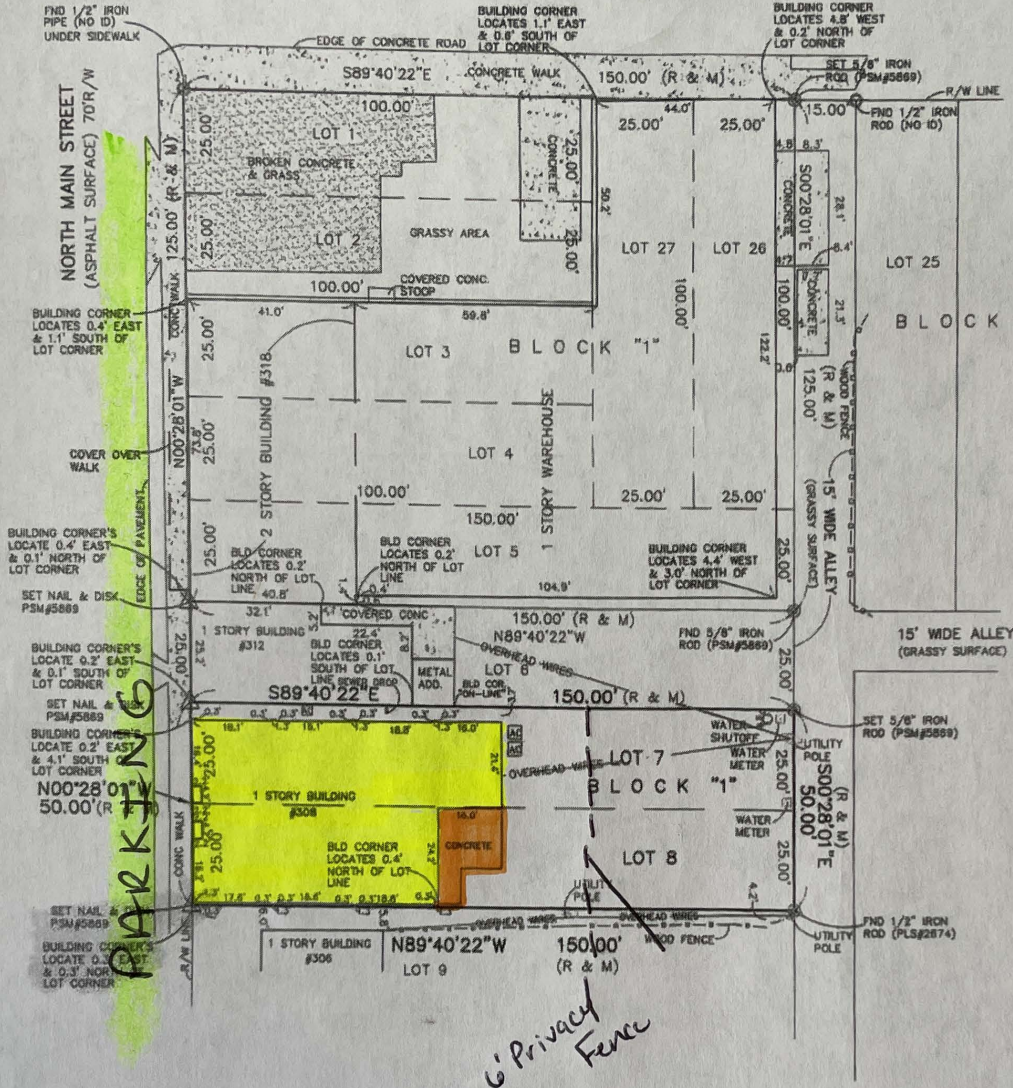
EXHIBIT A
LEGAL DESCRIPTION

LOTS 7 AND 8 OF BLOCK 1 AS SHOWN ON PLAT OF HASTINGS LAND AND IMPROVEMENT CORPORATION SUBDIVISION IN THE TOWN OF HASTINGS RECORDED IN CLERK'S OFFICE, ST. JOHNS COUNTY, FLORIDA, IN PLAT BOOK 2, PAGE 48.

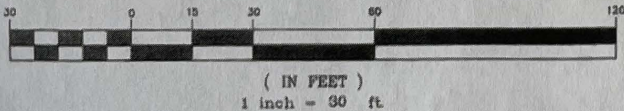
MAP TO SHOW SURVEY OF

LOTS 7 AND 8, OF BLOCK 1 AS SHOWN ON PLAT OF HASTINGS LANDS & IMPROVEMENT CORPORATION SUBDIVISION IN THE TOWN OF HASTINGS RECORDED IN THE CLERK'S OFFICE, ST. JOHNS COUNTY, FLORIDA, IN PLAT BOOK 2, PAGE 48.

EAST COCHRAN AVENUE (CONC. SURFACE) R/W WIDTH VARIES



GRAPHIC SCALE



LEGEND: FND. = FOUND
CONC. = CONCRETE
R/W = RIGHT OF WAY
O.R. = OFFICIAL RECORDS
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(NO ID) = NO IDENTIFICATION
COR = CORNER
BLD = BUILDING
LB = LICENSED BUSINESS
PSM = PROFESSIONAL SURVEYOR AND MAPPER
BLD = BUILDING
AC = AIR CONDITIONER

FIELD DATE: 10/08/2022

I HEREBY CERTIFY THIS SURVEY EXCLUSIVELY TO:
316 N Main Street LLC
WFG National Title Insurance Company
Paradise Title of St. Augustine, LLC

SURVEYORS NOTES:

1. NO UNDERGROUND UTILITIES, INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED, EXCEPT AS SHOWN.
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR, EXCEPT AS SHOWN, LEGAL DESCRIPTION PROVIDED BY CLIENT.
3. BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (901), NAD 83/2011 AND EXPRESSED IN U.S. FEET.
4. THIS IS A BOUNDARY AND LOCATION SURVEY.
5. CORNERS AS NOTED
6. THIS PROPERTY LIES IN FLOOD ZONE "X" AS SHOWN ON THE FLOOD INSURANCE RATE 12109C 0434J, MAP DATED 12/07/2018 FOR ST. JOHNS COUNTY, FLORIDA

CECIL W. TURLINGTON III
PROFESSIONAL SURVEYOR AND MAPPER
1018 DEER CHASE DRIVE
ST. AUGUSTINE, FL 32086
PHONE: 904-806-2279

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

CECIL W. TURLINGTON III P.S.M. NO. 9889

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

DRAWN BY: [Signature] JOB NO: 22-025
SCALE: 1" = 30' SHEET 1 OF 1

* THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.

Attachment 2

Draft Final Orders



ORDER
ST. JOHNS COUNTY, FLORIDA
PLANNING AND ZONING AGENCY

RE: Jena Dennis
308 N. Main Street, LLC
105 S. Ponce De Leon Blvd.
St. Augustine, FL 32084

FILE NUMBER: SUPMAJ 2024-01

LEGAL: Exhibit A

SITE PLAN: Exhibit B

DATE OF HEARING: March 21, 2024

ORDER GRANTING SPECIAL USE PERMIT

The above referenced application for a Special Use Permit pursuant to Section 2.03.01.A and Section 3.12.04 of the Land Development Code to allow for two (2) Specialty Shops within an existing building located within the Hastings Overlay District. came before the Planning & Zoning Agency for public hearing on March 21, 2024.

FINDINGS OF FACT

Having considered the application, along with supporting documents; the Staff report; statements by the applicant; and all evidence presented during public hearing, the Agency finds as follows:

1. The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or Land Development Code.
2. The Use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.
3. The Use, which is listed as a Special Use in the Residential, General (RG-2) district complies with all required regulations and standards of Article II of the Land Development Code.

4. The request complies with Section 2.03.01.A, Section 3.12.04 and Article XII of the Land Development Code.
5. The request is not in conflict with the Future Land Use Map Designation of Residential – D.
6. The requested Use, although not generally appropriate or without restriction throughout the zoning district, when controlled as to the number, location and relationship, to the neighborhood, promotes the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare of the residents of the area.
7. The requested Use is not in conflict with the development patterns of the area.
8. The applicant, at the public hearing, has stated no objections to the proposed conditions.

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby grants request for a Special Use Permit pursuant to Section 2.03.01.A and Section 3.12.04 to allow for two Specialty Shops located within an existing building in RG-2 zoning, specifically located at 308 North Main Street, subject to the following conditions:

1. The Special Use Permit is granted to the 308 North Main Street, LLC, and shall be non-transferable to any other location or entity.
2. Approval granted as outlined on the site plan labeled as Exhibit B submitted by the applicant and made a part of this application.
3. Applicant agrees that St. Johns County may inspect the site for compliance with the Final Order and all other relevant requirements at the time of the Special Use is being exercised.
4. This approval of the Special Use Permit may be revoked by the County Administrator or designee, in his/her sole discretion, upon a determination of violation of the conditions set forth herein or a violation of any Federal, State, or Local law or regulation. Appeals of decisions by the County Administrator may be appealed to the Board of County Commissioners.
5. The Special Use Permit shall be commenced within one (1) year of the signing of the Order; otherwise all rights granted herein shall be null and void. Commencement will be defined as issuance of a Development Permit by the St. Johns County Operations Division.
6. The Special Use Permit is granted under the conditions of continual use. A Special Use that, once commenced, remains idle, discontinued or unused for a continuous period of one (1) calendar year shall no longer be valid and all rights granted herein shall become null and void.
7. Approval of the Special Use does not release project from compliance with all relevant requirements of the St Johns County Land Development Code, Comprehensive Land Use Plan, Florida Building Code and any other Agency having jurisdiction.
8. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.

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 9.07.03 of the Land Development Code.

Deed Restrictions, if any, are not affected by the actions of the Agency 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.

DATED THIS _____ DAY OF _____, 2024.

PLANNING AND ZONING AGENCY OF ST. JOHNS COUNTY FLORIDA

Chair/Vice-Chair

The undersigned Clerk to the Planning and Zoning Agency of St. Johns County, Florida certifies that the above Order of the Planning and Zoning Agency is a true and correct rendition of the Order adopted by said Agency as the same appears in the record of the Planning and Zoning Agency minutes.

Clerk, Growth Management Department

Date Filed

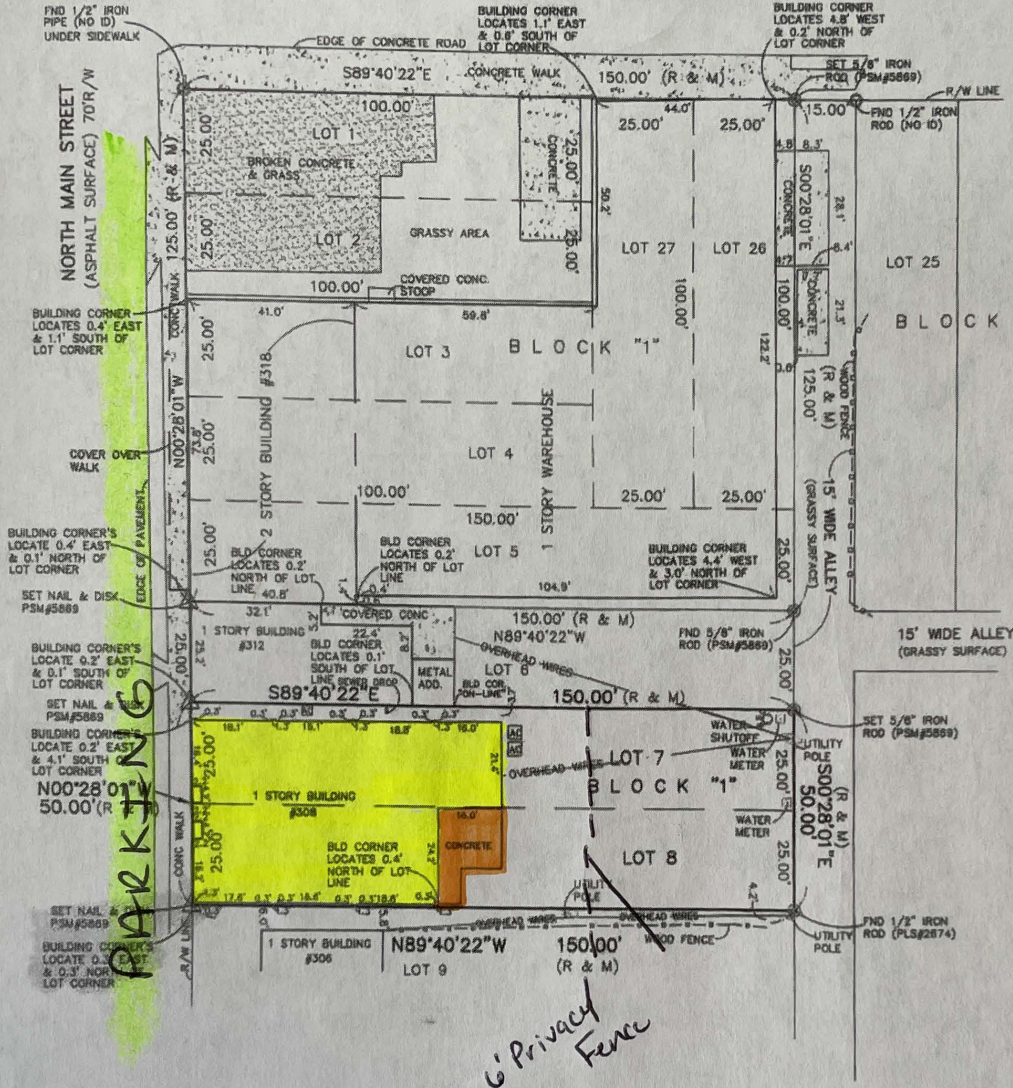
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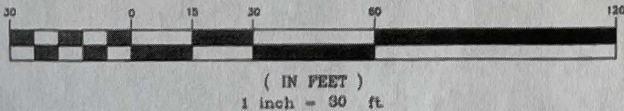
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EAST COCHRAN AVENUE (CONC. SURFACE) R/W WIDTH VARIES



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PSM = PROFESSIONAL SURVEYOR AND MAPPER
BLD = BUILDING
AC = AIR CONDITIONER

FIELD DATE: 10/08/2022

I HEREBY CERTIFY THIS SURVEY EXCLUSIVELY TO:
316 N Main Street LLC
WFG National Title Insurance Company
Paradise Title of St. Augustine, LLC

SURVEYORS NOTES:

1. NO UNDERGROUND UTILITIES, INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED, EXCEPT AS SHOWN.
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR, EXCEPT AS SHOWN, LEGAL DESCRIPTION PROVIDED BY CLIENT.
3. BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (901), NAD 83/2011 AND EXPRESSED IN U.S. FEET.
4. THIS IS A BOUNDARY AND LOCATION SURVEY.
5. CORNERS AS NOTED
6. THIS PROPERTY LIES IN FLOOD ZONE "X" AS SHOWN ON THE FLOOD INSURANCE RATE 12109C 0434J, MAP DATED 12/07/2018 FOR ST. JOHNS COUNTY, FLORIDA

CECIL W. TURLINGTON III
PROFESSIONAL SURVEYOR AND MAPPER
1018 DEER CHASE DRIVE
ST. AUGUSTINE, FL 32086
PHONE: 904-806-2279

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

CECIL W. TURLINGTON III P.S.M. NO. 9889

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

DRAWN BY: [Signature] JOB NO: 22-025
SCALE: 1" = 30' SHEET 1 OF 1

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ORDER
ST. JOHNS COUNTY, FLORIDA
PLANNING AND ZONING AGENCY

RE: Jena Dennis
Great Expectations Realty
105 S. Ponce De Leon Blvd.
St. Augustine, FL 32084

FILE NUMBER: SUPMAJ 2024-01

LEGAL: Exhibit A

DATE OF HEARING: March 21, 2024

ORDER DENYING SPECIAL USE PERMIT

The above referenced application for a Special Use Permit pursuant to Section 2.03.01.A and Section 3.12.04 of the Land Development Code to allow for two (2) Specialty Shops within an existing building located within the Hastings Overlay District, came before the Planning & Zoning Agency for public hearing on March 21, 2024.

FINDINGS OF FACT

Having considered the application, along with supporting documents; the Staff report; statements by the applicant; and all evidence presented during public hearing, the Agency finds as follows:

1. The Special Use cannot be granted without substantial detriment to the public good and will substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or this Code.
2. The use is not compatible with the contiguous and surrounding area and will impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.
3. The use, which is listed as a Special Use in the Residential, General (RG-2) zoning district does not comply with all required regulations and standards of Article II of the Land Development Code.
4. The request is not in compliance with Section 2.03.01.A, Section 3.12.04 and Article XII of the Land Development Code.
5. The request is in conflict with the Future Land Use Map Designation of Residential – D.

6. The requested Use is in conflict with the development patterns of the area.

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby denies the Special Use Permit pursuant to Section 3.12.04 and 2.03.01.A of the Land Development Code to allow for two (2) Specialty Shops within an existing building located within the Hastings Overlay District.

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 9.07.03 of the Land Development Code.

Deed Restrictions, if any, are not affected by the actions of the Agency or this Order.

DATED THIS _____ DAY OF _____, 2024.

PLANNING AND ZONING AGENCY OF ST. JOHNS COUNTY FLORIDA

Chair/Vice-Chair

The undersigned Clerk to the Planning and Zoning Agency of St. Johns County, Florida certifies that the above Order of the Planning and Zoning Agency is a true and correct rendition of the Order adopted by said Agency as the same appears in the record of the Planning and Zoning Agency minutes.

Clerk, Growth Management Department

Date Filed

EXHIBIT A
LEGAL DESCRIPTION

LOTS 7 AND 8 OF BLOCK 1 AS SHOWN ON PLAT OF HASTINGS LAND AND IMPROVEMENT CORPORATION SUBDIVISION IN THE TOWN OF HASTINGS RECORDED IN CLERK'S OFFICE, ST. JOHNS COUNTY, FLORIDA, IN PLAT BOOK 2, PAGE 48.