

**City of Port St. Joe
Planning, Development, and Review Board Regular Meeting
August 6, 2019 at 4:00 P.M.
Commission Chambers 2775 Garrison Avenue**

**Jay Rish
Minnie Likely
Rawlis Leslie
Phil Earley**

**Hal Keels
Travis Burge
Letha Mathews**

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

ROLL CALL OF THE BOARD

CONSENT AGENDA:

July 2, 2019, Regular Meeting Minutes

Page 1

BUSINESS ITEMS

- Parcels 04814-003R & 04814-002R on Cecil Costin Sr. Blvd.
Development Order Request for St. Joe Tire** **Pages 2-15**
- Ordinance 560 Small Scale Plan Amendment- St. Joe Marina** **Pages 16-38**
- Ordinance 561 Marina PUD** **Pages 39-46**
- Special Exception Request- Lynn & Brian Marshall, 1206 Monument** **Pages 47-57**

***You are hereby notified that in accordance with Florida Statutes, you have the right to appeal any decision made by the Board with respect to any matter considered at the above referenced meeting. You may need to ensure that a verbatim record of the proceedings is made which may need to include evidence and testimony upon which the appeal is based.**

City of Port St. Joe
Special Meeting
Planning Development & Review Board
July 2, 2019
Minutes

Pledge of Allegiance and Moment of Silence

Roll Call of the Board

Present		Absent	
Board	Staff	Board	Staff
Travis Burge *	Jim Anderson	Jay Rish	Bo Creel
Phil Earley	Charlotte Pierce	Rawlis Leslie	
Hal Keels	Adam Albritton	Letha Mathews	
Minnie Likely	Kelly Simpson		

*Travis Burge participated by telephone. After ascertaining that a quorum was present, Vice Chairman Earley called the Meeting to Order at 4:04 P.M.

Consent Agenda

A Motion was made by Hal Keels, second by Minnie Likely, to approve the Regular Meeting Minutes of the June 4, 2019 meeting. All in favor; Motion carried 4-0.

Business Items

Special Exception Request – David Dykes, 1101 Palm Blvd., Parcel #05131-000R

Mr. Dykes requested that a Special Exception be granted for him to rebuild his home that was extensively damaged by Hurricane Michael. The outer perimeters of all exterior walls of the new home would be extended to the furthest points of the existing home. None of the new structure would encroach beyond the current encroachment of the non-conforming structure.

A Motion was made by Minnie Likely, second by Hal Keels, to grant the Special Exception to Mr. Dykes. All in favor; Motion carried 4-0.

There being no further business to come before the Board, a Motion was made by Minnie Likely, second by Hal Keels, to adjourn the meeting at 4:16 P.M.

Charlotte Pierce, City Clerk

Date

Phil Earley, Vice Chairman

Date

Port St. Joe Plan Review

Review Date: 7-31-2019 Reviewed By: K. Simpson

Owner: _____ Contractor: _____

Address: C.G. Costa Blvd Parcel ID: 04814-002R

Residential: _____ Commercial: ✓

Project

Description: 50' x 40'

Type of Development Order: Major Commercial

Zoning: C1-A Density Units allowed: _____ Proposed Density Units: _____

Flood Zone: X Seaward of CCCL? _____ Date of DEP permit if required: _____

Elevation First Finished Floor: _____

Lot Size: 100' x 140' Covered Area Sq. Ft.: 2,400 11,062 total

House H/C: _____ House Footprint: _____ Garage: _____

Porches: _____ Deck/patio: _____ Shed: _____

Pool/Decking: _____ Driveway: _____ Other: _____

Height Allowed: 60' Height Proposed: 20'

Impervious Surface Allowed: 90% Proposed: 63%

Setbacks required: Front: 0' Rear: 10' Left: 0' Right: 0'

Setbacks proposed: Front: 10' Rear: 10' Left: 0' Right: 36'

Notes: Auto Repair Garages: 2 spaces for each
3 employees, plus one ^{space} for each service bay.
1 ADA space provided
• 3 Bays, 7+3+CC.

Recommendations: _____

Stormwater 5 vs. (2 year) requirement

AFFIDAVIT OF
PROOF OF PUBLICATION
(S.50.051, FS)

THE STAR
Published Weekly
Port St Joe, Gulf County Florida
STATE OF FLORIDA
COUNTY OF GULF

Before the undersigned authority personally appeared
That he/she is Advertising Sales Rep of the The Star

Robin Horie,
who on oath says a weekly newspaper published at
149 W. Hwy 98 Gulf County, Florida; that the attached
copy of advertisement, being in the matter of

SEE ATTACHED

was published in said newspaper in the

Issue(s) of July 18 2019

Affiant further says *The Star* is a newspaper published at
149 W. Hwy 98, in said Gulf County
Florida and that said newspaper has heretofore been
Continuously published in said Gulf County, Florida,
And each Thursday and has been entered as second class
mail matter at the post office in Port St Joe, Gulf County,
for a period of 1 year next preceding the first
Publication of the attached copy of advertisement; and
Affiant further says that he or she has neither paid nor
promised any person, firm or corporation any discount,
rebate, commission or refund for the purpose of securing
this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

18th day of July, 2019

By Robin Horie, who is

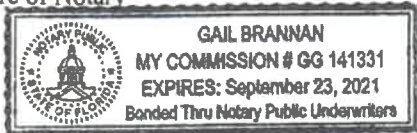
☒ personally known to me or _____ who has produced

(type of identification),

As Identification.

Gail Brannan

Signature of Notary



Print, Type, or Stamp Commissioned
Name of Notary Public

PUBLIC NOTICE

Public Hearings will be held at the Planning and Development Review Board (PDRB) Regular Meeting on **Tuesday, August 6, 2019 at 4:00 P.M. EST** in the Ward Ridge Building, 2775 Garrison Ave. Port St. Joe, Fl. 32456. The City Commissioners' Regular Meeting will be held **Tuesday, August 20, 2019 at 12:00 P.M. EST.** at the Ward Ridge Building, 2775 Garrison Ave. Port St. Joe, Fl. 32456 to discuss and act on the following:

Development Order request for proposed construction of St. Joe Tire, on Parcels 04814-003R & 04814-002R on Cecil G. Costin BLVD

Interested persons may attend and be heard at the public hearings or provide comments in writing to the Planning and Development Review Board, City of Port St. Joe City Hall, 305 Cecil G. Costin, Sr., Blvd., Port St. Joe, Florida 32456. Transactions of the public hearings will not be recorded. Persons wishing to appeal any decision made during the hearings will need a record of the proceeding and should ensure a verbatim record is made, including the testimony on which the appeal is based.

In accordance with the Americans with Disabilities Act, persons wishing to attend needing assistance and special accommodations to participate in these proceedings should contact Charlotte Pierce, City Clerk, at City Hall, (850)229-8261.

July 22, 2019

To Whom it May Concern,

RE: Parcels 04814-003R & 04814-002R (Between Tyndall & Badcock on C. G. Costin BLVD)
Port St. Joe, Florida 32456

This letter is to inform you of your neighbor's, Marcus Ferguson, intent to file for a development order in reference to proposed construction of St. Joe Tire. The City of Port St. Joe Planning and Development Review Board will hold a meeting to discuss and act on the request for this development order on Tuesday, August 6, 2019, at 4:00 PM EST, at the Commission Chamber in the Ward Ridge Building located at 2775 Garrison Ave. Port St. Joe, FL 32456.

The City Commissioners' Regular Meeting will be held Tuesday, August 20, 2019 at 12:00 P.M. Est. at the Ward Ridge Building, 2775 Garrison Ave. Port St. Joe, FL 32456 at which the development order will be discussed and acted upon. The proposed plans can be reviewed at the Building Department located at 1002 Tenth Street and I can be reached for questions at (850) 229-1093.

Thank you,

Kelly Simpson
EPCI Code Administration Services
City of Port St. Joe Building Department

**CITY OF PORT ST. JOE PLANNING DEPARTMENT
DEVELOPMENT ORDER APPLICATION PACKET**

INCOMPLETE SUBMITTALS WILL NOT BE REVIEWED

(The Building Department requires separate forms and fees to obtain building permits.)

NOTE: THE ADDRESS OF THE PROPERTY MUST BE POSTED PRIOR TO SUBMITTAL.

1. _____ Two complete sets of plans, drawn to scale.
Including: A site plan with square feet of living, total square feet, impervious surface,
and setbacks.

** Setbacks are measured from the closest overhang to property line**

A site plan showing any protected trees which will be removed from the property.
(Protected trees are any trees other than pine larger than 8" in diameter measure
54" from the base of the tree.)

2. _____ Development Order Packet
3. _____ New Address application
4. _____ Complete City water meter impact form
5. _____ Complete Driveway permit application

(Please refer to City of Port St. Joe's Land Development Regulations)

DESCRIPTION

Project Address 509 HWY 71 PST. FL. 32456

Lot Square Footage: 13,942.89 sf Dwelling Square Footage: 2,400 sf

Driveway Square Footage: 492.38 sf Accessory Building Square Footage: N/A

Pool Square Footage: N/A Patio/Deck Square Footage: N/A

Setbacks: Front: _____ Left Side: _____

Rear: 10' Right Side: _____

Floor Area Ratio: 0.17 Lot Coverage: 11,062.60 sf

Building Height in Feet: 17.67' Impervious Surface: 8,863.03 sf (63.54%)

Landscape Buffers: (height x width) _____ Elevation: _____

Marcus Foxous

Applicant Name

21104 FRONT BENCH RD

Applicant Address

APT 201 - PCB FL 32413850-358-1157

Phone Number

Applicant Signature

Date

7-15-19

Project Address: 509 Highway 71 Port St. Joe, FL 32456

Setbacks in feet for accessory uses (including pools and sheds).

From Rear Property Line: 10'

From Primary Structure: _____

Are trees to be removed from the said property?

(If yes, attach a tree location map) PALM TREE @ NE PROPERTY CORNER

(Y) N

Is a Conservation Easement required? (For DEP jurisdictional lands)

Y N
Y N

Are there any yard encroachments?

Are any of the following located on the said property?

Protected habitat

Y N

Archaeological site

Y N

Historical site

Y N

Wetlands

Y N

Protected species

Y N

Conservation site

Y N

Flood zone classification other than X-(Other will require elevation certificate)

Y N

Which of the following will be placed, conducted or located in this property:

Waterwells

Y N

Radio, Television antenna or satellite dish

Y N

Home business

Y N

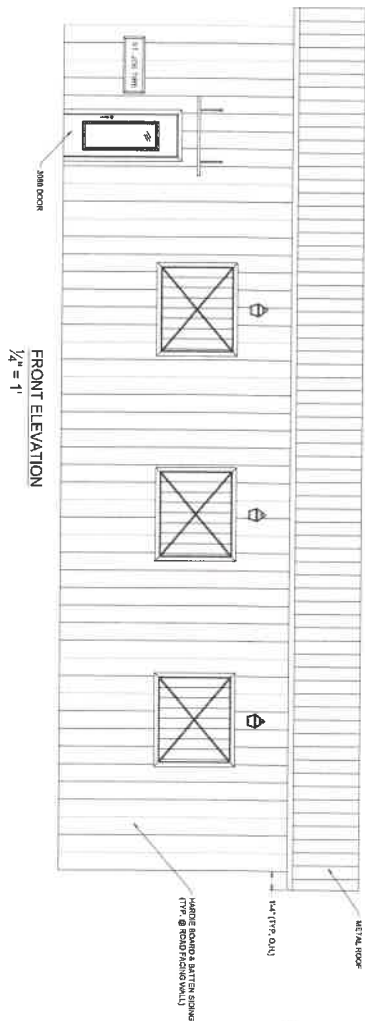
Swimming Pool

Y N

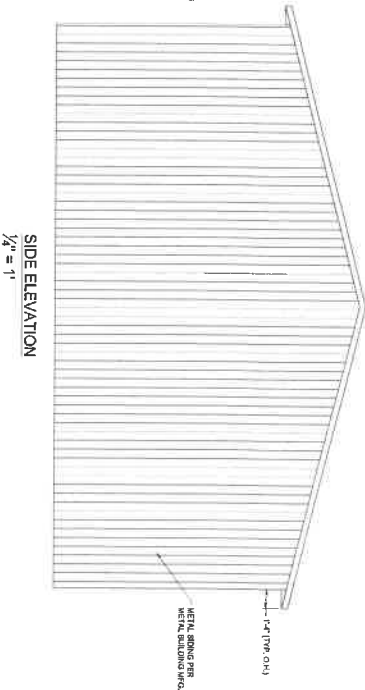
I have answered the above questions truthfully and to the best of my knowledge.

[Signature] (SLE)
Applicant's Signature

7/31/19
Date

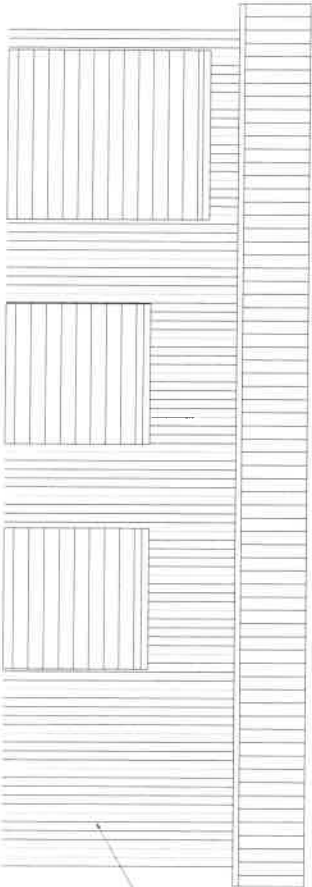


FRONT ELEVATION
1/4" = 1'



SIDE ELEVATION
1/4" = 1'

THIS PLAN SET IS FOR CONCEPTUAL USE ONLY. METAL BUILDING MANUFACTURER'S SPECIFICATIONS AND FINISHES SHOULD BE OBTAINED PRIOR TO CONSTRUCTION.



REAR ELEVATION
1/4" = 1'



SIDE ELEVATION
1/4" = 1'

7

PRELIMINARY ARCH ELEVATION

ST. JOE TIRE
PORT ST. JOE, FLORIDA

PROJECT NUMBER: 19-787-01

DESIGNED BY: H. BAUGHARDNER
DRAWN BY: H. JORDAN
CHECKED BY: J. HUSBAND

FOR: MARK FERGUSON
21104 FRONT BEACH ROAD
PANAMA CITY BEACH, FL 32413

REVISIONS:

DATE	BY	ITEM

DATE: 7/21/19

SHEET NO.

81

REAL FLORIDA
REGISTERED ARCHITECT
J. JOE HUBBARD, III, P.E.
LICENSE NUMBER: 09138

SCE
SOUTHEASTERN
CONSULTING ENGINEERS, INC.

P.O. BOX 141
NEWANTONIA, FL 32665
(904) 838-2850
LBF 29064



SOUTHEASTERN
CONSULTING ENGINEERS, INC.

ST. JOE TIRE COMMERCIAL BUILDING PERMIT DRAWINGS

SECTION	1	TOWNSHIP	8S	RANGE	11W
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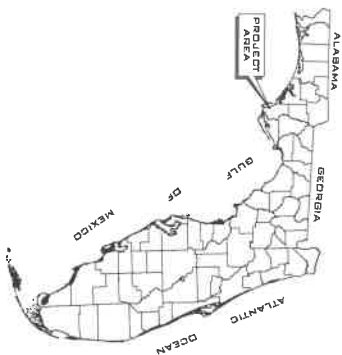
509 HIGHWAY 71
PORT ST. JOE, FL 32456
GULF COUNTY PARCEL NO. 04814-002R & 04814-003R

FOR

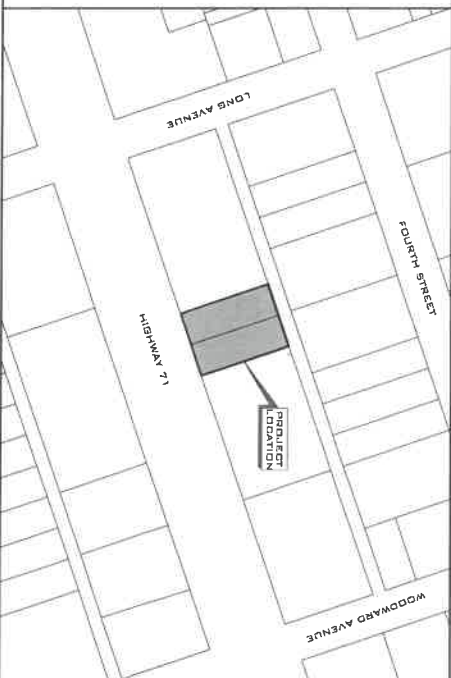
MARCUS FERGUSON

8

PROJECT VICINITY



LOCATION MAP



SHEET INDEX

SHEET	SHEET NAME
CVR	COVER SHEET
G1	GENERAL NOTES
G2	EXISTING CONDITIONS
G3	DRAINAGE BASIN MAP
G4	SITE PLAN
G5	GRADING PLAN
D1	UTILITY PLAN

COVER SHEET

ST. JOE TIRE
509 HIGHWAY 71
PORT ST. JOE, FL 32456



SCALE: AS SHOWN
PROFESSIONAL ENGINEER
L. JACOB HUBBARD, P.E. III
LICENSE NUMBER 63119

REVISIONS:		
DATE	BY	ITEM

PROJECT NUMBER: 19-787-01
DESIGNED BY: H. BAUMGARDNER
DRAWN BY: H. BAUMGARDNER
CHECKED BY: J. HUBBARD
FOR: MARCUS FERGUSON
21104 FRONT BEACH ROAD
APT 201
PANAMA CITY BEACH, FL 32413

DATE: 7/31/19
DRAWN BY:
CVR

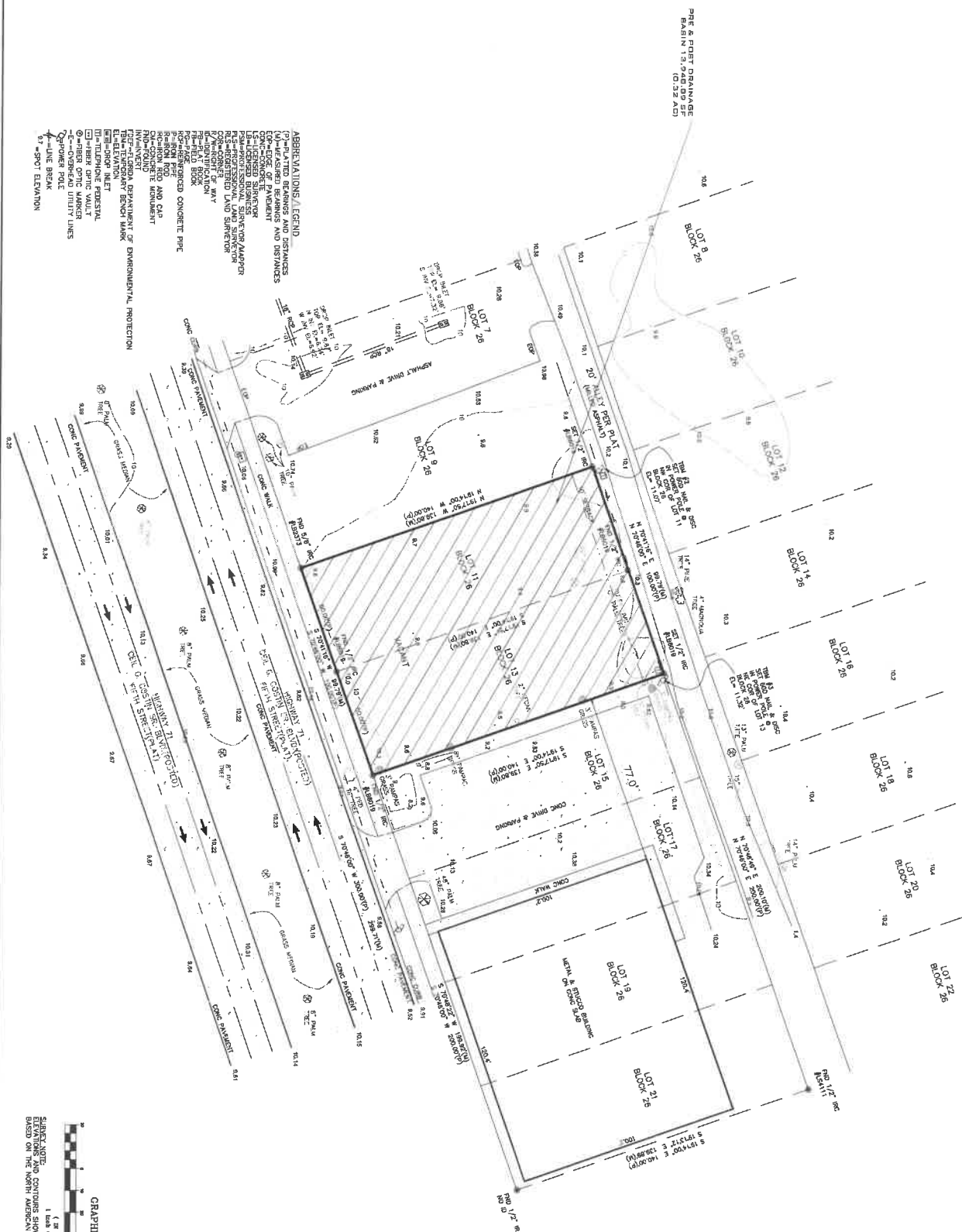
EROSION CONTROL NOTES

- [illegible]

22. ALL WATER PIPE AND

- [illegible]

- [illegible]



SURVEY NOTE:
ELEVATIONS AND CONTOURS SHOWN HEREON ARE TRUE ELEVATIONS BASED ON THE NORTH AMERICAN DATUM OF 1989

PROJECT NUMBER: 19-787-01

DESIGNED BY:	DRAWN BY:	CH
H. BAUMGARDNER	H. BAUMGARDNER	d.

FOR: MARCUS FERGUSON
21104 FRONT BEACH ROAD
APT 201
PANAMA CITY BEACH, FL 32413

REVISIONS:

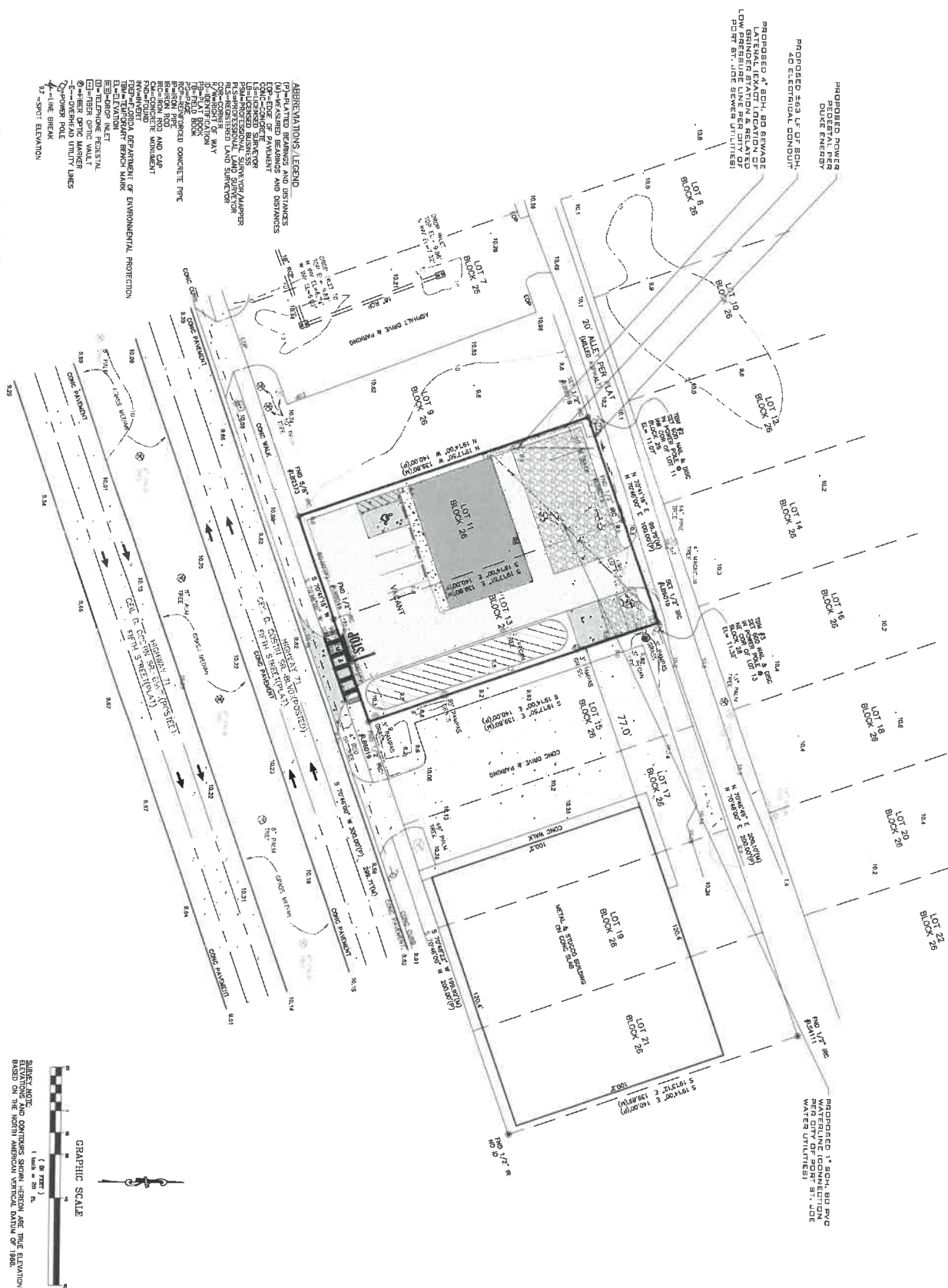
DATE	BY

DRAINAGE BASIN MAP

ST. JOE TIRE
509 HIGHWAY 71
PORT ST. JOE, FL 32456

PROFESSIONAL ENGINEER
L. JACK HUBBARD, P.E.
LICENSE NUMBER 69165





SURVEY NOTE:
ELEVATIONS AND CONTOURS SHOWN HEREON ARE TRUE ELEVATIONS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1980.

14

PROJECT NUMBER: 19-787-01 DESIGNED BY: H. BAUMBARDNER DRAWN BY: J. HUBBARD CHECKED BY: J. HUBBARD DATE: _____ BY: _____ ITEM: _____ FOR: MARCUS FERGUSON 21114 FRONT BEACH ROAD APT 201 PANAMA CITY BEACH, FL 32413	REVISIONS:		UTILITY PLAN ST. JOE TIRE 509 HIGHWAY 71 PORT ST. JOE, FL 32456	BEST MATERIAL AND REGIONAL PRODUCTS L. JACZ HUBBARD, E. III 10000 HIGHWAY 91 S.W. PORT ST. JOE, FL 32456	 WEWAHTOKA, FL 32445 (904) 639-3880 LBP 502046
	SHEET NO. 05				

City of Port St. Joe
Comprehensive Plan Future Land Use Map
Small Scale Amendment for the
Port St. Joe Marina

Port St. Joe Marina, LLC
133 South WaterSound Parkway
WaterSound, Florida 32461

May 2019

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Appendix A: Future Land Use Map Amendment Application

I. Proposed Changes

The proposed small-scale amendment changes the land use designation on 10 acres from Industrial to Mixed Use. The site is located adjacent to an existing marina and City-owned Park and is currently developed with one office building. The site was previously part of a collection of Industrial parcels that was utilized for a former paper mill.

A. Development Analysis

The proposed land use amendment would provide for a mixed-use development and allow for both residential and non-residential land uses to occur within the same development. The increased density and intensity that the Mixed Use category provides will help to promote the desired development type and foster development flexibility within the area.

The following table depicts the change in development potential for the subject area. A reasonable development scenario is used, rather than the maximum development potential. A typical development scenario for the site is composed of 75 residential units and 48,100 square feet of commercial use. The site is currently developed with a 2,583 square-foot office. The existing building was damaged by Hurricane Michael and is currently vacant. This development occupies a small fraction of the site and represents only a portion of the development potential. A reasonable development scenario is proposed for the existing land use designation – 25% of the site area, or 110,000 square feet of industrial development.

Table 1. Port St. Joe Marina Land Use Amendment Change in Development Potential

Land Use Category	Residential			Non-Residential		
	Existing	Proposed	Change	Existing	Proposed	Change
Industrial	0	0	0	110,000 ft ²	0	-110,000 ft ²
Mixed Use	0	75	+75	0	48,100 ft ²	+48,100 ft ²
Change			+75			-61,900 ft ²

The proposed land use change would result in a potential increase of 75 dwelling units and a decrease of 61,900 square feet of non-residential use.

II. Public Facilities and Services

The public facilities analysis is based on the increase in density and intensity on the site. Both existing and proposed land uses were evaluated.

Based on the development scenario shown in the above section, the proposed land use change will result in a net increase of 75 additional residential dwelling units, and a decrease of 61,900 square feet of non-residential development.

The following analysis is based upon the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The analysis evaluates the effect of the demands on the level of service standards adopted within the City of Port St. Joe Comprehensive Plan and identifies any anticipated facility improvements. Facilities and services include potable water, sanitary sewer, solid waste, transportation, and school facilities.

A. Potable Water

The City of Port St. Joe provides potable water service to the amendment site. The permitted capacity of the City's facility is 6,000,000 gallons per day (gpd). The City withdraws water from the Chipola River through a seventeen-mile freshwater canal and processes the water for drinking and distribution.

The City of Port St. Joe Comprehensive Plan adopted a Potable Water Level of Service (LOS) standard for residential potable water uses of 130 gallons per capita per day. The average household size for Gulf County based on the 2010 U.S. Census data is 2.34 persons per household. The proposed land use change will result in a residential potable water demand increase of 22,880 gpd. The adopted Potable Water LOS for commercial/light industrial is 2,000 gallons per acre per day, which equates to 2,000 gallons per day per 156,816 square feet of development (assuming 0.6 lot coverage and six stories of development). This results in a decrease in potable water demand for commercial of 789 gallons per day, resulting in an overall increase in demand of 22,091 gallons per day. As Table 2 shows, the facility will have adequate capacity to absorb the increase in potable water demand.

Table 2: Potable Water Capacity Analysis

Year	Permitted Capacity (gpd)	Average Demand (gpd)	Project Demand (gpd)	Total Demand (gpd)	Percent Utilized
2018	6,000,000	900,000	22,091	923,091	15.4%

Source: City of Port St. Joe Utilities Department

B. Sanitary Sewer

Development proposed at the amendment site would send their wastewater to the City of Port St. Joe Wastewater Treatment Facility. The City's Wastewater Treatment Facility has a permitted treatment capacity of 3,100,000 gallons per day (gpd) utilizing a 98-acre restricted public access spray field. Flow rates obtained from the City of Port St. Joe Utility Department indicate that the facility is currently running at approximately 830,000 gpd.

The City of Port St. Joe has adopted a Level of Service (LOS) standard for wastewater of 150 gallons per capita per day for residential uses and 1,450 gallons per acre per day for commercial and light industrial uses, which equates to 1,450 gallons per day per 156,816 square feet of development (assuming 0.6 lot coverage and six stories of development). The average household size for Gulf County based on the 2010 U.S. Census data is 2.34 persons per household. The proposed land use change will result in a residential wastewater demand increase of 26,400 gpd and a non-residential decrease in demand of 572 gallons per day, resulting in a net increase in demand of 25,828 gpd. As Table 3 shows, the facility will have adequate capacity to absorb the increase in wastewater demand.

Table 3: Sanitary Sewer Capacity Analysis

Year	Permitted Capacity (gpd)	Average Demand (gpd)	Project Demand (gpd)	Total Demand (gpd)	Percent Utilized
2018	3,100,000	830,000	25,828	855,828	27.6%

Source: City of Port St. Joe Utilities Department

C. Transportation

Using the development scenario presented in the previous section, the proposed land use change would result in 75 multi-family dwelling units and 48,100 square feet of non-residential development. The 10th Edition ITE Trip Generation software was utilized to create a trip generation report for the development. This analysis shows trips generated for the development and does not consider the internal capture rate of a mixed-use development or the reduction in trip created by a walkable community.

Table 4: Daily Trip Generation Analysis

	ITE Land Use Category	Variable	Size	Daily Trip Rate/ Equation	Daily Enter Split	Daily Exit Split	Daily Total Trips		
							Total	Enter	Exit
Existing	General Light Industrial - 100	Per KSF	110,000	$T=3.79(x)+57.96$	50%	50%	475	238	237
Existing Total							475	238	237
Proposed	Multifamily Housing (Low Rise) - 220	Per KSF	75	$T = 7.56(x)-40.86$	50%	50%	567	284	283
	General Office - 710	Per KSF	24,100	$IN(T)=0.97IN(x)+2.50$	50%	50%	266	133	133
	Shopping Center - 820	Per KSF	24,000	$T=37.75(x)$	50%	50%	906	453	453
Proposed Total							1,739	870	869
Net Change in Trip Generation Potential							1,264	632	632

Source: ITE Trip Generation Software

D. Stormwater

City of Port St. Joe has adopted Level of Service (LOS) standards within the Comprehensive Plan that apply to water quantity and water quality for evaluating impacts associated with developments. The LOS standards for water quantity indicate that post-development runoff shall be no greater than predevelopment runoff.

The City's LOS standards for stormwater management are as follows:

Infrastructure Element Policy 1.1.5: The following level of service Stormwater Management standards shall be used as the basis for determining the availability of facility capacity and the demand generated by a development:

- 25-yr. frequency, 24-hr. duration storm event for those areas designated as residential, commercial, mixed commercial/residential, public, and industrial land use on the Future Land Use Map; and
- 3-yr. frequency, 24-hr. duration storm event for those areas designated as agricultural, conservation, and recreation land use on the Future Land Use Map.
- All new and re-development projects shall comply with the stormwater design and performance standards and stormwater retention and detention standards contained within section 62-346 F.A.C.

Development of the amendment site will comply with the groundwater quality and quantity protection requirements set forth in the City's Comprehensive Plan.

E. Solid Waste

The City of Port St. Joe requires all residential households to have garbage pickup. This service is provided by Waste Pro, Inc in partnership with the City of Port St Joe. Waste Pro, Inc., collects all household solid waste within the City and disposes the solid waste at the Bay County Waste to Energy Facility (Incinerator). The facility is a 500 Tons per Day Waste to Energy facility located in Bay County (just north of Panama City, Florida). The facility produces about 13 Megawatt per hour of electricity that is utilized throughout the state of Florida and has sufficient long-range capacity.

The City adopted a residential level of service standard for solid waste of 8 pounds per person per day. The proposed land use change will result in a solid waste demand increase of 1,392 pounds per day or 1.4 tons per day. There is more than adequate capacity at the Bay County facility.

D. Public Schools

The proposed amendment site is being planned for 75 multi-family units. Utilizing a multi-family school generation rate of 0.2706, the proposed 75 units would generate a total of 20 school age children. The amendment site is located within the South Concurrency Service and Attendance Area of the County.

The available capacity along with planned capacity improvements serves as the base for predicting future available capacity. Table 5, below, shows that there is adequate capacity to serve the proposed development through the Public-School Facility 5- year planning time frame.

Table 5: School District Available Capacity, 2017

School Type	Fish Capacity ¹	Actual Enrollment	New Student Capacity	Proposed Amendment	Surplus (+)/ Deficiency (-)
Port Saint Joe Elementary	760	540	220	10	+210
Port Saint Joe	997	509	488	10	+476

School Type	Fish Capacity ¹	Actual Enrollment	New Student Capacity	Proposed Amendment	Surplus (+)/ Deficiency (-)
Junior Senior High					
Total	1,757	1,049	708	20	688

1= FISH = Florida Inventory of School Houses

Source: Florida Inventory of School Houses, June 2017 data

III. Environmental Analysis

The entirety of the site is within a previously developed Industrial site. There are minimal previously undeveloped areas to house natural resources.

A. Wetlands

There appear to be no wetlands on the subject site. Please see the Wetlands and Flood Zones Map in Appendix A. Wetlands are protected by the following policies within the Conservation Element of the Comprehensive Plan:

Objective 1.7 Wetlands within the City of Port St. Joe shall be conserved through the combined use of the City's Comprehensive Plan standards, and state and federal wetlands permitting programs involving the Florida Department of Environmental Protection (FDEP), Northwest Florida Water Management District, and the United States Army Corps of Engineers (ACOE). Major wetlands and wetland systems are identified on Map 7 of the adopted plan.

Policy 1.7.1 The protection of wetlands shall be accomplished through the use of the Comprehensive Plan, including the Future Land Use Map, and shall take into account the type, intensity or density, extent, distribution and location of allowable land uses and the types, values, functions, sizes, conditions and locations of affected wetlands. Land uses that are incompatible with the protection of wetlands and wetland functions shall be directed away from wetlands.

Policy 1.7.2: The City shall continue to conserve wetlands through the implementation of its Land Development Regulations in accordance with Sec. 4.11 through Sec. 4.16.

Policy 1.7.3: The plan amendment process and the development review process shall require that the location and extent of wetlands (as defined by the Northwest Florida Water Management District [NFWFMD], FDEP, and ACOE) within the development site be identified.

Policy 1.7.4: Low quality wetlands shall mean those wetlands that do not have habitat for federally threatened or endangered species or state classified rare, critically imperiled or species of special concern, and that meet at least one of the following criteria:

- a) Any wetland planted in pine or otherwise disturbed by silviculture activities
- b) Any wetland consisting of a ditch, man made canal or and borrow pit
- c) Any wetland containing timber roads or utility rights-of-way
- d) Any wetlands that are degraded due to the prevalence of exotic vegetation evidenced by the majority of the wetland containing exotic or non-native invasive species.

As of the adoption of Ordinance No. 344, in May 2007, the planting of pines, creation of new timber roads or utility right of ways within wetlands shall not result in a previously classified high-quality wetland from being re-classified as low-quality.

Policy 1.7.5: Impacts to low quality wetlands may be authorized on a case by case basis in conjunction with and as approved by applicable regulatory agencies unless such impacts are contrary to the interest of the public. When encroachments, alterations or removal of low-quality wetlands are permitted, it shall be mitigated based on the appropriate regulatory agency including FDEP, NFWFMD, and ACOE. 4

Policy 1.7.6: High quality wetlands shall mean all wetlands that do not qualify as a low quality wetland. High quality wetlands shall be protected with a 25-foot wide naturally vegetated buffer landward from the identified edge of the wetland except for those wetlands as provided in Policy 1.7.11. High quality wetlands reviewed as part of amendments to the Future Land Use Map shall be designated as Conservation on the Future Land Use Map series.

Policy 1.7.7: Development within high quality wetlands and their associated buffers shall be prohibited except for uses approved by the appropriate permitting agency involving passive recreational trails, water access, wetland maintenance and restoration. All encroachments into the 25-foot buffer shall be those that do not adversely affect the predevelopment hydrology of the wetland including water quality or quantity. Further, impacts to high quality wetlands shall be limited to cases where no other feasible and practicable alternative exists that will permit a reasonable use of the land as described in Policy 1.7.8.

Policy 1.7.8: The Technical Advisory Committee (TAC) or the Local Planning Agency (LPA) may use the site plan and biological assessments performed by a qualified professional to determine that no reasonable alternative (such as clustering development on upland portions of the site, shifting development within the site, using variance of lot and setback requirements etc) is available to avoid proposed impacts to high quality wetlands, and that the nature and degree of disturbance is the minimum possible to achieve development that is otherwise compliant with the goals, objectives, and policies of the Plan. A finding that no reasonable alternative is available shall only be provided when the impact is identified as beneficial to an overriding public interest. Local government approval shall not substitute for state and federal regulatory review or recommendations for preservation and mitigation.

Policy 1.7.9: New development shall be clustered on upland portions of a development site, which are not otherwise environmentally sensitive. To facilitate the clustering of development out of and away from wetlands, deviations from minimum lot sizes and density transfers on a one-to-one basis (based on density and intensity of the current land use designation) to the buildable portion of the site, may be authorized. In no case shall the density exceed the designated gross density on the future land use map.

Policy 1.7.10: Wetlands within the current city limits of the City of Port St. Joe, which are located on property which is subject to already approved existing plats, development orders or Planned Unit Developments (P.U.Ds) approved as of January 1, 2007 shall not be subject to Conservation Element policies 1.7.1 -1.7.9.

Policy 1.7.11: With the exception of water dependent uses consistent with the master plan of the port of Port St. Joe and water dependent uses that serve as public access, the

required setback or minimum buffer for all areas along St. Joseph Bay and coastal and riverine wetlands shall be a minimum of 50 feet as measured from the mean high water line (MHWL). Predevelopment water flow and quality shall be maintained (see Section 3.15 of the Existing LDRs as of October 1, 2006).

IV. Urban Sprawl and Consistency Analyses

A. Urban Sprawl Analysis

Chapter 163.3177(6)(9)(a), Florida Statutes, provides a thirteen-point list of indicators to help in the evaluation of whether a proposed FLU change would constitute urban sprawl. An analysis of the thirteen points as applied to the City of Port St. Joe Comprehensive Plan amendment is provided below:

163.3177(6)(9)(a)(I): Promotes, allows or designates for development of substantial areas of the jurisdiction to develop as low-intensity, low density, or single-use development or uses in excess of demonstrated need.

The proposed amendment is located within the urbanized area of the City of Port St. Joe and will provide for higher density within an area with urban services.

The proposed amendment would encourage a more efficient compact development pattern by allowing higher density uses within this portion of the City. Therefore, the proposed amendment will not promote, allow or designate for development of substantial areas of the jurisdiction to develop as low-intensity, low density, or single-use development or uses in excess of demonstrated need.

163.3177(6)(9)(a)(II): Promotes, allows or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.

The proposed amendment does not promote, allow or designate significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development. The proposed amendment is located within an urbanized area of the City of Port St. Joe on a previously developed site.

163.3177(6)(9)(a)(III): Promotes, allows or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban development.

The proposed amendment does not promote, allow, or designate urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban development. The proposed development fills in a gap in existing uses.

163.3177(6)(9)(a)(IV): As a result of premature or poorly planned conversion of rural land or other uses, fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

The proposed amendment is not located within a rural area and does not fail to adequately protect and conserve natural resources. The amendment site does not contain any wetlands or known endangered or protected species. The proposed amendment will require enhanced treatment of stormwater to remove pollutants before it becomes runoff into the surface water system.

163.3177(6)(9)(a)(V): Fails adequately to protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.

The amendment site is located within the incorporated and urbanized area of the City of Port St. Joe and does not consist of any significant agriculture or silvicultural areas. Therefore, the proposed amendment does not fail to adequately protect adjacent agricultural areas and activities, including silviculture. Increasing the density on the site will provide for more residential housing opportunity within an urbanized area that can reduce the need within the unincorporated areas of the County.

163.3177(6)(9)(a)(VI): Fails to maximize use of existing public facilities and services.

The proposed amendment does not fail to maximize the use of existing public facilities and services. The amendment area is within the urbanized area of the City and has adequate capacities to serve the site over the next planning horizon. Furthermore, increasing the residential density on the site will allow the property to be develop in a more efficient and sustainable pattern.

163.3177(6)(9)(a)(VII): Fails to maximize use of future public facilities and services.

The proposed amendment provides higher density residential development that will connect to central water and sewer facilities, thus limiting nitrate loading. Increased density and clustering provide for the cost-efficient delivery of public facilities and services. Therefore, the proposed amendments will not fail to maximize future public facilities and services.

163.3177(6)(9)(a)(VIII): Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

The proposed map amendment does not allow for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services. Municipal services are available to the proposed amendment area including, roads, central potable water and sewer services, law enforcement, education, health care, fire and emergency response, and general government of the City.

163.3177(6)(9)(a)(IX): Fails to provide clear separation between rural and urban uses.

As previously mentioned, the proposed amendment area is located within the urbanized area of the City of Port St. Joe. The City's Comprehensive Plan was established to allow for higher density within the city that will promote efficient use of utilities and development, while preserving rural and low-density land uses of the County.

163.3177(6)(9)(a)(X): Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

The City of Port St. Joe provides for increased development standards within the urbanized areas to try and discourage urban sprawl while providing areas for residents to work, shop and live in a relatively compact area. Therefore, the proposed amendments will provide needed opportunity for infill residential development and will not impede redevelopment of existing neighborhoods and communities.

163.3177(6)(9)(a)(XI): Fails to encourage an attractive and functional mix of uses.

As mentioned above, the proposed amendment is located within a developed area of the City and is proposed to be developed with a mix of uses. Therefore, the proposed amendments do not fail to encourage an attractive and functional mix of uses.

163.3177(6)(9)(a)(XII): Results in poor accessibility among linked or related land uses.

The proposed land use change does not result in poor accessibility among linked or related land uses. The proposed amendment is located at an existing marina site and is proposed to be developed with use that support the functioning of the marina.

163.3177(6)(9)(a)(XIII): Results in loss of significant amounts of functional open space.

The proposed amendment is located within the City of Port St. Joe and will not result in the loss of significant amounts of functional open space. Promoting and encouraging higher densities and intensities within the urbanized and/or incorporated areas of the County will result in the preservation of large tracts of open space that will enable the unincorporated areas to maintain its rural character. The amendment site is located adjacent to a City-owned park, and will promote the use of the City's open space by more people.

In addition to 163.3177(6)(9)(a), F.S., Chapter 163.3177(6)(9)(b) of the Florida Statutes provides an eight-point list of development patterns and urban forms. If the proposed amendment incorporates four or more of the development patterns or urban forms, it is determined to discourage the proliferation of urban sprawl. The four patterns and/or forms that best describes the proposed amendment are listed below.

163.3177(6)(9)(b)(I): Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

The proposed amendment does not have an adverse impact on natural resources and ecosystems. Development of the site will not impact any environmentally sensitive areas such as wetlands or protected and endangered species.

163.3177(6)(9)(b)(II): Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

The proposed map amendment promotes the efficient and cost-effective provision or extension of public infrastructure and services. Increased density and clustering provides for the cost-efficient delivery of public facilities and services. Municipal services are available to the proposed amendment area as well as the existing community including roads, central potable water and sewer services, stormwater management facilities, law enforcement, education, health care, fire and emergency response, and general government of the City.

163.3177(6)(9)(b)(V): Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

As mentioned above, the amendment site is located within the incorporated and urbanized area of the City of Port St. Joe and does not consist of any significant agriculture or silvicultural areas. Therefore, the proposed amendment does not fail to adequately protect adjacent agricultural areas and activities, including silviculture. Increasing the density on the site will provide for more residential housing opportunity within an urbanized area that can reduce the need within the unincorporated areas of the County. Therefore, the proposed amendment does not fail to adequately protect adjacent agricultural areas and activities, including silviculture.

163.3177(6)(9)(b)(VII): Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

"The intent of the City of Port St. Joe Comprehensive Plan is to create land use opportunities to provide for residential, commercial, retail, civic, and office uses which provide goods and services in close proximity to each other. Urban development patterns are intended to be compact and not to promote strip commercial development; therefore, the City's zoning districts implementing this

development pattern include limitations on arterial and collector street frontage and maximum development pattern size. It is also intended that community facilities (recreation, civic, community services, and infrastructure) related to the principal use of this development pattern be allowed in a manner which would ensure the protection of adjacent uses.” This amendment request is compatible with the City Port St. Joe Comprehensive Plan and will provide for residential and non-residential needs within the City.

B. Consistency Analysis

The proposed FLUM amendment is consistent with the Future Land Use Element and other affected elements of the City of Port St. Joe Comprehensive Plan. The following is a specific description of how the proposed FLUM amendment is consistent with the significant subject areas of Future Land Uses, Natural Resources, and Public Facilities and Services of the Comprehensive Plan:

FUTURE LAND USE ELEMENT

Policy 1.2.1: New development within the City will be in areas within or immediately adjacent to existing areas of public services (sanitary sewer, solid waste, drainage and potable water).

The amendment area is located within the City of Port St. Joe and has public services available to serve the site.

Policy 1.2.4: As with public services, projected growth will occur along the existing traffic circulation network, owing to the availability and accessibility of vacant/undeveloped land within this network. The City will enforce land development regulations which address abutting incompatible land uses by requiring vegetative screening to create buffer zones between incompatible land uses if they occur.

The amendment area is located along Marina Drive which is part of the City’s overall street grid network and is within walking distance to public parks, schools and churches.

Policy 1.7.2: Approval of annexation will require that there are provisions to insure that infrastructure be in place at or above adopted levels of service at the time of development.

The City of Port St. Joe has available public services available with adequate capacity to serve the amendment site.

CONSERVATION ELEMENT

Policy 1.3.2: The City shall minimize land use disturbance, clearing of native vegetation and removal of top soil. The City shall encourage utilization of Low Impact Design (LID) strategies and techniques and construction best management practices (BMPs), such as use of silt fences and sediment basins to retain sediment onsite during development.

Policy 1.3.3: The following general requirements shall apply to stormwater management systems throughout the City: a) No direct discharge of stormwater to waterways or waterbodies; b) When soil and water table conditions allow, require the use of offsite retention systems for stormwater treatment. c) Promote the use of BMPs and the "Treatment Train" concept by promoting the use of swales and landscape infiltration systems; d) Swale conveyances shall be used to the greatest extent possible; e) Projects in areas zoned for Industrial land uses shall assure that industrial pollutants do not enter the stormwater system or come in contact with the surface or ground water.

Development of the proposed amendment area will adhere to the above requirements.

SANITARY SEWER, SOLID WASTE, STORMWATER MANAGEMENT POTABLE WATER AND GROUNDWATER AQUIFER RECHARGE ELEMENT

Policy 1.1.6: All future development and re-development shall protect the functions of natural Stormwater Management features by complying with the level of service as listed within this Plan and by obtaining proper approved Stormwater Management permits from the Florida Department of Environmental Protection, Northwest Florida Water Management District, and requirements of Policy 1.1.5.

Development of the proposed amendment area will adhere to the above requirement.

Policy 1.1.16: Consistent with the urban growth policies of the Future Land Use element of this plan, provision of centralized sanitary sewer and potable water service shall be limited to the service areas shown for these facilities in the support documents of this plan and to areas where the City has legal commitments to provide facilities and services as of the date of adoption of this plan.

The amendment site is located within an area of the City that has existing public services available to serve the site with adequate capacity. The proposed amendment will assist the City in implementing a more efficient development pattern by implementing a land use category that will help provide infill development connect to central water and sewer service.

TRANSPORTATION ELEMENT

Policy 1.2.4: The City shall adopt design standards in the Land Development Regulations relating to control of connections and access points of driveways to roads and roadways. The standards need to address issues such as access control, number of access points and location of access points.

Policy 1.7.2: The City shall require through development regulations the dedication of needed right-of-way and necessary improvements from all new developments.

Policy 1.7.3: All building setbacks shall be measured from the new right-of-way lines for all new construction including the setbacks for additions to existing structures.

Development of the proposed amendment area will adhere to the above requirements.

CAPITAL IMPROVEMENTS ELEMENT

Policy 2.1.1: Development orders or permits will not be issued, or they will be specifically conditioned, upon the availability of public facilities which meet the LOS standards and must be available concurrent with the impact of the development.

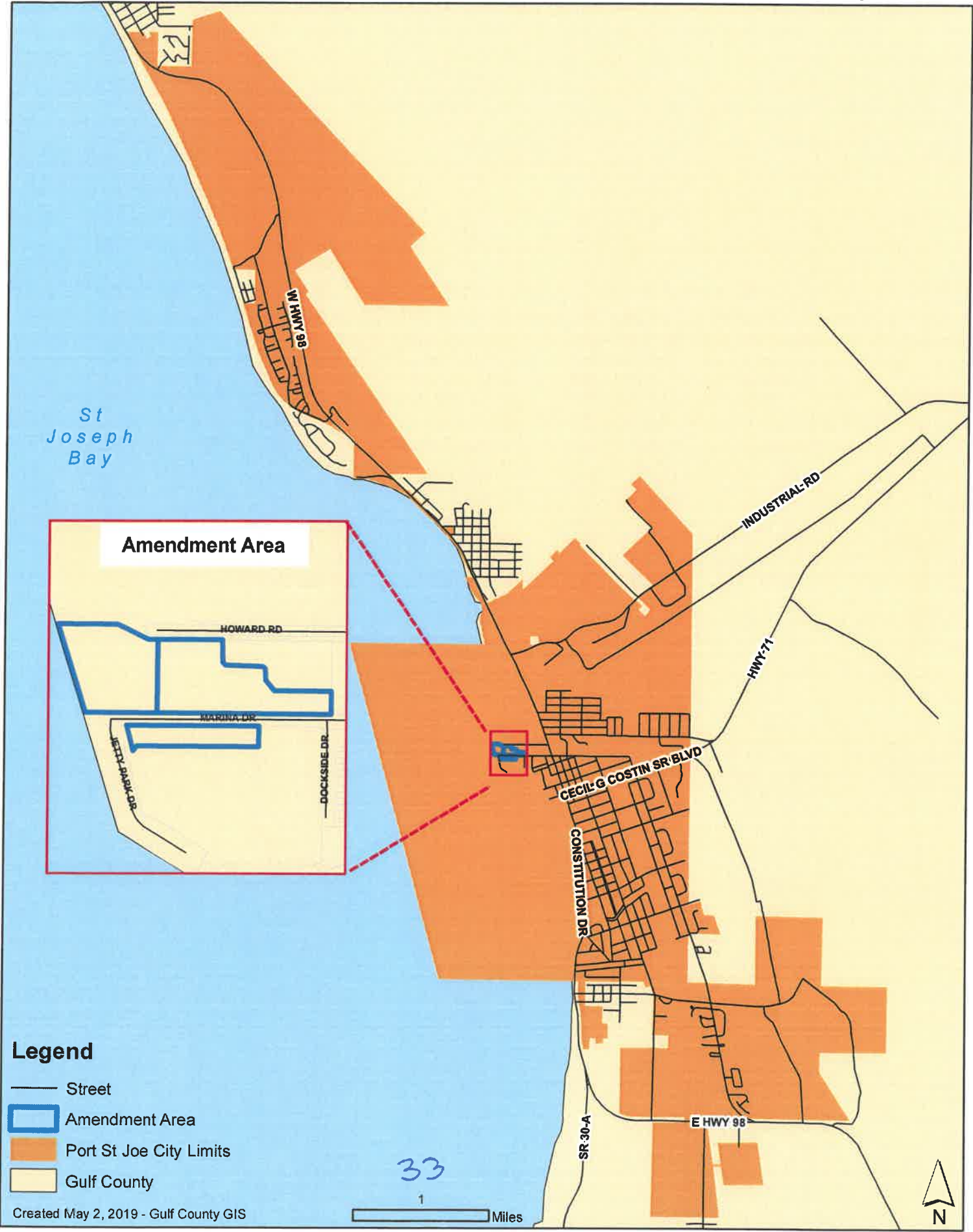
Policy 2.1.2: The availability of public facilities shall be determined and measured for the required public facility types using the adopted Level of Service (LOS) standards contained in the following elements of the Comprehensive Plan: Traffic Circulation Infrastructure, including Solid Waste, Drainage, Potable Water and Sanitary Sewer Recreation and Open Space Public School Facilities Element

A complete public facilities analysis is included in Section II of this report. Any impacts above the adopted level of service standards will be mitigated for when the property is proposed for redevelopment.

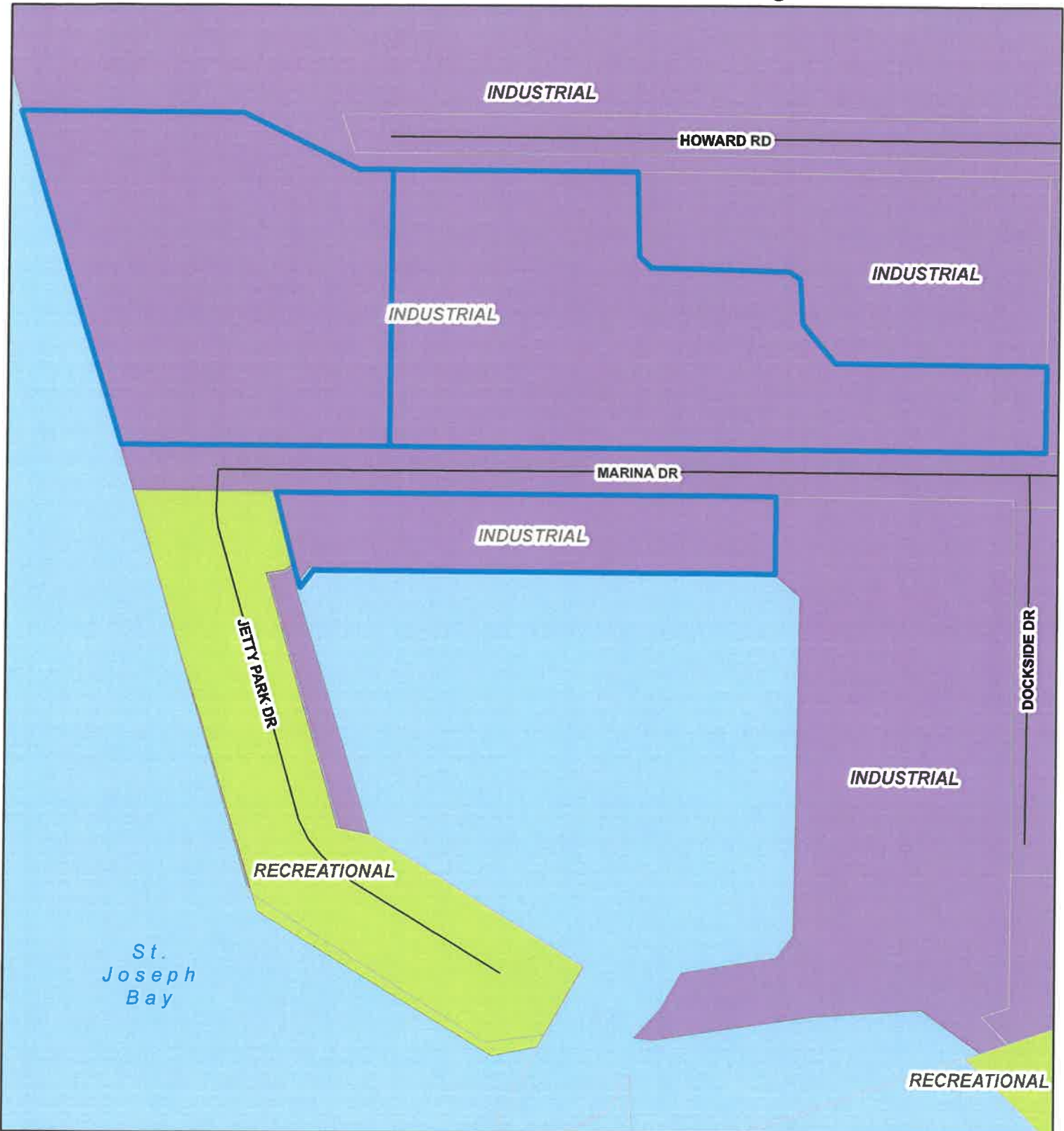
V. Figures

1. Location Map
2. Existing Future Land Use Map
3. Proposed Future Land Use Map
3. Proposed Zoning Map
4. Floodplains/ Wetlands

Port St. Joe Marina Land Use Amendment - Location Map



Port St. Joe Marina Land Use Amendment - Existing Future Land Use



Legend

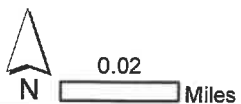
- Street
- Amendment Area
- Parcel

- VERY LOW DENSITY RESIDENTIAL
- RESIDENTIAL (R-1)
- RESIDENTIAL (R-2)
- RESIDENTIAL (R-2B)
- RESIDENTIAL (R-3)
- RESIDENTIAL (R-4)

Existing Future Land Use Designation

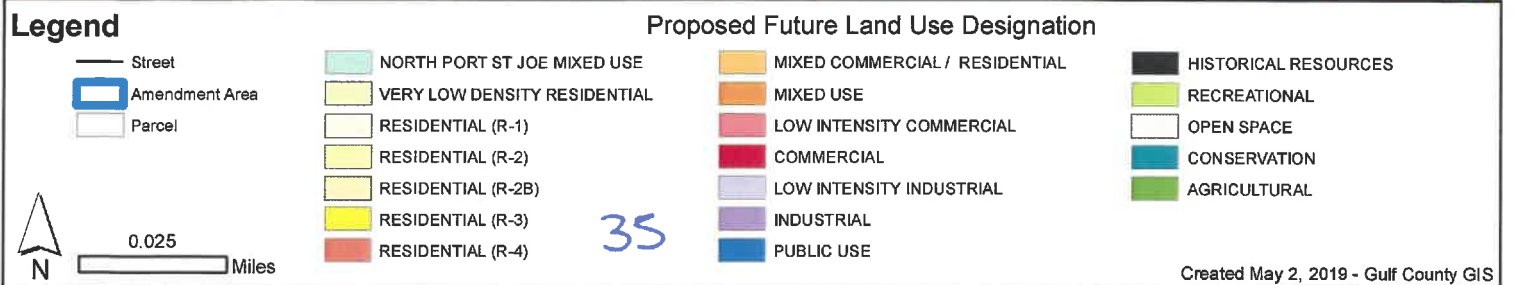
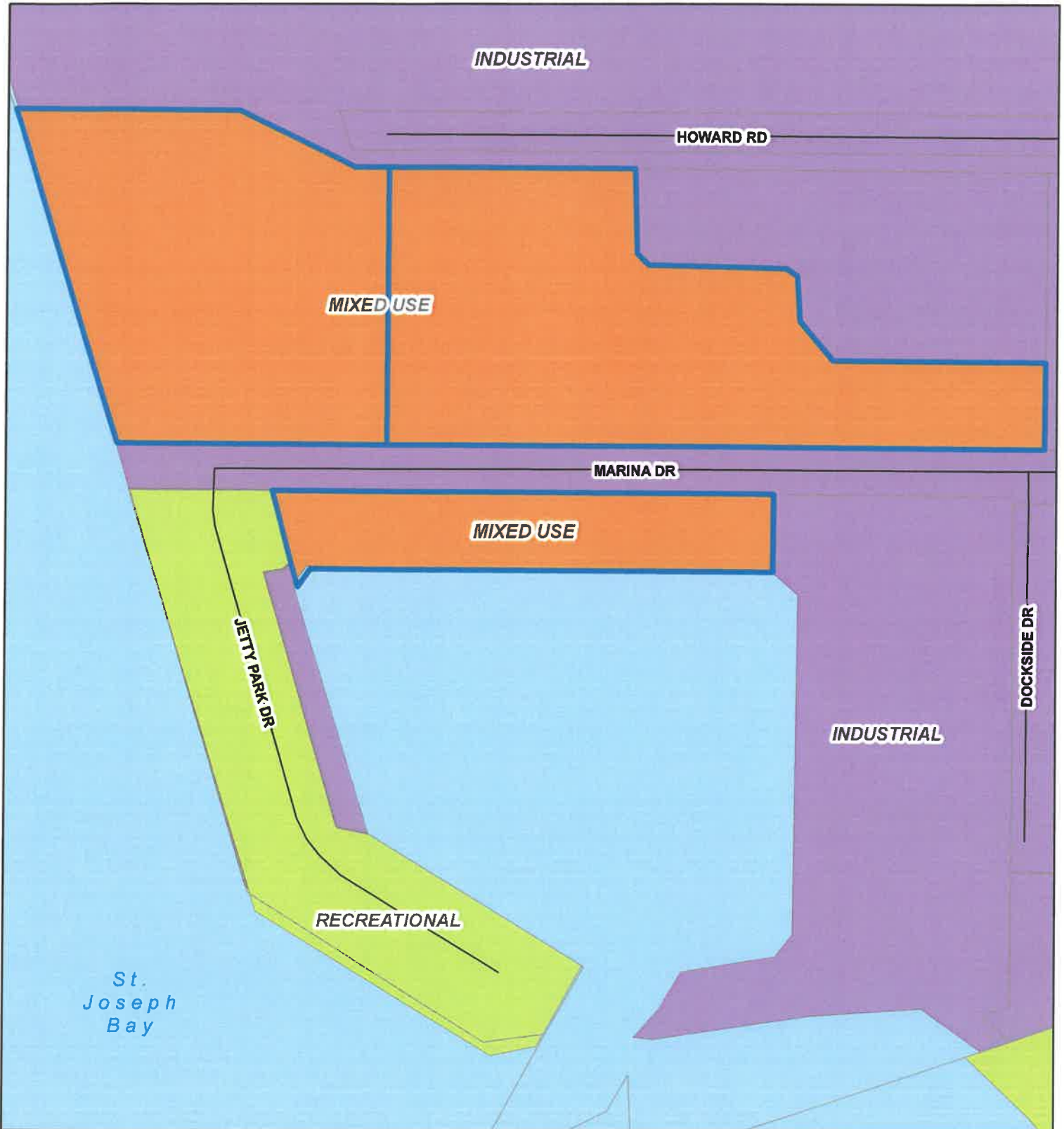
- MIXED COMMERCIAL / RESIDENTIAL
- MIXED USE
- LOW INTENSITY COMMERCIAL
- COMMERCIAL
- LOW INTENSITY INDUSTRIAL
- INDUSTRIAL

- PUBLIC USE
- HISTORICAL RESOURCES
- RECREATIONAL
- OPEN SPACE
- CONSERVATION
- AGRICULTURAL

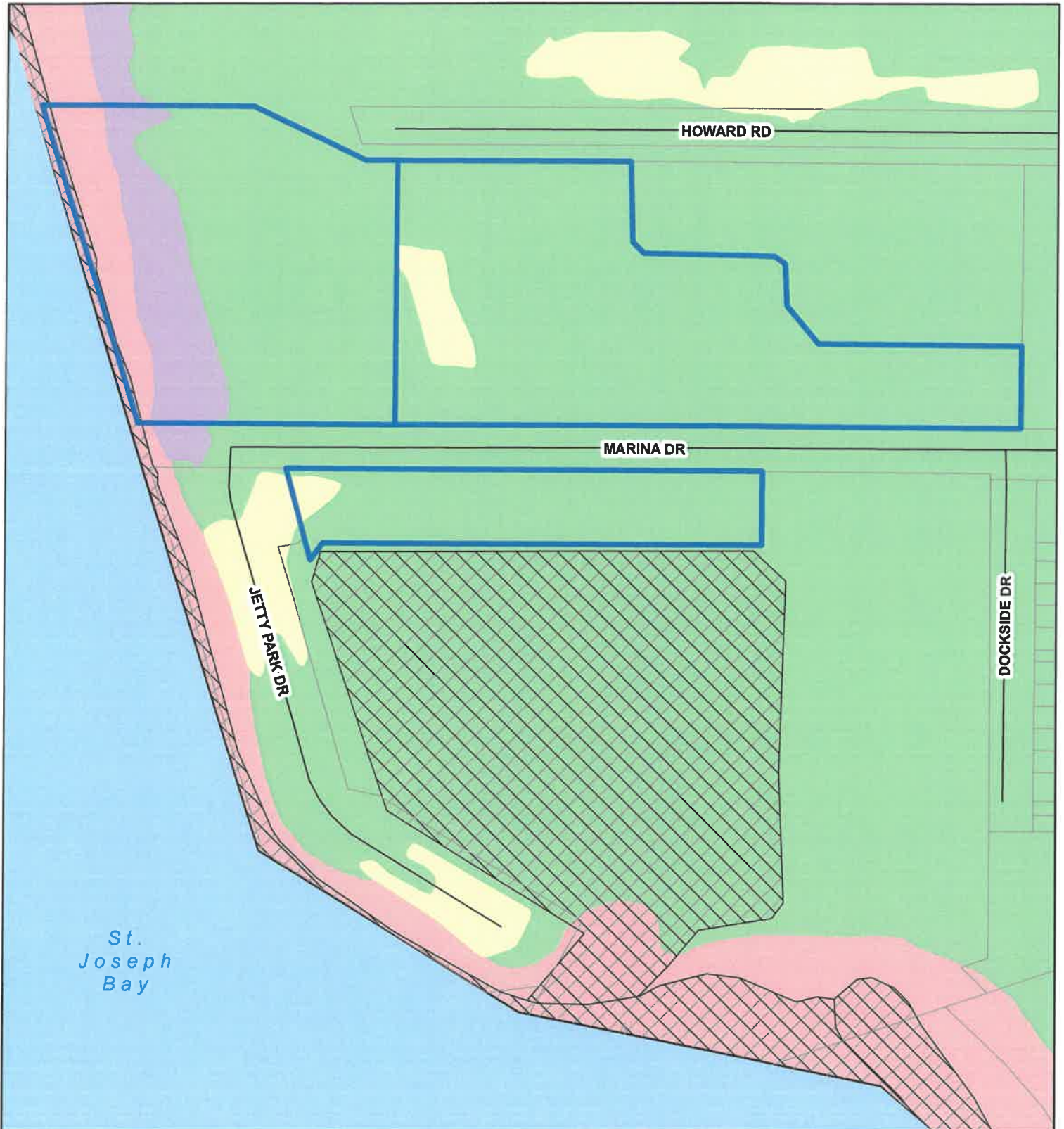


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Port St. Joe Marina Land Use Amendment - Proposed Future Land Use



Port St. Joe Marina Land Use Amendment - Wetlands & Flood Zones



Legend

- Street
- Amendment Area
- Parcel
- Wetlands
- Gulf County

Flood Zones

- A
- AE
- AO
- VE
- X



0.025
Miles

Created May 2, 2019
Gulf County GIS

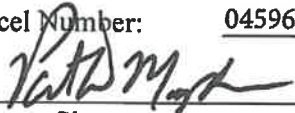
36

Appendix A:

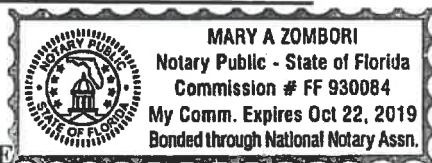
Future Land Use Map Amendment Application Form


**CITY OF PORT ST. JOE FUTURE LAND USE MAP
AMENDMENT APPLICATION**

Property Address: 340 Marina Drive Current : Industrial
Land Use
Property Owner: Port St. Joe Marina, LLC Proposed : Mixed Use
Land Use
Mailing Address: 133 South Watersound Pkwy, Watersound, FL 32461
Phone: (850) 231-6555
Applicant if different: N/A
Parcel Number: 04596-100R, 04594-015R, 04596-00R and 04594-012R


Owners Signature

Sworn to and subscribed before me this 3rd day of May, 2019. Personally Known
OR Produced Identification.
Type Provided _____




Signature of Notary Public

PUBLIC NOTICE

1. A sign will be posted for two weeks on the property seeking the change and a notice will be published in the local newspaper.

APPLICATION REQUIREMENTS

Application Fee: Small Scale Amendment \$500.00 - Large Scale Amendment \$2,000.00

Legal Description of Property

Copy of Deed

Copy of the Survey


Owner Signature

Date: 5/3/19

Applicant Signature

Date: _____



Dewberry Engineers Inc.
324 Marina Drive
Port Saint Joe, FL 32456

850.227.7200
850.227.7215 fax
www.dewberry.com

July 22, 2019

Mr. Jim Anderson, City Manager
City of Port St. Joe
305 Cecil G. Costin Sr. Blvd.
Port St. Joe, FL 32456

RE: Port St. Joe Marina PUD Revision

Dear Mr. Anderson,

As you are aware, the Port St. Joe Marina received substantial damage from Hurricane Michael. The St. Joe Company is in the process of removing the damaged facilities and planning for a complete rebuild. As part of the rebuild process, the St. Joe Company would like to request revisions to the current Port St. Joe Marina Planned Unit Development (PUD). Below highlights the requested changes to the PUD.

1. Residential density change to 15 du/acre
2. Increase to 300 total boat slips (including wet and dry slips)
3. Addition of a 150 room hotel to provide transient accommodations to the general public and may provide accessory services such as restaurants, lounges, retail sale of sundries, meeting rooms and recreations facilities.
4. Addition of a marina store and marina club
5. Required parking for the dry boat storage to be 1 space for every 15 boats

In accordance with Section 8 of the Port St. Joe Marina PUD, please accept this request on behalf of the St. Joe Company for an amendment to Ordinance 320. Should you have questions or need additional information, please give me a call at 850.354.5187 or email at jbaxley@dewberry.com.

Sincerely,

Josh Baxley, P.E.
Sr. Project Manager

Enclosure:

Land Use Sketch Study 6 (01-28-10) by Wood+Partners, Inc
Ordinance 320 with proposed revisions in red

K:\50113420 Port St. Joe Marina PUD Revisions\Correspondence\071019 Anderson.docx

ORDINANCE NO. 320 561

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, RELATING TO AND AMENDING THE ZONING CODE; AMENDING THE CITY OF PORT ST. JOE ZONING MAP; DESIGNATING AND ESTABLISHING THE PORT ST. JOE MARINA PLANNED UNIT DEVELOPMENT ZONING DISTRICT; ADOPTING CERTAIN REGULATORY REQUIREMENTS FOR THE PORT ST. JOE MARINA PLANNED UNIT DEVELOPMENT ZONING DISTRICT TO SUPERSEDE REQUIREMENTS IN THE CITY OF PORT ST. JOE ZONING CODE; PROVIDING FOR REPEAL OF ANY CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Port St. Joe ("City") has deemed it appropriate to establish a planned unit development for a mixed-use community ("Port St. Joe Marina Planned Unit Development Zoning District") to be located on a parcel of land which is legally described in Exhibit "A", attached and incorporated herein ("Property"); and

WHEREAS, The Port St. Joe Marina Planned Unit Development Zoning District was adopted by the City of Port St. Joe by Ordinance No. 320 on July 6th, 2005; and

WHEREAS, The Port St. Joe Marina Planned Unit Development Zoning District is intended to consist of a mix of uses, including residential, marina, **hotel**, and commercial, all of which are located in the downtown area; and

WHEREAS, Port St. Joe Marina Planned Unit Development Zoning District is designed to provide connectivity with surrounding uses and the Port St. Joe downtown area; and

WHEREAS, Port St. Joe Marina Planned Unit Development Zoning District will be served by City water and sewer facilities; and

WHEREAS, Port St. Joe Marina Planned Unit Development Zoning District will comply with the all applicable stormwater management requirements for the Property; and

WHEREAS, The City of Port St. Joe Comprehensive Plan (Future Land Use Policy 1.3.3), allows the development of mixed-use projects.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PORT ST. JOE, FLORIDA:

SECTION 1. NAME

This Ordinance shall be known as the implementing ordinance for the Port St. Joe Marina Planned Unit Development Zoning District.

SECTION 2. CONSISTENCY WITH CITY OF PORT ST. JOE COMPREHENSIVE PLAN

The Board of City Commissioners hereby finds and determines that the Port St. Joe Marina Planned Unit Development Zoning District is consistent with the goals, objectives and policies of the City of Port St. Joe Comprehensive Plan, including but not limited to Future Land Use Element Policy 1.3.3 (**The City's Comprehensive Plan will...provide for mixed land use designations and development policies**), (~~"Mixed use developments will be allowed in the form of P.U.D.'s"~~), Objective 1.4 (The City will discourage urban sprawl and encourage redevelopment and renewal of blighted areas....") and its supporting Policy 1.4.1 ("Emphasis will be placed by the City in activities which will assist in revitalizing the downtown area") and others, which encourage and promote mixed use projects, including planned unit developments, redevelopment of blighted areas and development in downtown Port St. Joe.

SECTION 3. APPROVAL

The establishment of the Port St. Joe Marina Planned Development Zoning District on the lands legally described in Exhibit "A", which is attached hereto and incorporated herein by this reference, is hereby approved subject to the conditions in this Ordinance.

SECTION 4. PERMITTED USES

The following uses shall be principal permitted uses within all areas of the Port St. Joe Marina Planned Unit Development Zoning District:

A. Residential. Provides for single family and multi-family residential units. Density shall not exceed ~~seven (7)~~ **fifteen (15)** units per gross acre of the Port St. Joe Marina Planned Unit Development Zoning District.

B. Marina. Provides for marina uses including wet slips, dry slips, boat storage, fuel storage, pumping facilities and accessory and ancillary marina facilities. Density is limited to a total of ~~199~~ **300** boat slips (wet and dry).

C. Commercial. Provides for commercial use, including but not limited to, restaurant ~~and ship store~~ **marina store, and marina club** use and accessory and ancillary commercial facilities.

D. Hotel. Provide transient accommodations to the general public and may provide accessory services, such as restaurants, lounges, retail sale of sundries, meeting rooms and recreation activities. The number of room shall not exceed 150.

E. ~~Active Recreation~~ **Recreation**. Active recreation means recreational lands and improvements that are facility oriented which may require equipment and take place at prescribed places, sites or fields. **Passive recreation means recreational lands and improvements that are natural resource oriented. Passive recreational facilities include, but are not limited to hiking, nature and bike trails, stormwater management facilities, docks, piers, viewing platforms, boardwalks, picnic areas and bird watching.**

F. Open Space. Open space means lands, not individually owned or dedicated for public use, which are designed and intended for the common use or enjoyment of the residents and their guests of the Port St. Joe Marina Planned Unit Development Zoning District and may include such complementary structures and improvements as are necessary and appropriate.

~~G. Passive Recreation. Passive recreation means recreational lands and improvements that are natural resource oriented. Passive recreational facilities include, but are not limited to hiking, nature and bike trails, stormwater management facilities, docks, piers, viewing platforms, boardwalks, picnic areas and bird watching.~~

~~H. Open Space. Open space means lands, not individually owned or dedicated for public use, which are designed and intended for the common use or enjoyment of the residents and their guests of the Port St. Joe Marina Planned Unit Development Zoning District and may include such complementary structures and improvements as are necessary and appropriate.~~

G. Permitted Accessory and Ancillary Uses. The following shall be accessory permitted uses within all areas of the Port St. Joe Marina Planned Unit Development Zoning District: Uses of land customarily incidental and subordinate to one of the permitted principal uses, including but not limited to a sales center, parking facilities and other uses or facilities associated with the support of the permitted principal uses.

SECTION 5. DEVELOPMENT STANDARDS

A. All permanent residential, commercial and non-residential uses shall be served by central potable water facilities and central wastewater facilities, as provided by the City.

B. All development within the Port St. Joe Marina Planned Unit Development Zoning District shall be in compliance with all applicable land development regulations of the City of Port St. Joe and Articles 1, 2 and 3 of the Gulf County Subdivision Ordinance, except as otherwise contained in this Ordinance. The City will conduct reviews of all preliminary and final plats.

C. The minimum setbacks for single family residential units shall be 10 feet from road rights of way and 5 feet from other property lines. There shall be no minimum setbacks for multi-family residential units. Minimum setbacks for single family and multi-family residential unit garage structures shall be 5 feet from road rights of way, alley or property lines. Rear setbacks for any structure may be reduced to 0 feet to protect natural features on the property if the lot adjoins a natural area included as common open space or natural area. Balconies, overhangs, steps, stairs, eaves and bays will be allowed in the setbacks. All setbacks, common open space, balconies, overhangs, steps, stairs, eaves, bays, garage collection areas, loading zones, and all other designed areas will be shown on the plat and site plan.

D. There shall be a minimum lot size of 2,500 square feet for single family residential units and no minimum lot size for multi-family residential units. There shall be no minimum block size, width, depth, frontage or other dimensional requirements. Flag lots are permitted.

E. Maximum impervious coverage for single family residential units shall be 65% and for multi-family residential units shall be 90%. Within the Commercial and Marina use category, there shall be no maximum impervious coverage.

F. Internal traffic circulation shall be designed to promote pedestrian and bicycle opportunities for residents and guests by providing a functional and integrated system of pedestrian and bicycle paths. The paths can be of an impervious or pervious surface material.

G. The stormwater management system will be designed to comply with the standards of Chapter 62-25~~330~~, F.A.C. and all other applicable regulations.

~~H.~~ Streets may be privately owned and maintained and shall be built in accordance with standards and specifications as reasonably approved by the City. Roadway base and asphalt thickness shall be designed by a registered professional engineer taking into consideration recommendations by a geotechnical engineer for site-specific design parameters. All streets shall be inspected and certified by a registered professional engineer. Before the City will accept and maintain any streets within the Port St. Joe **Marina** Planned Unit Development Zoning District, they must be constructed in accordance with the City standards applicable throughout the City at the time of acceptance. The City will maintain all currently platted and built city streets in the PUD area. Additionally, the City will maintain the **existing road and parking within Clifford Sims Park** ~~road to be constructed in the park area adjacent to the lowdecks.~~

I. Signs visible from a public road, which are not otherwise subject to stricter standards imposed on the property, shall be consistent with applicable City ~~law~~ **regulations.**

J. The Port St. Joe Marina Planned Unit Development Zoning District shall comply with applicable City regulations regarding on-site and off-site parking, ~~except that d~~ Deviations to the City parking regulations may be granted by the City if it is established by a parking study certified by a traffic consultant that use of different standards would be acceptable, especially in the case of the use of shared spaces for adjacent uses. **The number of required parking spaces for boat dry storage shall be 1 space for each 15 dry boat slips.**

K. All construction shall meet the standards in the Florida Building Code, latest edition.

L. Section 5.04 of the City of Port St. Joe Land Development Regulation Code ("Code"), as well as any other provisions with respect to buffer zones shall not apply to any portion of the Port St. Joe Marina Planned Unit Development Zoning District.

SECTION 6. DEVELOPMENT PLAN/PLAT PHASING

The Port St. Joe Marina Planned Unit Development Zoning District may be developed through a series of individual projects, with the submission of development plans and preliminary plats per project. All development plans will be reviewed as a Level 2 Major Development as such term is defined in the Code. The City will review preliminary plats

as part of the development review process. The development plan, preliminary plat and appropriate application fees for each phase of development shall be initially submitted to the City for review. Applicants may obtain simultaneous approval of the preliminary plat, development order and development permit approval with respect to each phase of development.

SECTION 7. CREATION OF ZONING DISTRICT

The purpose of this Ordinance is to create the text of the Port St. Joe Marina Planned Unit Development Zoning District. The precise location of the permitted uses will be set forth in the application for development plan and preliminary plat approval. This Ordinance is not intended as a unified plan of development. The Port St. Joe Marina Planned Unit Development Zoning District may be developed by separate parties. The specific nature of the Port St. Joe Marina Planned Unit Development Zoning District's development will be a function of the development plans and preliminary plats submitted for approval.

SECTION 8. AMENDMENTS TO THE TEXT OF THE PORT ST. JOE MARINA PLANNED UNIT DEVELOPMENT ZONING DISTRICT PUD

A. Requests for an amendment to the Ordinance shall be made to the City Manager, and must be accompanied by, or supplemented by, such documents as may be reasonably required by the City Manager to clearly depict the impacts of the proposed amendment, if any. Upon review of the amendment request, the City Manager shall determine if the request is a Major Amendment or a Minor Amendment. An amendment shall be deemed a Major Amendment if the amendment purports to (i) change the number of housing units by more than 10%, (ii) change the amount of retail or office square footage by more than 20%, (iii) add land uses not contemplated by the Port St. Joe Marina Planned Unit Development Zoning District, or (iv) substantially decrease Open Space.

B. If the request is determined to be a Major Amendment, the City Manager shall refer the request to the Board of City Commissioners for review and consideration. The Board of City Commissioners shall approve, approve with conditions, or deny the request within 60 days from submittal of a complete application. If the Board of City Commissioners requests additional information in writing, the time for final action on the application shall be tolled until the information is supplied or the Applicant in writing declines to provide the additional information. Once the Applicant supplies the additional information requested by the Board of City Commissioners, or declines in writing to supply the additional information, the Board of City Commissioners shall approve, approve with conditions or deny the request within the balance of the time remaining before time was tolled. The decision of the Board of City Commissioners shall be based on consistency with the City of Pott St. Joe Comprehensive Plan and the Code.

C. If the request is determined to be Minor Amendment, the City Manager shall approve, approve with conditions, deny the request or request additional information within 45 days from submittal of a complete application. The City Manager shall notify the Applicant in writing within the specified 45 days. If the City Manager requests additional information in writing, the time for final action on the application shall be tolled until the information is supplied or the Applicant in writing declines to provide the additional information. Once the Applicant supplies the additional information requested by the City Manager, or declines in writing to supply the additional information, the City Manager shall approve, approve with conditions or deny the

request within the balance of the time remaining before time was tolled. The decision of the City Manager shall be based on consistency with the City of Port St. Joe Comprehensive Plan and the Code.

SECTION 9. ENFORCEMENT

The City may enforce this Ordinance as authorized by law.

SECTION 10. OTHER ORDINANCES

Except as specifically modified or changed in this Ordinance, all provisions of the Code shall apply in the same manner as throughout the City.

SECTION 11. ZONING MAP

Upon this Ordinance becoming effective, the City of Port St. Joe Zoning Map shall be amended to show the property described on attached Exhibit "A" as the Port St. Joe Marina Planned Unit Development Zoning District. The City is hereby directed to revise the City of Port St. Joe Zoning Map to reflect this designation.

SECTION 12. SEVERABILITY

The provisions of the Ordinance are hereby declared to be severable. If any revision of this Ordinance, or the application thereof, to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

SECTION 13. EFFECTIVE DATE

This Ordinance shall become effective as provided by law.

This Ordinance was adopted in open regular meeting after its second reading this ~~6th day~~ of July, 2005, after due notice in accordance with Florida Law.

ATTEST:

BOARD OF CITY COMMISSIONERS OF
PORT ST. JOE, FLORIDA

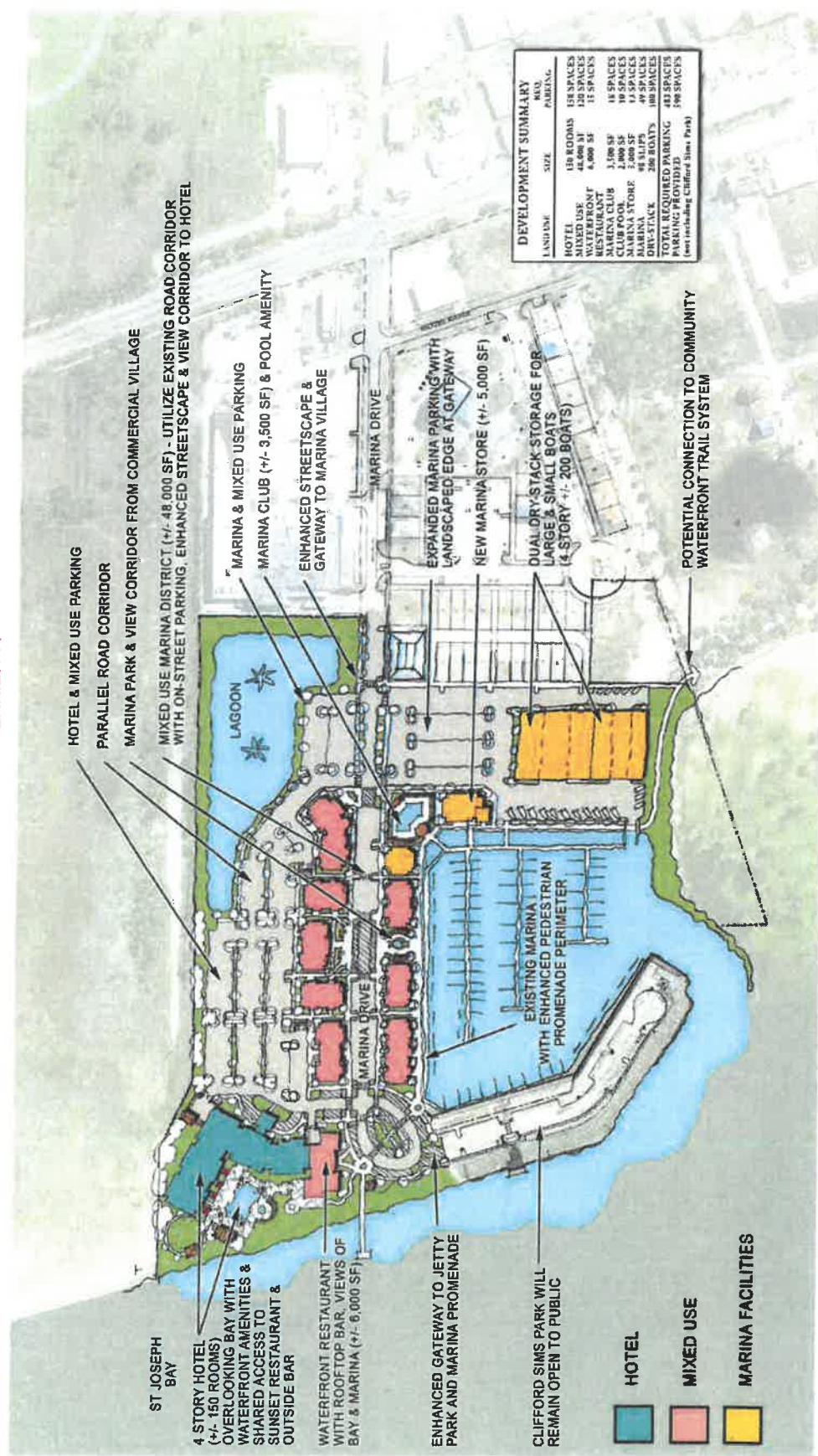
Charlotte M. Pierce, City Clerk

Rex Buzzett, Mayor

APPROVED AS TO FORM:

Adam Albritton, City Attorney

EXHIBIT A



LAND USE	SIZE	NO.	PARKING
HOTEL USE	150 ROOMS	150	150 SPACES
WATERFRONT	4,000 SF	120	120 SPACES
RESTAURANT	6,000 SF	110	110 SPACES
MARINA CLUB	3,500 SF	10	10 SPACES
DRY-STACK	2,000 SF	10	10 SPACES
MARINA STORE	5,000 SF	40	40 SPACES
MARINA	18 SLIPS	40	40 SPACES
DRY-STACK	200 BOATS	100	100 SPACES
TOTAL REQUIRED PARKING		483	483 SPACES
PARKING PROVIDED		500	500 SPACES
(not including Clifford Sims Park)			

Project No. 19-11057

Scale: 1" = 100'-0"

Page 7 of 10: Marina Village Concept Study - Revised 6-25-19



Drawings are preliminary and subject to change. Design and construction shall be in accordance with the latest edition of the Florida Building Code, and all applicable codes and regulations.

Port St. Joe Marina Village
Wood-Partners Inc.
 Landscape Architecture
 Land Partners
 Port St. Joe, Florida

Project No. 19-11057
 10/25/19
 10/25/19

CITY OF PORT ST. JOE SPECIAL EXCEPTION REQUEST APPLICATION

Lamarshall@tcpmi.com

Property Address: 1206 Monument Zoning: _____
 Property Owner: Lynn C. Marshall Phone: 850-340-0278
 Mailing Address: 1206 Monument City, State, and Zip: PSJ, FL 32456
 Parcel Number: 05544-00R Applicant if different: _____

Lynn C. Marshall
 Owner signature

Swore to and subscribed before me this 9th day of July 2019 Personally known to me
 produced identification _____

Marcella V. Daniels
 Signature of Notary Public



MARCELLA V. DANIELS
 Commission # GG 281400
 Expires December 3, 2022
 Bonded thru Budget Notary Services

PUBLIC NOTICE

A SIGN WILL BE POSTED FOR FIFTEEN DAYS ON THE PROPERTY SEEKING THE SPECIAL E)
 AND A NOTICE WILL BE PUBLISHED IN THE LOCAL NEWSPAPER.

APPLICATION REQUIREMENTS:

- ☒ Application Fee - \$300 #2494
- ☒ A letter indicating the section of the LDR under which special exception is being requested
- ☒ Legal Description of Property
- ☐ Copy of the Deed
- ☒ Copy of the Survey
- ☒ Site plan of the proposed improvements

I hereby certify that this was performed under my responsible direction and supervision and the plat and description are true and accurate to the best of my knowledge and belief. This survey meets or exceeds the standards for practice for land surveying as established by the Florida Board of Professional Surveyors and Mappers (F.A.C. 5J-17.151(052)).

The undersigned surveyor has not been provided a current title opinion or abstract of matter affecting title or boundary to the subject property. It is possible there are deeds or records, unrecorded deeds, easements or other instruments which could affect the boundaries.

James T. Roddenberry
 Surveyor and Mapper
 Florida Certificate No. 4261

Subject property is located in Zone AE (EL 10) as per Flood Insurance Rate Map Community Panel No: 120099 0341H index date: May 2, 2016, Gulf County, Florida.

FLOOD ZONE INFORMATION:

Subject property is located in Zone AE (EL 9) as per Flood Insurance Rate Map Community Panel No: 120099 0341G index date: April 16, 2009, Gulf County, Florida.

TR & A			
THURMAN RODDENBERRY & ASSOCIATES, INC.			
PROFESSIONAL SURVEYORS AND MAPPERS			
P.O. BOX 100 • 125 SHELDON STREET • SOPCHOPPY, FLORIDA 32358			
PHONE NUMBER: 850-862-3338		FAX NUMBER: 850-862-1100	
L.R. 8 7160			
DATE: 06/07/19	DRAWN BY: MD	W.B. 819 PG 54	COUNTY: GULF
FILE: 1936B.DWG	DATE OF LAST FIELD WORK: 06/06/19	JOB NUMBER: 19-368	

AFFIDAVIT OF
PROOF OF PUBLICATION
(S.50.051, FS)

THE STAR
Published Weekly
Port St Joe, Gulf County Florida
STATE OF FLORIDA
COUNTY OF GULF

Before the undersigned authority personally appeared
That he/she is Advertising Sales Rep of the The Star

Robin Hoxie
who on oath says a weekly newspaper published at
149 W. Hwy 98 Gulf County, Florida; that the attached
copy of advertisement, being in the matter of

SEE ATTACHED

was published in said newspaper in the

Issue(s) of July 18 2019

Affiant further says *The Star* is a newspaper published at
149 W. Hwy 98, in said Gulf County
Florida and that said newspaper has heretofore been
Continuously published in said Gulf County, Florida,
And each Thursday and has been entered as second class
mail matter at the post office in Port St Joe, Gulf County,
for a period of 1 year next preceding the first
Publication of the attached copy of advertisement; and
Affiant further says that he or she has neither paid nor
promised any person, firm or corporation any discount,
rebate, commission or refund for the purpose of securing
this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

18th day of July, 2019

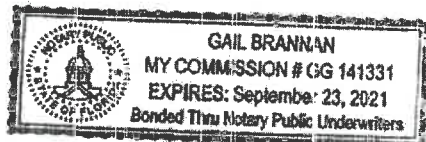
by Robin Hoxie, who is

C personally known to me or _____ who has produced

_____ (type of identification),

Gail Brannan

Signature of Notary



Print, Type, or Stamp Commissioned
Name of Notary Public

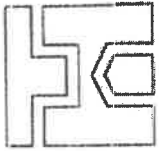
PUBLIC NOTICE

The City of Port St. Joe's Planning, Development, and Review Board (PDRB) will hold a Meeting to discuss a request for a Special Exception on **Tuesday, August 6, 2019, at 4:00 P.M. EST.** The Public Hearing will be held in the Commission Chamber in the Ward Ridge Building at 2775 Garrison Avenue, Port St. Joe, Florida 32456 for **Lynn Marshall** located at **1206 Monument Ave., Parcel # 05544-000R.** The reason for the request is **Per Section 3.03 (9) & 3.20 (b) of the Land Development Regulations referencing setbacks and enlarging/increasing nonconforming use.** The proposed plans can be reviewed at the Building Department located at 1002 10th St. and can be reached for questions at 850-229-1093.

All persons are invited to attend this meeting. Interested persons may attend and be heard at the public hearings or provide comments in writing to the Planning, Development, and Review Board, City of Port St. Joe City Hall, 305 Cecil G. Costin, Sr., Blvd., Port St. Joe, Florida 32456. Transactions of the public hearings will not be recorded. Persons wishing to appeal any decision made during the hearings will need a record of the proceeding and should ensure a verbatim record is made, including the testimony on which the appeal is based.

In accordance with the Americans with Disabilities Act, persons wishing to attend needing assistance and special accommodations to participate in these proceedings should contact Charlotte Pierce, City Clerk, at City Hall, (850) 229-8261.

NE-4531591



TO: HARTMAN'S ARCHITECTURE, INC.
1000 N. W. 10th Ave., Suite 100
Fort Lauderdale, FL 33304
Phone: (954) 571-1111
Fax: (954) 571-1112
www.hartmansarchitect.com

ELEVATIONS & FLOOR PLAN

CUSTOMER / BUILDER: Marshall 2-Story Garage

LOCATION: 1206 Monument Avenue
Fort St. Joe, Florida 32456

LOCATION:

CUSTOMER / BUILDER:

STAGE:

DESIGN BY:

DATE:

TPS:

PROJECT:

DATE:

TPS:

PROJECT:

DATE:

TPS:

PROJECT:

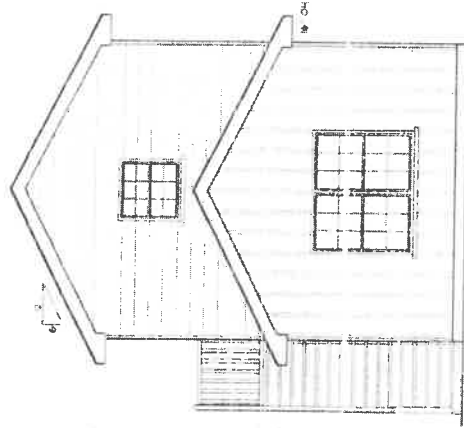
DATE:

TPS:

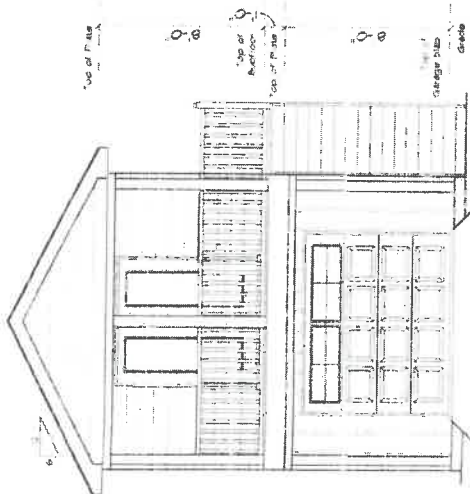
AL
SHEET NO. 1 OF 3

FOOTAGES

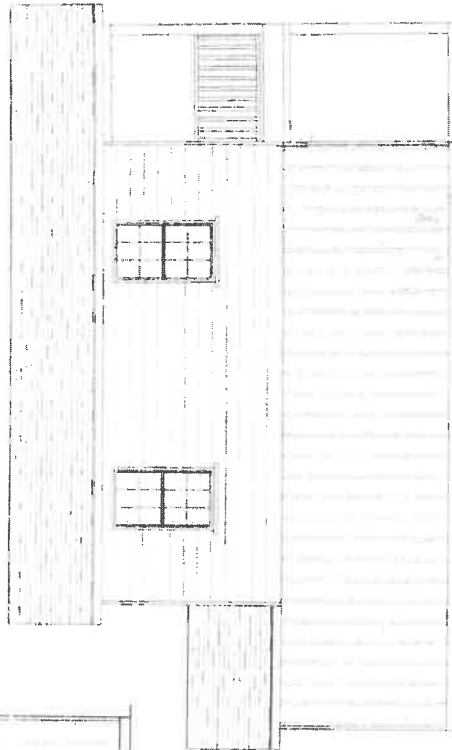
1st Floor Area	322 sq. ft.
1st Floor Covered Porch	84 sq. ft.
2nd Floor Area	308 sq. ft.
2nd Floor Covered Porch	84 sq. ft.
TOTAL	868 sq. ft.



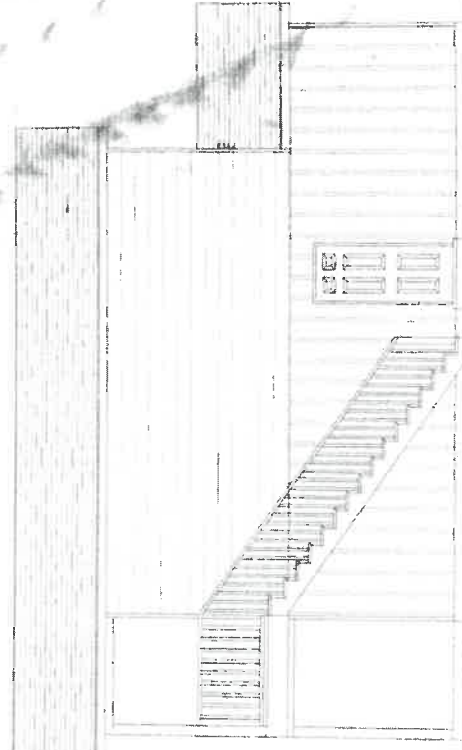
REAR ELEVATION
SCALE 1/4" = 1'-0"



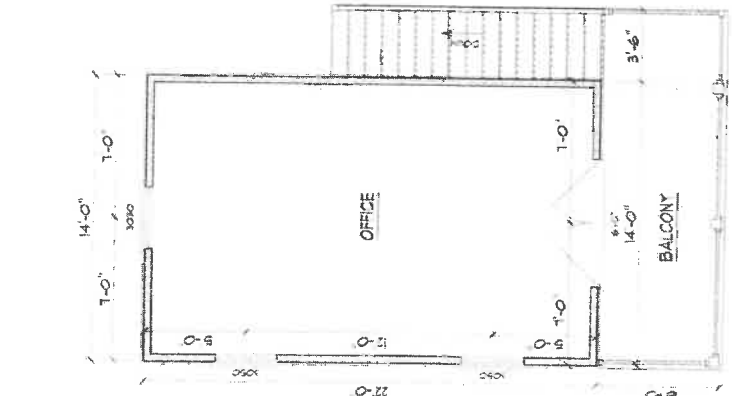
FRONT ELEVATION (FACING WATER)
SCALE 1/4" = 1'-0"



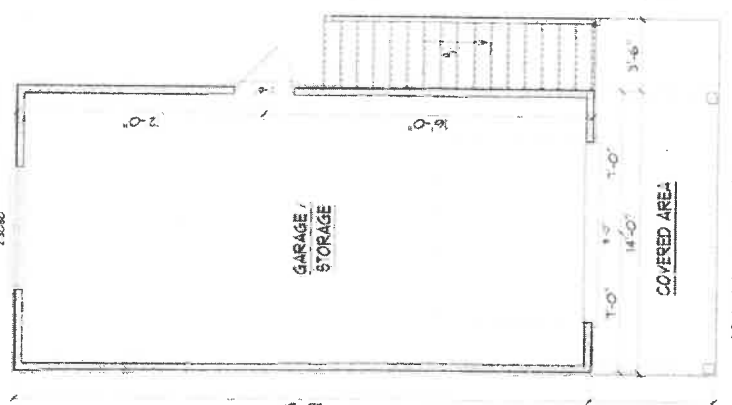
LEFT SIDE ELEVATION
SCALE 1/4" = 1'-0"



RIGHT SIDE ELEVATION
SCALE 1/4" = 1'-0"

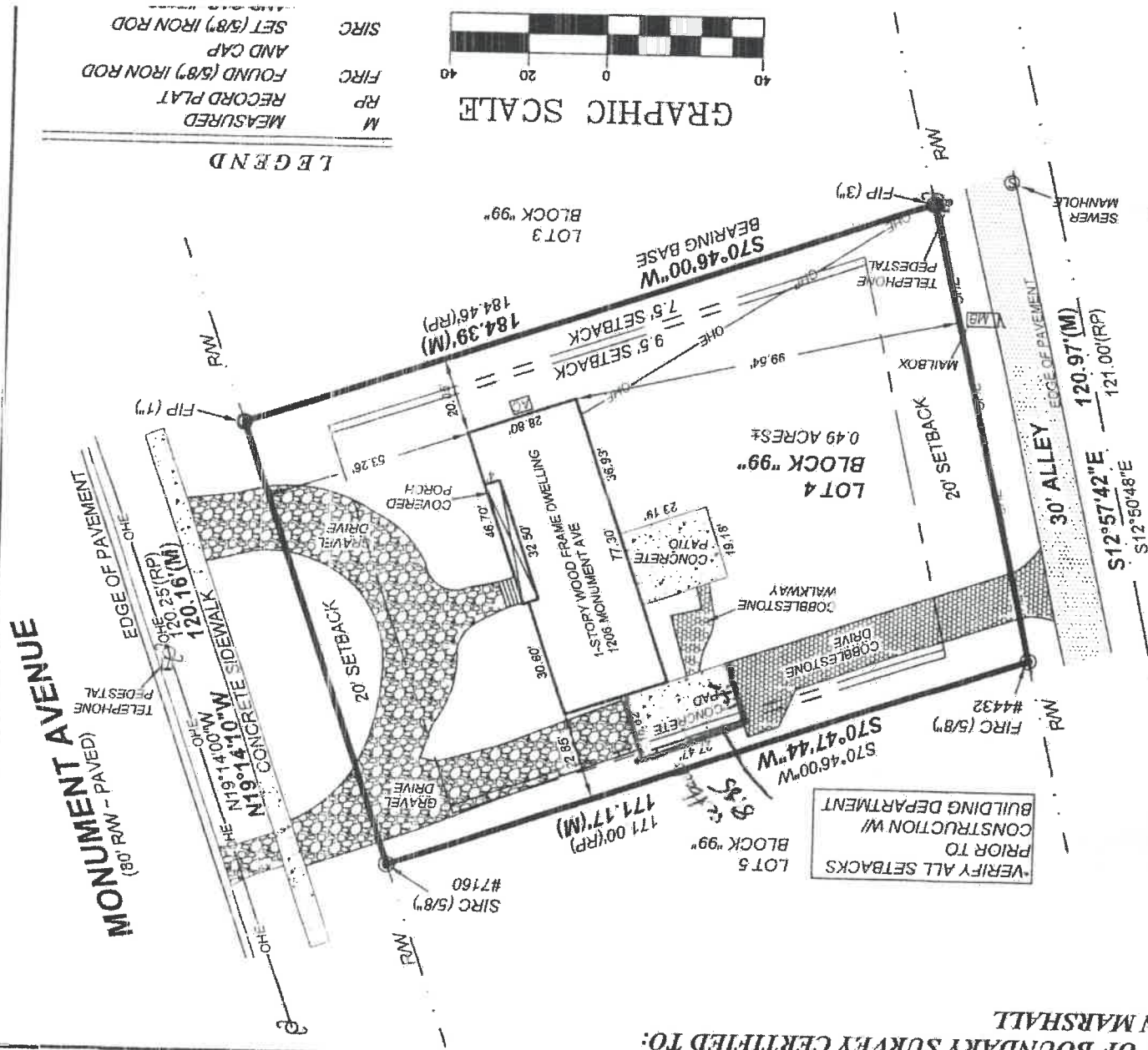


2ND FLOOR PLAN
SCALE 1/4" = 1'-0"

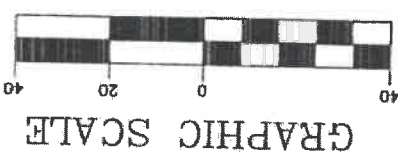


1ST FLOOR PLAN
SCALE 1/4" = 1'-0"

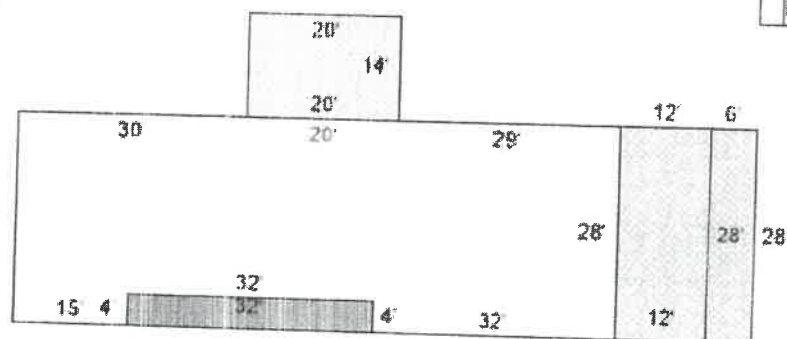
PLAT OF BOUNDARY SURVEY CERTIFIED TO:
LYNN MARSHALL



VERIFY ALL SETBACKS
PRIOR TO
CONSTRUCTION W/
BUILDING DEPARTMENT



LEGEND
M MEASURED
RP RECORD PLAT
FIRC FOUND (5/8") IRON ROD
SIRC SET (5/8") IRON ROD
AND CAP



FOP	F OPN PRCH	128	1993
UST	UNF STORAG	168	1993
FCP	F CARPORT	336	1993
FEP	F ENC PRCH	280	1993
BAS	BASE AREA	2084	1993

No data available for the following modules: Commercial Buildings, Extra Features.

The Property Appraiser makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change. This website is NOT TO BE USED FOR INSURANCE PURPOSES or ADDRESS VERIFICATION! If you need Address verification, please contact the 911 office at 850-229-9110!

Developed by
 **Schneider**
 GEOSPATIAL

Last Data Upload: 7/9/2019, 3:18:42 PM

Version 2.2.29

51

7/10/2019, 11:12 AM

Valuation

	2019 Working Values	2018 Certified Values
Building Value	\$76,660	\$157,370
Extra Features Value	\$0	\$0
Land Value	\$75,000	\$75,000
Land Agricultural Value	\$0	\$0
Agricultural (Market) Value	\$0	\$0
Just (Market) Value	\$151,660	\$232,370
Assessed Value	\$151,660	\$220,483
Exempt Value	\$50,000	\$50,000
Taxable Value	\$101,660	\$170,483
Maximum Save Our Homes Portability	\$0	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Sketches



Parcel Summary

Parcel ID 05544-000R
Location Address 1206 MONUMENT AVE
 PORT ST JOE 32456
Brief Tax Description* ST JOSEPH ADDN UNIT NO 4 LOT 4 ORB 587/313 FR COSTIN BLK 99 MAP 50D
*The Description above is not to be used on legal documents.
Property Use Code SINGLE FAM (000100)
Sec/Twp/Rng 12-8S-11W
Tax District City of Port St Joe (District 5)
Millage Rate 17.9562
Acreage 0.490
Homestead Y

[View Map](#)

Owner Information

Primary Owner
 Marshall Lynn C
 1206 Monument Ave
 Port St Joe, FL 32456

Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
100000	IMPROVED > 1 AC	1.00	LT	0	0

Residential Buildings

Building 1
Type SFR MASON
Total Area 2,996
Heated Area 2,308
Exterior Walls COMMON BRK
Roof Cover COMP SHNGL
Interior Walls PLYWOOD
Frame Type N/A
Floor Cover PINE WOOD
Heat AIR DUCTED
Air Conditioning CENTRAL
Bathrooms 3
Bedrooms 3
Stories 1
Effective Year Built 2000

*Effective Year is simply the difference between economic life and remaining economic life of the structure.
 The year is evident by the condition and utility of the structure.
 The Effective Year may or may not represent the Actual Year Built

Sales

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	12/04/2015	\$250,000	WD	587	313	Qualified (Q)	Improved	COSTIN LINDA P	MARSHALL LYNN C
N	11/21/2008	\$200,000	PR	467	700	Unqualified (U)	Improved	ESTATE OF MARIA COSTIN	COSTIN LINDA

53

"land" shall be discontinued and all material completely removed by its owner not later than one year from the date of the passage of this Code.

(c) Nothing in this Code shall be taken to prevent the restoration of a building destroyed by fire, explosion or other casualty, or act of God, or the public enemy, nor the continued occupancy or use of such portion of any building remaining habitable after such destruction. In order to rebuild pursuant to this provision, construction of any replacement building must begin within 180 days of destruction and be completed within the life of the building permit, including any approved extensions. Any construction pursuant to this section shall comply with any building codes in effect at the time of application for a building permit.

Sec. 3.21. Prohibited uses.

The following uses are prohibited within the C-1 and C-2 commercial districts, and also prohibited within 2500 feet of U.S. Highway 98 located within the city.

(1) Water parks, go-carts (or other vehicle racing tracks or courses), arcades, amusement parks, miniature golf courses, batting cages, or any other project which is primarily used for the purpose of outdoor entertainment (not including public and private golf courses).

(2) Any imitation or natural or man-made features including, but not limited to, mountains, volcanoes, gorges, animals, dinosaurs, windmills, oil derrick, airplanes, or any other artificial depiction.

(3) To the greatest extent allowed under state law, any temporary building or modular or mobile home type building. Notwithstanding the foregoing a construction trailer or similar temporary building may be allowed during actual construction of any development authorized by the land development regulations of the city.

Sec. 3.22. Density bonuses for affordable housing.

The purpose of this section is to establish the guidelines and criteria for a voluntary housing assistance program(s) as required by Objective 1.9 of the Housing Element of the Port St. Joe Comprehensive Plan, and to provide incentives for future housing developments to contribute to providing owner occupied housing or rental housing that is affordable to very low, low and moderate income households within the City of Port St. Joe.

Sec. 3.23. Same—Density Bonuses.

(1) Residential developments that contain inclusionary units may utilize the following density bonus units for each inclusionary unit provided as different household income levels:

(a) A very low income household unit qualifies the developer for five (5) bonus market rate units until a maximum of one hundred (100) percent increase over current land use plan designation is achieved through the additional market rate units and inclusionary units

(b) A low income household unit qualifies the developer for three (3) bonus market rate units until a maximum of fifty (50) percent increase over current land use plan designation is achieved through the additional market rate units and inclusionary units.

(c) A moderate income household unit qualifies the developer for one (1) bonus market rate unit until a maximum of fifty (50) percent increase over current land use plan designation is achieved through the additional market rate units and

city. Wireless, radio or television broadcasting towers exceeding the building height limit requires approval by the city commission.

(3) The side yard requirements for dwellings shall be waived where dwellings are erected above stores or shops. Side lot requirements for dwellings and utility easements shall be waived for the interior lot line if an owner owns more than one lot and is building across the interior lot line, provided that the building inspector shall find that no sewer line presently exists and none is proposed in the future along set back lines of said interior lots. Dwellings previously built and meeting the criteria herein shall be deemed to be grandfathered in to this exception.

(4) Every part of a required yard or court shall be open from its lowest point to the sky unobstructed; except for the ordinary projection of sills, belt courses, cornices, buttresses, ornamental features and eaves; provided, however, none of the above projections shall project into a minimum side yard more than 24 inches. Residential roof overhangs may extend 48 inches into side, rear and front yards.

(5) Open or enclosed fire escapes, outside stairways and balconies projecting into a minimum side yard or court not more than three and one-half feet and the ordinary projections of chimneys and flues may be permitted by the building inspector where same are so placed as not to obstruct the light and ventilation.

(6) The planning and development review board or city commission may, upon the application of any owner of any plot or parcel of land, allow an exception to the height limitations, when it is shown that such exception is necessary and will not interfere with adequate light and air to the adjoining land owners.

Sec. 3.19. Obstructions to vision.

In residential districts as herein defined, there shall be no obstructions to vision planted or erected within 20 feet of lot corner without the approval of the PDRB.

Sec. 3.20. Nonconforming uses.

(a) The lawful use of a "building" existing as of October 3, 1995, shall not be affected by this Code, although such use does not conform to the provision of this Code; and such use may be extended throughout the building, provided no structural alterations, except those required by law or ordinance, ordered by an authorized officer to secure the safety of the building, are made therein, but no such use shall be extended to occupy any land outside such building. If such nonconforming building is removed or the nonconforming use of such building is discontinued for a continuous period of not less than 90 days, every future use of such premises shall be in conformity with the provisions of this Code.

(b) The lawful use of "land" existing as of October 3, 1995, although such use does not conform to the provisions of this Code, shall not be affected by this Code; provided, however, no such nonconforming use shall be enlarged or increased, nor shall any nonconforming use be extended to occupy a greater area of land than that occupied by such use as of October 3, 1995. If such nonconforming use is discontinued for a continuous period of not less than 60 days, any future use of such land shall be in conformity with the provisions of this Code. Provided, however, where "land" which is now used for a use excluded from the district in which such "land" is located and such use is not an accessory to the use of a main building located on the same lot or grounds such nonconforming use of

- (10) The maximum intensity shall be no more than 40 percent of lot coverage.

Sec. 3.03. Same--District R-1.

The following uses and regulations shall apply in R-1 residential districts:

- (1) Single-family dwellings.
- (2) Municipally owned or operated parks and playgrounds.
- (3) Municipally owned or operated hospitals, other than an animal hospital.
- (4) Publicly owned and operated libraries, art galleries and museums.
- (5) Medical office buildings if such building was in operation as of October 3, 1995 and within 1,000 feet of the hospital.
- (6) Building height limit: No building shall exceed 35 feet in height, except as provided in subsection 3.10(3) hereof.
- (7) Building site area required: A minimum frontage at the building line of at least 75 feet. If a lot has less area or width than herein required and was of record at the time of the effective date of any ordinance with this requirement, such lot may be occupied by a single-family dwelling, provided, however, that the minimum side, front and rear yard requirements are conformed with as set out in this section.
- (8) Front yard required: There shall be a front yard having a depth of not less than 25 feet measured to the front line of the main building. Where lots comprising 25 percent or more of the frontage on the same street within the block are developed with buildings having an average yard with a variation in depth of not more than six feet, no building hereafter erected or structurally altered shall project beyond the average front yard so established, but no more than 35 feet shall be required. Where the distance between dwellings on adjacent lots is 200 feet or more, the above front yard requirement will not apply. Where interior lots have a double frontage, the required front yard shall be provided on both streets.
- (9) Side yard required: On lots or parcels of land having a width of 100 feet or more, there shall be a side yard on each side of a building of not less than 15 feet. On lots of record as of October 3, 1995 having widths of more than 50 and less than 100 feet, the side yard on each side of the building shall be no less than ten feet. On lots of record as of October 3, 1995 having widths of 50 feet or less, the side yard on each side of the building shall be no less than seven feet.
- (10) Rear yard required: There shall be a rear yard for the main building having a depth of not less than 25 feet.
- (11) Minimum floor area required: The minimum required ground or first floor area, exclusive of porches, terraces, attached garages, carport or unroofed areas, shall be 1,200 square feet for a single-story dwelling and 850 square feet for two-story dwelling.
- (12) The density allowed in district R-1 shall be no more than five (5) dwelling units per acre.
- (13) Home occupations shall not be allowed in district R-1.
- (14) The maximum intensity shall be no more than 40 percent of lot coverage.

To whom it may concern,

During Hurricane Michael I had 17 trees fall in my yard and several fell on my garage. We had to tear down the garage and I am asking to build it back in the same place on my property. We are going to modify it and build a second story for an office/playroom. The set back does not allow us to build back in the same place. Please consider allowing us to build back our carport.

Thank you,

Lynn Marshall

850-340-0278