City of Port St. Joe Planning, Development, and Review Board Regular Meeting December 1, 2020 at 4:00 P.M.

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:

November 3, 2020, Regular Meeting Minutes

Pages 1-4

BUSINESS ITEMS

• Special Exception Request- Pole Barn, 604 Marvin Avenue David & Chen Suan Asbell

Pages 5-20

*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 Regular Meeting Planning Development & Review Board November 3, 2020

Minutes

Pledge of Allegiance and Moment of Silence

Roll Call of the Board

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

After ascertaining that a quorum was present, Chairman Rish called the Meeting to Order at 4:00 P.M.

Consent Agenda

Clerk Pierce read Form 8B Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers completed by William J. Rish, Jr., for the October 6, 2020, meeting where he abstained from voting on Plat Approval – Parcel #04559-065R Barefoot Cottages Phase II as he was the realtor for this property.

A Motion was made by Phil Earley, second by Rawlis Leslie, to approve the Regular Meeting Minutes of October 6, 2020. All in favor; Motion carried 6-0.

Business Items

Chairman Rish moved the Special Exception Requests up on the Agenda.

Special Exception Request Parcel # 1620 Palm Boulevard Robert Nobles, Pole Barn

Mr. Nobles was out of town and unable to attend the meeting. Phil Early had spoken with him by telephone and felt the request met all requirements. Mr. Nobles' request is to construct a Pole Barn 3' South of the North fence / property line rather than the required 15'.

A Motion was made by Hal Keels, second by Rawlis Leslie, to approve the Special Exception Request to reduce the side setback requirement to 3' for the Pole Barn. All in favor; Motion carried 6-0.

Special Exception Request Parcel # 2003 Cypress Avenue Norman and Phyllis Bixler - Carport

Mr. Bixler attended the meeting. His request is to construct a free standing 22' x 26' carport 45' from the property line of his driveway. This will be 5' from the property line and does not adjoin the house.

A Motion was made by Phil Earley, second by Hal Keels, to approve the Special Exception Request to reduce the side setback requirement to 5' for the Carport. All in favor; Motion carried 6-0.

Ordinance 578 North Port St. Joe Overlay District

Ray Greer, City Planner, provided a brief review of the project and noted this would allow the implementation of the vision of the NPSJ Overlay District. It includes retail, sub retail, residential and

transitional areas. Mr. Greer also noted that the NPSJ PAC is working with FAMU on guidelines for design standards.

A Motion was made by Letha Mathews, second by Phil Earley, to recommend approval of Ordinance 578. All in favor; Motion carried 6-0.

Development Order - Arazzo on Madison Parcels 03040-001R and 03037-000R

Jack Husband, SEC, represented the developer. He stated that all permits have been received, there will be 42 duplex units, and he was requesting approval of the Development Order.

A Motion was made by Rawlis Leslie, second by Phil Earley, to approve the Development Order. All in favor; Motion carried 6-0.

 $Development\ Order-The\ Overlook\ Townhomes\ Parcels\ 04430-000R,\ 04428-000R,\ 04429-000R,\ 04431-000R,\ 04427-000R,\ and\ 04426-000R$

Mr. Rish stated that he would be abstaining on this vote as he is the Realtor of Record on the sale of the property. Form 8B Memorandum of Voting Conflict For County, Municipal, and Other Public Officers was completed by Mr. Rish and is attached to these minutes. Mr. Rish passed the gavel to Vice Chairman, Phi Earley.

Jack Husband, SEC, represented the developer. It was noted that one parcel is located in the City and will have a total of 43 units while the second is in the County and will have 6 units. The County has approved the project located in the County that includes a master stormwater pond for all the units.

A Motion was made by Letha Mathews, second by Hal Keels, to approve the Development Order. All in favor; Motion carried 5-0 with Chairman Rish abstaining.

The gavel was returned to Mr. Rish.

There was no other busines to come before the Board and a Motion was made by Hal Keels, second by Minnie Likely, to adjourn the meeting at 4:27 P.M. All in favor; Motion carried 6-0.

Charlotte Pierce, City Clerk	Date		
Jay Rish, Chairman	Date		

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

MAILING ADDRESS		City of Port	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City of Port St. Joe Planning, Development, and Review Board			
		WHICH I SERVE	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:			
CITIO	COUNTY	₫ CITY	□ COUNTY	☐ OTHER LOCAL AGENCY		
Port Sh Jac	Gulf	NAME OF POLIT	TICAL SUBDIVISION: St. Joe			
date on which vote occurred		MY POSITION IS	9.			
		MIT TOOM IN	- ELECTIVE	■ APPOINTIVE		

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the
minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- · The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- · You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the
 meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the
 agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST
1. William J. Risk, Ja., hereby disclose that on //- 3-
(a) A measure came or will come before my agency which (check one or more)
inured to my special private gain or loss;
inured to the special gain or loss of my business associate,
inured to the special gain or loss of my relative,
inured to the special gain or loss ofby
whom I am retained; or
inured to the special gain or loss of, which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:
If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.
11-3-20
Date Filed Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

CITY OF PORT ST. JOE VARIANCE REQUEST APPLICATION 604 Marvin Avenue

Property Address:	Port St. Joe, FL 32456	ŝ	24.5
Proports O	David M. Asbell	Zoning:	R-1, Residential
Property Owner:	Cheng Suan Asbell	Phone:	404.401.8386
Mailing Address:	720 Hambrick Drive, Lilbur	m, Georgia 30047	
Applicant if different: _	v		
Parcel Number:	04915-000R		
	Par Ch	C Ashall	
Owners Signature	i po	eng Sun Ashell	
Sworn to and subscribe	d before me this 20th	day of October 20)() =
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		Signature of Notary Pul	lic O
PUBLIC NOTICE			PUBL
 A sign will be published in the 	posted for two weeks on the local newspaper.	e property seeking the varianc	ON COVER and a Market will be
APPLICATION REQUII			
Application Fee - \$300.00			= -
Hardship Relief Request Le	etter (See Sec. 2.14 of the LI	OR)	
Legal Description of Proper			
Copy of the Deed			.
Copy of the Survey			
Site plan of the proposed imp	provements		
Owner Signature	Chery Sun Asbell	Date: 10 · 20 · 2020	
Same as above		_	
pplicant Signature		Date:	

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**, **December 1st, 2020, 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 David & Cheng Suan Asbell** located **at 604 Marvin Ave.**, **Parcel # 04915-000R.** The reason **for the request is Per Section 3.03 (9) of the Land Development Regulations referencing side setback requirements**. 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.

Publish one time in the STAR: 11/12/2020 and furnish proof of publication.

(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.

HARDSHIP RELIEF REQUEST LETTER

To:

Port St. Joe, Florida - Planning and Development Review Board

From:

Owners - David M. Asbell and Cheng Suan N. Asbell

Application for variance (hardship relief) in accordance with sec. 2.14. Variances – Requirements and procedures. We are requesting a variance for 604 Marvin Avenue, Port St. Joe, Florida where special conditions and circumstances exist regarding the addition of an open structure that is not attached to the house to cover our boat. Generally, a boat shed is located in the backyard or to the side of the house. A boat port is a feature commonly enjoyed by other properties, especially in Port St. Joe, where boating plays a major role in family life.

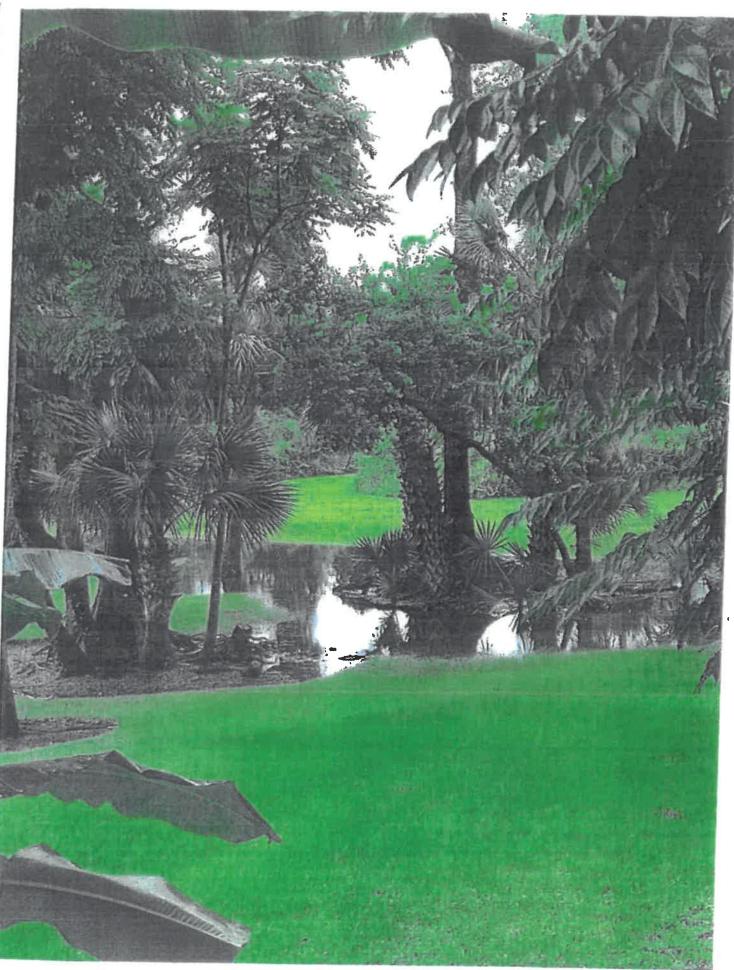
Special circumstances exist as our backyard is in a flood plain that stays underwater a portion of the year not allowing construction in this area (see attached photograph). In addition, the house when built was centered on the site such that a shed cannot be built without encroaching on the 10' side setback for this open shed. Had the house been built a few feet over to one side this could have been easily achieved without going into the setback.

The construction documents and three-dimensional rendering show that the proposed boat port is limited to that minimum width, height and depth necessary to cover our boat / Trailer. The design is in keeping, and in harmony, with the neighborhood and poses no detriment to the public welfare. The special conditions and circumstances for locating this open structure have been demonstrated to be peculiar to this site based on condition (1) a. of Sec. 2.14.

In addition, the applicant would be deprived of rights commonly enjoyed by other properties in the district under the terms of the regulations as cited under (1) b. of Sec. 2.14. Lastly, the special conditions and circumstances that have been encountered do not result from the actions of the applicant per (1) c. of Sec. 2.14 as the flood plain and siting of house are existing conditions that have been inherited to the present owners.

We appreciate the opportunity to submit this application for review. Our Port St. Joe home is the place for us to spend our retirement years as part of a community that we love. We take pride in keeping our home attractive and well maintained. Your approval toward this building permit will enable us to move the boat from the front driveway to a more appropriate location which benefits us and our neighbors as well.





LEGAL DESCRIPTION OF PROPERTY

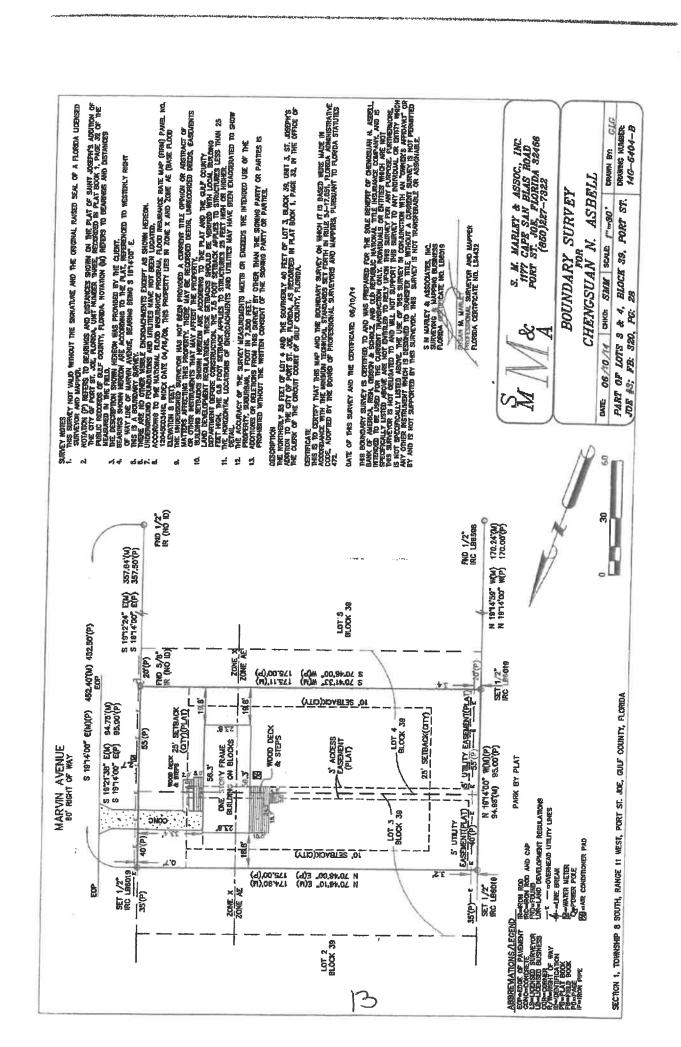
THE NORTHERLY 55 FEET OF LOT 4 AND THE SOUTHERLY 40 FEET OF LOT 3, BLOCK 39, UNIT 3, ST. JOSHEPH'S ADDITION TO THE CITY OF PORT ST. JOE, FLORIDA, AS RECORDED IN PLAT BOOK 1, PAGE 32, IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF GULF COUNTY, FLORIDA.

Return to Name	
Addisss	1
This instrument Propered by	
Address	
Property Appresens Percei Identification (Folio) Number(s)	
SPACE ABOVE THIS LINE FOR PROCESSION AND	ì
This Quit-Claim Deed , Executed this ?	6 day of MAY
- 1-10 SALIAW WZEEL	
	BELL and CHENG SUAN ASBELL
	MBRICK DR, LILBURN GA 30047
Second party:	ω
(Winnever used herein the terms Tept party or and sessions of sedwidusle, and the successors	nd "mocotrd party" sheat include singular, and planst, hatrs, legal reprehensiasses, and analysis of corporations, wherever the content so admits or required.
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ot 3, Block 39, Unit 3, St J	lot 4 and the southerry 40 feet of loseph's Addition to the city of Ports
IJE, FLORIDA, AS RECORDED IN	V PLAT Book 1, Page 32, Public
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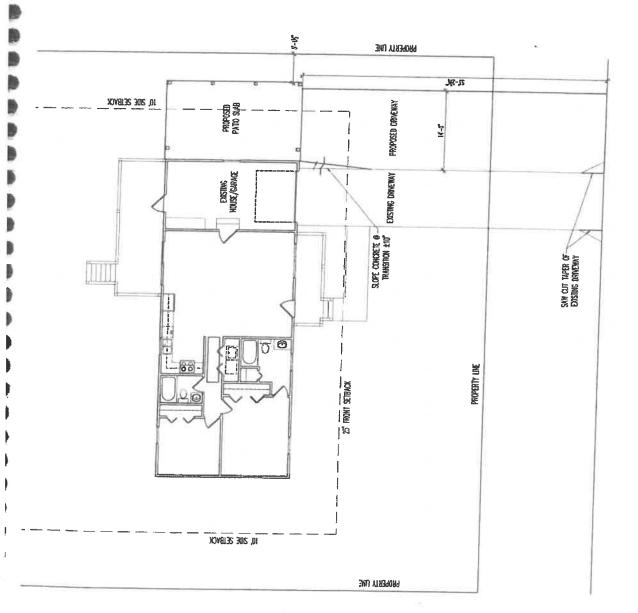
Witness my hand and official east in the County and State last afreewald this 24 day of 100 May ... A.D. 20 11 Candye Lee Lewis

and that an oath (west (was not) laken.

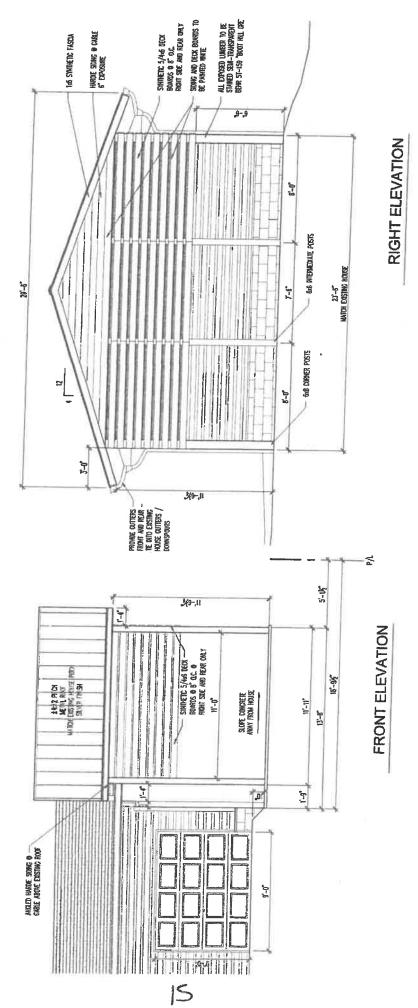
CANDYE LEE LEWS
MY COMMISSION & FF 000524
EXPIRES: December 18, 2017
Bonded The Motory Public Underwriters
INDITARY RUBBER STAMP SEAL |

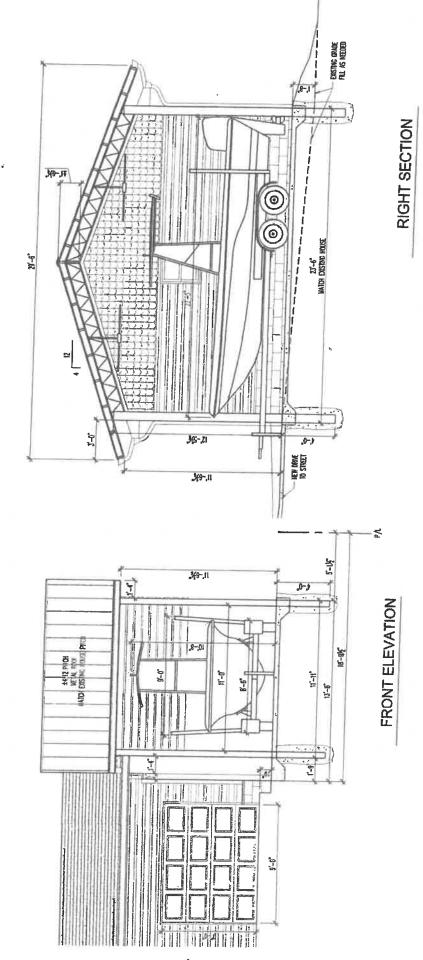


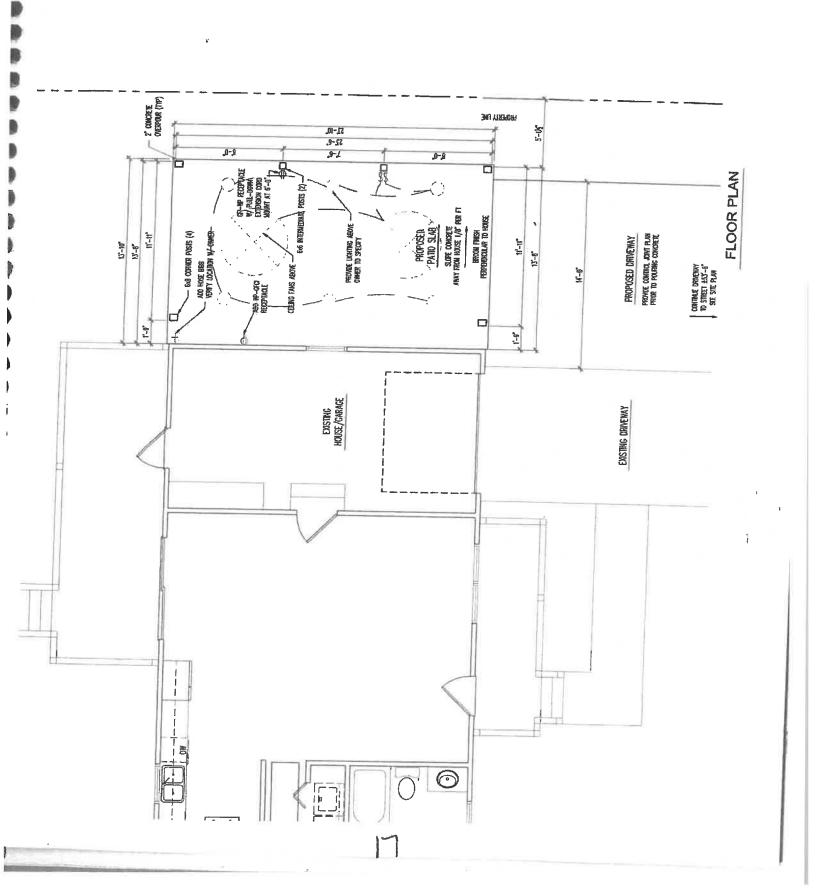




MARVIN AVENUE 60' R/W







November 10, 2020

To Whom it May Concern,

RE: 604 Marvin Ave. Port St. Joe, Florida 32456

This letter is to inform you of your neighbors', David & Cheng Suan Asbell, intent to file for a Special Exception in reference to pole barn side yard setbacks for the property located at 604 Marvin Ave. The City of Port St. Joe will hold a meeting to discuss the request for this Special Exception on Tuesday, December 1st, 2020, 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 reason for the request is per section 3.03 (9) of the Land Development Regulations, see attached copy. 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

(A) qPublic.net™ Gulf County, FL

Parcel Summary

Parcel ID Location Address

04915-000R 604 MARVIN AVE PORT ST JOE 22456 CITY OF PORT ST JOE N 55' OF LOT 4 & 5 40 FT OF LOT 3 ORB 557/487 FR MESSER ORB 618/583 QC FR ASBELL BLK 39 MAP 50A Brief Tax Description*

SINGLE FAM (000100) SINGLE FAM (000100) 1-85-11W City of Port St Joe (District 5) 14-9855 0.381

Property Use Code Sec/Twp/Rng Tax District Millage Rate Acreage Homestead

View Map

Owner Information

Primary Owner
Asbell David M & Cheng Suan
720 Hambrick Dr SW Liburn, GA 30047

Land Information

Number of Units **Prontage** Depth Land Use 95 175 ST JOSEPH ADDITION 1.25 500002

Residential Buildings

Building 1

Building 1
Type

SFR
Total Area

1,664
Heated Area

Exterior Walls

Roof Cover
Interior Walls

Frame Type

OMP
Frame Type

Heat

Air Conditioning

6athrooms

2

Bedrooms

3

Stories

1

Effective Year Built

2010 SFR
1.664
1.080
VINYLSID
COMPSHNGL
DRYWALL
WOOD FRAME
HARDTILE; CARPET AIR DUCTED CENTRAL

Sales

Multi Parcel	Sale Date	Sale Price
N	05/26/2017	\$100
N	06/30/2014	\$108,500
N	09/26/2008	\$154,000
N	02/11/2005	\$180,000
N	10/22/2004	\$180,000
N	06/18/2004	\$85,000
N	09/22/1999	\$100

Valuation

	2020 Certified Values	2019 Certified Values	2018 Certified Values
Building Value	\$96,449	\$74,753	\$83,531
Extra Features Value	\$0	\$0	\$0
Land Value	\$40,000	\$37,500	\$37,500
Land Agricultural Value	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0
Just (Market) Value	\$136,449	\$112,253	\$121,031
Assersed Value	\$123,478	\$112,253	\$121,031
Exempt Value	\$0	\$0	\$0
Taorable Value	\$123,478	\$112,258	\$121,031
Maximum Save Our Homes Portability	\$0	\$0	\$0

[&]quot;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

[&]quot;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.



Overview

Legend

☐ Parcels

USA Major Highways

- Limited Access
- Highway
 Major Road
 Local Road
 Minor Road
 - OtherRoad Ramp
- Ferry
 Pedestrian Way
- Roads

Parcel ID 04915-000R Sec/Twp/Rng 1-85-11W

Sec/Twp/Rng 1-85-11W
Property Address 604 MARVIN AVE
PORTSTJOE

Alternate ID 04915000R Class SINGLE FAM Acreage 0.381 Owner Address ASBELL DAVID M & CHENG SUAN 720 HAMBRICK DR SW LILBURN, GA 30047

District 5

Brief Tax Description

CITY OF PORT ST JOEN 55' OF

(Note: Not to be used on legal documents)

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