



Minutes
Regular Meeting of the St. Johns County
PLANNING AND ZONING AGENCY

Thursday, April 20, 2023 at 1:30:00 PM

The regularly scheduled public meeting of the St. Johns County Planning and Zoning Agency was held on Thursday, April 20, 2023 at 1:30 p.m. in the County Auditorium at the St. Johns County Administrative Complex located at 500 San Sebastian View, St. Augustine, Florida.

MEMBERS PRESENT: Gregory Matovina, District 1, Chair
Meagan Perkins, District 4, Vice Chair
Dr. Richard A. Hilsenbeck, District 3
Eugene Wilson, District 3
Jack Peter, District 4
Elvis G. Pierre, District 2
Henry F. Green, District 5

STAFF PRESENT: Lex Taylor, Sr. Assistant Attorney; Teresa Bishop, AICP, Planning Division Manager; Hali Barkley, GIS Technician; Dominique Wintons, Application Review Technician, Thomas Stalling, Communications Specialist and Marie Colee Assistant Program Manager.

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- Call meeting to order at 1:30 pm
 - Pledge of Allegiance
 - Reading of the Public Notice statement by Perkins
 - Public Comments: None

AGENCY ITEMS:

- District 3**
1. **SUPMIN 2023-03 Gilyard Family Residence.** Request for a Special Use Permit to allow for the placement of a Manufactured/Mobile Home as a residence in Residential, Single Family (RS-3) zoning, pursuant to Section 2.03.08 of the Land Development Code.
Staff: Lauren Dwyer, Planner

No ex parte was declared by the Agency.

Presenter: Lauren Dwyer (Planner, Growth Management) presented the request for a Special Use Permit in the absence of the owner.

(05:42)

Motion by Perkins, seconded by Dr. Hilsenbeck, carries 7/0, to approve SUPMIN 2023-03, subject to ten (10) conditions and eight (8) findings of fact, as provided in the Staff report.

FINDINGS:

1. The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or this Code.
2. The use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.
3. The use, which is listed as a Special Use in Residential, Single-Family (RS-3) zoning designation complies with all required regulations and standards of Article II of the Land Development Code.
4. The request is in compliance with Section 2.03.01 and Section 2.03.08 and Article XII of the Land Development Code.
5. The request is not in conflict with the Future Land Use Map Designation of Residential D (RES-D).
6. The requested Use, although not generally appropriate or without restriction throughout the zoning district, when controlled as to the number, location and relationship, to the neighborhood, promotes the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare of the residents of the area.
7. The requested Use is not in conflict with the development patterns of the area.
8. The applicant, at the public hearing, has stated no objections to the proposed conditions.

CONDITIONS:

1. The Special Use Permit is granted to Katrina Gilyard and **will not** be transferable.
2. Development shall be consistent with improvements depicted on the site plan labeled "Exhibit B" and shall be made a part of this Order; any change or addition shall constitute a violation of the Special Use approval unless such change is submitted and approved by the Planning and Zoning Agency.
3. Applicant agrees that St. Johns County may inspect the site for compliance with the Final Order and all other relevant requirements at the time the Special Use is being executed.
4. This approval of the Special Use Permit may be revoked by the County Administrator or designee, in his/her sole discretion, upon a determination of violation of the conditions set forth herein or a violation of any Federal, State, or Local law or regulation. Appeals of decisions by the County Administrator may be appealed to the Board of County Commissioners.
5. The Special Use Permit shall be commenced within one (1) year of the signing of the Order; otherwise all rights granted herein shall be null and void. Commencement will be defined as issuance of a Development Permit by the St. Johns County Operations Division.
6. The Special Use Permit is granted under the conditions of continual use. A Special Use that, once commenced, remains idle, discontinued or unused for a continuous period of one (1) calendar year shall no longer be valid and all rights granted herein shall become null and void.

7. Approval of the Special Use does not release project from compliance with all relevant requirements of the St Johns County Land Development Code, Comprehensive Land Use Plan, Florida Building Code and any other Agency having jurisdiction.
8. All towing gear shall be removed.
9. Exterior skirting shall be installed to provide a visual barrier for all underfloor mechanical, electrical, and plumbing installations. Skirting shall extend from the underside of the perimeter of the Structure to the adjacent surrounding grade. Skirting may be constructed of pressure treated wood or natural durable wood such as redwood or cedar, or skirting material manufactured specifically for the purpose of installation on manufactured/mobile homes. Skirting shall be permanently maintained free from broken or missing sections, pieces or cross members. Exceptions to these skirting requirements may be made in areas where an enclosed underfloor is prohibited due to storm surge, or where the lowest portion of the first floor joists, measured vertically, exceeds seven (7) feet from grade throughout the entire underfloor area.
10. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.

District 5

2. **ZVAR 2023-04 CR 210 Commercial.** Request for a Zoning Variance to Section 2.03.02.A of the Land Development Code to allow for the package sale of alcoholic beverages within one thousand (1,000) feet of an existing church. This is a companion item to SUPMAJ 2023-01: CR 210 Commercial.

Staff: Evan Walsnovich, Planner

No ex parte communication declared by the Agency.

Presenter: Mark Shelton (Kimley-Horn and Associates, Inc., 12740 Grand Bay Parkway West, Suite 2350, Jacksonville, Florida) Presented the request for a zoning variance.

Discussion occurred between the Agency and the applicant with regard to the rental church being located within 1000 feet, and the request for a 2 year commencement.

(15:35)

Motion by Green, seconded by Pierre, carries 7/0, to approve ZVAR 2023-04 CR210 Commercial, to allow for the package sale of alcoholic beverages within one thousand (1,000) feet of an existing church, based on five (5) conditions and five (5) findings of fact, as provided in the Staff report, with a two year permitting to allow the variance, and removing the site plan.

FINDINGS:

1. The request for this Zoning Variance has been fully considered after public hearing with legal notice duly published as required by law.
2. The request is in compliance with Article XII of the Land Development Code, defining a Zoning Variance. Substantial evidence has been submitted to support a special condition of the property, such that the literal enforcement of the code would produce a hardship as defined by the Code, or why denying the application would be contrary to the spirit and purpose of the Land Development Code.
3. The request is not contrary to the public interest and is not in conflict with surrounding development.

4. The request meets the criteria established by Section 10.04.02 of the Land Development Code.
5. The request is not in conflict with the Future Land Use Designation of Mixed Use.

CONDITIONS:

1. The Variance is granted to Shores Spirits Store, located at the above location, and **will not** be transferable to any other location or entity.
2. Approval of the Variance does not release the project from compliance with all relevant requirements of the St. Johns County Comprehensive Plan, Land Development Code and any other agency having jurisdiction.
3. The Variance shall commence within two (2) years of the signing of the Final Order. Failure to commence within the prescribed time shall render the Order invalid and all rights herein shall become null and void. Commencement shall be defined as issuance of a Development Review Permit by St. Johns County Growth Management Department.
4. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.
5. The approval requested within this application is limited to the requested relief from the specific provisions of the Land Development Code. Approval of this application shall not operate as approval or waiver of any other provision of the Land Development or Comprehensive Plan. Representations and depictions within application materials shall assist Staff in the recommendation and interpretation of the requested relief but shall not operate as approval of, or as a determination of compliance with, any other provision of the Land Development Code or Comprehensive Plan.

District 5

3. **SUPMAJ 2023-01 CR 210 Commercial.** Request for a Special Use Permit per Section 2.03.02 of the Land Development Code to allow for the package sale of alcohol exceeding 14% ABV for off-site consumption. This is a companion item to ZVAR 2023-04.

Presenter: Mark Shelton, Kimley-Horn and Associates, Inc presented this request together with item 2.

(20:40)

Motion by Green, seconded by Perkins, carries 7/0, to approve SUPMAJ 2023-01 CR 210 Commercial, based on eight (8) findings of fact and subject to eleven (11) conditions as provided in the Staff Report, with a two year permitting, and removal of the site plan.

FINDINGS:

1. The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or Land Development Code.
2. The Use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.

3. The use, which is listed as a Special Use in the Commercial General (CG) zoning district complies with all required regulations and standards of Article II of the Land Development Code.
4. The request is in compliance with Section 2.03.02 and Article XII of the Land Development Code.
5. The request is not in conflict with the Future Land Use Designation of Mixed Use (MD).
6. The requested Use, although not generally appropriate or without restriction throughout the zoning district, when controlled as to the number, location and relationship, to the neighborhood, promotes the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare of the residents of the area.
7. The requested Use is not in conflict with the development patterns of the area.
8. The applicant, at the public hearing, has stated no objections to the proposed conditions.

CONDITIONS:

1. The Special Use Permit is granted to Shores Spirits Store, located at the above location, and **will not** be transferable to any other location or entity.
2. Approval is for the Use as regulated by the State of Florida Type 3PS liquor license, specifically for on premise package sales.
3. Sales area shall be limited to the area designated for such on the Site/Floor Plan labeled as Exhibit B submitted by the applicant and made a part of this application.
4. Special Use Permit shall be governed by the St. Johns County Alcohol Beverage Ordinance (Ord. #90-48) as may be amended.
5. Special Use Permit shall be governed by the St. Johns County Sale or Service to persons under Twenty-One Ordinance (Ord. #2011-46) as may be amended.
6. Applicant agrees that St. Johns County may inspect the site for compliance with the Final Order and all other relevant requirements at the time the Special Use is being exercised.
7. This approval of the Special Use Permit may be revoked by the County Administrator or designee, at his/her sole discretion, upon a determination of violation of the conditions set forth herein or a violation of any Federal, State or Local law or regulation. Appeals of decisions by the County Administrator or designee to revoke the Special Use Permit may be appealed to the Board of County Commissioners.
8. The Special Use Permit shall be commenced within one (1) year of the signing of the Order; otherwise all rights granted here in shall be null and void. Commencement shall be defined as issuance, from the appropriate authority, of an alcoholic beverage license that is in accordance with the type of alcoholic beverage service stipulated in the Special Use Permit request.
9. The Special Use Permit is granted under the conditions of continual use. A Special Use Permit that, once commenced, remains idle, discontinued or unused for a continuous

period of one (1) calendar year shall no longer be valid and all rights granted herein shall become null and void.

10. Approval of the Special Use Permit does not release project from compliance with all relevant requirements of the St. Johns County Land Development Code, Comprehensive Land Use Plan, Florida Building Code or any other Agency having jurisdiction.
11. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated here in and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.

District 3

4. **ZVAR 2023-09 Crooms Zoning Variance.** ZVAR 2023-09, Request for a Zoning Variance to Table 6.01 to allow a Second Front Yard setback of 12' in lieu of 20' required together with an additional Front Yard setback of 8' in lieu of the 20' required for a Corner Through Lot in Residential, Single Family (RS-3) zoning to accommodate placement of a manufactured/mobile home.

Staff: Lauren Dwyer, Planner

No public comment.

Presenter: Berlinda Crooms, (Owner, 605 West Volusia Street) presented the request for a zoning variance.

(25:10)

Motion by Dr. Hilsenbeck, seconded by Peter, to approve ZVAR 2023-09 Crooms Zoning Variance, subject to seven (7) conditions and five (5) findings of fact, as provided in the Staff report.

FINDINGS:

1. The request is in compliance with Part XII of the Land Development Code, defining Zoning Variance. Competent substantial evidence has been submitted to support a hardship as defined by the Code.
2. The request is not contrary to the public interest and is not in conflict with surrounding development.
3. The request meets the criteria established in Section 10.04.02 of the Land Development Code.
4. The request is not in conflict with the Future Land Use Designation of Residential – D.
5. The applicant, at the public hearing, has stated no objections to the proposed conditions.

CONDITIONS:

1. The Variance **will not** be transferable and **will not** run with title to the property.
2. Approval of Variance does not release project from compliance with all relevant requirements of the St. Johns County Land Development Code, Comprehensive Land Use Plan and any other Agency having jurisdiction.

3. Approval pursuant to the site plan labeled as Exhibit B submitted by applicant and made a part of this application.
4. This approval of the Zoning Variance may be revoked by the County Administrator or designee, at his/her sole discretion, upon a determination of violation of the conditions set forth herein or a violation of any Federal, State, or Local law or regulation. Appeals of decisions by the County Administrator may be appealed to the Board of County Commissioners.
5. Variance shall commence within one (1) year of the signing of the Final Order. Failure to commence within the prescribed time shall render the Order invalid and all rights granted herein shall become null and void. Commencement shall be defined as issuance of a Development Permit/Clearance Sheet by the St. Johns County Operations Division.
6. The approval requested within this application is limited to the requested relief from the specific provisions of the Land Development Code. Approval of this request shall not operate as approval or waiver of any other provision of the Land Development Code or Comprehensive Plan. Representations and depictions within application materials shall assist Staff in the recommendation and interpretation of the requested relief but shall not operate as approval of, or as a determination of compliance with, any other provision of the Land Development Code or Comprehensive Plan.
7. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated here in and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.

District 3

5. **SUPMIN 2023-05 Crooms Mobile Home.** SUPMIN 2023-05, Request for a Special Use Permit to allow a Manufactured/Mobile Home as a residence in Residential, Single Family (RS-3) zoning, pursuant to Land Development Code, Section 2.03.08.
Presenter - Berlinda Crooms, Owner. Presented this request together with item 4.

(26:05)

Motion by Dr. Hilsenbeck, seconded by Peter, carries 7/0, to approve SUPMIN 2023-05, subject to ten (10) conditions and eight (8) findings of fact, as provided in the Staff report.

FINDINGS:

1. The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or this Code.
2. The use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.
3. The use, which is listed as a Special Use in Residential, Single-Family (RS-3) zoning designation complies with all required regulations and standards of Article II of the Land Development Code.
4. The request is in compliance with Section 2.03.01 and Section 2.03.08 and Article XII

of the Land Development Code.

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

CONDITIONS:

1. The Special Use Permit is granted to Berlinda Crooms and **will not** be transferable.
2. Development shall be consistent with improvements depicted on the site plan labeled "Exhibit B" and shall be made a part of this Order; any change or addition shall constitute a violation of the Special Use approval unless such change is submitted and approved by the Planning and Zoning Agency.
3. Applicant agrees that St. Johns County may inspect the site for compliance with the Final Order and all other relevant requirements at the time the Special Use is being executed.
4. This approval of the Special Use Permit may be revoked by the County Administrator or designee, in his/her sole discretion, upon a determination of violation of the conditions set forth herein or a violation of any Federal, State, or Local law or regulation. Appeals of decisions by the County Administrator may be appealed to the Board of County Commissioners.
5. The Special Use Permit shall be commenced within one (1) year of the signing of the Order; otherwise all rights granted herein shall be null and void. Commencement will be defined as issuance of a Development Permit by the St. Johns County Operations Division.
6. The Special Use Permit is granted under the conditions of continual use. A Special Use that, once commenced, remains idle, discontinued or unused for a continuous period of one (1) calendar year shall no longer be valid and all rights granted herein shall become null and void.
7. Approval of the Special Use does not release project from compliance with all relevant requirements of the St Johns County Land Development Code, Comprehensive Land Use Plan, Florida Building Code and any other Agency having jurisdiction.
8. All towing gear shall be removed.
9. Exterior skirting shall be installed to provide a visual barrier for all underfloor mechanical, electrical, and plumbing installations. Skirting shall extend from the underside of the perimeter of the Structure to the adjacent surrounding grade. Skirting may be constructed of pressure treated wood or natural durable wood such as

redwood or cedar, or skirting material manufactured specifically for the purpose of installation on manufactured/mobile homes. Skirting shall be permanently maintained free from broken or missing sections, pieces or cross members. Exceptions to these skirting requirements may be made in areas where an enclosed underfloor is prohibited due to storm surge, or where the lowest portion of the first-floor joists, measured vertically, exceeds seven (7) feet from grade throughout the entire underfloor area.


10. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.

Agency Report: None

Staff Report: None

Meeting Adjourned at 1:57pm

Minutes approved on the 18th day of May, 2023.



Greg Matovina, Chair
Planning and Zoning Agency



Clerk, Growth Management