



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

Thursday, May 4, 2023 at 1:30:00 PM

The regularly scheduled public meeting of the St. Johns County Planning and Zoning Agency was held on Thursday, May 4, 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
Jack Peter, District 4
Elvis G. Pierre, District 2
Henry F. Green, District 5

MEMBERS ABSENT: Eugene Wilson, District 3

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

-
- Call meeting to order at 1:30 pm
 - Pledge of Allegiance
 - Reading of the Public Notice statement by Perkins

(0:02:30)

- **Motion by Perkins, seconded by Peter, carries 6/0, for approval of meeting minutes for PZA 5/19/2022, 6/2/2022, 10/6/2022, 10/20/2022, 3/2/2023 and 4/6/2023.**
- **Dr. Hilsenbeck** requested:
 1. Would appreciate receiving the agenda items for the PZA meetings by the Friday before the following Thursday's meeting.
 2. An update on the number of "rental units" that have been asked to approved by the PZA and BCC in the past 5 years. Requested this about a year ago in reference to an item that had been discussed.
 3. Requested an update a year ago on approved and unbuilt lots in the County. Would like an update on this. Considers the public needs to know this information.

Staff (Bishop): Explained that the Agenda was not related to an applicant item. Had unforeseen circumstances relating to staffing issues. Advised that the number of “unbuilt lots” has been available for some time. Will ensure the Agency receives that information again. The number of “rental units” will need to be investigated and the agency will be advised.

(0:07;21)

- **Public Comments:**
Chuck Labanowski (1748 N. Cappero Drive) Concerned over the cause and effect with the number of agenda items that are being approved by the PZA and BCC. Presented a chart with the number of “Relocatable” class rooms that have been increasing at the Public Schools in the County. Concerned over the changes to the quality of life in the County. Confirmed that the information was taken off the School Board website.
- **Matovina:** Advised that Item 1 will be heard first, followed by Item 5.

AGENCY ITEMS:

District 3

1. SUPMIN 2023-02 Leo Family Duplex. Request for a Special Use Permit pursuant Section 2.03.18 of the Land Development Code to allow for Duplexes in Residential, Single Family (RS-3) zoning, specifically at 882 Sydney Street.

Staff: Trevor Steven, Planner

Ex parte communication declared by the agency:

Green; Dr Hilsenbeck: Spoke to Mr. Whitehouse regarding the project.

Matovina: Left a message following Mr. Whitehouse’s call. Advised all the information needed to make a decision was to hand and looked forward to the presentation.

Presenter: James G. Whitehouse, Esq, (St. Johns Law Group, 104 Seagrove Main Street) presented the proposal for a Special Use Permit.

Discussion occurred between the agency and the applicant with regard to saving as many trees as possible and where the development is located.

Staff (Bishop): Confirmed the development is within the West St Augustine redevelopment area. That the project is not in the West St Augustine overlay area.

Speaker:

Jennifer Fournier (882 Sidney Street) OPPOSED. Lives opposite. Main concern is the additional traffic.

Whitehouse: Presented a rebuttal.

Further discussion occurred between the Agency and the presenter.

(25:50)

Motion by Perkins, seconded by Peter, carries 6/0, to approve SUPMIN 2023-02 Leo Family Duplex, subject to eight (8) conditions and seven (7) findings of fact, as provided in the Staff report.

FINDINGS:

1. The request for the Special Use Permit has been fully considered after public hearing with legal notice duly published as required by law.
2. 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.
3. 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.
4. The use, which is listed as a Special Use in the Residential, Single Family (RS-3) zoning district, complies with all required regulations and standards of Article II in the Land Development Code.
5. The request is in compliance with Part 2.03.00 of the Land Development Code.
6. The request is not in conflict with the Future Land Use Map designation of Residential-D.
7. The applicant, at the public hearing, has stated no objections to the proposed conditions.

CONDITIONS:

1. The Special Use Permit will be transferable and will run with the title to the property.
2. 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 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.
3. The Special Use Permit shall be commenced 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 by the St. Johns County Operations Division.
4. The Special Use Permit is granted under condition of continual use. A Special Use that, once commenced, remains idle, discontinued or unused for a period of one (1) calendar year shall no longer be valid and all rights granted herein shall become null and void.
5. Approval of the Special Use Permit does not release project from adherence to all relevant requirements of the St. Johns County Land Development Code, and Comprehensive Plan.
6. 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.

7. The detailed site plan labeled Exhibit B shall become a condition upon which the Use and Structures shown thereon are permitted; and any change or addition, shall constitute a violation of the Special Use approval unless such change is submitted to and approved by the Planning and Zoning Agency.
8. The applicant shall provide documentation demonstrating that the property utilizes Central Water and/or Sewer for consistency with the density limitation of the Comprehensive Plan. Documentation shall be provided along with submittal of Subdivision Construction Plans for staff review.

Matovina: Advised the meeting was moving to Item 5.

District 4

2. ZVAR 2022-28 Stephens Family Pool. ZVAR 2022-28 Stephens Family Pool Request for a Zoning Variance to Section 2.02.04.B.8 of the Land Development Code to allow for a swimming pool to be setback zero (0) feet from the Rear Yard property line in lieu of the required ten (10) feet in Residential, Single Family (RS-3) zoning, located at 187 South Roscoe Boulevard.

Staff: Lauren Dwyer, Planner

No ex parte communication declared by the Agency.

Presenter: Doug Burnett (St Johns Law Group, 104 Seagrove Main Street) presented the request on behalf of the Stephens Family.

Further discussion occurred between the presenter and the Agency.

(1:33:00)

Motion by Green, seconded by Dr. Hilsenbeck, carries 6/0, to approve ZVAR 2022-28 Stephens Family Pool, based on seven (7) conditions and five (5) finding of fact, as provided in the Staff Report.

FINDINGS:

1. The request is in compliance with Article XII of the Land Development Code, defining a 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 by Section 10.04.02 of the Land Development Code.
4. The request is not in conflict with the Future Land Use designation of Residential-A.
5. The applicant, at the public hearing, has stated no objections to the proposed conditions.

CONDITIONS:

1. The Variance shall be transferable and apply only to the construction, as depicted on Exhibit B as submitted for this approval. Should the property be conveyed, the requested relief will run with the property as commenced.

2. The approval of the Variance does not release the project from compliance with all relevant requirements of the St. Johns County Land Development Code, Comprehensive Land Use Plan, or any other Agency having jurisdiction.
3. Development shall be consistent with improvements depicted on the site plan labeled **Exhibit B** submitted by the applicant and made a part of this Order. Encroachment is limited to the footage depicted.
4. 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 the application materials shall assist Staff in the 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.
5. The 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 by the St. Johns County Operations Division.
6. 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.
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 herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.

District 5

3. ZVAR 2023-05 Reyburn Variance. Request for a Zoning Variance to Table 6.01 of the Land Development Code to allow for a fifteen (15) foot Front Yard setback in lieu of the required twenty-five (25) foot setback, and to allow for a six (6) foot side setback in lieu of the required eight (8) foot setback, in Residential Single Family (RS-2) to accommodate construction of a single-family home located at 4412 Coastal Highway.

Staff: Sloane Stephens, Planner

Ex parte communication declared by the Agency:

Dr Hilsensbeck: Drove by the property several times yesterday.

Presenter: Carol Reyburn (21 Coquina Blvd) presented the request for the zoning variance.

Discussion occurred between the Agency and the applicant with regard to the beach and that the home would be built seaward of the coastal control line.

(1:44:04)

Motion by Perkins, seconded by Green, carries 5/1 (Dr. Hilsenbeck dissent), to approve ZVAR 2023-05 Reyburn 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 Article XII of the Land Development Code, defining a 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 by Section 10.04.02 of the Land Development Code.
4. The request is not in conflict with the Future Land Use designation of Residential-C.
5. The applicant, at the public hearing, has stated no objections to the proposed conditions.

CONDITIONS:

1. The Variance shall be transferable and apply only to the construction, as depicted on Exhibit B as submitted for this approval. Should the property be conveyed, the requested relief will run with the property as commenced.
2. The approval of the Variance does not release the project from compliance with all relevant requirements of the St. Johns County Land Development Code, Comprehensive Land Use Plan, or any other Agency having jurisdiction.
3. Development shall be consistent with improvements depicted on the site plan labeled **Exhibit B** submitted by the applicant and made a part of this Order. Encroachment is limited to the footage depicted.
4. 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 the application materials shall assist Staff in the 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.
5. The 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 by the St. Johns County Operations Division.
6. 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.
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 herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.

4. CPA(SS) 2023-02 McCrary Family. Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 20 acres of land from Rural/Silviculture (R/S) to Residential-A (RES-A) with a text amendment limiting the property to a maximum of six (6) single-family dwelling units. The subject property is located at 1660 and 1740 County Road 13A North.

Staff: Saleena Randolph, Senior Planner

Presenter: Douglas N. Burnett, Esq., (St. Johns Law Group , 104 Seagrove Main Street, St Augustine) presented the request for a small-scale comprehensive plan amendment.

Discussion occurred between the Agency and the Applicant, and the Agency and Staff regarding the whether or not the property is in compliance with the comprehensive plan dated September 14th, 1990.

Staff (Bishop): Explained that as the property was only 20 acres, and not 40 acres, to build a house they had to apply for a comprehensive plan amendment.

Matovina: So this should meet the criteria of the Comprehensive Plan before it is approved.

(1:55:54)

Motion by Peter, seconded by Pierre, (technical denial 3/3, dissent Dr. Hilsenbeck; Perkins; Matovina) to recommend approval of CPA(SS) 2023-02 McCrary Family, based upon 4 findings of fact as provided in the Staff Reports

FINDINGS:

1. The proposed Comprehensive Plan Amendment was fully considered after public hearing pursuant to legal notice duly published as required by law.
2. The proposed Comprehensive Plan Amendment is not consistent with the St. Johns County Comprehensive Plan, Ordinance No. 2010-38, as amended, the Northeast Florida Strategic Regional Policy Plan, the Community Planning Act and Land Development Regulation Act (Chapter 163, Florida Statutes).
3. The proposed Comprehensive Plan Amendment is not procedurally consistent with Part 9.05.00 of the Land Development Code.
4. The amendment is not consistent with the Goals, Objectives, and Policies of the St. Johns County Comprehensive Plan, including Policies A.1.2.5, A.1.2.7, A.1.3.11, A.1.15.2, and with other provisions provided during the hearing.

5. PUD 2023-03 Big Oak RV & Boat Storage. Request to rezone approximately 6.37 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for an RV/Boat Storage Facility or a maximum 60,000 square feet of commercial uses.

Staff: Justin Kelly, Senior Planner

Ex parte communication declared by the Agency:

Pierre: Spoke with the Allen's.

Dr Hilsenbeck: Spoke with Tommy Allen Jr who owns a property contiguous to this property. Mr. Allen mentioned that they are the best neighbors they have ever had. They are in favor of this development.

Perkins: Spoke to the developer across from the street of this project.

Matovina: Spoke with John Champion who works with the developer of the project. Had a conversation about the project and how it may, or may not, comply with the Comprehensive Plan and the Land Development Code.

Presenter: Karen M. Taylor (77 Saragossa Street) presented the request. Has five letters in support and three in opposition.

Discussion occurred between the Agency and the applicant.

(56:15 - 1:16:25)

Speakers:

Natalie Van Lenten (2455 Cabbage Hammock Rd, St Augustine Fl 32092) OPPOSED
Home is the closest lot to the proposed development.

Disapproves of the development for the following four reasons:

1. One entrance road in and out on Cabbage Hammock Road, that is just a one lane road. If trucks are doing a three point turn, her road is the first entrance and the large trucks will be doing these turns into her driveway. No outlet on this road.
2. Residential area. No commercial businesses within one mile of this address.
3. Concerned it will decrease her property value. Happy to provide an appraisal if needed.
4. This will be a 24 hour, 7 day a week operation. Most boat and RV storage areas are accessed at non traditional working hours. Excess noise, vibrations and lights will be a disturbance. This is a residential area, not a commercial area. It will feel they live next to a business and not in the woods.

Eve Maley (3434 Raulerson Rd, St Augustine, Fl 32092) OPPOSED. Owns 60 acres on Cabbage Hammock Road. Considers this development to be an open ended classification. Does not consider this to be an appropriate commercial location. Would be supportive of a residential development.

Tom Champion (212 Corporate Square Blvd, Jacksonville, Fl 32216) OPPOSED Considers this area to be a planned rural / residential area not commercial.

Marie Chretien (2860 Cabbage Hammock Rd, St Augustine Fl 32092) OPPOSED. Lives on 1.25 acres. Moved there to stay in the country. Does not want this development in a residential area.

Randy Martinuzzi (2120 Corporate Square Blvd, Jacksonville Fl 32092) OPPOSED. Presented on behalf of the South Wind Plantation HOA. Considers this development a misuse of a PUD.

Margaret Reaves (3465 Raulerson Rd, St Augustine Fl 32092) OPPOSED Wants to keep the area rural/residential. More commercial will bring in more traffic. Wants to continue seeing families walking, and children playing, in the area.

Robert Lambert (2201 Corporate Square Blvd, Jacksonville Fl 32092) Works for Cedar Construction. Builder of the home across the street. Can give an approximate price on the value of the homes. For 1 to 1.5 to 2 acres each are going for up to \$850,000. This will be in a rural, residential area with young families and retirees looking to live in the woods. Boat and RV Storage facilities in downtown areas can be loud and noisy area. People getting ready for fishing, with the

best time to get the boat is 3am in the morning. Noise will be a major issue for them. Presented a map showing where the homes will back up onto the septic field.

Presenter (Karen M. Taylor): Provided the rebuttal.

Discussion occurred between the Agency and the presenter with regard to the availability of competitor RV/ Boat Storage units in the area. Various concerns were raised by the Agency members with regard to the compatibility of this project within the local community.

(1:27:35)

Motion by Perkins, seconded by Peter, carries 6/0, to recommend denial of PUD 2023-03 Big Oak RV & Boat Storage, based on ten (10) findings of fact as listed in the Staff report.

FINDINGS:

1. The request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The PUD is not consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan, specifically Goal A.1 of the Land Use Element related to effectively managed growth, the provision of diverse living opportunities and the creation of a sound economic base.
3. The PUD is not consistent with the Future Land Use Map Designation of Residential-B by not providing a use complimentary to residential development.
4. The PUD is not consistent with Part 5.03.00 of the St. Johns County Land Development Code, including Section 5.03.06.A through H which provides standards for review and approval of Planned Unit Developments.
5. The PUD is not consistent with the St. Johns County Comprehensive Plan specifically Policy A.1.3.11 as it relates to compatibility of the project to the surrounding area.
6. The PUD does not meet the standards and criteria of Part 5.03.02 of the Land Development Code with respect to (B) location, (C) minimum size, (D) compatibility, and (E) adequacy of facilities, including, but not limited to required development buffering. Requested waivers are not approved.
7. The PUD does not meet all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Sections 5.03.02.G.1, 5.03.02.G.2, and 5.03.02.F of the Land Development Code. Requested waivers are not approved.
8. The PUD would adversely affect the orderly development of St. Johns County.
9. The PUD as proposed is not consistent with Objective A.1.11 of the St. Johns County Comprehensive Plan as it relates to an efficient compact land use pattern.
10. Consistent with *Board of County Com'rs of Brevard County v. Snyder, 627 So. 2d 469, the Board finds a legitimate public purpose in keeping the existing zoning of Open Rural (OR).*

6. CPA(SS) 2021-24 The Cottages at St. Johns. Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 20.82 acres of land from Residential (Res-C) to Residential-D (Res-D), located on SR 16, west of International Golf Parkway. This request is a companion application to PUD 2021-18.

Staff: Teresa Bishop, AICP, Planning Division Manager

Ex parte communication declared by the Agency:

Green; Pierre: Spoke with Tom Ingram this morning.

Perkins: Received an email from Tom Ingram last night, and responded this morning.

Dr. Hilsenbeck: Previously drove by the site. Did speak to Tom Ingram.

Matovina: Had a discussion with Tom Ingram with the merits of the proposal two nights ago.

Presenter: Tom Ingram, (Sodl & Ingram PLLC, 233 East Bay Street, Jacksonville, Florida) presented the request for Small-Scale Comprehensive Plan Amendment. This was presented along with Item 7.

Speakers:

Chuck Labanowski (1748 N. Cappero Dr) **OPPOSED** Explained the difference between Res C developments as being small density, and Res D developments as being high density. Presented a diagram showing this. If this Res D development was approved it would generate approximately 464 more students to the currently over crowded schools. The area cannot handle more children until something is done to address the schools system that has too many “relocatable” classrooms already. The development is located right in the middle of a lot of congestion. The people living there will be able to walk to some facilities, but not all. The traffic will still be there for both in and out. They will need to make a U-turn to go East. If they are coming from the West they will have to go to an already over crowded intersection and make a U turn to go back into the development. There will be at least 580 more vehicles added to that area.

Presented a document that showed that lack of funding is why the intersection had not been upgraded, despite a design being approved over three years ago.

Questioned as to when the road improvements will be done to allow for more residential development.

Charles Hunt (5135 Silo Rd) **OPPOSED** Too many people are already in a very small area without the traffic infrastructure.

Kevin Carroll (5695 SR 16) **SUPPORTS.** His family have owned and lived on the land that is being proposed for redevelopment. Would like to see the development approved so his family can move to another location. Too much development has occurred in this area over the years for them to continue enjoying a rural lifestyle.

Al Abbatiello (1133 River Birch Rd, St Johns) **OPPOSED.** Presented overheads. Concerned about the density. The Cottages development will be almost 13 units per acre. Yet they are surrounded by home lots that are 2 units per acre. Does not consider this development to be compatible with the area. Concerned about the existing inadequate road infrastructure. Five road segments are impacted. Estimated cost to upgrade the roads is \$110.65m and the unfunded portion currently is \$99.39m. The Cottages of St Johns are only contributing approximately \$2 million to this. Most of the roads are currently overloaded.

Keith Bowen (5695 SR 16) OPPOSED. Lives opposite the development. The development is not compatible with the rural community they live in. Traffic is very heavy. From 8am to 9.30am there is a fog in front of his home.

Presenter: Tom Ingram offered rebuttal. Explained that in evolution of development, that the less dense housing comes first, then the dense.

Discussion occurred between the Agency and the presenter. Concerns were raised over going from Res C to Res D.

(2:55:10)

Motion by Green, seconded by Perkins, carries 4/2 (dissent Dr. Hilsenbeck; Peter) to recommend approval of CPA (SS) 2021-24 The Cottages at St. Johns based upon four (4) findings of fact as provided in the Staff report.

FINDINGS:

1. The amendment was fully considered after public hearing pursuant to legal notice duly published as required by Law.
2. The amendment is consistent with the Northeast Florida Strategic Regional Policy Plan.
3. The amendment is consistent with the applicable sections of the St. Johns County Comprehensive Plan and the Land Development Code.
4. The amendment is consistent with the Goals, Objectives, and Policies of the St. Johns County Comprehensive Plan, including Policies A.1.2.5, A.1.2.7, A.1.3.11, A.1.15.2, and with other provisions provided during the hearing.

District 2

7. PUD 2021-18 The Cottages at St. Johns. Request to rezone approximately 20.8 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to accommodate the development of up to 232 residential units contained within a rental community. This request is a companion application to CPA (SS) 2021-24 The Cottages at St. Johns.

Presenter: Tom Ingram, (Sodl & Ingram PLLC, 233 East Bay Street, Jacksonville, Florida) presented the request for Small-Scale Comprehensive Plan Amendment. This item was presented along with Item 6.

(3:04:30)

Motion by Green, seconded by Perkins, carries 4/2 (dissent Dr. Hilsenbeck; Peter) to recommend approval of PUD 2021-18 The Cottages at St Johns, subject to nine (9) findings of fact as provided in the Staff Report.

FINDINGS:

1. The request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.

2. The PUD is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan, specifically Goal A.1 of the Land Use Element related to effectively managed growth, the provision of diverse living opportunities and the creation of a sound economic base.
3. The PUD is consistent with the Future Land Use Designation of Res-D.
4. The PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments.
5. The PUD is consistent with the St. Johns County Comprehensive Plan specifically Policy A.1.3.11 as it relates to compatibility of the project to the surrounding area.
6. The PUD meets the standards and criteria of Part 5.03.02 of the Land Development Code with respect to (B) location, (C) minimum size, (D) compatibility, and (E) adequacy of facilities.
7. The PUD meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Sections 5.03.02.G.1, 5.03.02.G.2, and 5.03.02.F of the Land Development Code.
8. The PUD would not adversely affect the orderly development of St. Johns County.
9. The PUD as proposed is consistent with Objective A.1.11 of the St. Johns County Comprehensive Plan as it relates to an efficient compact land use pattern.

District 2

8. MAJMOD 2023-05 TrailMark Recreational Pond. Request to modify the Six Mile Creek Planned Unit Development (PUD) to add approximately 33 acres of land to provide additional recreational opportunities for the community. The applicant is proposing a recreational pond.

Ex parte communication declared by the Agency.

Perkins: Had a discussion with Mr. Kern and discussed the application.

Matovina: Had a discussion with Mr. Gregg Kern and asked whether or not any additional density was being added.

Presenter: Lindsay Haga, AICP, Planning Manager, ETM, Inc. presented the request to modify the PUD.

Further discussion occurred between the Agency and the presenter.

Dr. Hilsenbeck: Raised the issue that the developer is trying to pass this as a recreational pond. Yet it will commence as a “burrow pit” to be used as fill for the Six Mile Creek development.

Presenter: It is not a commercial borrow pit. Fill will be used internally.

Speakers:

Colley Stowell (450 Indian Branch Ranch Road, St Augustine 32092) SUPPORTS. Developer has been very forthright and answered our questions at the meetings held at the activity center.

David Courtney (5395 Church Road, Lot C, St Augustine)OPPOSED. Lives next door to this development. Concerned about three issues.

1. Would like a study done to see how much this pond will affect his well.
2. Would like a fence to stop people from coming in all over the area and onto his property.
3. Would like a deterrent to stop people from going from Church Road onto Indian Branch Ranch Road.

Applicant provided a rebuttal that addressed these concerns.

Staff (Mike Roberson): Advised there is a process for the water management. The St Johns Water Management District, or the applicant, will have to get a consumptive use permit. They perform a drawn down analysis and also look at the existing wells around. There is a governmental agency that will ensure the developer complies in that aspect.

(3:29:48)

Motion by Perkins, seconded by Green, carries 5/1 (dissent Dr Hilsenbeck), to recommend approval of MAJMOD 2023-05 TrailMark Recreation Pond, based upon six (6) findings of fact as provided in the Staff Report.

FINDINGS:

1. The request for a Major Modification has been fully considered after public hearing pursuant to the legal notice as required by Florida law and the St. Johns County Land Development Code.
2. The request is consistent with the goals, objectives and policies of the 2025 St. Johns County Comprehensive Plan.
3. The request is consistent with Part 5.03.05.C of the St. Johns County Land Development Code, which provides conditions for Major Modifications to approved PUDs.
4. The request is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments.
5. The modification to the Master Development Plan Map and Text meets all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.
6. The request is consistent with Policy A.1.3.11 of the 2025 St. Johns County Comprehensive Plan in that it does not adversely affect the orderly development of St. Johns County and is compatible with the development trends of the surrounding area.

(3:30:50)

Staff Report (Bishop): PZA July 6th meeting falls very close to July 4th. BCC has cancelled their July 4th meeting. PVZAB has cancelled their July 3rd meeting.

(3:31:25)

Motioned by Green, seconded by Perkins, carries 6/0, to cancel the PZA July 6th regular scheduled meeting.

Agency Report:

Matovina: Raised the issue of proposed re-zonings for RV Parks, who also want 10,000 square foot per acre. When reading the PUD it is not clear they can do both. Aware we are looking at changing the Comprehensive Plan and hiring a consultant to help us with the changes, as the County is growing up. When we made those rules it was probably appropriate. We need to look at maybe making some provisions.

Meeting Adjourned at 5:05pm

Minutes approved on the 20th day of July, 2023.



Chair
Planning and Zoning Agency



Clerk, Growth Management