

# ST. JOHNS COUNTY Planning & Zoning

## BOARD

Meagan Perkins

Jack Peter

Greg Matovina

Henry F. Green

Dr. Richard Hilsenbeck

Elvis Pierre

Judy Spiegel



## REGULAR MEETING MINUTES

County Auditorium  
500 San Sebastian View

Michael Roberson, Director of Growth Management

Christine Valliere, Sr. Assistant County Attorney

Thursday, February 1, 2024 1:30:00 PM

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### MEMBERS PRESENT:

Meagan Perkins, District 4, Chair

Jack Peter, District 4 Vice-Chair

Gregory Matovina, District 1

Dr. Richard A. Hilsenbeck, District 3

Henry F. Green, District 5

Elvis G. Pierre, District 2

Judy Spiegel, District 3

### STAFF PRESENT:

Beverly Frazier, Assistant Director, Growth management

Cynthia May, Senior Planner

Keisha Frank, Senior Planner

Lex Taylor, Sr. Assistant Attorney

Jasmine Allen, GIS Technician

Jennifer Gutt, Planning Coordinator

Marie Colee, Assistant Program Manager

- Called to Order at 1:31 PM
- Pledge of Allegiance
- Reading of the Public Statement
- PZA minutes for approval: 1/18/2024
  - Motion to Approve by Mr. Peter, Second Mr. Pierre (Approved 7/0)
- Public Comments: Chuck Lebanowski, Joe McAnarney

### AGENCY ITEMS

\*\*\* The public hearing for REZ 2023-23 Osceola Lakes, will not be heard and will be rescheduled to a date uncertain. The application will be re-advertised and noticed for the hearing date. \*\*\*

**Presenter - Charles Moran**

**Staff - Evan Walsnovich, Planner**

**(00:06:21) District 2**

1. **SUPMIN 2023-09 Moran/Bellwood Family Farm.** Request for a Special Use Permit to allow for the placement of More Than One Main Use Structure on a Residential Lot in Open Rural (OR) zoning, pursuant to LDC Sections 2.03.28 and 2.04.07, and subject to Family Farm and Lot provisions of LDC Section 6.08.17 and Comprehensive Plan Policy A.1.6.4, specifically located at 2061 Ryan Road.

Ex parte communication was disclosed.

Charles Moran presented details pertaining to Special Use permit request.

Agency questions regarding permanent structure vs non-permanent structure. OCA (Lex Taylor) provided clarification regarding the special use permit being tied to the property however it has to maintain requirements of the special use permit.

Public Comment: None

**Motion to approve by Mr. Green, seconded by Mr. Peter (Motion Carries 7/0) SUPMIN 2023-09 Moran/Bellwood Family Farm based upon seven (7) findings of fact and subject to ten (10) conditions as provided in the Staff Report.**

**Presenter - Robert Schmidt**

**Staff - Trevor Steven, Planner**

**(00:09:11) District 3**

2. **ZVAR 2023-33 Hall Carport @ 97 Sea Oats Lane.** Request for a Zoning Variance to Section 6.01.03.C.3 of the Land Development Code to allow for a Front Yard setback of ten (10) Feet in lieu of the required Twenty-Five (25) feet, and a Side Yard setback of zero (0) feet in lieu of the required eight (8) feet for a Corner Lot located in Residential, Single Family (RS-3) zoning, located at 97 Sea Oats Lane.

Ex parte communication was disclosed.

Robert Schmidt presented details pertaining to the zoning variance request.

Agency Discussion regarding the existing violation and the included contingency on the owner bringing the property into compliance in which the owner stated he would not be removing the concrete that is currently on the property. Discussion around the owner's preference to not remove concrete as it currently sits and the current location of garages on property. Agency clarification that the property must be brought into compliance prior to the construction of the car port.

Public Comment: None

**Motion to approve by Mr. Green seconded by Mr. Matovina (motion passes 6/1 dissenting: Mr. Peter) ZVAR 2023-33 Hall Carport @ 97 Sea Oats Lane, based on eight (8) conditions and five (5) findings of fact as provided in the Staff Report.**

**Presenter - Geoffrey C. Batteiger**

**Staff - Trevor Steven, Planner**

**(00:19:58) District 2**

- 3. ZVAR 2023-37 Whitley AFU.** Request for a Zoning Variance to Section 2.02.04.B.16.d of the Land Development Code to allow for an Accessory Family Unit to be (52%) of the square footage of the main use Structure which exceeds the existing thirty five percent (35%) allowable square footage, located at 9045 Reid Packing House Road.

Ex parte communication was disclosed.

Mr. Batteiger presented details pertaining to the zoning variance request.

Public Comment: None

**Motion to approve by Mr. Peter, seconded by Dr. Hilsenbeck (motion passes 6/1 dissenting vote Mr. Matovina) ZVAR 2023-37 Whitley AFU, based on eight (8) conditions and five (5) findings of fact as provided in the Staff Report.**

**Presenter - Michael D. Miles, P.E**

**Staff - Trevor Steven, Planner**

**(00:23:24) District 3**

- 4. MINMOD 2023-21 Chase St. Augustine.** Request for a Minor Modification to the Red Lobster PSD (ORD. 1993-13, as amended) to allow for the uses of Bank, Restaurant, or Professional/Business Office on the existing Restaurant parcel, specifically located at 100 State Road 312 W.

Ex parte communication was disclosed.

Mr. Mike Miles presented details pertaining to the Minor Modification request.

Agency discussion on clarification of retaining open alcohol allowance for potential future use for restaurant and percentage of impervious surface will not increase past 75%. Discussion regarding communications with the neighboring bank and signage rights.

Public Comment: None

**Motion to approve by Mr. Green, seconded by Mr. Pierre (motion passes 7/0) MINMOD 2023-21 Chase St. Augustine, based upon six (6) findings of fact and seven (7) conditions as provided in the Staff Report.**

**Presenter - Karen Taylor, Land Planner**

**Staff - Saleena Randolph, Senior Planner**

**(00:29:55) District 5**

- 5. REZ 2023-22 One North Commercial.** Request to rezone approximately 1.01 acres of land from Commercial Intensive (CI) with conditions to Commercial Intensive (CI), specifically located at 6241 W. Cypress Drive and unaddressed lots on W. Cypress Drive.

Ex parte communication was disclosed.

Ms. Karen Taylor presented details pertaining to rezoning request.

Agency Discussion: Agency asks for clarity of the width of lots as well as intention to pave the area; discussion regarding the history of prior approval requested from the Planning and Zoning Agency. Conversation around flooding, storm water and current retention pond.

Public Comment: Paul Nelson and Beth Ashley provided public comment.

Conversations regarding retention pond and drainage and the wetlands around the property. The Agency requests that staff provide some assistance to public speaker regarding the flooding of his property; Staff (Dick D'Souza) provided staff contact for the public speaker.

**Motion to recommend approval by Mr. Green, seconded by Mr. Peter (motion passes 6/1 dissenting vote: Mr. Pierre) of REZ 2023-22 One North Commercial based upon four (4) findings of fact as provided in the Staff Report.**

**Presenter - Ellen Avery-Smith, Esq., Rogers Towers, P.A.**

**Staff - Saleena Randolph, Senior Planner**

**(00:54:29) District 2**

- 6. PRD 2023-01 Honey Branch Farms.** Request to rezone approximately 273 acres of land from Planned Rural Development (PRD) and Open Rural (OR) to Planned Rural Development (PRD) to allow for a maximum of 54 single family homes within approximately 27 acres of Development Area, setting aside the remaining approximately 246 acres for Reserve Area; specifically located on unaddressed property on County Road 208 across from Joe Ashton Road.

Ex parte communication was disclosed.

Mr. McGarvey and Ms. Avery-Smith presented details pertaining to the PRD request to include walk on changes presented to the Agency.

Agency and presenter discussion around Oak tree selection, pricing points and questions around meeting the buffer requirements and proximity to the feed store.

Public Comment: Joe McAnarney, Mary Kelz, Holly Kelz, Terry Hunter, Ben Wells, Justin Elliot provided public comments.

Additional Discussion: The presenter provided additional information the currently approved PRD and the requested changes. Presenter addressed public comments regarding the Land Development Code and the compliance of the Comprehensive Plan. Presenter provided comments around easement rights and traffic capacity for the development. Discussion between Agency and presenter regarding the splitting and location of the acreage for development and reserve areas. Clarification around where development can occur on the lots developed and continuation of areas in relation to the Land Development Code and Comprehensive Plan requirements. Discussion around fire safety rating and requirements. Clarification between the Agency and presenter regarding driveway, sidewalk consideration to the reserve areas. Discussed the timing of providing walk on changes vs in the staff report prepared by the county.

**Motion by Mr. Matovina seconded by Ms. Spiegel (Motion passes 6/1 dissenting vote: Dr. Hilsenbeck) to recommend approval of PRD 2023-01 Honey Branch Farms based upon nine (9) findings of fact as provided in the Staff Report.**

**Presenter - Gary Davenport, PA**

**Staff - Teresa Bishop, Planning Manager**

**(02:04:26) District 4**

7. **MAJMOD 2023-03 Marsh Landing Golf Course Lots.** Request for a Major Modification to the Players Club/Marsh Landing PUD, Ordinance No. 1975-15, as amended, to accommodate the development of four residential dwelling units on land formally part of the golf course. The property is located on Linkside Boulevard and Kingfisher Drive within the Marsh Landing PUD.

Ex parte communication was disclosed.

Mr. Davenport presented details pertaining to the Major Modification request.

Agency Discussion around water retention issues and history of property. Clarification around number of dwelling units allotted by the prior PUD vs number of dwelling units currently built; discussed possibility of developing previously identified lots. Prior PUD oversized lots vs what is currently required by the Comprehensive Plan.

Public Comment: Janis Saunier, Doug Burnett (Designated Speaker), James Whitehouse (Designated Speaker), Edward Pike, Chris Golding, Andres Erben presented public comment.

Additional discussion between the Agency and the presenter regarding the inclusion of onsite drainage to help mitigate the current flooding, buffer requirements and compatibility. Mr. Chester Stokes provided a history of his involvement, ownership of the developing in the golf course community. Clarification around the golf course staying open or closing the golf course being tied to the development of the four lots. Discussion between Agency and Staff regarding the current proposal referencing the existing PUD document; therefore, it is not addressing the requirements allotted by the original PUD or identifying proposed changes. Presenter identified this PUD as older and there may not be an original document and proceeded as he previously did with other PUDs. Discussion regarding the site plan for the proposed lots to help identify existing homes views and the engineering of the lots has not occurred. Staff (Beverly Frazier) provided additional context regarding this has been the format accepted with older PUDs existing prior to the Land Development Code existence.

Agency discussion requesting the consideration of a continuance to a date certain if the applicant is amenable to a continuance. OCA (Lex Taylor) clarified the recommend to approve failed; the Agency can recommend denial or make a motion to continue the item based on the concerns brought forward by the Agency. Presenter asked for clarification on what the Agency would like to see; the Agency provided additional guidance on addressing the concerns discussed.

**Motion to recommend approval by Mr. Green, no second (motion fails).**

**Motion to continue MAJMOD 2023-03 by Mr. Matovina, seconded by Mr. Peter (motion Carries 7/0) to a PZA date certain of 4/4/24.**

**Presenter - Thomas Ingram - Sodl & Ingram, PLLC**

**Staff - Evan Walsnovich, Planner**

**(03:38:03) District 2**

- 8. CPA(SS) 2023-09 Preserve at Wards Creek.** Request for a Small-Scale Comprehensive Plan Amendment to amend the Future Land Use Map designation from Agricultural-Intensive (A-I) to Residential-D (Res-D) with a text amendment limiting development to 15 units per net developable acre, for approximately 19.22 acres of land located at 6351 County Road 16A. This application is a companion item to PUD 2023-18.

Ex parte communication was disclosed.

Katessa Archer presented details pertaining to the Small-Scale Comprehensive Plan Amendment request. Thomas Ingram provided additional information.

Agency and presenter discussed traffic generation, and parking considerations, daycare facility clarification, building and opening of future schools.

Public Comment: Chuck Lebanowski, Kimberlee Pagan, Frank Oliva, Kathy Venezia, Justin Garrett, Vicki Padgett, Rosa Oliva, Jeff Strunk, Adele Collins, Mark Lemaire, John Walker, Jill Lumpkin, Sean Williams, David Yendarali, Scott Craig, Jeff Chula, Diane Bennet, Jesse Beeman, Charlie Sizemore, Vanessa Sizemore, Frank Marano, Jim Davis, Scott Stageberg, Tom Califano, Cliff Roberts provided public comments.

Additional discussion between the Agency and the presenter regarding the requesting of a waiver pertaining to the density requirements; OCA (Lex Taylor) clarified that some of the requirements that would be waived are built back into the proposal. Discussion around traffic concerns; Staff (Jan Trantham) provided additional insight into adversely impacted roadways; planned roadways are not incorporated into adverse impacts until the roadway is operational. Discussion around definition of compatibility. Agency identifies infrastructure and compatibility challenges for this proposal.

**Motion to recommend approval by Mr. Matovina, seconded by Mr. Pierre (Motion passes 4/3 dissenting votes: Dr. Hilsenbeck, Mr. Peter, Ms. Spiegel) of CPA(SS) 2023-09 Preserve at Wards Creek, based upon four (4) findings of fact as provided in the Staff Report.**

**Presenter - Thomas Ingram - Sodl & Ingram, PLLC**  
**Staff - Evan Walsnovich, Planner**

**(05:42:22) District 2**

9. **PUD 2023-18 Preserve at Wards Creek.** Request to rezone approximately 19.22 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for a 288-unit multifamily apartment community, meeting the requirements for Affordable Housing pursuant to Florida Statutes. The property is located at 6351 County Road 16A. This application is companion to CPA (SS) 2023-09.

Ex parte communication was disclosed during item 8.

Katessa Archer presented details pertaining to the Small-Scale Comprehensive Plan Amendment request and the Planned Unit Development request. Thomas Ingram provided additional information during item 8.

Public Comment: See item 8

Additional Discussion: See item 8

**Motion to recommend approval by Mr. Matovina, second by Mr. Pierre (Motion passes 4/3 dissenting votes: Dr. Hilsenbeck, Mr. Peter, Ms. Spiegel) of PUD 2023-18 Preserve at Wards Creek based upon nine (9) findings of fact as provided in the Staff Report.**

- Staff Comments: None
- Agency Comments: Mr. Green requested a transportation update regarding roadways planned and funding status at a future meeting.
- Meeting Adjourned at 7:22 PM

Minutes approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Chair / Vice-Chair  
Planning and Zoning Agency

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Clerk, Growth Management

\*For more detailed Minutes, please visit the St. Johns County GTV video recording:

<http://www.sjcfl.us/GTV/WatchGTV.aspx>