

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
Lex Taylor III, Assistant County Attorney

Thursday, October 3, 2024, 1:30:00 PM

MEMBERS PRESENT:

Meagan Perkins, District 4, Chair
Jack Peter, District 4, Vice-Chair
Elvis G. Pierre, District 2
Gregory Matovina, District 1
Dr. Richard A. Hilsenbeck, District 3
Henry F. Green, District 5
Judy Spiegel, District 3

STAFF PRESENT:

Jacob Smith, Planning Division Manager
Keisha Frank, Senior Planner
Cynthia May, Senior Planner
Lex Taylor, Sr. Assistant Attorney
Marie Colee, Assistant Program Manager
Jennifer Gutt, Planning Coordinator
Dominique Wintons, Application Review Technician

- Call meeting to order
- Pledge of Allegiance
- Reading of the Public Notice statement
- PZA Meeting Minutes for Agency Approval: 09/05/2024 and 09/19/2024
 - Motion for Approval by Mr. Pierre Second by Ms. Spiegel (Motion Passes 7/0)
- Public Comments: Marie Colee, Suzanne Clulow, Charlie Hunt, Alan Jackson

AGENCY ITEMS

Presenter - Patrick Fairley, Owner

Staff - Marie Colee, Assistant Program Manager

(00:14:20) District 5

1. **ZVAR 2024-13 112 Surfside Avenue.** Request for a Zoning Variance to Section 2.02.04.B.12 of the Land Development Code to allow for a fence height of eight (8) feet in lieu of the six (6) foot requirement.

Ex parte communication was disclosed.

Mr. Fairley presented details pertaining to the request.

Agency discussion regarding fence installer did not state the 8-foot fence requires a variance as well as clarification regarding contact with county staff. Clarification requested regarding the removal of vegetation on the adjacent property.

Public Comment: Theresa Kinchens, Suzanne Clulow

Additional Discussion: Clarification regarding the adjacent lot being cleared for home building; new home will be on stilts.

Motion to approve Mr. Green second by Ms. Spiegel (Motion Passes 6/1; Dissenting Vote: Mr. Matovina) ZVAR 2024-13 Surfside Avenue Fence based upon six (6) findings of fact and six (6) conditions as provided in the Staff Report.

Presenter - Curtis Hart, Hart Resources LLC

Staff - Trevor Steven, Planner

(00:36:25) District 4

- 2. ZVAR 2024-16 513 Canal Variance.** Request for a Zoning Variance to Table 6.01 of the Land Development Code to allow a 5-foot Front Yard setback in lieu of the 25-foot requirement; a 14-foot Second Front Yard setback in lieu of the 15-foot requirement; a 5-foot Side Yard setback in lieu of the 8-foot requirement; and a maximum lot coverage by all buildings of 37% in lieu of the 30% requirement in Residential, Single Family (RS-2) zoning to allow for the placement of a garage, specifically located at 513 Canal Road. This same request was originally approved 4-0 by the Planning and Zoning Agency on 5/18/2023 (ZVAR 2022-18), but the project did not commence within the 1-year period set forth in the Final Order.

Ex parte communication was disclosed.

Chair Ms. Perkins recuses herself and will not vote as the applicant is her employer.

Mr. Hart presented details pertaining to the request.

Agency clarification regarding current construction status for property and garages.

Public Comment: None

Motion to approve by Mr. Matovina Second by Mr. Green (Motion Passes 6/0; Abstained: Ms. Perkins) ZVAR 2024-16 513 Canal Variance, based on six (6) conditions and six (6) findings of fact as provided in the Staff Report

Presenter - Amanv Youssef | AY Luxury Designs

Staff - Evan Walsnovich, Planner

(00:42:08) District 4

- 3. MINMOD 2024-16 Millar Enclosure.** Request for a Minor Modification to the Sawgrass PUD (ORD. 1973-08, as amended) to allow for a zero (0) foot Rear Yard setback in lieu of the required ten (10) feet to accommodate a proposed screen enclosure, specifically located at 1506 Birkdale Lane.

Ex parte communication was disclosed.

AY Luxury Designs representative presented details pertaining to the request.

Agency Discussion: None

Public Comment: None

Motion to approve by Ms. Spiegel second by Mr. Green (Motion Passes 7/0) MINMOD 2024-16 Millar Enclosure based on six (6) findings of fact and subject to seven (7) conditions, as provided within the Staff Report

Presenter - Amanv Youssef - AY Luxury Designs

Staff - Keisha Fink, AICP, Principal Planner

(00:44:45) District 2

- 4. MINMOD 2024-17 Atkinson Enclosure (028233-1760).** Request for a Minor Modification to the St. Johns Interchange Parcels PUD (ORD. 1991-36, as amended) to allow for a three (3) foot Rear Yard setback in lieu of the required ten (10) feet to accommodate an enclosure on Lot 176 of the Turnberry at St. Johns platted subdivision.

Ex parte communication was disclosed.

AY Luxury Designs presented details pertaining to the request.

Agency Discussion: None

Public Comment: None

Motion to approve by Mr. Green second by Ms. Spiegel (Motion Passes 7/0) MINMOD 2024-17 Atkinson Enclosure (028233-1760) based upon six (6) findings of fact and subject to seven (7) conditions, as provided within the Staff Report.

Presenter - Autumn Martinage | Matthews DCCM

Staff - Evan Walsnovich, Planner

(00:47:23) District 2

- 5. SUPMAJ 2024-02 Cracker Swamp Borrow Pit.** Request for a Special Use Permit pursuant to Land Development Code Section 2.03.10 and Section 6.04.09 to allow for a Borrow Pit within Open Rural (OR) zoning, specifically located at, 9125 Barrel Factory Road B.

Ex parte communication was disclosed.

Ms. Martinage, Tom Bartlett, and Ryan Carter presented details pertaining to the request.

Agency discussion regarding a settling pond on the site plan as a rim ditch was used as well as potential impacts of the borrow pit with water and removed ground. Discussion regarding trucks traveling the road near homes.

Public Comment: Chuck Lebanowski, Michelle Sigman, David Racenet

Additional Discussion: Clarification on public noticing required, location of public comment properties and the potential impacts on the neighboring residential wells.

Motion to approve by Mr. Matovina second by Mr. Green (Motion Passes 6/1; Dissenting vote: Mr. Pierre) SUPMAJ 2024-02 Cracker Swamp Borrow Pit, based upon eight (8) findings of fact and ten (10) conditions as provided in the Staff Report.

Presenter - Ellen Avery-Smith, Esq.; Rogers Towers

Staff - Cynthia A. May, Principal Planner

(01:08:18) District 2

- 6. DRIMOD 2024-01 Silverleaf DRI.** DRIMOD 2024-01 SilverLeaf DRI - Request for a modification to the SilverLeaf Development of Regional Impact (DRI), (Resolution No. 2006-65, as amended) to amend mitigation requirements, the Master Development Plan (Map H) and other exhibits, and project phasing, build out and expiration dates. This is companion to MAJMOD 2024-04 SilverLeaf PUD.

Items 6 & 7 are presented and discussed together.

Ex parte communication was disclosed.

Ms. Avery-Smith presented details pertaining to the request.

Agency discussion regarding the redline changing up to 50,000 to up to 125,000 sq ft not being classified as “big box” store being the only change in this staff report with no additional development rights being requested. Discussion and clarification regarding Table D4 development ranges flexing based on what is built- ultimately designed to maintain the commercial / residential balance of the DRI. Clarification of public road transitioning to private use road and the impact to the transportation and mitigations.

Public Comment: Joe McAnarney, Chuck Lebanowski, Suzanne Clulow

Further discussion regarding the development rights and mitigation costs already paid as well as the support for this provided by the community meeting. Additional discussion regarding State CR 16A estimated cost for improvements is not available at this time as the county is waiting to see the impact of the First Coast Expressway; 4.1M provided back to the county to be put towards CR 16. Discussion regarding workforce and affordable housing as a possible future element of Silverleaf. The funds provided will go into an account for CR 16A.

Motion to RECOMMEND APPROVAL by Mr. Green second by Mr. Pierre (Motion Passes 6/1; Dissenting Vote: Dr. Hilsenbeck) of DRIMOD 2024-01 Silverleaf DRI based on five (5) findings of fact as provided in the Staff Report

Presenter - Ellen Avery-Smith, Esq.; Rogers Towers

Staff - Cynthia A. May, Principal Planner

(01:08:18) District 2

- 7. MAJMOD 2024-04 SilverLeaf PUD.** MAJMOD 2024-04 SilverLeaf PUD - Request for Major Modification to the Silverleaf PUD (ORD. 2006-117, as amended) to revise land uses within certain parcels without changing any of the previously approved development rights for the project, increase the maximum size of retail buildings to 125,000 square feet, update the Master Development Plan map to reflect the revised land uses, and amend the phasing, buildout and expiration dates, pursuant to Florida law. This is companion to DRIMOD 2024-01 SilverLeaf DRI.

Items 6 & 7 are presented and discussed together.

Motion to RECOMMEND APPROVAL by Mr. Green second by Mr. Pierre (Motion Passes 6/1; Dissenting Vote: Dr. Hilsenbeck) MAJMOD 2024-04 Silverleaf PUD based on six (6) findings of fact as provided in the Staff Report.

Agency takes a 5-minute recess prior to starting items 8 & 9.

Presenter – Beth Breeding

Staff - Evan Walsnovich, Planner

(02:08:47) District 5

8. **CPA(SS) 2024-08 Russell Sampson Boat & RV Storage.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 31.87 acres of land from Rural/Silviculture and Residential-B to Neighborhood Commercial, specifically located, on the northern side of Russell Sampson Road. This is a companion item to PUD 2024-05.

Items 8 & 9 are presented and discussed together.

Ex parte communication was disclosed.

Ms. Breeding presented details pertaining to the request with a focus on the allowable special uses currently allowed as well as rebuttal to opposition presented prior to the public hearing.

Agency discussion regarding the need for this type of development including tactics used by the industry to drive customers as well as allowed uses that could happen as this was an investment property. Discussion regarding compatibility, development within the northwest sector and clarification regarding “spot zoning”.

Designated Speaker given 10 minutes: Ron Roark
Designated Speaker given 10 minutes: Susan Roark

Public Comment: Terry Brickhouse, Charlie Hunt, Pam Kimmel, James Brickhouse, Sheila Cordell, Mark Diamond, James Wellschlager

Additional Discussion: Dr. Rasul (property owner) provided a portion of the rebuttal addressing public comment concerns. Ms. Breeding provided additional content around intensive commercial locations surrounding this project, as well as the heavy landscaping that will be maintained. The developer provided an explanation regarding how the development will be used.

Agency discussion regarding compatibility and the need for this type of development.

Vote repeated due to inaccurate vote on first attempt – clarification that a yes” vote supports Denial Recommendation.

Motion to RECOMMEND DENIAL by Mr. Green second by Mr. Pierre (Motion Passes 7/0) of CPA(SS) 2024-08 Russell Sampson Boat & RV Storage, based upon four (4) findings of fact as provided in the Staff Report.

Presenter – Beth Breeding

Staff - Evan Walsnovich, Planner

(02:08:47) District 5


9. **PUD 2024-05 Russell Sampson Boat & RV Storage.** Request to rezone approximately 31.87 acres of property from Open Rural (OR) to Planned Unit Development (PUD) to accommodate a Boat and RV Storage Facility with a leasing office.; located on the northern side of Russell Sampson Road. This request is a companion application to CPA (SS) 2024-08.

Items 8&9 are presented and discussed together.


Motion to RECOMMEND DENIAL by Mr. Green second by Mr. Pierre (Motion Passes 7/0) of PUD 2024-05 Russell Sampson Boat & RV Storage, based on ten (10) findings of fact as listed in the staff report.

- Staff Reports: The first item on October 10/17/2024 PZA Hearing will be the annual selection of Chair and Vice- Chair as well as the PUD 2024-09 Robinson PUD item on the 10/17/24 agenda.
- Agency Reports: Happy Rosh Hashanah wishes.
- Meeting Adjourned at 5:21PM

Minutes approved on the 17 day of October, 2024.



Chair / Vice-Chair
Planning and Zoning Agency



Clerk, Growth Management

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

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