



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

**Thursday, March 2, 2023 at 1:30:00 PM**

The regularly scheduled public meeting of the St. Johns County Planning and Zoning Agency was held on Thursday, March 2, 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; Christine Valliere, Asst. County Attorney; Michael Roberson, AICP, Director, Growth Management; Teresa Bishop, AICP, Planning Division Manager; Thomas Stalling, Communications Specialist; Hali Barkley, GIS Technician 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

(0:2:33)

**Approval of meeting minutes for PZA 2/2/2023. Motion by Perkins, second by Peter, carries 6/0, to approve the meetings minutes of PZA 2/2/2023.**

- Public Comments: None

**AGENCY ITEMS:**

District 3

**1. SUPMAJ 2022-15 Pioneer School.** Request to modify a previously approved Special Use Permit (SUPMAJ 2021-12), to allow for a Private School with Conventional Academic Curriculum within Open Rural (OR) zoning, pursuant to Section 2.03.17 of the Land Development Code. The subject property is located on the western side of Rolling Hills Drive, south of State Road 207.

**Staff: Justin Kelly**, Senior Planner

No ex parte communication declared by the Agency.

**Presenter: Autumn L. Martinage;** Matthews Design Group presented, on behalf of the Pioneer School, the request for the Special Use Permit.

Further discussion occurred between the Agency, the Presenter and Staff with regard to the reasons the school made modifications to the site plan after it had already been approved 2 years ago.

(0:07:50)

**Motion by Perkins, second by Peter, carries 6/0, to approve SUPMAJ 2022-15 Pioneer School Special Use Permit based on eight (8) findings of fact and eight (8) conditions.**

**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 Open Rural (OR) district complies with all required regulations and standards of Article II of the Land Development Code.
4. The request is in compliance with Section 2.03.01, Section 2.03.17 and Article XII of the Land Development Code.
5. The request is not in conflict with the Future Land Use Designation of Residential-C (Res-C).
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 the Pioneer School, and shall be non-transferable to any other location or entity.
2. Approval granted as outlined on the site plan labeled as Exhibit B submitted by the applicant and made a part of this application.
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 of the Special Use is being exercised.
4. 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 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 shall be defined as issuance of a Development Permit from the St. Johns County Operations Division.
6. 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.
7. 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.
8. 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 2

**2. ZVAR 2022-24 Strickland Carport.** Request for a Zoning Variance to Table 6.01 of the Land Development Code to allow for a reduced side yard setback of 0 feet and front yard setback of 12 feet, in lieu of the required 8 feet side and 20 feet front setbacks for an existing carport. The applicant also requests a Zoning Variance for an existing metal shed to remain encroached 7 feet into the access easement in lieu of the required 8 feet side and 20 feet front setbacks. The subject property is located at 8473 Perry's Park Rd.

**Staff: Evan Walsnovich**, Planner

No ex parte communication declared by the Agency.

**Presenter: Jack Strickland** (8473 Perry's Park Road) presented the request to allow for two setbacks.

Discussion occurred between the applicant and the Agency regarding the 20 foot easement and the set-backs. Presented videos.

**Speakers:**

**Jimmy Johnson** (8925 Hipps Road, Jacksonville Fl 32221) OPPOSED Has owned 8479 Perry's Park Road since 1984.

**John Graff** (8467 Perry's Park Road) SUPPORT. Explained that there is still room to get access along the easement even with a boat parked there.

(0:35:01)

**Motion by Perkins, seconded by Pierre, to approve, ZVAR 2022-24 Strickland Carport zoning variance, motion fails technical denial 3/3 (Dr. Hilsenbeck; Matovina; Peter dissented).**

(0:35:50)

**Motion by Peter, seconded by Green, to deny ZVAR 2022-24 Strickland Carport, motion fails technical denial 3/3 (Green; Perkins; Pierre dissented), based on four (4) findings of fact as listed in the Staff Report.**

**FINDINGS:**

1. The request is not in compliance with Section XII of the LDC, defining Zoning Variance. Competent substantial evidence has not been submitted to support hardship as defined by the code.
2. The request is contrary to the intent of Section 10.04.02.B of the LDC
3. The request adversely affects the public health, welfare or safety of the surrounding community.
4. The request does not support the Goals, Objectives and Policies of the St. Johns County Comprehensive Plan.

District 5

**3. ZVAR 2022-30 3220 Coastal Highway.** 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) feet in Residential, Single Family (RS-2) to accommodate construction of a single-family home.

No ex parte communication by the Agency on Item 3.

**Presenter: James Vose** (460 Cooper Cove Road) represented the request of behalf of the owner, John Lloyd, the owner of the property , who is out of town. This variance was granted back in 2010.

Further discussion by the Agency regarding their prior approval of 15 feet setbacks along this stretch of highway. Mentioned the need to be consistent.

(0:41:30)

**Motion by Perkins, seconded by Green, carries 6/0, to approve ZVAR 2022-30 3220 Coastal Highway based on 5 findings of fact and 7 conditions as listed in the Staff Report.**

**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 supports the Goals, Objectives and Policies of the St. Johns County Comprehensive Plan.

**CONDITIONS:**

1. The Variance will be transferable and will run with title to the property for the lifetime of the proposed structure.
2. Approval of Variance does not release this 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 is pursuant to the Site Plan labeled as Exhibit B, submitted by applicant, and made a part of this application.
4. 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.
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 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.
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 applicant, at the public hearing, has stated no objections to the proposed conditions.

District 4

**4. ZVAR 2022-32 Cheek Accessory Building.** Request for a Zoning Variance to Section 2.02.04.B.4 of the Land Development Code to permit an accessory building with an eave height greater than the main residential building. The subject property is located on the east side of South Wilderness Trail, off Canal Boulevard in Palm Valley.

**Staff:** Lauren Dwyer, Planner

**Presenter:** Paul Zebouni, Bluewave Builders (9765 Hector Drive) explained he was presenting a request for a variance that was approved a little over a year ago. The owner was not able secure a contractor to undertake the job within the past 12 months. So this request is being presented again.

Further discussion occurred with the Agency and the Applicant regarding the Code that was quoted.

(0:51:55)

**Motion by Peter, seconded by Green, carries 6/0, to approve ZVAR 2022-32 Cheek Accessory Building based on seven (7) conditions and five (5) findings of fact as listed in the Staff Report.**

**CONDITIONS:**

1. The Variance may be transferable and apply only to the existing home and addition 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.
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. 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 applicant, at the public hearing, has stated no objections to the proposed conditions.

**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 supports the Goals, Objectives, and Policies of the St. Johns County Comprehensive Plan.

**5. CPA(SS) 2022-06 Puerta Del Sol.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 23.72 acres of land from Residential-B (Res-B) to Residential-C (Res-C), with a text amendment limiting the maximum number of dwelling units to 138.

**Staff: Trevor Steven,** Planner

**Presenter: Douglas N. Burnett,** (St. Johns Law Group, 104 Seagrove Main Street, St Augustine) presented Items 5 and 6 together. Introduced Sam Crosier, principal developer of the site.

Further discussion occurred with the Applicant and the Agency, in particular with only have one ingress and egress and the amount of fill on the wetland to bring the project up to grade on US 1. Very concerned about the amount of traffic going West on SR 206 without having another access onto US1. Agency discussed the lack of access onto US1.

**Speakers:**

**Cynthia Wren-Ganoe** (116 Little Pond Way) OPPOSED. Too high density. At least 20 Live Oak Trees may come down. No pool or club house. Dangerous for Pedestrians going across US1. Project needs single family homes not high density town houses.

**Daniel Guidi** (139 Duck Pond Drive) OPPOSED. Traffic issues already on the corner of SR 206 and US 1. High density development will only produce more traffic. Need to protect the existing wildlife, such as gopher turtles, deer, wild turkeys and wild pigs. Has resided in the area for 14 years. Water and the reduction of the wetlands are an issue.

**John McManus** (121 Little Pond Way) OPPOSED. Concerned about preserving the wildlife. Density is too high. The project backs up too close to the border of the Wood Lake development.

**William (Bill) Remy** (112 Little Pond Way). OPPOSED. Concerned about the increase in traffic, especially during hurricane evacuations. Project density is an issue. Too many accidents already on corner of SR 206 and US1. Too many cars travel SR 206 to go to the beach.

**Charles Gunderson** (147 Duck Pond Drive). OPPOSED. Project will need a lot of fill. Concerned about water that can lie on the ground for months. Presented a video showing the water lying there.

**Sharon Hale** (311 Parkwood Circle, in Wood Lake Subdivision). OPPOSED. Power Point presentation with 8 concerns. 1. Adverse impact on the ecosystems. 2. Increase in traffic and accidents. 13% increase in 2022 up to September 2022. 3. Applicant does not address how the proposed community will support a multimodal transportation system. 4. Applicant does not explain how they will promote the conservation of water and energy. 5. Does not preserve agricultural areas and activities. 6. Applicant does not preserve open space and natural lands for public space and recreation needs. 7. Applicant is proposing multi-family units which are out of balance in the area. 8. Does not provide a development that offers transit-orientated uses.

**Applicant (Burnett):** Provided a rebuttal. Explained this project is a small scale development. Unlike a large scale development it does not have transmittal hearings, such as two times at PZA and two times at the BCC. Small scale has a different standard. The things presented in the last speaker's points is not looking at the individual project. It is looking at the overall area of that part of the

County. This project site is too small for agricultural and farmland activities. It's best use is residential.

Agency asked questions of Staff regarding land size of other projects in the area and cost of these town homes.

**Owner: Sam Crosier** (161 Hampton Point Drive) Is not offering this project as "workforce housing" as two working people, such as teachers, sheriffs, nurses, need to be able to be able to afford to live in St Johns County where they work. Two such people living together earn more than the Workforce housing allows for them to qualify. So they are offering these homes at a price point a little higher, yet very affordable for two working people. Expects the town homes to be offered at around \$270,000 to \$300,000 price range.

**Staff (Teresa Bishop):** In answer to the lot size question. Rock Spring Farms is at 7,785 square feet and Wood Lake is 10,000 square feet.

**Matovina:** The project will need to spend around \$840,000 for wetland mitigation. Struggling with only having one access on SR 206.

**Green:** Access to SR 206, the wetlands, and utilities are all going to be a challenge for this project to get approved. Too many hurdles to overcome to get this approved in 18 months. I think they are looking for an approval to get there.

**Dr. Hilsenbeck:** Only one access on SR 206 is an issue. Mitigation credits an issue.

**Applicant (Burnett):** Mentioned that they can reduce the commercial space by fifty percent, bringing it down to 12,500 square feet and hence reducing commercial traffic. Asked for some direction on how best to get this project approved.

**Matovina:** Recommended making the main access on US1 and showing how they will mitigate the wetlands. Cost is about \$150,000 for one acre of mitigation.

**Perkins:** Stated that there is a need for more affordable housing. Does not have issue with the density.

**Green:** Mentioned that this development is near the rail road track. That there is a need for more affordable housing for essential workers.

**Applicant: (Doug Burnett)** Explained the wetlands. Also offered to reduce the Commercial from 25,000 square feet to 12,500 square feet. That would help reduce the traffic.

**Matovina:** Suggested the applicant regroup. Look at reducing the wetlands impacts and making the main entrance to the project on US1 not just SR 206. This would make the project better to meet a comprehensive plan amendment.

Further discussion occurred between the applicant and the agency regarding the main access and soil types and wetlands. The fact that the wetlands are 5 acres on a 23 acre site is greater than most developments.



**Applicant (Doug Burnett):** The main wetlands are where the commercial would be. So they would take this into consideration before presenting again at the Board of County Commissioners.

(2:15:25 to 2:28:04)

**Motion by Perkins and seconded by Green, to recommend approval of CPA (SS) 2022-06 Puerta Del Sol, technical denial 3/3 (dissented Dr Hilsenbeck, Matovina; Peter) based upon four (4) findings of fact as provided in the Staff Report.**

**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 amendment is not consistent with the Northeast Florida Strategic Regional Policy Plan.
3. The proposed Comprehensive Plan Amendment is not consistent with applicable sections of the St. Johns County Comprehensive Plan and the Land Development Code.
4. The proposed Comprehensive Plan 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 public hearing.

District 3

**6. PUD 2022-19 Puerta Del Sol.** Request to rezone approximately 23.72 acres of land from Open Rural (OR) and Residential, Manufactured/Mobile Home (RMH) to Planned Unit Development (PUD) to allow for a single family home, 137 townhome units, and 25,000 square feet of commercial uses. The property is located west of US-1 South and north of State Road 206.

Ex parte communication was declared by the Agency.

**Dr. Hilsenbeck:** Drove to the property yesterday and spoke to Doug Burnett this morning.

**Green; Pierre:** Spoke to Mr. Burnett yesterday.

**Peter:** Received a message from Mr. Burnett but did not speak with him.

**Perkins:** Spoke to Mr. Burnett this morning about the application.

**Matovina:** Spoke to Mr. Burnett late yesterday. Then realized had read the package incorrectly. So spoke to Mr. Burnett again this morning.

**Presenter: Douglas N. Burnett,** (St. Johns Law Group, 104 Seagrove Main Street, St Augustine) presented this item together with Item 5.

(2:28:44)

**Motion by Perkins and seconded by Green to recommend approval of PUD 2022-19 Puerta Del Sol, technical denial 3/3 (dissented Dr Hilsenbeck, Matovina; Peter) based on ten (10) findings of fact as provided within the Staff Report.**

**FINDINGS:**

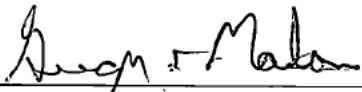
1. The request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The PUD is not consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan, specifically Goal A.1 of the Land Use Element related to 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 Designation of Residential-C.
4. The PUD is not consistent with Part 5.03.00 of the St. Johns County Land Development Code, including Sections 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 inadequate drainage systems. 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) and Residential Manufactured/Mobile Home (RMH).

**Staff Reports:** None

**Agency Reports:** Ms. Perkins advised she will not be attended the next PZA Meeting.

Meeting Adjourned at 4.00pm

Minutes approved on the 4<sup>th</sup> day of May, 2023.

  
\_\_\_\_\_  
Greg Matovina, Chair  
Planning and Zoning Agency

  
\_\_\_\_\_  
Clerk, Growth Management