



Minutes
Regular Meeting of the St. Johns County
PONTE VEDRA ZONING AND ADJUSTMENT BOARD

Monday, February 6, 2023 at 3:00:00 PM

The regularly scheduled public meeting of the Ponte Vedra Zoning and Adjustment Board was held on Monday, February 6, 2023 at 3:00 p.m. in the County Auditorium at the St. Johns County Administrative Complex located at 500 San Sebastian View, St. Augustine, Florida.

MEMBERS:

- Jane Rollinson - Chair
- John Patton - Vice Chair
- Megan McKinley
- Richard Ensslen
- Chip Greene
- John Lynch
- Samuel Crozier

STAFF PRESENT: Lex Taylor, Sr. Assistant Attorney; Christine Valliere, Assistant County Attorney; Mike Roberson, Director, Growth Management; Teresa Bishop, AICP, Planning Division Manager; Trevor Steven, Planner; Hali Barkley, GIS Technician; Thomas Stallings, Communications Specialist; Marie Colee, Assistant Program Manager.

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- Jane Rollinson, Chair called the meeting to order at 3:00PM.
 - Reading of the Public Notice statement by John Patton.
 - Public Comments: none.
 - **Rollinson:** Advised that Item 2 - PVZAR 2022-16 Feeley Fence Variance will be heard before Item 1 - Election of Chair and Vice Chair.

AGENDA ITEMS

District 4

2. PVZVAR 2022-16 Feeley Fence Variance. Request for a Zoning Variance to Section VIII.N of the Ponte Vedra Zoning District Regulations to allow for six (6) foot fencing in lieu of the four (4) foot requirement. The subject property is located at 698 Ponte Vedra Blvd.

Staff: Trevor Steven, Planner

Ex parte communication was declared by the Agency:

Greene: Had no discussion with the Feeley's, and not visited the property.

Crozier, Ensslen: Visited the site. Did not discuss with anyone.

Rollinson: Visited the site. No one was home. So viewed the home from the driveway.

Patton: Visited the site early this afternoon. Met with Mr. Feeley. Got a tour of the back yard and was shown what the issues were.

McKinley: Visited the site yesterday. Spoke briefly with Mr. Feeley.

Presenters: Kevin & Cynthia Feeley requested to be allowed to keep their 6 foot fence in lieu of a 4 foot fence requirement based on their various hardships since purchasing the property late 2015.

Various discussion occurred with the Agency, the Applicants and the Staff.

(0:52:50)

Motion by Patton, seconded by Greene, denied 3/3 (Rollinson; McKinley; Crozier denied) to approve PVZVAR 2022-16 Feeley Fence Variance based on four (4) findings of fact and subject to the five (5) conditions as listed in the Staff Report and also based on information that was presented today including the age of the fence and the neighbor to the North.

Further discussion occurred within the Agency with regard to another motion to allow the homeowner to keep their 6 foot fence providing it is not transportable, so it will remain with the current owners for the duration of their ownership of the property.

(1:00:25)

Motion by McKinley, seconded by Patton, carries 4/2 (Ensslen; Rollinson denied) to approve PVZAR 2022-16 Feeley Fence Variance based on four (4) findings of fact and subject to the five (5) conditions as listed in the Staff Report provided that the variance will not be transportable should the property be conveyed.

FINDINGS:

1. The request is in compliance with Section 1 of the Ponte Vedra Zoning District Regulations defining a Variance. Competent and substantial evidence has been submitted to support a hardship, as defined by the Regulations.
2. The request is not contrary to the public interest and is not in conflict with the surrounding development.
3. The request meets the criteria established in Section XII.J.1 of the Ponte Vedra Zoning District Regulations pertaining to Zoning Variances.
4. The request is not in conflict with the Goals, Objectives, and Policies of the St. Johns County Comprehensive Plan.

CONDITIONS:

1. The Variance will not be transferable and will only apply to the proposed site plan as submitted for this Variance. Should the property be conveyed, the requested relief will not run with the property.
2. Approval of the Variance is limited to relief from the specific requested provisions and does not release the project from compliance with all other relevant requirements of the Ponte Vedra Zoning District Regulations, St. Johns County Land Development Code, Comprehensive Land Use Plan and any other Agency having jurisdiction. All technical requirements will be reviewed for compliance prior to Clearance Sheet approval.
3. 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 right granted herein shall become null and void. Commencement shall be defined as installation of the fence in accordance with this Order.
4. The Site Plan (Exhibit B), 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 maybe modified by preceding conditions and limitations.

5. The applicant, at the public hearing, has stated no objections to the proposed conditions.

1. Election of Chair and Vice-Chair. The Ponte Vedra Zoning and Adjustment Board is required to annually elect a chair and vice chair. Please see the attached recommended Nomination and Voting procedures. Alternatively, after public comment, the simple suggested motions for election may be made.

Staff: Christine Valliere, Senior Assistant County Attorney

Presenter: Christine Valliere, Senior Assistant County Attorney

Public Comment:

Rollinson: Suggested that the Agency annually rotate the positions of Chair and Vice Chair, similar to the process undertaken by the Board of County Commissioners. Will nominate McKinley to be Chair for the next meeting in April.

(1:04:13)

Motioned by Rollinson, and seconded by Ensslen, carries 6/0, to nominate Megan McKinley for incoming Chair position commencing at the next meeting.

(1:05:15)

Motioned by Ensslen, and seconded by Crozier, carries 6/0, to nominate Jane Rollinson for the Vice Chair position commencing at the next meeting.

Further discussion occurred within the Agency members with regard to applicants to replace Mr. John Lynch's board position. The Agency received three (3) applications, Pam Shore, Cynthia Ware, and Anthony Perdido. They were all reviewed or called by Ms. Rollinson.

(1:11:00)

Motion by Rollinson, and seconded by Ensslen, carries 6/0, to nominate Cynthia Ware as a recommendation for the Board of County Commissioners to consider Ms. Ware as a member for the Ponte Vedra Zoning and Adjustment Board. This will be heard at the Board of County Commissioners on their March 7th meeting.

Rollinson: Advised that the PZA and the ARC are also seeking new board members. As they have three applicants, and that another PVZAB board position is coming up in the near future, Mr. Rollinson will make the applicants aware of the other board opportunities.

- **BOARD REPORT:**

Rollinson: We are going to be hearing an application that has been submitted by the Ponte Vedra Inning Club and Lodging Club. They are two Gate Corporation companies. They have made an application for a zoning change to their properties, from Various Zoning, Recreational, R4, and R3. They have various zoning areas within our regulations. They would like to put these into a Planned Unit Development versus staying under the regulations of the Ponte Vedra Zoning and Adjustment Board.

(1:12:45)

Staff (Valliere): Presented the St. Johns County 2023 Comprehensive Land Use Plan Excerpts. Recommended Board members keep this to use as a reference.

Explained the processes as to how Growth Management staff would look at an application. That there are Comprehensive Land Use Designations and everything where there's a straight zoning lapsing or a PUD it must be consistent with the Comprehensive Plan. In the future Land use designation, there are allowable uses as well as density provisions. Within this particular project of the Ponte Vedra Inning and Country Club there are some commercial as well as Residential B and Residential D.

Referred to the Comprehensive Plan for Commercial. Explained that it is very broad and what the difference is between Neighborhood Commercial and Community Commercial. Explained those two uses are allowable under Residential B and Residential D and where to find these specific uses within the Comprehensive Plan.

Various discussion occurred between the Agency and Staff Attorney with regard to understanding the Comprehensive Plan.

Further discussion occurred within the Agency and with Staff in regard to advising a PUD applicant to hold a community meeting, and the NBR process, to get correct information out to the community before the PUD application comes to the PVZAB meeting.


Rollinson: Requested the legal Staff draft some language for the PVZAB regulations that will affect either the Comprehensive Plan or the County Commissioners rules and regulations. Would like to request that the Board of County Commissioners must have the approval of a Commissioner who lives in the Ponte Vedra district, if an application from the Ponte Vedra district, is going to the Board of County Commissioners.

Staff (Valliere): Advised that legal staff will look into that, and if allowed undertake the draft, and advise the Agency accordingly.

Rollinson: Advised they have several PVZAB minutes yet to review and would like to vote on these at the next meeting.

- **STAFF REPORT:** None.
- **Motion by Patton, seconded by Crozier, carries 6/0, to adjourned meeting at 4.50 PM.**

Minutes approved on the 8th day of January 2024.



 Chair/ Vice-Chair Samuel Crozier
 Ponte Vedra and Zoning Adjustment Board



 Clerk, Growth Management