

ST. JOHNS COUNTY
Planning & Zoning Agency
REGULAR MEETING MINUTES
County Auditorium
500 San Sebastian View

Thursday, December 04, 2025, 1:30:00 PM

MEMBERS PRESENT:

Dr. Richard A. Hilsenbeck, District 3, Chair
Judy Spiegel, District 3
Gregory Matovina, District 1
Chuck Labanowski, District 2, Vice-Chair
Henry F. Green, District 5
Robert Olson, District 5

MEMBERS ABSENT:

Meagan Perkins, District 4

STAFF PRESENT:

Jacob Smith, Planning Division Manager
Lex Taylor III, Deputy County Attorney
Marie Colee, Assistant Program Manager
Jennifer Gutt, Planning Coordinator

- Call meeting to order
- Pledge of Allegiance
- Reading of the Public Notice statement
- Agency Meeting Minutes for Approval: 11/06/2025: Motion by Mr. Green, seconded by Mr. Labanowski, (Motion passes 6/0. Absent Ms. Perkins) to approve PZA meeting minutes from the 11.06.2025 meeting.
- Public Comments – None

AGENCY ITEMS

1. **ZVAR 2025-09 Hyman Family Beach House.** Request for a Zoning Variance to Section 6.01.03.E.4 of the Land Development Code to allow for a reduced Front Yard setback of eight (8) feet in lieu of the required 15 feet for a Corner Through Lot located in Residential, Single Family (RS-3) zoning to accommodate construction of a swimming pool, located at 5099 Medoras Avenue.

Ex parte communication was disclosed.

Mr. James Whitehouse presented details pertaining to the Hyman Family Beach House zoning variance request. Explained that they had previously obtained approval, yet the right-of-way line had been measured incorrectly. Hence, another survey had to be undertaken.

Agency clarification and discussion with staff regarding wall height occurred. Agency also asked the applicant for verification on the location of the utilities.

Public Comment: None

Motion by Mr. Green, seconded by Ms. Spiegel, (Motion passes 6/0. Absent Ms. Perkins) to approve ZVAR 2025-09 Hyman Family Beach House, based upon five (5) findings of fact and seven (7) conditions as provided in the Staff Report.

2. **SUPMIN 2025-05 600 Alexander Street.** Request for a Special Use Permit, pursuant to Section 2.03.08 of the Land Development Code, to allow for the placement of a Manufactured/Mobile Home in Residential, Single-Family (RS-3) zoning.

Ex parte communication was disclosed.

Mr. Adam Hagarty presented details pertaining to the Special Use Permit request to allow for a manufactured home that would be presented as affordable housing.

Agency clarification and discussion regarding the home being a new manufactured home. Applicant also confirmed that currently there would not be a second affordable home built on the second lot. Questions occurred around sewage lines proximity being a couple of blocks away, hence the home will be installed using a septic tank.

Public Comment: None

Motion by Mr. Green, seconded by Ms. Spiegel, (Motion passes 6/0. Absent Ms. Perkins) to approve SUPMIN 2025-05 600 Alexander Street based upon eight (8) findings of fact and ten (10) conditions as provided in the Staff Report.

3. **SUPMIN 2025-08 Kinlaw Mobile Home.** Request for a Special Use Permit pursuant to Section 2.03.08 of the Land Development Code to allow for the placement of a Manufactured/Mobile Home in Residential, Single-Family (RS-3) zoning, specifically located at 4653 Second Avenue.

Ex parte communication was disclosed.

Ms. Barbara Arzinger presented details pertaining to a request for a Special Use Permit to allow for the placement of a new Manufactured/Mobile Home.

Agency clarification and discussion occurred with the applicant with regard to the timeline for installing the new mobile home. Agency members mentioned there needed to be a clean up on the site, plus moving the squatters currently living in the back open lean-to structure that does not have water nor septic. Mr. Labanowski mentioned that deputies were notified yet have been unable to move the squatters that have resided there for approximately four weeks. Agency members questioned the applicant as to when the squatters, the car and the various structures would be removed.

Staff (Mr. Smith) confirmed that a pride complaint could also be filed to remove the squatters and have the site cleaned up.

Public Comment: None

Motion by Mr. Labanowski, seconded by Mr. Olsen (Motion passes 6/0. Absent Ms. Perkins) approve SUPMIN 2025-08 Kinlaw Mobile Home, based upon eight (8) findings of fact and ten (10) conditions as provided in the Staff Report to include that the lot be totally cleaned out before work commences.

4. **SUPMAJ 2025-12 Vincenzo's Cucina.** Request for a Special Use Permit, pursuant to Section 2.03.02 of the Land Development Code, to allow for the on-site sale and consumption of Alcoholic Beverages under the State of Florida Type 4COP/SFS beverage license in connection with an existing restaurant, located within Commercial General (CG) zoning and specifically located at 3787 Palm Valley Road.

Ex parte communication was disclosed.

Mr. Lawrence Yansy presented details pertaining to the request for a special use permit to allow on-site sale and consumptions of alcoholic beverages at Vincenzo's Cucina, an established Italian restaurant.

No Agency discussion.

Public Comment: None

Motion by Mr. Labanowski, seconded by Mr. Green, (Motion passes 6/0. Absent Ms. Perkins) to approve SUPMAJ 2025-12 Vincenzo's Cucina, based upon eight (8) findings of fact and eleven (11) conditions as provided in the Staff Report.

5. **TOWER 2025-03 State Road 16 Communication Tower.** Request for a Special Use Permit pursuant to Section 2.03.26 of the Land Development Code to allow for the construction of a 195-foot monopole communication tower and support facilities within Open Rural (OR) zoning, specifically located at 3851 State Road 16.

Ex parte communication was disclosed.

Ms. Mary Solik presented details pertaining to the request for a Special Use Permit to construct a 195-foot monopole cellular communication tower.

Mr. David Talby, a real estate appraiser, who has studied towers for the past 25 years testified and answered questions as an expert witness on behalf of the applicant. Stated that the tower is not likely to have any negative impact on surrounding property values.

Agency members requested more explanations on capacity versus coverage, the reason for the towers being placed close together, and if a lease application was signed by the landowner.

Motion by Mr. Green, seconded by Mr. Olson, (Motion passes 6/0. Absent Ms. Perkins) to approve TOWER 2025-03 State Road 16 Communication Tower based upon eleven (11) findings of fact and subject to ten (10) conditions, as provided within the Staff Report.

6. **MINMOD 2025-15 Shores Boulevard.** Request for a Minor Modification to the St. Augustine Shores PUD (Ordinance 1974-16, as amended) to allow for the sale of Alcoholic Beverages containing more than fourteen (14) percent alcohol by volume for off-premises consumption, and to allow relief from the 1,000-foot distance requirement between a Church and/or School, specifically located at 40 Jackson Plaza Place.

Ex parte communication was disclosed.

Ms. Julie Lemke and Mr. Shane Jackson presented details pertaining to the Shores Boulevard request for a minor modification to allow for a store that will sell alcoholic beverages. Explained that they will not be selling alcohol for on-site consumption. That this store would be a convenience for the local Shores Boulevard community as they would no longer need to go to busy US1 for alcoholic beverages.

Agency clarification and lengthy discussion with the applicant regarding the store concept. That it would not be consistent with neighborhood commercial compatibility. Signage, and proximity to a day care center, and not 1,000 feet from a church were raised as major issues to overcome.

Staff (Mr. Taylor) advised the applicant that there will be an issue with having problems applying for State licensing if the name on the application does not mirror the name when making a motion for approval by the Agency. It needs to be the correct name for the business that goes on record.

Applicant advised the name of the business will be 2020 Commercial Holdings A, LLC.

Agency members were concerned there are no established operating hours. Discussion arose around the hardship of the neighborhood, the loss of a tenant, and not having the right location. Mr. Matovina suggested that if approved there needs to be a condition of 9am to 9pm operating hours and no drive-thru.

Public Comment:

Chris Britt OPPOSED

Additional discussion amongst Agency members reinforcing that this is a liquor store for people to pick up goods, and not to consume alcohol on the premises.

Motion by Mr. Matovina, seconded by Mr. Green (Motion fails 5/1, dissent Ms. Spiegel, Dr. Hilsenbeck, Mr. Green, Mr. Labanowski, Mr. Olson. Absent: Ms. Perkins) to approve MINMOD 2025-15 Shores Boulevard based upon five (5) findings of fact and ten (10) conditions as provided in the Staff Report and changing condition one (1) so that the approval would be granted to 2020 Commercial Holdings A, LLC and adding a condition that the drive-thru is not allowed and the hours of operation be limited from 9am to 9pm.

Motion by Ms. Spiegel, seconded by Mr. Green (Motion passes 5/1, dissent Mr. Matovina. Absent Ms. Perkins) to deny MINMOD 2025-15 Shores Boulevard based upon 6 findings of fact as listed in the Staff Report.

Agency recessed for 10-minute break.

7. **NZVAR 2025-16 UF Health St. Johns Signage.** Request for a Non-Zoning Variance to Sections 7.02.04.C and 7.02.04.D of the Land Development Code to allow for 803.2 square feet of total Advertising Display Area (ADA) for the UF Health St. Johns wall signage in lieu of the maximum 200 square feet of signage per business, and to allow three (3) signs to exceed the maximum of 150 square feet per sign, located at 400 Health Park Boulevard.

Ex parte communication was disclosed.

Ms. Mirza Schmorrr, from Permit Ninjas, presented details pertaining to the UF Health St. Johns signage request. Explained the increase in sign size is not about branding or esthetics. It is to ensure the safety, clarity and peace of mind for every patient, visitor, and family member who needs to find the hospital quickly and without confusion. Presented slides to show the proposed new signage.

Agency clarification and discussion regarding the name of hospital may need to be larger. Agency members asked what else does UF Health do as a brand name. Applicant explained they offer primary care services and all standard health care branding packages associated with the name of the business. The reason for a larger sign is to enable it to be seen from the main roadway.

Ms. Spiegel mentioned that UF Health doesn't necessarily mean hospital, or emergency. Asked the question if this large building sign will tell people that this is where you go when in need of a hospital.

Sign manufacturer explained that the UF Health sign is predominately branding.

Agency members would like the size of the sign to be smaller. Asked if a directional sign could be placed on Sergeant Tuten Drive so people coming from the East would turn into that hospital entrance instead of going to US 1. Applicant explained that a sign is not allowable on a property not owned by UF Health.

Public Comment: None

Further discussion occurred between the applicant and the Agency members with regard to asking for continuous and presenting further options.

Motion by Mr. Labanowski , seconded by Mr. Olsen, (Motion passes 6/0, Absent Ms. Perkins) for a continuous of NZVAR 2025-16 UF Health St. Johns Signage to the January 15th, 2026, PZA meeting with further signage options.

8. **ZVAR 2025-16 203 Canal Boulevard (Rails Family).** Request for a Zoning Variance to Section 2.02.04.B.4 of the Land Development Code to allow for the eave height of an Accessory Structure to be greater than the eave height of the Main Use residential building.

Ex parte communication was disclosed.

Mr. Bruce Humphrey presented details pertaining to the request. Explained the history of the accessory structure that had already been provided building approval and a clearance sheet by mistake and is now currently higher than the single-family home. Presented various photographic images. Provided various solutions to address issues and concerns of neighbors.

Agency clarification and discussion occurred with the presenter requesting confirmation there will not be driveway access along the canal side of the structure. Agency commented that the structure needed trees to hide the structure and make it look less industrial in a residential area.

Public Comment:

Greg Leonard: OPPOSED. Provided overhead images of the structure prior to completion.

Scott Cadwell: OPPOSED. Concerned that the building permit was approved on an owner-occupied permit when the owner does not live there. Property values have dropped because of this structure.

Katie Johnson: OPPOSED. Realtor. Having trouble selling Mr. Scott Cadwell's home due to this structure and hurting local residents property values. Metal building that will deteriorate and be tough to maintain. County code says you cannot have a building that is going to deteriorate.

John Borthwick: OPPOSED Resides next door. Presented a photo of his 7-foot hedge next to the tall structure. Explained it has been 22 months since the structure was built. He would like a resolution.

Brad Billingsly: OPPOSED. Commercial building that has been built in a historical neighborhood.

Michael Tide: OPPOSED Presented a map showing the property and the neighborhood. The map listed the restrictions that include what shall not be carried out. Provided documents for staff.

Amy Cadwell: OPPOSED. Lives opposite the home being considered. Mentioned that the owner has removed the signs for today's meeting from his property. Advised that no one currently lives in the house. It is listed for rent. Requested denial.

Crystal Bear: OPPOSED. Mentioned she has a horse farm nearby. Other sheds have been built in this area on OR, yet away from the road. Considering this shed on Canal Boulevard to be too close to the road. Questioned why this property is allowed to build a shed on less than 1 acre of land.

Helena Brown: OPPOSED. It is not owner occupied and not part of the community. The garage is too large. Hardship on the local community. Agree there was an error in the permitting yet disagree that these property owners were not at fault.

Matthew Brown: OPPOSED. Wants the property variance denied. Says the owners are investors only and have not lived there.

Mr. Humphrey provided a rebuttal. Explained the applicant for the permit identifies the owner/builder who is not the occupant. That they can't have an RV garage without it being a certain height and size. Once the magnolia trees are planted there will be a mid-canopy. Owners willing to include an esthetic window structure along two sides of the shed.

Agency asked staff as to how the error occurred with regard to how the building permit was approved.

Staff (Mr. Mike Roberson, Director of Growth Management) explained that the applicant made a site plan to obtain a clearance sheet with the building department. The issue is roof management. Staff did not catch there was a requirement for an eave height if you are an accessory structure to the home. If you are zoned OR (Open Rural), you can have a larger structure. Yet it can't be visible. This mistake became an issue because there was a pride case that came before code enforcement. A complaint was made prior to it almost being built. Hence the structure was not permitted. The owners did not receive the CO (certificate of occupancy). That is how the building got to this stage.

Additional discussion occurred with confirmation of the property being owned by Mr. Rails at the time of application and construction.

Agency members asked if Mr. Rails had spoken to Mr. Borthwick, who lives next door. Asked if they had discussed the height of this structure and the issue being heard today. Mr. Borthwick confirmed no conversation had occurred. That the orange sign notices with regard to this meeting had been removed by his neighbor and had to be replaced again by the County. Explained that the father-in-law, a licensed contractor, had been working on the home and also using the garage while he was doing remodeling. Questioned if a CO was issued to allow use of the garage. Requested the resolution be to have the eave height of the garage to match the eave height of the house. This would enable the code to be enforced. The building is approximately 25 feet in height. The home is approximately 17.5 feet. Presented a diagram showing the difference in height of the two structures.

Agency asked applicant if the home is a rental home and applicant confirmed that Mrs. Rails father was living there during the construction and remodeling phase. That the home is now a rental home.

Staff (Mr. Taylor) advised the Agency members not to evaluate the property as being rented. That it is all residential property whether it is rented or not rented.

Ms. Spiegel asked staff if this lot was a corner lot and if it had two front yards. Also asked legal opinion on whether the governance is still enforceable from 1944. Raised concern about the character and feel of the neighborhood and how people are perceiving this issue according to our development code and comprehensive plans now.

Staff (Mr. Smith) Confirmed that was the case. There are some provisions with the Code that allow for reduced setbacks for lots that don't meet full requirements of the zoning district. Those standards were applied for this corner lot. There is a reduced front setback along Wilderness Trail consistent with how the house was built.

Staff (Mr. Taylor) Advised the Agency needs to enforce the code in their decisions. When looking for potential solutions and conditions, it makes sense to take the character of the neighborhood for a resolution to figure out what conditions might make sense.

Agency members and Staff had further discussion on the structure and that it meets all requirements except for the height of the eave being taller than the primary residential home. Agency members also requested further explanation of why the breezeway connection from the accessory structure to the primary structure was overruled. Staff explained it was not feasible and would not meet code.

Mr. Matovina explained to the Agency members that this situation does exist in other areas of the County, and it is not their job to design buffering. If Agency members, consider the ornamentation as being inadequate then the Agency needs to allow the parties a chance to change that.

Ms. Spiegel suggested that as this structure 's height is the only issue not to code, and that a structure like this could be built in other parts of the County, then communication between the parties needs to be undertaken in the community.

Mr. Matovina suggested two options. One being the applicant try to work this out with more design renderings showing more landscaping than just three magnolia trees. The other option is for another Agency member to make a motion to deny.

Mr. Labanowski recommend the applicant come back with better renderings of the building with landscaping and meet with the neighbors to gain input.

Applicant requested the option to return with revised landscaping renderings and windows included.

Motion by Mr. Matovina, seconded by Mr. Green, (Motion passes 4/2, dissent Dr. Hilsenbeck, Mr. Olson. Absent Ms. Perkins) to continue ZVAR 2025-16 203 Canal Boulevard (Rails Family) to the January 15, 2026, PZA meeting.

- 9. LDCA 2025-08 Land Development Code Revisions.** On November 4, 2025, the Board of County Commissioners requested amendments to Land Development Code regulations for outdoor archery and development order application procedures. Staff brought the requested changes to the Board on December 2, 2025, for first hearing. The second hearing of this item is tentatively scheduled for December 16, 2025.

Staff (Mr. Jacob Smith) presented the LDCA 2025-08 Land Development Code Revisions and reasons for these changes to outdoor archery. Primarily, two acres are a minimum requirement as an allowed use. That the various changes had a first reading at the BCC on December 2, 2025.

Agency member questioned the "paint ball" use. Staff replied that this is not on the agenda. That "paint ball" activities are a higher intensity commercial use. This archery is more an open rural use.

Motion by Mr. Matovina, seconded by Ms. Spiegel (Motion carries 6/0. Absent Ms. Perkins) to recommend to approve the proposed amendments to the Land Development Code based on the modifications being consistent with Florida Law and the St. Johns County Comprehensive Plan.

10. **LDCA 2025-09 Certified Recovery Residences.** This amendment amends Land Development Code Article II (Zoning Districts and Special Uses) and Article IX (Administration) to comply with changes to State Statute that went into effect on July 1, 2025, with the enactment of Senate Bill 954. The bill requires the adoption of an ordinance to establish procedures for the review and approval of certified recovery residences and to provide a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit or unreasonably restrict the establishment of a certified recovery residence consistent with Section 397.487(15), Florida Statutes. This item was presented for first hearing to the Board of County Commissioners on November 18, 2025. There was no Board discussion.

Staff (Ms. Amy Ring) presented the amendment amends to LDCA 2025-09 Certified Recovery Residences. Advised this item was heard at the BCC on November 18, 2025, and is scheduled to be heard at a second BCC hearing on December 16, 2025.

Question arose as to whether or not the County is required to undertake public hearings in order to approve any reasonable accommodation. Staff (Mr. Taylor) mentioned the County is preempted from further regulations for Level 1 and Level 2 of certified recovery residences. Recovery residences are a residential use. Explained that we are acting on these State regulations, so the County code is brought into compliance with State law.

Further discussion occurred with the Agency members and Staff as to the necessity of including these changes for residences in the State law. Staff explained it is not specific to housing. A single-family home is a residential use. It is about the people who run these programs and that they are meeting the standards by the State.

Motion by Mr. Matovina, seconded by Mr. Green, (Motion carries 5/1, dissent Mr. Olson. Absent Ms. Perkins) to recommend approval of the proposed amendments to the Land Development Code for certified recovery residences pursuant to 397.487, Florida Statutes.

- Staff Reports – Mr. Smith. Next meeting is December 18th, 2025 with 9 items for consideration.
- Agency Reports - None
- Meeting Adjourned at 5:56pm

Agency minutes for December 4, 2025 hearing approved on January 15, 2026.

A handwritten signature in black ink, appearing to read "M. J. King", written over a horizontal line.

Chair / Vice-Chair
Planning and Zoning Agency

A handwritten signature in black ink, appearing to be a stylized "B", written over a horizontal line.

Clerk, Growth Management