

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting June 2, 2026

The Planning and Zoning Board met in formal session Tuesday, June 2, 2026, at 1:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Susan Johns, Chairperson and the following were present:

1. Roll Call: Susan Johns, Chairperson
Charles Pappas, Vice- Chairperson
Mike Davis
Carl Blow
Christine Tucker
Jan Kelly

City Staff: Amy Skinner, Director, Planning & Building Department
Sarah Daugherty, Senior Planner
Jennifer Thompson, Senior Planner, AICP, MPA, CFM
Isabelle Lopez, City Attorney
Michele Fudo, Recording Secretary

2. General Public hearings for Items Not on the Agenda

none

3. Approval of Minutes

MOTION

Mr. Davis MOVED to APPROVED the May 5, 2026 minutes as presented. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Davis, Blow, Kelly, Tucker, Pappas, Johns

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

4. Modification and Approval of Agenda

MOTION

Mr. Davis MOVED to APPROVE the Agenda as presented. The motion was SECONDED by Ms. Johns.

VOTE ON MOTION:

AYES: Davis, Johns, Kelly, Blow, Tucker, Pappas

NAYES:

MOTION CARRIED UNANIMOUSLY

5. Variance

5. (a) PZB2026-0040 – Brandy Holland – Applicant
Annie Jensen & Brandy Holland – Owner
78 Sanford Street

To approve a variance to the rear and side yard setback requirements and maximum lot coverage.

Ms. Thompson read the staff report and said based on a review of Sec. 28-29 staff find that the Board can APPROVE a variance request to reduce the rear and side yard setbacks, and increase the lot coverage, as the variance criteria are met, or CONTINUE, until the applicant provides more information to identify how they meet the four variance criteria.

Brandy Holland reviewed the application.

The Board presented their Ex Parte Communication.

Ms. Johns reviewed the certified notices and emails received for the application.

Public hearing was opened; however, there was no response.

The Board discussed:

- Confirmed the previously existing building had been demolished
- The new building would be 500 square feet with a seventy-square-foot exterior pad for storage and a total of 570 square feet for the structure
- The proposed placement of the new structure was three feet from the property line, and the eaves would extend out only one foot from the property line
- Because of missing information, could not determine if the building could be moved
- Did not see justification nor hardship for the project
- After the fact was harder for the board to approve
- Need to see the original survey to compare with the new plan, which included a pool for approval
- Needed to have an accurate survey showing the property owned now by the applicant including the recently purchased property adjacent to the current property
- Confirmed that construction had started
- Clarified that the insurance company had required completion of the back deck
- Advised the applicant of the required documents for approval

MOTION

Mr. Davis MOVED to CONTINUE application PZB2026-0040 to the Jul 7, 2026 meeting. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

AYES: Davis, Pappas, Kelly, Blow, Tucker, Johns
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

5. (b) PZB2026-0041 – Elizabeth Naiburg – Applicant & Owner **118 Lamego Lane**

To approve a variance to the rear yard setback requirement.

Ms. Thompson read the staff report and said based on a review of Sec. 28-29 staff find that the Board can APPROVE a variance request to reduce the rear yard setback, as the variance criteria are met, or CONTINUE, until the applicant provides more information to identify how they meet the four criteria.

Elizabeth Naiburg reviewed the application.

The Board presented their Ex Parte Communication.

13 certified notices were sent, 0 were returned in favor, 0 returned opposed and 0 had comments.

Public hearing was opened; however, there was no response.

The Board discussed:

- Confirmed that the rear of the property would likely not be developed because it was adjacent to a green space
- It would be difficult to develop anything behind the property
- Confirmed with staff that there was no platted buffer near the property
- Advised the applicant to work with the local HOA to be sure that there was an approval at that level as well

MOTION

Mr. Davis MOVED to APPROVE application PZB2026-0041 for a variance to reduce the rear yard setback from the

required ten feet to five feet for a proposed screen enclosure around the swimming pool at 118 Lamego Lane as it met the criteria for variance. The motion was **SECONDED** by Mr. Blow.

VOTE ON MOTION:

AYES: Davis, Blow, Kelly, Tucker, Pappas, Johns

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. (c) PZB2026-0043 – Morgan & Amanda Nivens – Applicant & Owner
141 Menendez Road

To approve a variance to the maximum square footage of a guest house.

Ms. Thompson read the staff report and said based on a review of Sec. 28-29 staff find that the Board can **APPROVE** a variance request to increase the maximum square footage of the guest house to 650 square feet as the variance criteria are met, or **CONTINUE**, until the applicant provides more information to identify how they meet the four variance criteria.

Amanda and Morgan Nivens reviewed the application.

The Board presented their Ex Parte Communication.

14 certified notices were sent, 2 were returned in favor, 1 was returned opposed and 3 had comments.

Public hearing was opened.

Donna Dove said that she strongly supported this application as it was an example of how families could stay together and provide daily care for their loved ones.

Public hearing was closed.

The Board discussed:

- Did not appear to be any detriment to the public

- The structure stayed within the setbacks
- Had legislation been passed to accommodate this type of request
- Much of the ADU legislation was tied to affordability and had not been adapted to prevent turning small spaces into short-term rentals
- Clarified the reason for the request was to provide a safe space for an aging adult
- This house was currently at a seven-foot elevation; with the addition, lot coverage was not impacted; in the future should the existing house be rebuilt in the same footprint, there would be no negative impact on setbacks or lot coverage
- Supported ADU's and aging in place; however, was concerned that a future use could be detrimental to the neighborhood
- Five hundred square feet did not allow easy navigation for an individual with a handicap
- Confirmed that the lot coverage was within the code limits

MOTION

Mr. Davis MOVED to APPROVE application PZB2026-0043 at 141 Menendez Road to grant a variance request to increase of the maximum allowed square footage of a guest house from five hundred square feet to six hundred and fifty square feet because it met the criteria for variance. The motion was **SECONDED by Mr. Blow.**

VOTE ON MOTION:

AYES: Davis, Blow, Kelly, Tucker, Pappas, Johns

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. (d) PZB2026-0051 – James St. George – Applicant
Riberia Outpost LLC – Owner
161 Riberia Street

To approve a variance to the side and rear yard setback requirements.

Ms. Thompson read the staff report and said based on a review of Sec. 28-29 staff find that the Board can APPROVE a variance request to reduce the side setbacks (10 feet required 4.8 feet proposed), and the rear setbacks (10 feet required, 5.4 feet proposed) for a proposed new screen enclosure over a swimming pool as the variance criteria are met, or CONTINUE, until the applicant provides more information to identify how they meet the four variance criteria.

James St. George reviewed the application.

The Board presented their Ex Parte Communication.

15 certified notices were sent, 1 was returned in favor, 0 were returned opposed and 0 had comments.

Public hearing was opened; however, there was no response.

The Board discussed:

- This house was originally planned as a rental; however, the builder decided to live in it
- The plan did not show the dimensions of the pool
- The pool had already been permitted and was near completion
- The impervious surface ratio (ISR) was fifty-five percent
- Could not identify the hardship; however, it would tie into a retaining wall
- Wanted a site plan that showed how far the wall was from the property line
- Confirmed that the packet included a site plan showing the proper dimensions of the distance from the retaining wall by the pool to the property line
- Verified the reason for the enclosure
- Confirmed the applicant would be living in the structure that faced Iberia.
- The house had been moved back on the property to avoid a steep driveway

- Part of this property had been filled and part had been left at grade to diminish flooding
- Slate chips had been added to mitigate dirt running on to Iberia and into the drains

MOTION

Mr. Davis MOVED to APPROVE application PZB2026-0051 at 161 Iberia Street; the variance was based on the current site plan including a 4.8 side setback and a rear setback of 5.4 feet for the proposed screen enclosure over an existing pool as it met the criteria as stated in the discussion. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

AYES: Davis, Pappas, Kelly, Blow, Tucker, Johns

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. Use by Exception & Variance

6. (a) PZB2026-0042 – Paul & Rebecca Morris – Applicant & Owner

82 Washington Street; 84 Washington Street; 86 Washington Street

To approve a use by exception for a theater, commercial entertainment facility and special event venue; a use by exception for the sale of alcoholic beverages with alcoholic content not more than fourteen (14) percent for consumption, either on the premises or off the premises; a use by exception for off-site parking within a private parking facility; a variance to reduce the number of required off-street parking spaces; a variance to the front yard setback requirement.

Ms. Thompson read the staff report and said based on a review of Sec. 28-29 staff find that the Board can APPROVE the use by exception requests with or without conditions:

- Use by exception to operate a commercial entertainment facility (theater) in a fully enclosed building.
- Use by exception for the sale of alcoholic beverages with alcohol content not more than fourteen (14) percent for consumption, either on the premises or off the premises.
- Use by exception for off-site parking within a private parking facility;

OR CONTINUE the exception requests for additional information;

AND APPROVE the variance requests as the variance criteria are met:

- Variance request to reduce the number of off-street parking spaces from 17 to 6 spaces and 1 ADA space.
- Variance request to reduce the front yard setback from the required ten (10) feet to proposed zero (0) setback to match the existing building on site;

OR CONTINUE the variance requests, until the applicant provides more information to identify how they meet the four variance criteria.

Paul Morris reviewed the application.

The Board presented their Ex Parte Communication.

Ms. Johns reviewed the certified notices and emails received for the application.

Public hearing was opened.

Keith Richardson said that the area in question had been a blight for decades. He fully supported the proposal.

Susan Gregory read a letter stating that this property was part of the cultural and social history of black St. Augustine. She said that the applicant had been involved with this project since 2012 and was committed to protecting the history of the area.

Public hearing was closed.

The Board discussed:

- Supported the project
- Confirmed that only wine and beer would be sold at the venue
- Supported the reduction in parking
- Confirmed the reason for the reduction in the front setback to be access to the door on the second floor of a second building which had previously existed
- A commercial district had existed in this area in the past and this was an opportunity to bring it back
- A PUD would cover all of the current requests
- The only way to develop this property was through the exceptions
- Confirmed that any music would be inside; the exception would be the annual festival
- Limit outdoor music to acoustical only with a time, limit
- Confirmed that the food truck would operate when the theater was open
- Hours of operation would end at 10 pm
- This would be a great addition to the neighborhood

Prior to the motion being made Mr. Blow confirmed the restriction on the sound to be limited to outside

Ms. Lopez advised that there was a separate process if the noise exceeded the city's limit.

MOTION

Mr. Davis MOVED to APPROVE application PZB2026-0042 at 82, 84, and 86 Washington Street for a use by exception for a theater, commercial entertainment facility and special event venue; a use by exception for the sale of alcoholic beverages with alcoholic content not more than fourteen (14) percent for consumption, either on the premises or off the premises; a use by exception for off-site parking within a

private parking facility; this includes restrictions of ten pm for outdoor acoustic music only and a food truck during operating hours; a variance to reduce the number of required off-street parking spaces from seventeen (17) to six (6) and one ADA space; a variance to reduce the front yard setback requirement from ten feet to zero to match the existing building on site. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Davis, Blow, Kelly, Tucker, Pappas, Johns

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. (b) PZB2026-0050 – Sarah Ryan c/o Sarah Ryan Architect – Applicant Donna and Cope Thomas – Owner 230 West King Street

To approve a variance to the side yard setback requirements and to reduce the number of required off-street parking spaces and to approve a use by exception for off-site parking within a private parking facility.

Ms. Thompson read the staff report and said based on a review of Sec. 28-29 staff find that the Board can APPROVE the variance request to reduce the required side setback of 5 (five) feet to 7 inches to provide a second means of egress from the second means of egress second floor, the variance request to reduce the required parking for the business from the required 9 spaces to 6 spaces, and the use by exception request for off-site parking for 2 (two) parking spaces at the Broudy's lot located at 212 West King Street or CONTINUE, until the applicant provides more information to identify how they meet the four variance criteria.

Sarah Ryan reviewed the application.

The Board presented their Ex Parte Communication.

Ms. Johns reviewed the certified notices and emails received for the application.

Public hearing was opened; however, there was no response.

The Board discussed:

- Because the sidewalk was located on the east side, the west side had been selected to place the proposed stairs
- The requested reduction in parking was acceptable for this area
- This was another opportunity to improve the existing building and to develop the west city
- Confirmed that the elevator would be rated for passengers
- It was good to see a different type of business in the area

MOTION

Ms. Tucker MOVED to APPROVE application PZB2026-0050 for the variance request to reduce the side setback from five feet to seven inches to provide a second means of egress from the second floor and a variance request to reduce the required parking from the required nine spaces to six spaces as discussed this was consistent with the area and the applicant had made an effort to obtain more spaces and a use by exception for two off-site parking spaces at the Broudy Lot located at 212 West King Street. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Tucker, Blow, Kelly, Davis, Pappas, Johns

NAYES: NONE

MOTION CARRIED UNANIMOUSLY¹

¹ Break 2:59 pm – 3:16 pm

7. Conservation Overlay Zone Development

**7. (a) PZB2026-0031 – Matthew H. Lahti,
P.E. c/o Gulfstream Design Group, LLC –
Applicant
City of St. Augustine – Owner
500 Anastasia Boulevard**

Continued from the May 5, 2026 Regular Meeting

To approve the removal of significant trees within Conservation Overlay Zones 2 & 3.

Ms. Thompson read the staff report and said review of Section 11-29 is the responsibility of the Planning and Zoning Board for the proposed development within Conservation Overlay Zone 3.

Matt Lahti reviewed the application.

The Board presented their Ex Parte Communication.

Ms. Johns advised that no additional notices were sent, and reviewed the emails received for the application.

Public hearing was opened.

Reuben Franklin, Assistant City Manager, provided context for how this site was selected stating that the other potential sites had many more significant trees that would have to have been removed. He reminded the public that this was to provide public safety. He said that there was a mitigation plan and the city would increase the caliper of the replacement trees.

Lauren Geiber wanted to see renderings of what the proposed building would look like. She thought that there should be more green space.

Bruce Talcott was advocating for three trees to be saved, the ones that had been slated for removal per the presentation by the applicant. He said that the trees would help

to lessen the noise level from the emergency vehicles.

Public hearing was closed.

Mr. Lahti provided his rebuttal.

The Board discussed:

Mr. Davis asked Chief Aviles about the condition of the existing fire station.

Chief Carlos Aviles explained that the building was built in 1959 and because the DOT wanted to reconfigure the intersection at Red Cox and Anastasia the need for the change in the location of the fire station became an issue. He said that the current site required changes in the proposal for the new fire station to be effective.

Mr. Davis confirmed that mirroring the project would not allow for the best use of the property. He verified that the proposed elevation would be five or six feet higher than it was currently.

Ms. Skinner advised that the site plan had previously been reviewed by the Corridor Review Committee and had been approved. She said that the building was required to be close to the road and the proposed landscaping would create a good appearance on Anastasia Boulevard.

Mr. Blow said the current station was functionally obsolete. He said that the proposed station was modern and had nice facilities; however, he thought that making the building smaller would be a better idea.

Mr. Pappas said that the greater good needed to prevail in this case and was willing to sacrifice the trees in question. He verified that the station would also be used as an emergency distribution center during severe weather events. He said that the city needed to be an example and should make a better commitment for the tree replacement.

Ms. Tucker said the current facility had only one entrance and exit. She thought eliminating one entrance and exit would allow for the trees to be saved; however, safety first was a priority.

MOTION

Mr. Davis MOVED to APPROVE application PZB2026-0031 at 500 Anastasia Boulevard to remove four significant trees per the additional information received June 2, 2026, with the total removal of twenty trees including a 33-inch oak tree, two 16-inch cedar trees and one 32-inch cedar tree. Additionally, the live oak tree would change from a four-inch caliper to an eight- or ten-inch caliper; the city would also commit to incorporating cedar trees into the mitigation plan to be reviewed by staff. The motion was SECONDED by Ms. Johns.

Mr. Franklin advised the board that the city would commit to incorporate cedar trees into the mitigation plan.

VOTE ON MOTION:

AYES: Davis, Johns, Kelly, Tucker, Pappas

NAYES: Blow

MOTION CARRIED 5/1

7. (b) PZB2026-0039 – Tom Bartlett c/o DCCM – Applicant

Doug West c/o Alliance Marine Co – Owner
404 Riberia Street

To approve the removal of significant trees within Conservation Overlay Zones 2 & 3.

Ms. Daugherty read the staff report and said review of Sec. 11-29 is the responsibility of the PZB for the proposed development within Conservation Overlay Zone 3. This application includes a request to remove one significant tree.

James Whitehouse reviewed the application.

The Board presented their Ex Parte Communication.

17 certified notices were sent, 0 were returned in favor, 0 were returned opposed and 0 had comments.

Public hearing was opened; however, there was no response.

There was consensus with the Board that based on the evidence that was presented there was no negative impact to the public for the removal of the tree.

MOTION

Mr. Blow MOVED to APPROVE application PZB2026-0039 for the removal of one tree. The motion was SECONDED by Ms. Johns.

VOTE ON MOTION:

AYES: Blow, Johns, Kelly, Davis, Tucker, Pappas

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. (c) PZB2026-0046 – Ryan Carter c/o Carter Environmental Services – Applicant **Toll Southeast LP Company Inc– Owner** **1018 Pantano Drive**

To approve the removal of significant trees within Conservation Overlay Zones 2 & 3.

Ms. Daugherty read the staff report and said review of Sec. 11-29 is the responsibility of the PZB for the proposed development within Conservation Overlay Zone 3. This application includes requests to remove significant trees and tree canopy for the property at 1018 Pantano Drive.

Because the application is missing pertinent information Staff recommends
CONTINUATION for additional information

or reconsideration or DENIAL of the application if the Board finds they do not have sufficient information to review the application.

The applicant should provide the following:

- The tree mitigation plan should include all easements including utility, drainage, and conservation easements so that the Board can accurately determine if the structure can be moved to save trees
- An arborist report so that the Board can assess the health and condition of the trees to make accurate determination on the value of retaining (Sec. 11-29(d)(1)a).
- Lot grading plan with limits of fill and tree protection measures

Ryan Carter and Nate Bydell reviewed the application.

The Board presented their Ex Parte Communication.

7 certified notices were sent, 0 were returned in favor, 1 was returned opposed and 1 had comments.

Public hearing was opened; however, there was no response.

The Board discussed:

- The tree in question was leaning towards the proposed structure
- Ms. Daugherty explained that certain questions in the application related to a variance request not Conservation Overlay Zone Development
- The applicants had done their due diligence for this project and had demonstrated the desire to save as many trees as possible

MOTION

Mr. Davis MOVED to APPROVE application PZB2026-0046 at 1018

Pantano Drive for the removal of a significant tree within Conservation Overlay Zone 2 & 3 because the tree would be growing into the proposed house. The motion was SECONDED by Ms. Johns.

VOTE ON MOTION:

AYES: Davis, Johns, Kelly, Blow, Tucker, Pappas

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. (d) PZB2026-0047 – Ryan Carter c/o Carter Environmental Services – Applicant
Toll Southeast LP Company Inc– Owner
958 Pantano Drive

To approve the removal of significant trees within Conservation Overlay Zone 3.

Ms. Daugherty read the staff report and said review of Sec. 11-29 is the responsibility of the PZB for the proposed development within Conservation Overlay Zone 3. This application is missing pertinent information Staff recommends CONTINUATION for additional information or reconsideration or DENIAL of the application if the Board finds they do not have sufficient information to review the application. The applicant should provide the following

- The tree mitigation plan should include all easements including utility, drainage, and conservation easements so that the Board can accurately determine if the structure can be moved to save trees.
- An arborist report so that the Board can assess the health and condition of the trees to make accurate determination on the value of retaining (Sec. 11-29(d)(1)a)
- Lot grading plan with limits of fill and tree protection measures
- Positive number of tree credits

Ryan Carter and Nate Bydell reviewed the application.

The Board presented their Ex Parte Communication.

5 certified notices were sent, 0 were returned in favor, 0 were returned opposed and 0 had comments.

Public hearing was opened; however, there was no response.

The Board discussed:

- Commended the applicant for working to save trees
- There were negative tree credits for this single project, however, overall in the whole subdivision, there were ample tree credits and more inches retained than removed
- Because the location of the proposed house had shifted, a 36-inch Live Oak was saved
- There was a proposed tree well to ensure the tree's survival

MOTION

Mr. Davis MOVED to APPROVE application PZB2026-0047 at 958 Pantano Drive for the removal of significant trees within Conservation Overlay Zone 3. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Davis, Blow, Kelly, Tucker, Pappas, Johns

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. (e) PZB2026-0048 – Ryan Carter c/o Carter Environmental Services – Applicant
Toll Southeast LP Company Inc – Owner
818 Pantano Drive

To approve the removal of significant trees within Conservation Overlay Zones 2 & 3.

Ms. Daughtery read the staff report and said review of Sec. 11-29 is the responsibility of the PAB for the proposed development within Conservation Overlay Zones 2 & 3. This application includes requests to remove significant trees and tree canopy for the property at 818 Pantano Drive. Because the application is missing pertinent information Staff recommends CONTINUATION for additional information or reconsideration or DENIAL of the application if the Board finds they do not have sufficient information to review the application. The applicant should provide the following:

- The tree mitigation plan should include all easements including utility, drainage, and conservation easements so that the Board can accurately determine if the structure can be moved to save trees
- An arborist report so that the Board can assess the health and condition of the trees to make accurate determination on the value of retaining (Sec. 11-296 (d)(1)a)
- Lot grading plan with limits of fill and tree protection measures

Ryan Carter and Nate Bydell reviewed the application.

The Board presented their Ex Parte Communication.

3 certified notices were sent, 0 were returned in favor, 0 were returned opposed and 0 had comments.

Public hearing was opened; however, there was no response.

The Board discussed:

- Requested that the applicant take care and only remove the trees that were necessary
- This lot required additional fill due to the location and that would create a challenge to save trees

MOTION

Ms. Tucker MOVED to APPROVE application PZB2026-0048 for the removal of eight significant trees at 818 Pantano Drive. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:

AYES: Tucker, Davis, Kelly, Blow, Pappas, Johns

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. (f) PZB2026-0049 – Ryan Carter c/o Carter Environmental Services – Applicant
Toll Southeast LP Company Inc – Owner
910 Pantano Drive

To approve the removal of significant trees within Conservation Overlay Zones 2 & 3.

Ms. Daugherty read the staff report and said review of Sec. 11-29 is the responsibility of the PZB for the proposed development within Conservation Overlay Zones 2 & 3. This application includes requests to remove significant trees and tree canopy for the property at 910 Pantano Drive.

Ryan Carter and Nate Bydell reviewed the application.

The Board presented their Ex Parte Communication.

3 certified notices were sent, 0 were returned in favor, 0 were returned opposed and 0 had comments.

Public hearing was opened; however, there was no response.

There was consensus with the Board that the trees proposed for removal were within the footprint of the house as well as the driveway. The applicant had done their due diligence to save as many trees as possible, and the tree wells showed a significant effort to preserve trees on the property.

MOTION

Ms. Johns MOVED to APPROVE application PZB2026-0049 for the removal of significant trees within Conservation Overlay Zones 2 & 3 at 910 Pantano Drive. The motion was SECONDED by Ms. Kelly.

VOTE ON MOTION:

AYES: Johns, Kelly, Davis, Blow, Tucker, Pappas

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

8. Land Use Plan Amendment, Rezoning & Use by Exception

8. (a) PZB2026-0053 – Habitat for Humanity of St. Johns County, Inc. – Applicant
St. Luke Alpha and Omega Pentecostal Church of Florida – Owner
18 Spring Street and 20 Spring Street

To recommend a future land use plan map amendment to change the future land use from Residential Low Density to Residential Medium Density. To recommend a compatible rezoning from Residential Single Family-Two (RS-2) to Residential General One (RG-1). To approve a use by exception for a business office.

Ms. Daugherty read the staff report and said:

For the Future Land Use Amendment:

Review of Sec. 28-30 is used to determine whether to make a positive recommendation to the city commission to amend the city's land use plan map from Residential Low Density to Residential Medium Density. This review is the responsibility of the Planning and Zoning Board.

The Board can make the following findings as part of a recommendation based on Sec. 28-30 that the Board has studied and considered:

- 1 The need and justification for the change stems from the fact that the proposed use is not permitted within RS-2 zoning district, the current zoning designation for the property
- 2 The positive relationship of the proposed amendment and rezoning to the city's general planning program
- 3 These requests and proposal's consistency with the comprehensive plan as analyzed, documented, and found above in this report

The Board can choose to RECOMMEND the Future Land Use amendment to the City Commission as the zoning is consistent with Sec. 28-30 OR,

The Board can choose to NOT RECOMMEND the Future Land Use amendment to City Commission as the request is not consistent with Sec. 28-30

For the Zoning Change:

Review of Sec. 28-30 is used to determine whether to make a positive recommendation to the city commission to rezone the property from Residential Single-Family-Two (RS-2) to Residential General One (RG-1). This review is the responsibility of the Planning and Zoning Board.

The Board can make the following findings as part of a recommendation based on Sec. 28-30 has studied and considered:

- 1 The need and justification for the change stems from the fact that the proposed use is not permitted within the RS-2 zoning district, the current zoning designation of the property
- 2 The positive relationship of the proposed amendment and rezoning to the city's general planning program
- 3 These requests and proposal's consistency with the comprehensive plan as analyzed, documented, and found above in this report

The Board can choose to RECOMMEND the zoning change to the City Commission as the

zoning request is consistent with Sec. 28-30 OR,

The Board can choose to NOT RECOMMEND the zoning change to City Commission as the zoning request is not consistent with Sec. 28-30

For the Use by Exception:

Based on a review of Sec. 28-29 staff finds that the Board can APPROVE WITH CONDITIONS, a use by exception request for a professional and business office located at 18 and 20 Spring Street

The Board can choose to APPROVE the Use by Exception as it is consistent with the requirements of Sec. 28-29 WITH THE FOLLOWING CONDITIONS that the requested Future Land Use Amendment and Zoning change are approved by the City Commission, OR,

The Board can choose to DENY the Use by Exception as it is not consistent with the above findings of Sec. 28-29

Christopher Devereaux and Sid Ansbacher reviewed the application.

Ex Parte Communication. None

30 certified notices were sent, 0 were returned in favor, 1 was returned opposed and 1 had comments.

Public hearing was opened.

BJ Kalaidi asked if a condition could be placed in the approval to limit traffic in the office if there was a new user in the future, she said she generally supported the application.

Public hearing was closed.

Mr. Ansbacher provided his rebuttal, agreeing that a reasonable condition to maintain the level of traffic would be acceptable.

Ms. Lopez explained that in the past, "asterisks" had been added to proposals. They would appear at the bottom of the land use map and would relate to a particular density of use. They would add additional conditions such as, what if a different user came along in the future, this would add a condition to the land use map, as well as the condition that was included in the motion for the use by exception. She concluded by saying that the conditions in the Use by Exception could be included in the land use map as an asterisk.

Mr. Pappas asked if a PUD would have been more appropriate for this request.

Mr. Ansbacher advised that a FLUM amendment would be required either way, and this request was designed to have the minimum amount of change as possible.

The Board discussed:

Mr. Blow liked to look at adjacent properties to verify homestead exemptions, and it appeared that the comment from the public was not adjacent to the site. He verified that the church site would be used and adapted to the use of the proposed office.

Ms. Johns felt okay with the UBE; however, with all of the surrounding buildings being primarily residential, would this create an island in the middle of this area even with the asterisk

Ms. Lopez advised that the condition on the FLUM could be to limit the space to not-for-profit office uses only.

Mr. Pappas expressed his concern for any business that might come after the applicant and would they operate in the same manner as the applicant.

Ms. Kelly asked if the asterisk would lock in certain conditions should the property be sold.

Ms. Tucker asked how this property had come into play and was advised that the church had offered the property because of the long history in the community of helping residents.

Mr. Davis suggested that the applicant at a later date, should they vacate the property, request that the property be changed back to the previous zoning.

Ms. Lopez advised that the condition on the FLUM could be that type of request.

Mr. Ansbacher suggested that the use be made specific to Habitat for Humanity only.

A discussion followed about how that would be enforced.

Mr. Davis asked how to word the motion so there would be an agreement that once Habitat no longer used the building, it would revert to its original zoning.

Ms. Lopez advised that that wording could be in the Use by Exception and add that it was conditioned on the Land Use and Rezoning, and the recommendation to the City Commission is that they use the same qualifier condition.

MOTION

Mr. Davis MOVED to APPROVE application PZB2026-0053 at 18 and 20 Spring Street for the Use by Exception for office space in RG-1 provided that once Habitat for Humanity is no longer using the space, the property, or the building, that it reverts back to its original zoning before any rezoning or changes to the Land Use Plan are made.. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Davis, Blow, Kelly, Tucker, Pappas, Johns

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

Mr. Davis MOVED to make a RECOMMENDATION for application PZB2026-0053 to the City Commission to change the Future Land Use Map at 18 and 20 Spring Street, from a designation of Residential Low Density to Residential Medium Density, subject to the conditions of the Exception just passed. The motion was SECONDED by Ms. Kelly.

VOTE ON MOTION:

AYES: Davis, Kelly, Blow, Tucker, Pappas, Johns

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

Mr. Davis MOVED to make a RECOMMENDATION for application PZB2026-0053 to the City Commission for 18 and 20 Spring Street to change from Residential Single-Family-Two (RS-2) to Residential General One (RG-1) with the exception previously passed as part of the condition. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

AYES: Davis, Pappas, Kelly, Blow, Tucker, Johns

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

9. Applications Involving Lewis Boulevard

Rezoning

9. (a) PZB2026-0052 – Roy Campbell/San Sebastian Marine Inc c/o River's Edge Marina – Applicant
San Sebastian Marine Inc c/o River's Edge Marina – Owner
65 Lewis Boulevard

To approve a rezoning from an abandoned PUD to Residential and General Office (RGO).

Ms. Daugherty read the staff report and said review of Sec. 28-30 is used to determine whether to make a positive recommendation to the city commissions to rezone the

property from Abandoned PUD to Residential General Office (RGO). This review is the responsibility of the Planning and Zoning Board.

The Board can make the following findings as part of a recommendation based on Sec. 28-30 has studied and considered:

1 The need and justification for the change stems from the fact that the proposed use is not permitted within abandoned PUD zoning district, the current zoning designation of the property

2 The positive relationship of the proposed amendment and rezoning to the city's general planning program

3 These requests and proposal's consistency with the comprehensive plan as analyzed, documents, and found in this report

The Board can choose to RECOMMEND the zoning change to the City Commission as the zoning request if consistent with Sec. 28-30, OR,

The Board can choose to NOT RECOMMEND the zoning change to City Commission as the zoning request is not consistent with Sec. 28-30.

Craig Cunningham reviewed the application.

The Board presented their Ex Parte Communication.

8 certified notices were sent, 2 were returned in favor, 0 were returned opposed and 0 had comments.

Public hearing was opened; however, there was no response.

There was consensus with the Board that because this was an abandoned PUD, there were no issues or concerns.

MOTION

Mr. Davis MOVED to RECOMMEND application PZB2026-0052 at 65 Lewis Boulevard to rezone from an abandoned PUD to Residential and General Office (RGO) to the City Commission. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

AYES: Davis, Pappas, Kelly, Blow, Tucker, Johns

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

Rezoning and Variance

9. (b) PZB2026-0045 – RB63, Inc c/o 2 Creeks Dockside – Applicant
San Sebastian Marine Inc c/o River's Edge Marina – Owner
69 Lewis Boulevard

To approve a rezoning from an abandoned PUD to Residential and General Office (RGO) landward of the most restrictive jurisdictional line and Open Land (OL) waterward of the most restrictive jurisdictional line. To approve a variance to reduce the number of required off-street parking spaces. ~~To approve the construction of a dock within Conservation Overlay Zones 1 & 2~~

Ms. Daugherty read the staff report and said:

For the Rezoning:

Review of Sec. 28-30 is used to determine whether to make a positive recommendation to the city commission to rezone the property from Abandoned OUD to Residential General Office (RGO) and Open Land (OL). This review is the responsibility of the Planning and Zoning Board.

The Board can make the following findings as part of a recommendation based on Sec. 28-30 has studied and considered:

1 The need and justification for the change stems from the fact that the proposed use is not permitted within the abandoned PUD

zoning district, the current zoning designation of the property

2 The positive relationship of the proposed amendment and rezoning to the city's planning program

3. These requests and proposals consistency with the comprehensive plan as analyzed, documents, and found above in this report

The Board can choose to RECOMMEND the zoning change to the City Commission as the zoning request is consistent with Sec. 28-30, OR,

The Board can choose to NOT RECOMMEND the zoning change to City Commission as the zoning is not consistent with Sec. 28-30

For the Variance:

Based on a review of Sec. 28-29 staff find that the Board can APPROVE WITH CONDITIONS, a variance request to reduce the number of required off-street parking spaces at 69 Lewis Boulevard

The Board can choose to APPROVE as it is consistent with the requirements of Sec. 28-29 WITH THE FOLLOWING CONDITION that the requested Zoning change are approved by the City Commission, OR,

The Board can choose to DENY variance as it is not consistent with the above findings of Sec. 28-29

Rich McCann reviewed the application.

The Board presented their Ex Parte Communication.

15 certified notices were sent, 2 were returned in favor, 0 were returned opposed and 0 had comments.

Public hearing was opened; however, there was no response.

The Board discussed:

- Confirmed that there were still a few other parcels that remained from this abandoned PUD
- The applicant was a tenant of the owner of the marina and there was an existing agreement for overflow parking for the restaurant
- There was little impact outside of this neighborhood for parking
- There should be ample parking because some patrons would arrive by boat
- Verified that there was only one application for this item, the deck expansion had been removed from the agenda per staff

MOTION

Mr. Davis MOVED to make a RECOMMENDATION to the City Commission for application PZB2026-0045 at 69 Lewis Boulevard to be rezoned from an abandoned PUD to Residential and General Office (RGO) landward of the most restrictive jurisdictional line and Open Land (OL) waterward of the most restrictive jurisdictional line. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Davis, Blow, Kelly, Tucker, Pappas, Johns
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

Mr. Davis verified that the request for the variance was to reduce the parking from fifty-seven required spaces down to forty-two spaces, but the actual request was to reduce the parking from fifty-seven down to fifty spaces.

MOTION

Mr. Davis MOVED to APPROVE application PZB2026-0045 for a variance to reduce the parking from the required fifty-seven spaces down to fifty parking

spaces. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Davis, Blow, Kelly, Tucker, Pappas, Johns
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

10. Other Business

Ms. Daugherty advised the Board that there was a workshop available called "Planning Officials Training Workshop" and any member that was interested should contact her office for more information.

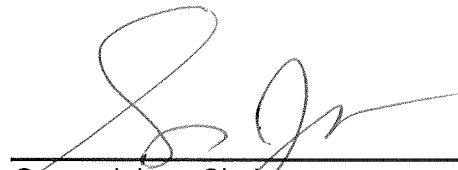
Ms. Tucker advised that she would be absent for the next two meetings.

Mr. Pappas asked about a new law taking effect July 1, 2026 stating that any construction project under \$7,500 did not require a permit.

Ms. Lopez explained that the contractor would have to provide a written request under that exemption and the statute would not exempt anyone from having to go to PZB or HARB.

11. Adjournment

Having no further business, Ms. Johns adjourned the meeting at 5:38 P.M.²



Susan Johns, Chairperson

² Transcribed by Michele Fudo