10	**AGENDA ITEM** **ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS**
	Deadline for Submission - Wednesday 9 a.m. – Thirteen Days Prior to BCC Meeting

10/20/2026

BCC MEETING DATE

TO: **Joy Andrews, County Administrator** **DATE:** **September 22, 2026**

FROM: **Kelly Schley, Senior Development Review Supervisor** **PHONE:** **904 209-0720**

SUBJECT OR TITLE: **NZVAR 2026-21 Hale-McCrary Residence**

AGENDA TYPE: **Business Item, Ex Parte Communications, Public Hearing, Report**

BACKGROUND INFORMATION:

Request for a Non-zoning Variance to Land Development Code Section 5.01.01.C regarding subdivision platting standards and Section 6.02.00 regarding subdivision design standards. The applicant is seeking relief from the above-mentioned Code sections for the creation of a 4.1-acre parcel. The Land Development Code requires subdivision and plat approval for the division of more than two lots. This parcel is the third division within the overall 20-acre parcel.

1. IS FUNDING REQUIRED? No **2. IF YES, INDICATE IF BUDGETED.** No

IF FUNDING IS REQUIRED, MANDATORY OMB REVIEW IS REQUIRED:

INDICATE FUNDING SOURCE:

SUGGESTED MOTION/RECOMMENDATION/ACTION:

APPROVE: Motion to APPROVE NZVAR 2026-21 request for a Non-Zoning Variance to Land Development Code Section 5.01.01.C regarding subdivision platting standards and Section 6.02.00 regarding subdivision design standards based upon six (6) findings of fact and four (4) conditions as provided in the Staff Report.

DENY: Motion to DENY NZVAR 2026-21 request for a Non-Zoning Variance to Land Development Code Section 5.01.01.C regarding subdivision platting standards and Section 6.02.00 regarding subdivision design standards based upon six (6) findings of fact as provided in the Staff Report.

For Administration Use Only:
Legal: Kealey West 10/5/2026 **OMB: ARM 10/6/2026** **Admin: Brad Bradley 10/9/2026**

Growth Management Department
Development Review Division Report
Application for Non-Zoning Variance
NZVAR 2026-21 Hale-McCrary Residence

To:	Board of County Commissioners
From:	Kelly Schley, Development Review
Date:	September 22, 2026
Subject:	NZVAR 2026-21 Hale-McCrary Residence Request for a Non-zoning Variance to Land Development Code Section 5.01.01.C regarding subdivision platting standards and Section 6.02.00 regarding subdivision design standards.
Applicant:	Ethan Hale and Alexis McCrary
Owner(s):	Ethan Hale and Alexis McCrary
Hearing Dates:	Board of County Commissioners – October 20, 2026
Commissioner District:	District 2

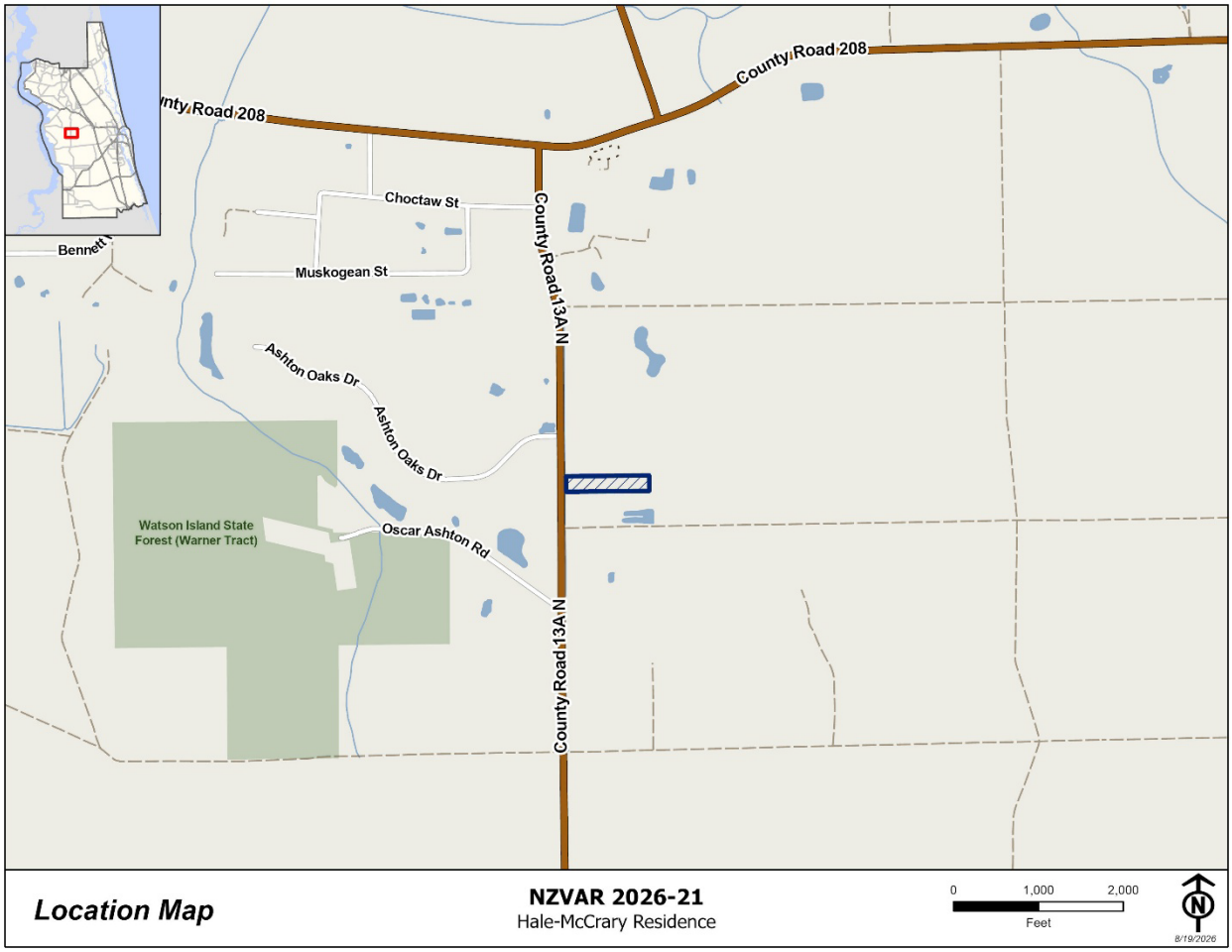
SUGGESTED MOTION/ACTION

APPROVE: Motion to approve **NZVAR 2026-21 Hale-McCrary Residence** request for a Non-Zoning Variance seeking relief from Land Development Code Section 5.01.01.C regarding subdivision platting standards and Section 6.02.00 regarding subdivision design standards based upon six (6) findings of fact and four (4) conditions as provided in the Staff Report.

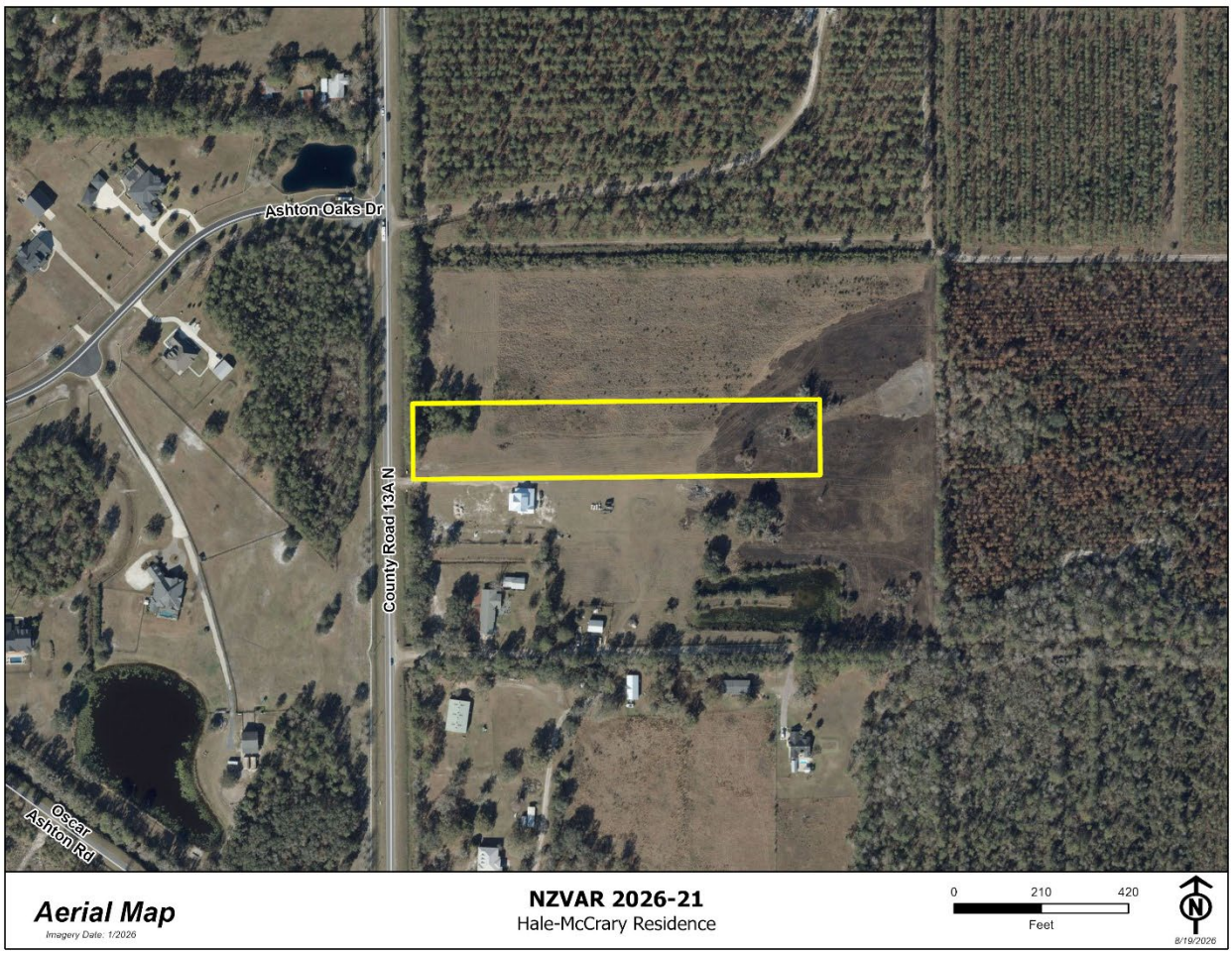
DENY: Motion to deny **NZVAR 2026-21 Hale-McCrary Residence** request for a Non-Zoning Variance seeking relief from Land Development Code Section 5.01.01.C regarding subdivision platting standards and Section 6.02.00 regarding subdivision design standards based upon six (6) findings of fact as provided in the Staff Report.

MAP SERIES

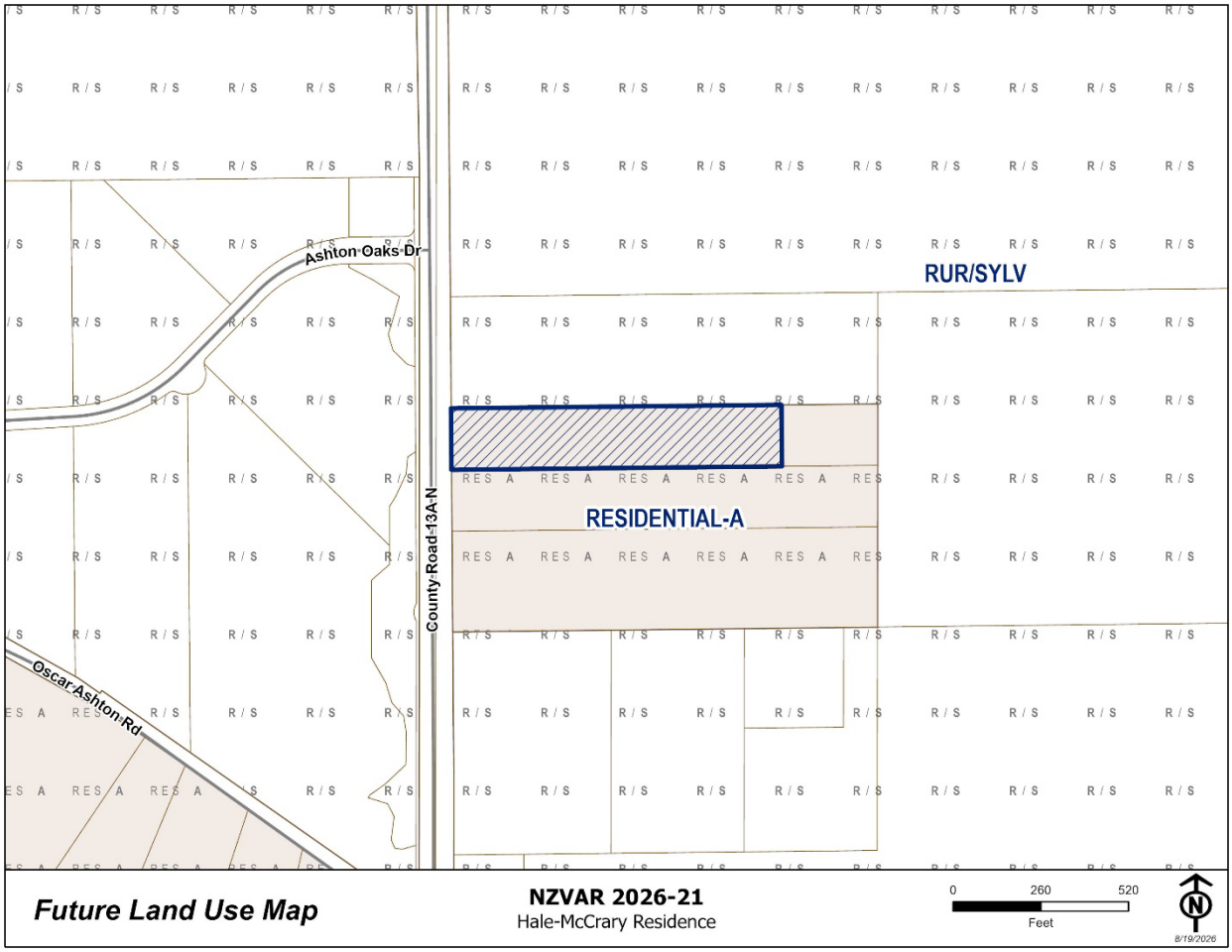
Location: The subject parcel is located south of County Road 208 and east of County Road 13A North.



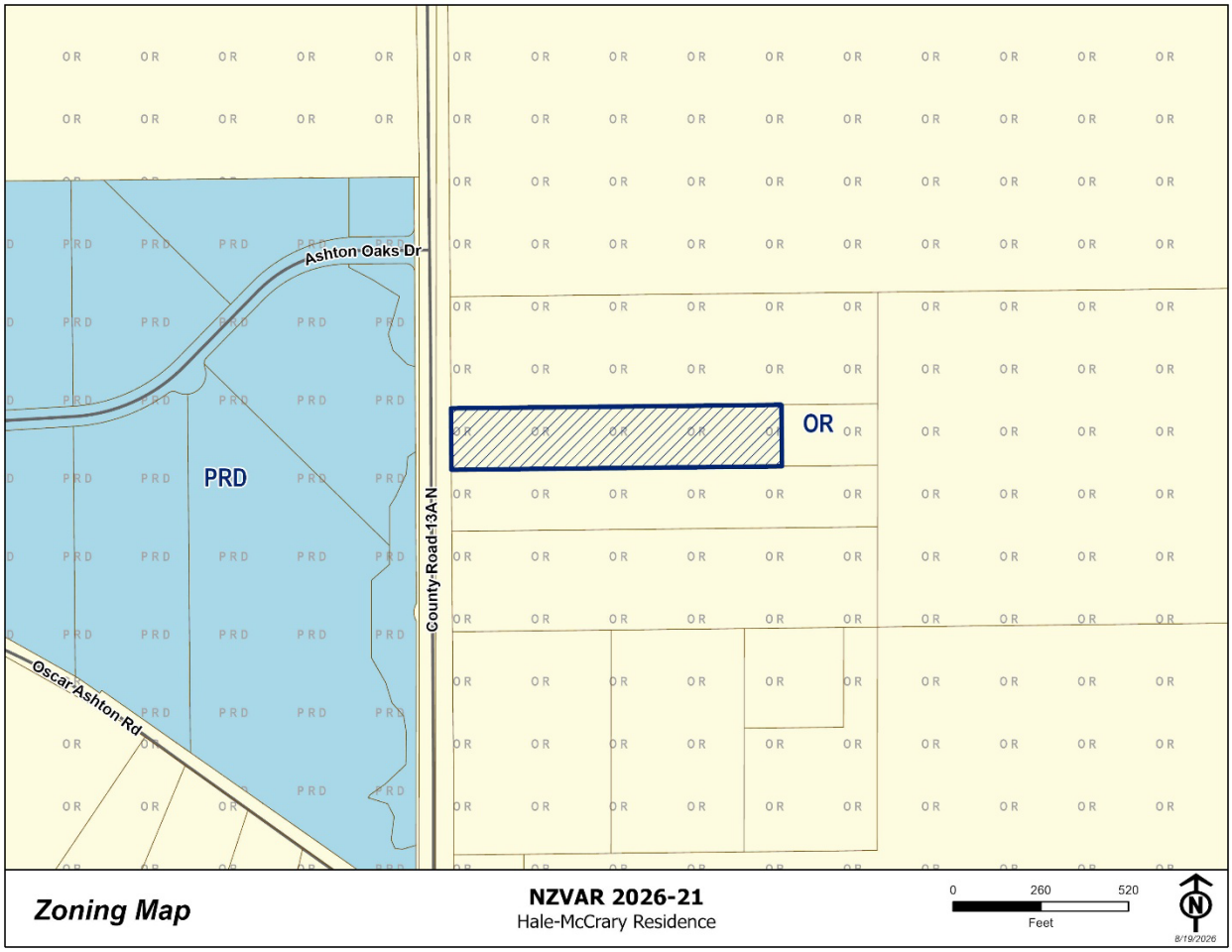
Aerial Imagery: The subject property consists of 4.1 acres.



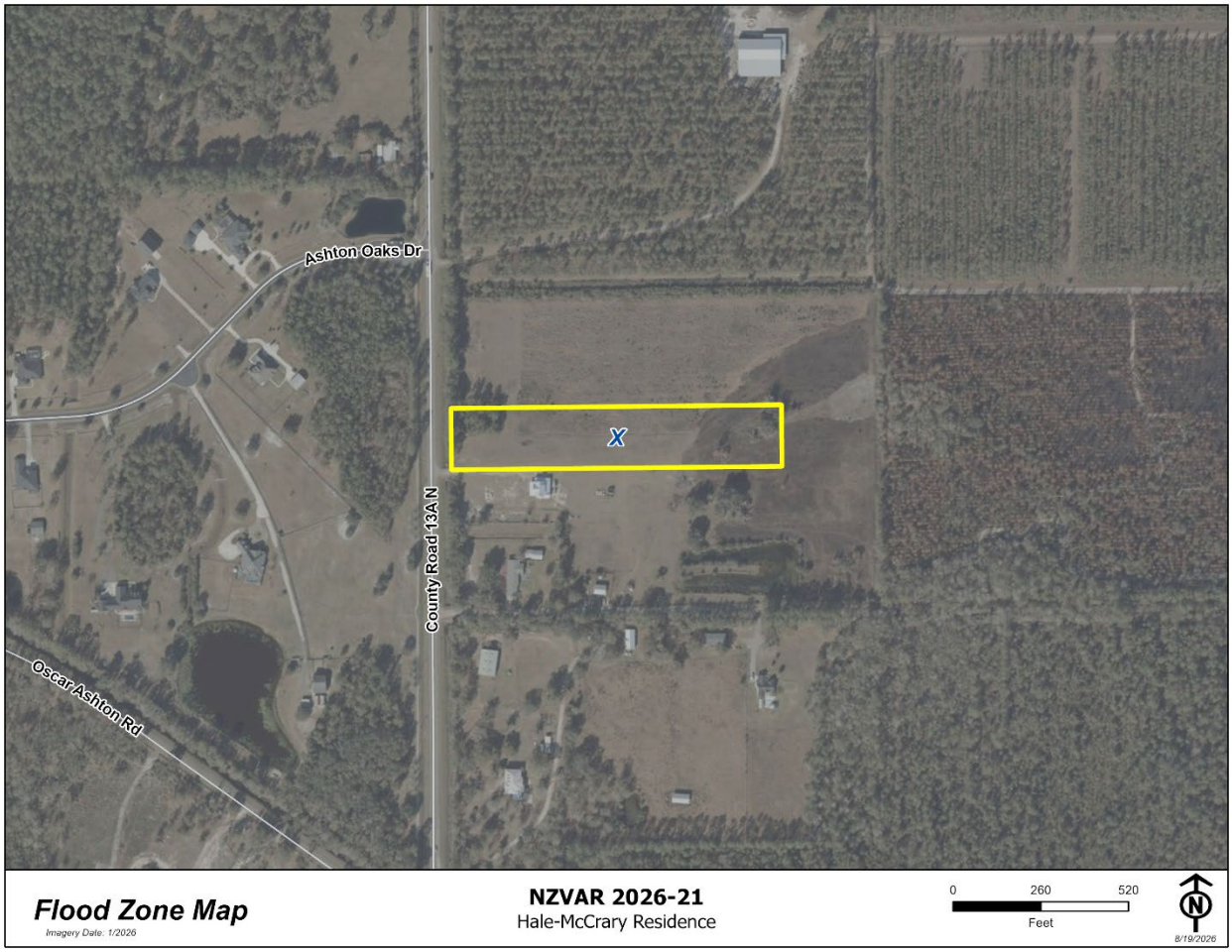
Future Land Use: The subject property is designated on the Future Land Use Map as Residential-A (RES-A). Surrounding properties are designated as Rural Silviculture (R/S) and Residential-A (RES-A).



Zoning District: The subject property is zoned Open Rural (OR). Surrounding properties are zoned Open Rural (OR) and Planned Rural Development (PRD)



Flood Zone: The subject property is within Flood Zone X.



APPLICATION SUMMARY

The applicant is seeking relief from subdivision platting requirements and subdivision design standards for the creation of a 4.1-acre parcel within the 20-acre parent parcel. The Land Development Code requires subdivision and plat approval for the division of more than two lots. This parcel is the third division within the overall parcel; therefore, the applicant is requesting a variance to the subdivision platting standards in LDC Section 5.01.01.C and the subdivision design standards in LDC Section 6.02.00. The parcels included in the original 20-acres and surrounding properties are family-owned. Ownership of the subject property has been transferred to the applicant and they are prepared to submit to permitting for the construction of a single-family residence upon approval of this request.

As of note, in 2023, this property was included within a larger parcel that received a Small Scale Comprehensive Plan Amendment (CPA(SS)) changing the land use from Rural/Silviculture (R/S) to Residential-A (RES-A). The Ordinance is appended below in Attachment 6. The CPA was approved with a text amendment limiting the property to a maximum of six (6) single-family residential dwelling units.

LAND DEVELOPMENT CODE REFERENCES

5.01.01.C Subdivision

Whenever land in unincorporated St. Johns County is divided so as to constitute a Subdivision as defined herein, such Subdivision of land shall be in compliance with the requirements set forth in these regulations. The entire parent Parcel (or unified ownership tract) for any Subdivision shall be reviewed by the County in conjunction with the Subdivision review for any portion of the parent Parcel (or unified ownership tract). No County Development Order or Development Permit for residential Use shall be issued for more than two (2) Parcels (or unified ownership tracts) of land which have been Subdivided from a parent Parcel (or unified ownership tract) existing as of the effective date of this amendment to the St. Johns County Land Development Code V-3 August 11, 2025 Land Development Code (i.e., October 17, 2000) without a plat being administratively approved by the County, pursuant to Chapter 177.071, Florida Statutes, for the additional Parcels (or unified ownership tracts). Parcels (or unified ownership tracts) of land may be Subdivided and County Development Orders or Development Permits may be issued for family farm and lot divisions approved in compliance with the Comprehensive Plan and all other applicable Land Development Regulations and non-residential Uses on such Subdivisions without a required plat.

6.02.00 Subdivision Design Standards and Guidelines

Part 6.02.00 establishes design and development requirements applicable to subdivision standards including access, stormwater management, sidewalks, and other subdivision improvements. As applicable, 6.02.01.D Access to Existing or Proposed Adjoining Roadway System: 2. Access to Arterial or Collector Roadways – Unless otherwise approved by the County Administrator for good cause, residential Lots in Subdivisions shall not have direct access to an Arterial or Collector Roadway. Residential Lots in Subdivisions that abut an Arterial or Collector Roadway shall not front on said Roadway and access shall be blocked by a non-access buffer. 3. Access to Local Roads – Residential Lots in Subdivisions shall front on and have direct access to Local Roads only. Local Roads shall be arranged and designed so as to restrict their Use by through and high speed traffic. 6.02.06 Sidewalks: B.1. External (Outside the Proposed Site) - External sidewalks shall be located on County Major or Minor Collectors adjacent to a Subdivision of more than two Lots. Sidewalks shall be constructed on the Subdivision side of an existing County Major or Minor Collector from boundary to boundary of the Subdivision and shall extend to the edge of the adjacent Roadways. Sidewalks shall be constructed prior to final acceptance of the Improvement Facilities. The Developer shall be responsible for the Construction of sidewalks. 6.02.09 Stormwater Management: Subdivisions shall comply with requirements of the St. Johns River Water Management District (SJRWMD) and Part 6.04.00 Roadway, Drainage, & Utilities.

DEPARTMENTAL REVIEW

The Development Review Division has routed this request to all appropriate reviewing departments. All comments have been addressed.

TECHNICAL REVIEW

County Road 13A is a Major Collector Roadway. Unless otherwise approved, new residential lots are required to take access off of local roadways. Therefore, the applicant is seeking relief of the roadway access requirements under the Subdivision Design Standards of Section 6.02.00 of the LDC. It is not anticipated that the applicant will need to perform any improvement work to County Road 13A aside from an individual driveway connection. The proposed lot is also of such a size that it will generally not pose a drainage concern, so technical staff does not object to relief from Section 6.02.00 of the LDC. The applicant is aware of their responsibility to secure any additional permitting needed through other agencies (i.e. SJRWMD, FDEP).

Should the Non-Zoning Variance be approved, the applicant is aware that they will be required to submit a residential site plan according to the procedures outlined in the St. Johns County Development Review Manual. The application will be reviewed individually by staff for compliance with all applicable zoning, technical, environmental, and fire protection requirements.

LAND DEVELOPMENT CODE REFERENCE AND CRITERIA FOR ACTION

Variance, Non-Zoning: A case-by-case deviation to the rules of this Code, when it is demonstrated that compliance with the Code would be a practical impossibility, and/or upon showing of good cause, an alternative to the Code is provided that conforms to the general intent and spirit of the Code. The Board of County Commissioners may require such conditions that will, in its judgement, substantially secure the same objectives of the standards or requirements so varied or modified.

NON-ZONING VARIANCE FINDINGS

Section 10.04.03.B, governing non-zoning variances, states the BCC shall not vary the requirements of any provision of this Code unless it makes the following five positive findings, based on substantial evidence.

The Applicant's response to the Required Findings as prescribed by the LDC is included below, and as an attachment to this report.

1) There are practical difficulties in carrying out the strict letter of the regulation.
The request is based upon the fact that such a subdivision plat, for this single parcel will not serve any purpose with regard to the welfare of the neighboring properties or the other members of the McCrary family, who own adjacent properties.

2) The Variance request is not based exclusively upon the desire to reduce the cost of developing the site.
The intent of this variance request is to obtain a single building permit so that a member of the McCrary family may build a home where her family has resided for roughly 60 years. The applicants will still need to meet LDC requirements, including individual stormwater management, earthwork, and tree preservation and replacement. So, the request is not solely based on cost, but more to avoid the development conditions and standards provided in the LDC for a recorded subdivision.

3) The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
The proposed variance will not impact the congestion on the surrounding public streets, the danger of fire or other hazard to the public as it is one new home seeking to be constructed on a 4-acre parcel. The construction will have almost no impact to surrounding residents as they are family members of the applicants, and those residents already have access to their individual properties from CR 13 A N.

4) The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
This variance aims to preserve the rural character and integrity of the area, as just 1 home seeks to be built, not 100. It will not diminish the property values in the surrounding area, as the uses established under the LDC for OR zoning will still be maintained and match the surrounding zoning and uses.

5) The effect of the proposed Variance is in harmony with the general intent of this code and the specific intent of the relevant subject areas of the Code.
The proposed variance will be in harmony with the overall intent of the LDC, which states:

"In order to foster and preserve public health, safety, comfort and welfare, and to aid in the harmonious, orderly, and progressive Development of the unincorporated areas of St. Johns County, it is the intent of this Code that the Development process in St. Johns County be efficient, in terms of time and expense; effective, in terms of addressing the natural resource and public facility implications of proposed Development; and equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and consideration of the interests of the citizens of St. Johns County."

Granting of this variance will still maintain the orderly development of St. Johns County as the issuance of a building permit for the 4-acre parcel along County Road 13A N, without a subdivision plat, will not undermine the purpose of the LDC as stated above. The large parcel size maintains the rural community of the surrounding area. The issuance of a building permit does not pose a fire risk or impact on the safety and health of the immediate community or County itself. The roadway access and stormwater management will not be significantly impacted or affected by the construction of the applicant's home.

SUGGESTED MOTION/ FINDINGS/ CONDITIONS TO APPROVE THE REQUEST

Suggested Motion to APPROVE Non-zoning Variance 2026-21 Hale-McCrary Residence, through the Land Development Code Sections 10.04.03.B subject to the six (6) findings and four (4) conditions as follows:

1. The request for this Non-Zoning Variance has been fully considered after public hearing pursuant to legal notice as required by Florida law and the St. Johns County Land Development Code.

2. There are practical difficulties in carrying out the strict letter of the regulation.
3. The Variance request is not based exclusively upon desire to reduce the cost of developing the site.
4. The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or another hazard to the public.
5. The proposed variance will not substantially diminish property values in, nor alter the essential character of area surrounding the site.
6. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

The board may consider the following four (4) conditions if the non-zoning variance is approved:

1. The Non-Zoning Variance shall be transferable and shall run with the title to the property.
2. Approval of the Non-Zoning Variance does not release the property from compliance with all other relevant requirements of the St. Johns County Land Development Code or Comprehensive Plan.
3. The approval of this Non-Zoning Variance is limited to the specific provisions of the Land Development Code. Approval shall not operate as approval or waiver of any other provision of the Land Development Code or Comprehensive Plan.
4. The applicant will be required to submit a residential site plan to be reviewed for compliance with all applicable land development regulations.

SUGGESTED MOTION/ FINDINGS/ CONDITIONS TO DENY THE REQUEST

Suggested Motion to DENY Non-zoning Variance 2026-21 Hale-McCrary Residence, through the Land Development Code Sections 10.04.03.B subject to the six (6) findings:

1. The request for this Non-Zoning Variance has been fully considered after public hearing pursuant to legal notice as required by Florida law and the St. Johns County Land Development Code.
2. There are no practical difficulties in carrying out the strict letter of the regulation.
3. The Variance request is based exclusively upon a desire to reduce the cost of developing.
4. The proposed Variance will substantially increase congestion on surrounding public streets, the danger of fire, or another hazard to the public.
5. The proposed Variance will substantially diminish property values and alter the essential character or area surrounding the site.
6. The effect of the proposed Variance is not in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

CORRESPONDENCE/PHONE CALLS

The County has received no inquiries about this variance request as of the date of this Staff Report.

ACTION

Staff offers six (6) findings of fact and four (4) conditions to support a motion to approve or six (6) findings of fact to deny. These findings may be subject to other competent substantial evidence received at the quasi-judicial public hearing.

ATTACHMENTS

1. Application
2. Summary and Statement of Facts
3. Advertisement and Notice to Adjacent Property Owners
4. Property Deed
5. Survey
6. Ordinance
7. Draft Orders

ATTACHMENT 1

Application

St. Johns County Growth Management Department

Application for: Non-Zoning Variance

Date 8/2/2026 Property Tax ID No 0298650000

Project Name Hale-McCrary Residence

Property Owner(s) Ethan Hale, Alexis McCrary Phone Number 904-860-4712

Address 62 Thurnham Ln Fax Number

City Saint Augustine State FL Zip Code 32092 e-mail ethanhale28@gmail.com

Are there any owners not listed? ☒ No ☐ Yes If yes please provide information on separate sheet.

Applicant/Representative Ethan Hale Phone Number 904-860-4712

Address 62 Thurnham Ln Fax Number

City Saint Augustine State FL Zip Code 32092 e-mail ethanhale28@gmail.com

Property Location 1660 County Rd 13A N, Saint Augustine, FL 32092

Major Access CR 13 A N Size of Property 4 acres Cleared Acres (if applicable) 4

Zoning Class OR No. of lots (if applicable) 1 Overlay District (if applicable)

Water & Sewer Provider private well & septic Future Land Use Designation A-RES

Present Use of Property undeveloped agricultural land Proposed Bldg. S.F. 5000

Project Description (use separate sheet if necessary)

This request is for a Non-Zoning Variance to the LDC Subdivision Regulations for a 4 acre parcel on the east side of County Road 13 A N, to allow for a building permit to be issued for one (1) single family home without platting. This property was previously sub-divided for Alyssa McCrary to build a home in 2023. In 2023 a Comprehenive Plan Amemendment was passed to change the Future Land Use designation of the property from Rural/Silviculture to Residental A. Zoning is OR which will remain.

Please list any applications currently under review or recently approved which may assist in the review of this application including the name of the PUD/PRD: CPA(SS) 2023-02

I understand that reasonable inspections of the subject property may be made as part of the application review process. I understand that any material misrepresentations or errors contained in this application or supporting documents may void an approved application, at the reasonable determination of the County considering the Land Development Code, Comprehensive Plan, and other applicable regulations.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:
Signature of owner or person authorized to represent this application:

8/2/26

Signed By

Printed or typed name(s) Ethan Hale

Revised August 24, 2015

ATTACHMENT 2

Summary and Statement of Facts

Statement of Facts for Granting Variance

Hale-McCrary Residence NZVAR

Request: The request is for a Non-Zoning Variance to the LDC Subdivision Regulations for a 4-acre parcel on the east side of County Road 13 A N, to allow for a building permit to be issued for one (1) single family home without platting.

Background: This property has been in the McCrary family for multiple generations, originally purchased in the 1960's by Alexis's great-grandfather James F. McCrary, making Alexis the 4th generation that seeks to build a home and grow a family on the property.

In 2023, Alexis's Grandmother, Carol McCrary Cooke, subdivided a 20-acre portion of the McCrary family property into 3 parcels and deeded one of those (5 acres) to Alyssa McCrary, Alexis's sister. This was done so Alyssa could build a home on the family's land, continuing the family legacy. In 2026, Carol McCrary Cooke has deeded 4 acres of the remaining 15 acres to Ethan Hale and Alexis McCrary, a married couple, so they too can build a single-family residence among the rest of the McCrary family and raise a family of their own.

The 4-acre parcel deeded to Ethan and Alexis, shown on Exhibit A, is situated to the north of Alyssa McCrary and consists of approximately 180' of road frontage to CR 13A N, providing direct access to the property.

Land Use and Zoning:

The 20 acres that Carol McCrary Cooke sub-divided in 2023, of which 4 acres have been deeded to Ethan Hale and Alexis McCrary, is located within a Residential A (Res-A) Future Land Use Map (FLUM) designation of the St. Johns County Comprehensive Plan, this is not being requested to change. The zoning is Open Rural (OR) and is also not requested to change.

This site is situated on the east side of County Rd 13A N, between CR 208 and CR 214. The surrounding properties to this parcel have a variety of FLUM designations with Res-A directly adjacent to the South and East. Directly adjacent to the North, this property has a Rural Silviculture (RS) designation. To the west, across CR 13A n, sits the Ashton Oaks PRD which also has an RS designation. In the surrounding area land uses also include Residential A and RS. Zoning in the area is predominantly OR.

Back in 2023, the McCrary family land that is currently designated Residential A was changed from RS, to allow for the construction of a home for Alyssa Mcrary and other members of the McCrary family in the future (Ethan and Alexis).

This application is a request for a Non-Zoning Variance (NZVAR) to the Part 5.01.01 Subdivision to allow for the issuance of a development permit for one (1) single family home. The applicants seek to keep the low intensity rural nature of the property and provide frontage along CR 13A N as access to the parcel rather than create roads or easements. Per the Land

Development Code (LDC), the division beyond one, triggers the Subdivision Regulations as outlined in the LDC in Section 5.01.01 C, which states that:

> "No County Development Order or Development Permit for residential Use shall be issued for more than two (2) Parcels (or unified ownership tracts) of land which have been Subdivided from a parent Parcel (or unified ownership tract) existing as of the effective date of this amendment to the St. Johns County Land Development Code V-3 August 11, 2025 Land Development Code (i.e., October 17, 2000) without a plat being administratively approved by the County, pursuant to Chapter 177.071, Florida Statutes, for the additional Parcels (or unified ownership tracts)."

The applicants are seeking issuance of a building permit for one new residential home on a piece of family property, being passed down from one generation to another. The applicants are requesting a waiver to filing a Subdivision Plat and in that the parcel of land deeded to them will only have one home constructed with direct access to a county-maintained roadway. There will be no roads constructed and no access easements granted to neighboring parcels. The LDC subdivision requirements are the same for 3 lots, as they are for 100 lots, and generally provide for roadways, stormwater ponds, utilities as well as water and sewer lines. The 3 parcels previously subdivided all have road frontage and access directly to CR 13A N, further emphasizing no road construction is necessary. The applicants' parcel will obtain electric service from Florida Power & Light, as electricity currently exists along CR 13A N, and will utilize a well and septic tank for water and sewer service.

As demonstrated in exhibit A, this parcel is well over 1 acre in size. There will be no substantial impact to the impervious surface ratio (ISR) of the 4-acre parcel See Exhibit B. Exhibit B is to be submitted as a part of the Clearance Sheet for Building Permit Issuance.

Consistency with Criteria for Granting a Non-Zoning Variance: this request is to provide a variance to Part 5.01.01C Subdivisions applicability and therefore Part 6.02.00 Subdivision Design as represented by Exhibit A and Exhibit B. Based upon the following requirements for granting Variances as outlined in Part 10.04.03 Non-Zoning Variances of the Land Development Code, and is consistent with the following:

- **There are practical difficulties in carrying out the strict letter of the regulation and is the Variance request based exclusively upon the desire to reduce the cost of developing the site.** The request is based upon the fact that such a subdivision plat, for this single parcel will not serve any purpose with regard to the welfare of the neighboring properties or the other members of the McCrary family, who own the adjacent properties. The intent of this variance request is to obtain a single building permit so that a member of the McCrary family may build a home where her family has resided for roughly 60 years. The applicants will still need to meet LDC requirements, including individual stormwater management, earthwork, and tree preservation and replacement. So, the request is not solely based on cost as, but more to avoid the development conditions and standards provided in the LDC for a recorded subdivision.

- **The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazards to the public, or substantially diminish the property values in, nor alter the substantial**

character of, the area surrounding the site. The proposed Variance will not impact the congestion on the surrounding public streets, the danger of fire or other hazard to the public as it is one new home seeking to be constructed on a 4-acre parcel. The construction will have almost no impact to surrounding residents as they are family members of the applicants, and those residents already have access to their individual properties from CR 13A N. this variance aims to preserve the rural character and integrity of the area, as just 1 home seeks to be built, not 100. It will not diminish the property values in the surrounding area, as the uses established under the LDC for OR zoning will still be maintained and match the surrounding zoning and uses.

- **The effect of the proposed Variance is in harmony with the general intent of this code and the specific intent of the relevant subject areas of the Code.** The proposed Variance will be in harmony with the overall intent of the LDC, which states:

  > "In order to foster and preserve public health, safety, comfort and welfare, and to aid in the harmonious, orderly, and progressive Development of the unincorporated areas of St. Johns County, it is the intent of this Code that the Development process in St. Johns County be efficient, in terms of time and expense; effective, in terms of addressing the natural resource and public facility implications of proposed Development; and equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and consideration of the interests of the citizens of St. Johns County."

  Granting of this Variance will still maintain the orderly development of St. Johns County as the issuance of a building permit for the 4-acre Parcel along County Road 13A N, without a subdivision Plat, will not undermine the purpose of the LDC as stated above. The large parcel size maintains the rural community of the surrounding area. The issuance of a building permit does not pose a fire risk or impact on the safety and health of the immediate community or County itself. The roadway access and stormwater management will not be significantly impacted or affected by the construction of the applicant's home.

Summary: In summary, the applicants seek a Non-Zoning Variance in order to obtain a building permit to construct a new home among the rest of their family. This land has been in the McCrary family for 4 generations, and the applicants seek to carry on the tradition of their family by building a house on it. They intend to do so with minimal impact on existing roadways and utilities, keeping the rural community. In recent years, Saint Johns County has seen significant growth, yet the applicants seek to preserve what Saint Johns county once was and what this immediate area continues to be. Building 1 house on 4 acres preserves the low-density development trend of the area, compared to the significant amount of residential development in the broader area extended outside of CR 13A N.

Therefore, it is the requested that the St. Johns County Board of County Comissiners consider the variance request and find that this variance is not contrary to public interest and meets the criteria for granting a variance in conjunction with the spirit of the Land Development Code.

ATTACHMENT 3

Advertisement and Notice to Adjacent Property Owners

AFFIDAVIT
ADJACENT PROPERTY OWNERS NOTICE

DATE: September 25th, 2026

I hereby certify property owners on the ADJACENT PROPERTY OWNER LIST, as provided by the applicant and filed with application number **NZVAR-2026000021** have been properly notified as required by Section 9.06 for the St. Johns County Land Development Code regarding a pending public hearing to consider an application for **Hale-McCrary Residence** by mailing notice of such hearing to those listed on the attached list. Said application is scheduled to be considered on this day on **20th October, 2026** by the **St. Johns Board of County Commissioners.**

Date Notices mailed on: 09/25/2026 By: Susan Hargrave
(Signature)

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 25th day of September, 2026

By Susan Hargrave (name of person acknowledging)

NOTARY PUBLIC STATE OF FLORIDA
ANDREW MOREE
Commission # HH 817879
Expires June 25, 2030

Signature of Notary Public-State of Florida

(NOTARY SEAL)

Andrew Moree
Name of Notary Typed, Printed or Stamped

Personally Known ✓ OR Produced Indentification _____ OR Physically Present _____

Type of Identification Produced:_____

St. Johns County Growth Management Department, Planning & Zoning Division
4040 Lewis Speedway, St. Augustine, Florida 32084
Phone: (904) 209-0675
E-mail: plandept@sjcfl.us

ADJACENT PROPERTY OWNER NOTICE

You have received this notice because you own property within a 300-foot radius of the subject property below. This is notice of a public hearing scheduled for the request as described below. For additional information please email plandept@sjcfl.us or call (904) 209-0675 ext. 2.

NOTICE OF PUBLIC HEARING: Notice is hereby given that a Public Hearing will be held on **10/20/2026 at 9:00 am** before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida to consider the described application.

REQUESTED CHANGE: Request for a Non-zoning Variance to Sections 5.01.01.C of the Land Development Code regarding subdivision and platting standards and Section 6.02.00 regarding subdivision design standards.

LOCATION OF PROPERTY: 1760 County Rd 13A N

SUBJECT: File number: NZVAR-2026000021
Hale-McCrary Residence

APPLICATION FILED BY: Ethan Hale & Alexis McCary
62 Thurnham Ln
St Augustine, FL 32092

The application is on file with the Planning & Zoning Division and is open to public review and inspection during regular business hours Monday through Friday 7:30 AM to 4:30 PM.

Not less than 15 days in advance of this hearing date, sign(s) will be posted on the subject property on each street side of the property. If no street frontage is available, sign(s) will be posted on the nearest street frontage with a note providing the location of the subject property. In the event that no signs are observed, citizens are asked to notify the Planning & Zoning Division.

Please be advised you may attend the meeting indicated in the notice and state your opinions, or you may reply by e-mail to: plandept@sjcfl.us. If you choose to reply by mail and use this form, please send it to St. Johns County Planning & Zoning Division, 4040 Lewis Speedway, St. Augustine, Florida 32084. If needed, additional pages may be included. Please note: any correspondence will be included in the public record, staff packet and provided to the applicant.

This matter is subject to court imposed quasi-judicial rules of procedures. Decisions must be made on Competent Substantial Evidence, which are fact-based testimony and evidence presented as a part of the hearing. Acceptable citizen testimony includes, but is not limited to: first-hand knowledge of the area; observed changes in condition or quality of life of a neighborhood over time; location and density of nearby development; or personally observed noise, vibrations and other nuisance.

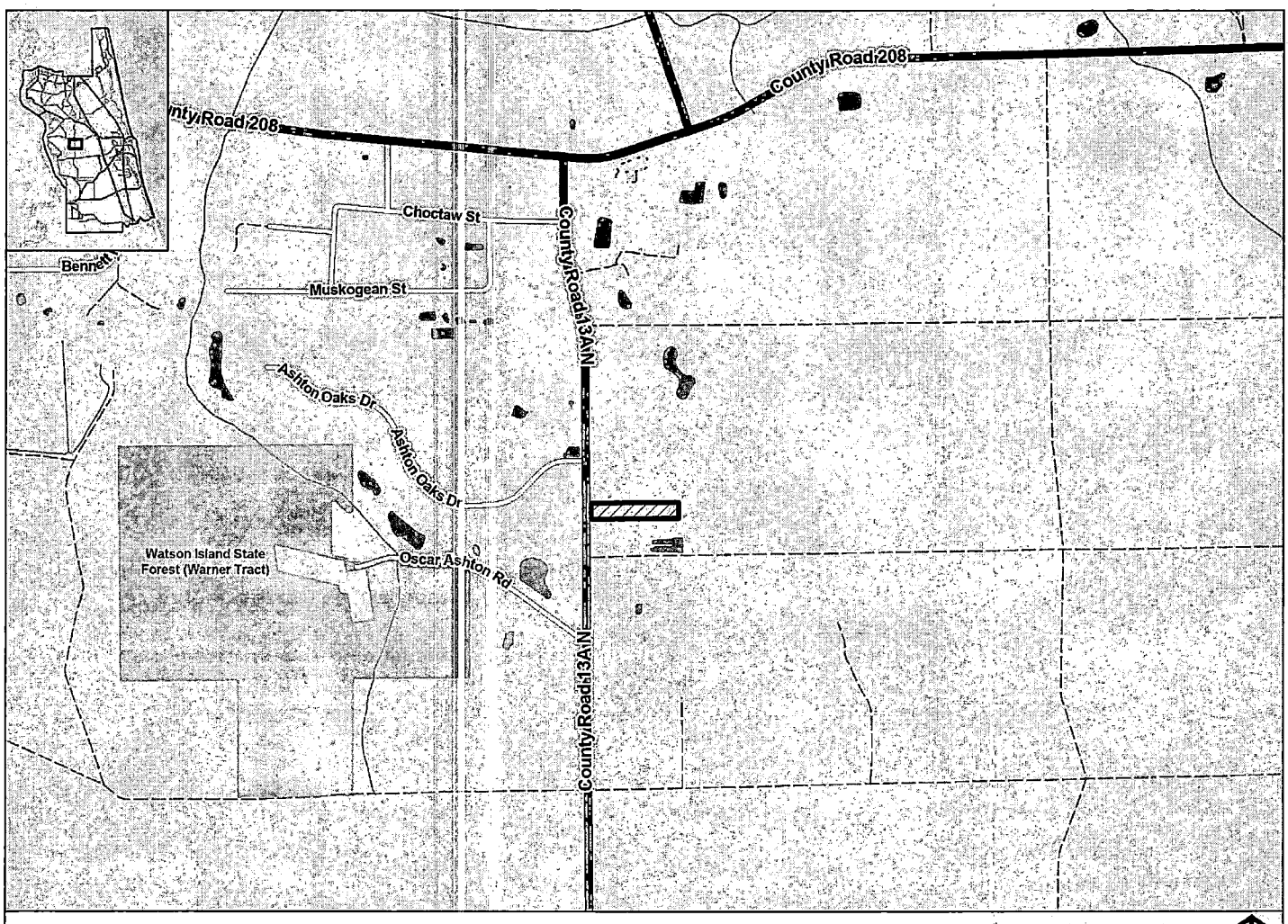
In accordance with the Americans Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or visit St Johns County Facilities Management 2416 Dobbs Rd 32086, no later than 5 days prior to the date of this meeting. Hearing impaired persons, call Florida Relay Services (1-800-955-8770).

Visual aids are allowed with any presentations to the Board or Agency; we ask that no photographs with a glossy finish be presented as part of the presentation. For quality purpose, photographs and PowerPoint presentations can be sent digitally. Staff will then project any visuals on the overhead screens. Such arrangements must be made at least twenty-four (24) hours in advance of the meeting by contacting the St. Johns County Government Channel at (904) 209-0555 or the Planning and Zoning Division at (904) 209-0675.

FILE NUMBER: NZVAR-2026000021 Hale-McCrary Residence

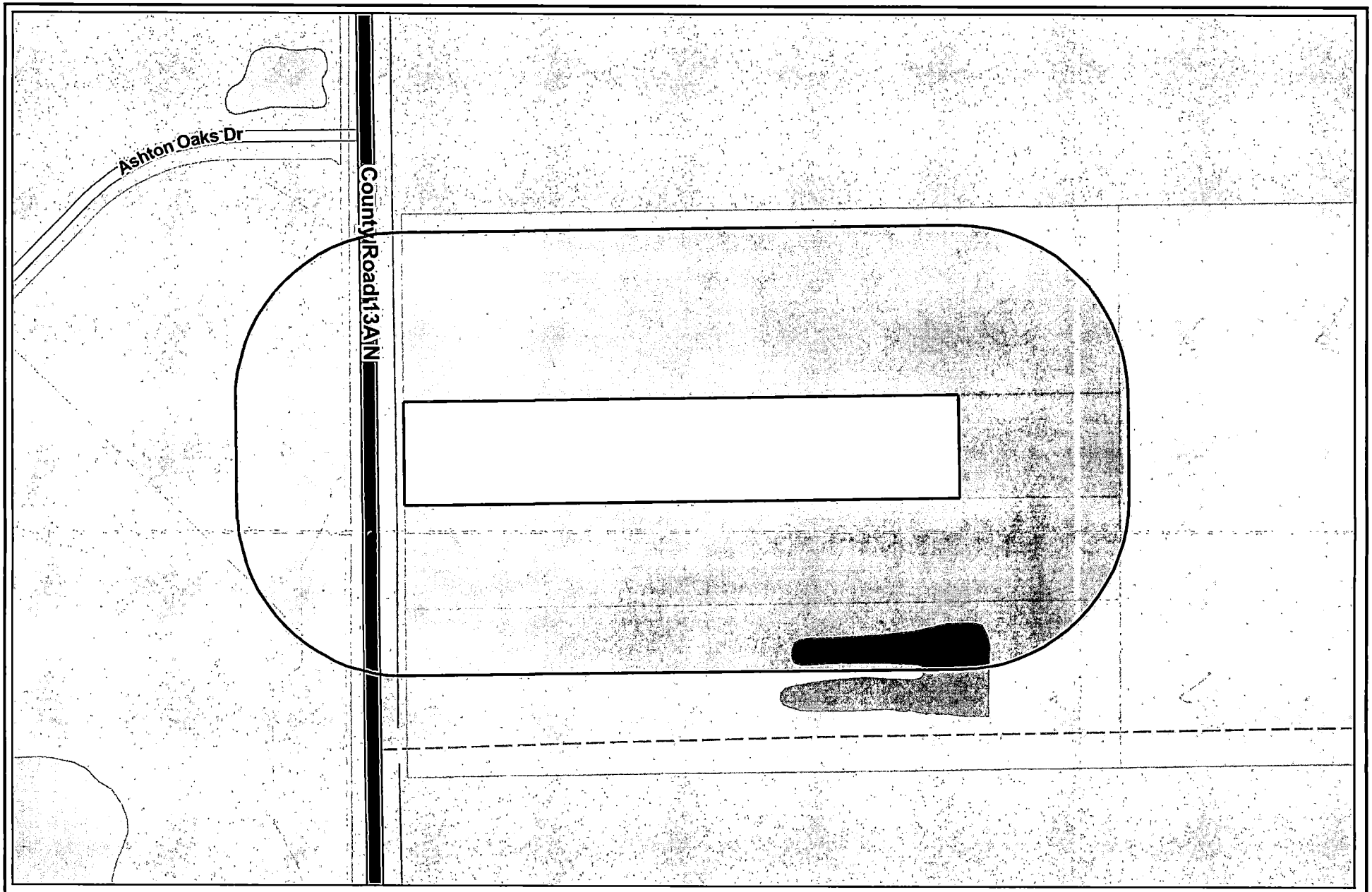
Correspondence is a part of the public records and will be provided to the Agency / Board and applicant.

Comments: (please attach additional pages if necessary)	
Signature:	Address:



Location Map

NZVAR 2026-21
Hale-McCrary Residence



Map Printed: 8/24/2026

BCC: 10/20 NCT: 9/29

Parcels within 300 ft of NZVAR2026000021

Buffer

Selected Parcels

FARM 25 LLC
2160 AUTUMN COVE CIR
FLEMING ISLAND FL 32003

HARDEE MICHAEL A,REILY R
105 ASHTON OAKS DR
SAINT AUGUSTINE FL 32092-0830

MC CRARY CAROL RAMSEY LIVING TRUST D: JUNE 9 2014
1660 COUNTY ROAD 13A N
SAINT AUGUSTINE FL 32092

MC CRARY FRANKLIN WAYNE JR
1600 COUNTY ROAD 13A N
SAINT AUGUSTINE FL 32092

MCCRARY ALYSSA LEIGH ET AL
1740 COUNTY RD 13A N
SAINT AUGUSTINE FL 32092-2092

MESSENGER DAVID A,CASEY L
101 ASHTON OAKS DR
SAINT AUGUSTINE FL 32092

RANCH CLUB AT ASHTON OAKS HOMEOWNERS ASSOCIATION
9283-2 SAN JOSE BLVD
JACKSONVILLE FL 32257

WAYPOINT 27 LLC
2160 AUTUMN COVE CIR
FLEMING ISLAND FL 32003

(8) 09/21/lee 2026

ATTACHMENT 4

Property Deed

Public Records of St. Johns County, FL
Clerk number: 2026064542
BK: 6409 PG: 1688
7/29/2026 10:19 AM
Recording $35.50
Doc M: Exempt

Prepared by:

Carol McCrary Cooke, Trustee
1660 CR 13a N
St Augustine, FL 32092

Return to:

Ethan and Alexis McCrary
62 Thurnham Lane
St Augustine, FL 32092

CORRECTIVE DEED

This corrective deed is executed this 28th day of July 2026 in order to correct an error in the Legal Description of the Quit Claim Deed dated May 22nd 2026 and recorded May 27th 2026 in the official records OR 6371 / 64 of the public records of St Johns County, Florida, for a documentary stamp tax of $35.50. The terms and conditions of the original deed shall continue in full force and effect and are hereby ratified in their entirety, except as corrected and amended herein.

This deed by the GRANTOR, of the County of St Johns, State of Florida

Carol McCrary Cooke, Trustee, A single woman
Carol Ramsey McCrary Revocable Living Trust
1660 CR 13a N
St Augustine, FL 32092

To the GRANTEE, of the county of St Johns, State of Florida

Ethan William Hale and Alexis Nicole McCrary, husband and wife
62 Thurnham Lane
St Augustine, FL 32092

(wherever used herein the terms of "grantor" and "grantee" shall include all the parties of this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH, that said grantor, for the consideration of ($10) Ten Dollars, receipt whereof is hereby acknowledged, does hereby grant, bargain sell and convey unto the grantee, of the of grantor's right, title, and interest in that certain land situated in the County of St Johns, State of Florida, legally described as:

- LEGAL ATTACHED – SEE ADDENDUM A -

LEGAL: PID: 029865-0000

In witness whereof, the grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness #1 Signature

Juliet Shagoshnikov
Printed Name

4010 Lewis Speedway
Address

St Augustine, FL 32084
City, State and Zip Code

Grantor's Signature

Carol McCrary Cooke, Trustee
Printed Name

1660 CR 13a N
Address

St Augustine, FL 32092
City, State and Zip Code

Witness #2 Signature

Cheyenne Berube
Printed Name

4010 Lewis Speedway
Address

St. Augustine, FL 32084
City, State and Zip Code

Certificate of Acknowledgement of Notary Public

STATE OF FLORIDA

COUNTY OF ST JOHNS

The forgoing instrument was acknowledged before me by means of physical presence ☒

or online ☐ notarization this 29 day of July 2026,

by: Carol McCrary Cooke, as Trustee of Carol Ramsey McCrary Revocable Living Trust

who was personally known ☐ to me or ☒ has produced FL DL as identification, regarding the attached instrument described as a corrective deed and to whose signature this notarization applied.

Juliet Shaposhnikov
Comm.: HH 762705
Expires: Feb. 1, 2030
Notary Public - State of Florida

Notary Public: Juliet Shaposhnikov

Print Name: Juliet Shaposhnikov

My commission expires: Feb 1, 2030

ADDENDUM A

A parcel of land situated in the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 16, Township 7 South, Range 28 East, St. Johns County, Florida, said parcel being more particularly described as follows:

Commence at the southwest corner of said Northwest 1/4; thence on the south line thereof, North 88 degrees 31 minutes 47 seconds East, 55.01 feet to the east line of County Road C-13-A (a 105 foot right-of-way as presently established); thence on said east line, North 01 degree 14 minutes 05 seconds West, 479.94 feet to the point of beginning; thence continue on said east line, North 01 degree 14 minutes 05 seconds West, 182.26 feet; thence North 88 degrees 33 minutes 26 seconds East, 979.90 feet; thence South 01 degree 14 minutes 05 seconds East, 182.26 feet; thence South 88 degrees 33 minutes 26 seconds West, 979.90 feet to the point of beginning; being 4.1 acres, more or less, in area.

ATTACHMENT 5

Survey

FB 441/49A-1 FB TDS

JOB NO. 45848-B

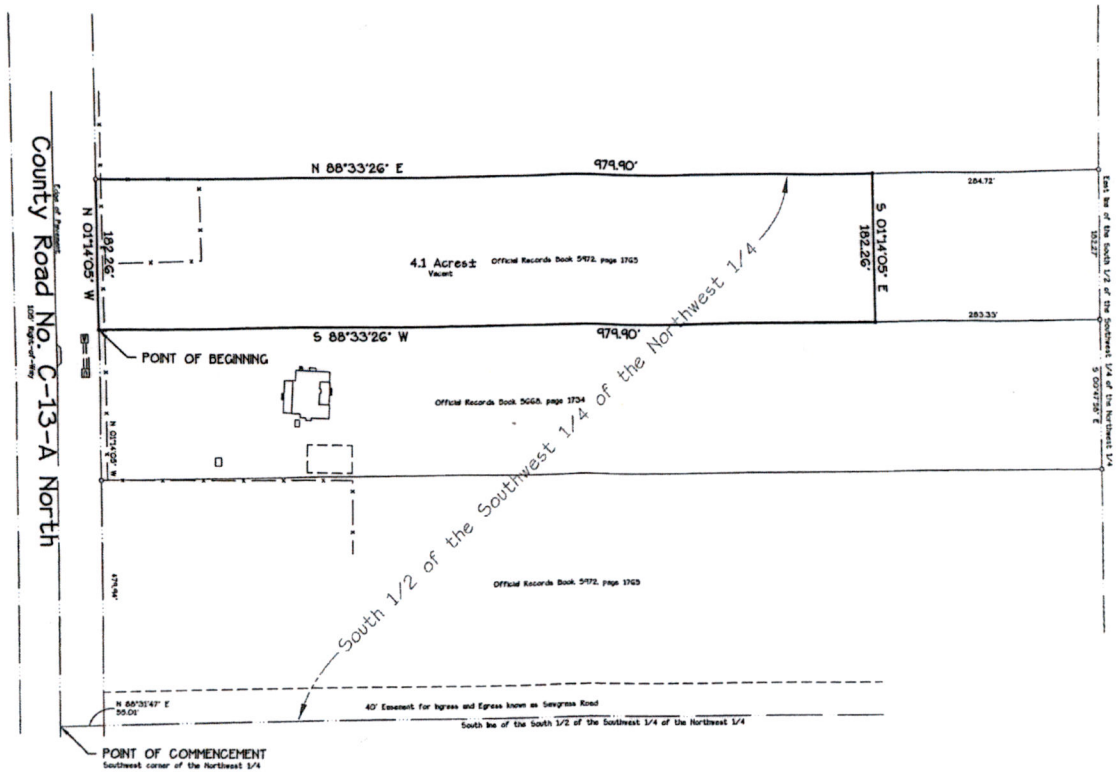
MAP SHOWING BOUNDARY SURVEY OF

A parcel of land situated in the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 16, Township 7 South, Range 28 East, St. Johns County, Florida, said parcel being more particularly described as follows:
Commence at the southwest corner of said Northwest 1/4; thence on the south line thereof, North 88 degrees 31 minutes 47 seconds East, 55.01 feet to the east line of County Road C-13-A (a 105 foot right-of-way as presently established); thence on said east line, North 01 degree 14 minutes 05 seconds West, 479.94 feet to the point of beginning; thence continue on said east line, North 01 degree 14 minutes 05 seconds West, 182.26 feet; thence North 88 degrees 33 minutes 26 seconds East, 979.90 feet; thence South 01 degree 14 minutes 05 seconds East, 182.26 feet; thence South 88 degrees 33 minutes 26 seconds West, 979.90 feet to the point of beginning; being 4.1 acres, more or less, in area.

Certified to: Carol McCrary

Scale 1" = 100'

Date of survey: May 12, 2026



North

GENERAL NOTES

1. Bearings shown hereon are based on the record bearing of N 01°14'05" W for the east line of County Road No. C-13-A.
2. This survey was based on documents provided and was not abstracted for easements, covenants or restrictions, title, overlaps, or other matters of record, or matters unrecorded by this surveyor.
3. Underground utilities serving or crossing this property have not been located or shown.
4. Easements shown hereon are for drainage and utilities unless noted otherwise.
5. This survey depicts visible improvements only; no underground improvements or footings were located.

Note:
I have examined the Federal Emergency Management Agency Flood Insurance Rate Map dated December 7, 2016 and find that the property is situated in Flood Zone "X".

LEGEND

- Found 4"x4" Concrete Monument
- Found 1/2" Iron Pipe (LB 1381)
- Set 1/2" Iron Pipe (LB 1381)
- —x— Fence
- —●P— Powerline/Pole and Anchor
- —T— Telephone Line
- —C— Cable T/V Line
- AC Concrete Air Conditioner Pad
- ET Concrete Elec. Transformer Pad

ABBREVIATIONS

AC Air Conditioner
BRL Building Restriction Line
ET Electric Transformer
FM Field Measurements
IP Iron Pipe

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

Harold T. Elland
License No. LS 2518

Elland & Associates, Inc.
Professional Surveyors & Mappers
Certificate of Authorization No. LB 1381
615 Blanding Boulevard
Orange Park, Florida 32073
Telephone 904-272-1000

ATTACHMENT 6

Ordinance

ORDINANCE NO. 2023 - 20

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO RESIDENTIAL-A (RES-A) WITH A TEXT AMENDMENT LIMITING THE PROPERTY TO A MAXIMUM OF SIX (6) SINGLE-FAMILY DWELLING UNITS, FOR APPROXIMATELY 20 ACRES OF LAND LOCATED AT 1660 AND 1740 CR 13A NORTH; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, Chapter 125 and 163, Florida Statutes provide for the Board of County Commissioners to prepare, implement and enforce Comprehensive Plans and Land Development regulations for the control of development within the County;

WHEREAS, Section 163.3184 and 163.3187 Florida Statutes provide the process for the adoption of Comprehensive Plan amendments; and,

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. The St. Johns County Comprehensive Plan is amended to change the Future Land Map designation from **Rural/Silviculture (R/S)** to **Residential-A (RES-A) with a text amendment limiting the property to a maximum of six (6) single-family dwelling units**, for approximately 20 acres of land as described and shown on the attached **EXHIBITS A, B, and C.**

SECTION 2. The 2025 Comprehensive Plan amendment described in Section 1 is based upon the following Findings of Fact:

(a) The amendment was fully considered after public hearing pursuant to legal notice duly published as required by Law.

(b) The amendment is consistent with the Northeast Florida Strategic Regional Policy Plan.

(c) The amendment is consistent with the applicable sections of the St. Johns County Comprehensive Plan and the Land Development Code.

(d) The amendment is 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 hearing.

SECTION 3. The remaining portions of the St. Johns County Comprehensive Plan, Ordinance No. 2010-38, as amended and the 2025 Future Land Use Map, as amended, which are not in conflict with the provisions of this ordinance, shall remain in full force and effect.

SECTION 4. Should any section, subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions.

SECTION 5. It is the intent of the St. Johns County Board of County Commissioners that scriveners and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

SECTION 6. Small scale development amendments may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small scale development amendment is in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

SECTION 7. This ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of Court in accordance with Section 125.68, Florida Statutes.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 6th **DAY OF** June **2023.**

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: _____
Christian Whitehurst, Chair

Rendition Date JUN 06 2023

ATTEST: Brandon J. Patty, Clerk of the Circuit Court & Comptroller

BY: Crystal Smith
Deputy Clerk

Effective Date: JUL 07 2023

ST. JOHNS COUNTY FLORIDA

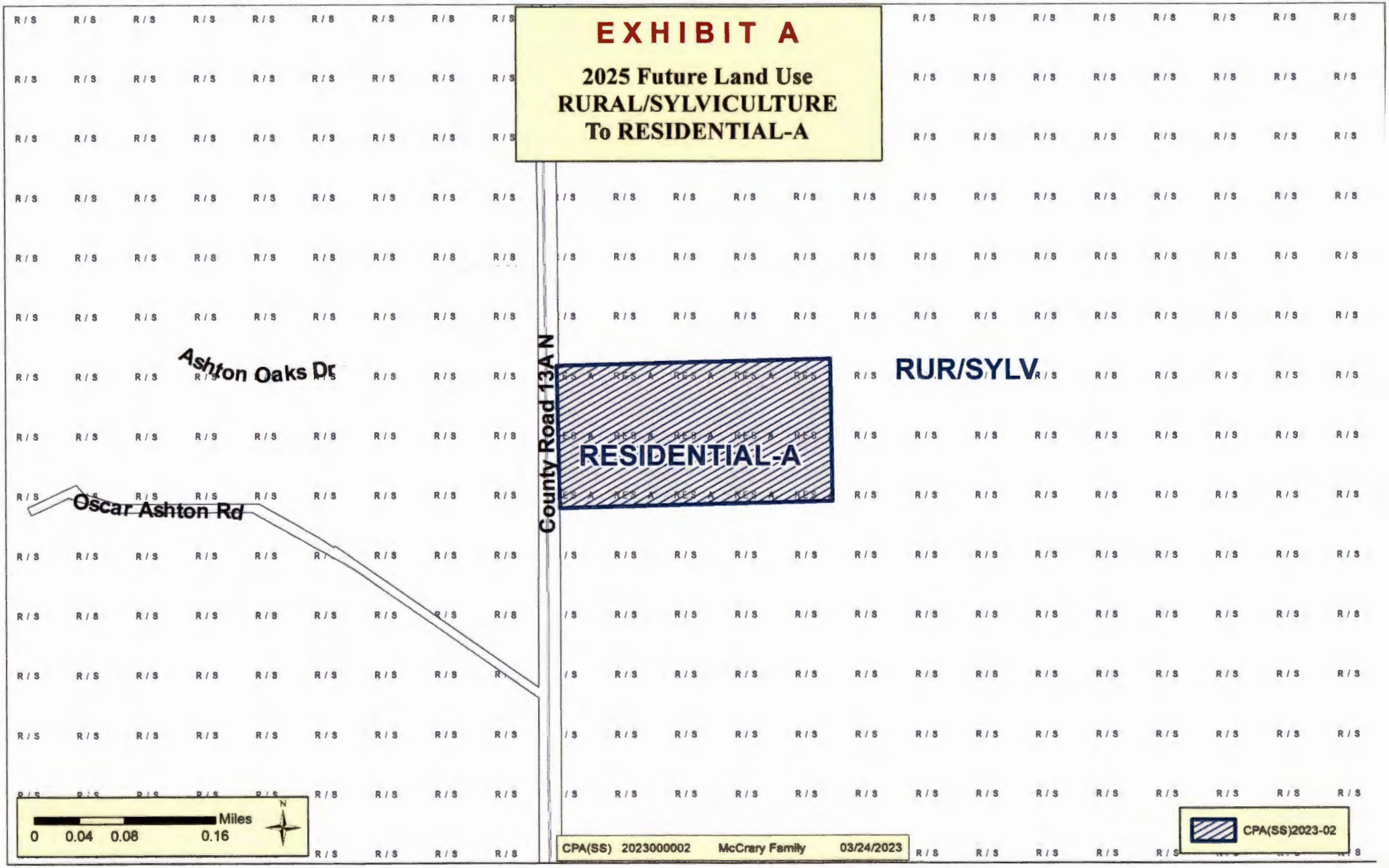

EXHIBIT A
2025 Future Land Use
RURAL/SYLVICULTURE
To RESIDENTIAL-A
Ashton Oaks Dr
Oscar Ashton Rd
County Road 13A N
RESIDENTIAL-A
RUR/SYLV
R/S
RES A
Miles
0 0.04 0.08 0.16
N
CPA(SS) 2023000002 McCrary Family 03/24/2023
CPA(SS)2023-02

Exhibit "B"

McCRARY FAMILY – CPA(SS) 2023-02

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 7 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4; THENCE ON THE SOUTH LINE THEREOF RUN NORTH 88 DEGREES 31 MINUTES 47 SECONDS EAST 55.01 FEET TO THE EAST LINE OF COUNTY ROAD NO. C-13-A AND THE POINT OF BEGINNING; THENCE CONTINUE ON SAID SOUTH LINE NORTH 88 DEGREES 31 MINUTES 47 SECONDS EAST 1259.59 FEET TO THE EAST LINE OF SAID SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE ON LAST SAID LINE NORTH 00 DEGREES 47 MINUTES 58 SECONDS WEST 661.63 FEET TO THE NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE ON LAST SAID LINE SOUTH 88 DEGREES 33 MINUTES 26 SECONDS WEST 1264.62 FEET TO SAID EAST LINE OF COUNTY ROAD NO. C-13-A; THENCE ON LAST SAID LINE SOUTH 01 DEGREE 14 MINUTES 05 SECONDS EAST 662.20 FEET TO THE POINT OF BEGINNING, BEING 19.17 ACRES, MORE OR LESS, IN AREA.

This legal description defines the area of land for the Small Scale Comprehensive Plan Amendment. This legal description does not include any encombrances or title defects and has been created without a title search.

EXHIBIT "C"

McCRARY FAMILY

CPA(SS) 2023-02

A.1.11.1(m)(8)(____) Site-Specific Limitations on Density/Intensity

(_) The McCrary Family property legally described in Ordinance No. 2023-20 is assigned the future land use designation of Residential-A as shown on the Future Land Use Map. Residential uses on the McCrary Family property shall be limited to a maximum of 6 single-family residential dwelling units. Proposed changes to increase the allowed development density are subject to the provisions of Chapter 163, Florida Statutes, regarding amendments to the Comprehensive Plan.

LOCALiQ
FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Marie Colee
St Johns Law Group
104 Sea Grove Main ST
St Augustine FL 32080-6308

STATE OF FLORIDA, COUNTY OF ST JOHNS

The St Augustine Record, a daily newspaper published in St Johns County, Florida; and of general circulation in St Johns County; and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated or by publication on the newspaper's website, if authorized, on:

04/11/2023

and that the fees charged are legal.
Sworn to and subscribed before on 04/11/2023

Legal Clerk

Notary, State of WI, County of Brown

3/7/27

My commision expires

Publication Cost:	$239.60	
Order No:	8670737	# of Copies:
Customer No:	811586	1
PO #:	CPA (SS) 2023-02 McCrary	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KAITLYN FELTY
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A PROPOSED SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP OF THE ST. JOHNS COUNTY 2025 COMPREHENSIVE PLAN

NOTICE IS HEREBY GIVEN that the Planning and Zoning Agency on **Thursday, 5/4/2023 at 1:30 p.m.**, and the St. Johns County Board of County Commissioners on **Tuesday, 6/6/2023 at 9:00 a.m.**, will each hold public hearings, as follows: The Planning and Zoning Agency to consider and issue a recommendation on the approval of a proposed Small Scale Comprehensive Plan amendment to the St. Johns County Future Land Use Map of the 2025 Comprehensive Plan and the Board of County Commissioners will consider whether or not to approve the same proposed Small Scale Comprehensive Plan amendment to the St. Johns County Future Land Use Map of the 2025 Comprehensive Plan, with the following styled ordinance:

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO RESIDENTIAL-A (RES-A) WITH A TEXT AMENDMENT LIMITING THE PROPERTY TO A MAXIMUM OF SIX (6) SINGLE-FAMILY DWELLING UNITS, FOR APPROXIMATELY 20 ACRES OF LAND LOCATED AT 1660 AND 1740 CR 13A NORTH; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

Said hearings will be held in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida. All interested parties may appear at the public hearings to be heard regarding any or all of the proposed amendment. Board of County Commissioner items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The subject property includes 20 acres and is located at 1660 and 1740 CR 13A N., within St. Johns County, Florida. See attached map generally depicting the location (Exhibit A). ***A complete description is available in the St. Johns County Planning and Zoning Office.***

The proposed change is known as File Number CPA(SS)-2023000002, and is available for review in the Planning and Zoning Division of the Growth Management Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida and may be examined by interested parties prior to said public hearings.

Interested parties may appear at the public hearings to be heard regarding the proposed amendment.

If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the St. Johns County Facilities Management, 2416 Dobbs Road, St. Augustine, FL 32086. Hearing impaired persons, call Florida Relay Service (1-800-955-8770), no later than 5 days prior to the meeting.

PLANNING AND ZONING AGENCY	BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA	ST. JOHNS COUNTY, FLORIDA
GREG MATOVINA, CHAIR	CHRISTIAN WHITEHURST, CHAIR

File Number: CPA(SS)-2023000002, McCrary Family



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

June 7, 2023

FILED JUN 07 2023
St. Johns County
Clerk of Court
By: Crystal Smith
Deputy Clerk

Honorable Brandon Patty
Clerk of Courts
St. Johns County
500 San Sebastian View
St. Augustine, FL 32084

Attention: Crystal Smith

Dear Honorable Brandon Patty,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns County Ordinance No. 2023-20, which was filed in this office on June 7, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

ATTACHMENT 7

Draft Orders

ORDER
ST. JOHNS COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

RE:	Ethan Hale and Alexis McCrary 62 Thurnham Lane St. Augustine, FL 32092
FILE NUMBER:	NZVAR 2026-21 – Hale-McCrary Residence
PARCEL:	029865-0020
LEGAL:	See Exhibit "A"
DATE OF HEARING:	October 20, 2026

ORDER APPROVING NON-ZONING VARIANCE

The above referenced application for a Non-Zoning Variance to the following Land Development Code Sections that came before the Board of County Commissioners for public hearing on October 20, 2026.

5.01.01.C Subdivision Whenever land in unincorporated St. Johns County is divided so as to constitute a Subdivision as defined herein, such Subdivision of land shall be in compliance with the requirements set forth in these regulations. The entire parent Parcel (or unified ownership tract) for any Subdivision shall be reviewed by the County in conjunction with the Subdivision review for any portion of the parent Parcel (or unified ownership tract). No County Development Order or Development Permit for residential Use shall be issued for more than two (2) Parcels (or unified ownership tracts) of land which have been Subdivided from a parent Parcel (or unified ownership tract) existing as of the effective date of this amendment to the St. Johns County Land Development Code V-3 August 11, 2025 Land Development Code (i.e., October 17, 2000) without a plat being administratively approved by the County, pursuant to Chapter 177.071, Florida Statutes, for the additional Parcels (or unified ownership tracts). Parcels (or unified ownership tracts) of land may be

Subdivided and County Development Orders or Development Permits may be issued for family farm and lot divisions approved in compliance with the Comprehensive Plan and all other applicable Land Development Regulations and non-residential Uses on such Subdivisions without a required plat.

6.02.00 Subdivision Design Standards Part 6.02.00 establishes design and development requirements applicable to subdivision standards including access, stormwater management, sidewalks, and other subdivision improvements. As applicable, 6.02.01.D Access to Existing or Proposed Adjoining Roadway System: 2. Access to Arterial or Collector Roadways – Unless otherwise approved by the County Administrator for good cause, residential Lots in Subdivisions shall not have direct access to an Arterial or Collector Roadway. Residential Lots in Subdivisions that abut an Arterial or Collector Roadway shall not front on said Roadway and access shall be blocked by a non-access buffer. 3. Access to Local Roads – Residential Lots in Subdivisions shall front on and have direct access to Local Roads only. Local Roads shall be arranged and designed so as to restrict their Use by through and high speed traffic. 6.02.06 Sidewalks: B.1. External (Outside the Proposed Site) - External sidewalks shall be located on County Major or Minor Collectors adjacent to a Subdivision of more than two Lots. Sidewalks shall be constructed on the Subdivision side of an existing County Major or Minor Collector from boundary to boundary of the Subdivision and shall extend to the edge of the adjacent Roadways. Sidewalks shall be constructed prior to final acceptance of the Improvement Facilities. The Developer shall be responsible for the Construction of sidewalks. 6.02.09 Stormwater Management: Subdivisions shall comply with requirements of the St. Johns River Water Management District (SJRWMD) and Part 6.04.00 Roadway, Drainage, & Utilities.

FINDINGS OF FACT

Having considered said application for Non-Zoning Variances, supporting documents, and the evidence presented at the public hearing, the Board of County Commissioners makes the following Findings of Fact:

1. The request for this Non-Zoning Variance has been fully considered after public hearing pursuant to legal notice as required by Florida law and the St. Johns County Land Development Code.

2. There are practical difficulties in carrying out the strict letter of the regulation.

3. The Variance request is not based exclusively upon a desire to reduce the cost of developing.

4. The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or another hazard to the public.

5. The proposed Variance will not substantially diminish property values and alter the essential character or area surrounding the site.

6. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

ACCORDINGLY, based on the said Findings of Fact, the Board of County Commissioners hereby grants the Non-Zoning Variance to Land Development Code Section 5.01.01.C regarding subdivision platting standards and Section 6.02.00 regarding subdivision design standards based upon six (6) findings of fact and four (4) conditions as provided in the Staff Report.

1. The Non-Zoning Variance shall be transferable and shall run with the title to the property.

2. Approval of the Non-Zoning Variance does not release the property from compliance with all other relevant requirements of the St. Johns County Land Development Code or Comprehensive Plan.

3. The approval of this Non-Zoning Variance is limited to the specific provisions of the Land Development Code. Approval shall not operate as approval or waiver of any other provision of the Land Development Code or Comprehensive Plan.

4. The applicant will be required to submit a residential site plan to be reviewed for compliance with all applicable land development regulations.

Any appeal of this decision may be made by filing a petition for writ of certiorari with the Clerk of the Circuit Court of St. Johns County within thirty (30) days.

Date of Commission Action: October 20, 2026

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By:_____
Clay Murphy, Chair

Date:_____

ATTEST: Brandon J. Patty, Clerk of the Circuit Court & Comptroller

By: _____
Deputy Clerk

Exhibit A

Property Description

A parcel of land situated in the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 16, Township 7 South, Range 28 East, St. Johns County, Florida, said parcel being more particularly described as follows:

Commence at the southwest corner of said Northwest 1/4; thence on the south line thereof, North 88 degrees 31 minutes 47 seconds East, 55.01 feet to the east line of County Road C-13-A (a 105 foot right-of-way as presently established); thence on said east line, North 01 degree 14 minutes 05 seconds West, 479.94 feet to the point of beginning; thence continue on said east line, North 01 degree 14 minutes 05 seconds West, 182.26 feet; thence North 88 degrees 33 minutes 26 seconds East, 979.90 feet; thence South 01 degree 14 minutes 05 seconds East, 182.26 feet; thence South 88 degrees 33 minutes 26 seconds West, 979.90 feet to the point of beginning; being 4.1 acres, more or less, in area.

ORDER
ST. JOHNS COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

RE:	Ethan Hale and Alexis McCrary 62 Thurnham Lane St. Augustine, FL 32092
FILE NUMBER:	NZVAR 2026-21 – Hale-McCrary Residence
PARCEL:	029865-0020
LEGAL:	See Exhibit "A"
DATE OF HEARING:	October 20, 2026

ORDER DENYING NON-ZONING VARIANCE

The above referenced application for a Non-Zoning Variance to the following Land Development Code Sections that came before the Board of County Commissioners for public hearing on October 20, 2026.

5.01.01.C Subdivision Whenever land in unincorporated St. Johns County is divided so as to constitute a Subdivision as defined herein, such Subdivision of land shall be in compliance with the requirements set forth in these regulations. The entire parent Parcel (or unified ownership tract) for any Subdivision shall be reviewed by the County in conjunction with the Subdivision review for any portion of the parent Parcel (or unified ownership tract). No County Development Order or Development Permit for residential Use shall be issued for more than two (2) Parcels (or unified ownership tracts) of land which have been Subdivided from a parent Parcel (or unified ownership tract) existing as of the effective date of this amendment to the St. Johns County Land Development Code V-3 August 11, 2025 Land Development Code (i.e., October 17, 2000) without a plat being administratively approved by the County, pursuant to Chapter 177.071, Florida Statutes, for the additional Parcels (or unified ownership tracts). Parcels (or unified ownership tracts) of land may be

Subdivided and County Development Orders or Development Permits may be issued for family farm and lot divisions approved in compliance with the Comprehensive Plan and all other applicable Land Development Regulations and non-residential Uses on such Subdivisions without a required plat.

6.02.00 Subdivision Design Standards Part 6.02.00 establishes design and development requirements applicable to subdivision standards including access, stormwater management, sidewalks, and other subdivision improvements. As applicable, 6.02.01.D Access to Existing or Proposed Adjoining Roadway System: 2. Access to Arterial or Collector Roadways – Unless otherwise approved by the County Administrator for good cause, residential Lots in Subdivisions shall not have direct access to an Arterial or Collector Roadway. Residential Lots in Subdivisions that abut an Arterial or Collector Roadway shall not front on said Roadway and access shall be blocked by a non-access buffer. 3. Access to Local Roads – Residential Lots in Subdivisions shall front on and have direct access to Local Roads only. Local Roads shall be arranged and designed so as to restrict their Use by through and high speed traffic. 6.02.06 Sidewalks: B.1. External (Outside the Proposed Site) - External sidewalks shall be located on County Major or Minor Collectors adjacent to a Subdivision of more than two Lots. Sidewalks shall be constructed on the Subdivision side of an existing County Major or Minor Collector from boundary to boundary of the Subdivision and shall extend to the edge of the adjacent Roadways. Sidewalks shall be constructed prior to final acceptance of the Improvement Facilities. The Developer shall be responsible for the Construction of sidewalks. 6.02.09 Stormwater Management: Subdivisions shall comply with requirements of the St. Johns River Water Management District (SJRWMD) and Part 6.04.00 Roadway, Drainage, & Utilities.

FINDINGS OF FACT

Having considered said application for Non-Zoning Variances, supporting documents, and the evidence presented at the public hearing, the Board of County Commissioners makes the following Findings of Fact:

1. The request for this Non-Zoning Variance has been fully considered after public hearing pursuant to legal notice as required by Florida law and the St. Johns County Land Development Code.

2. There are no practical difficulties in carrying out the strict letter of the regulation.

3. The Variance request is based exclusively upon a desire to reduce the cost of developing.

4. The proposed Variance will substantially increase congestion on surrounding public streets, the danger of fire, or another hazard to the public.

5. The proposed Variance will substantially diminish property values and alter the essential character or area surrounding the site.

6. The effect of the proposed Variance is not in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

ACCORDINGLY, based on the said Findings of Fact, the Board of County Commissioners hereby denies the Non-Zoning Variance to Land Development Code Section 5.01.01.C regarding subdivision platting standards and Section 6.02.00 regarding subdivision design standards.

Any appeal of this decision may be made by filing a petition for writ of certiorari with the Clerk of the Circuit Court of St. Johns County within thirty (30) days.

Date of Commission Action: October 20, 2026

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By:_____
Clay Murphy, Chair

Date:_____

ATTEST: Brandon J. Patty, Clerk of the Circuit Court & Comptroller

By: _____
Deputy Clerk

Exhibit A

Property Description

A parcel of land situated in the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 16, Township 7 South, Range 28 East, St. Johns County, Florida, said parcel being more particularly described as follows:

Commence at the southwest corner of said Northwest 1/4; thence on the south line thereof, North 88 degrees 31 minutes 47 seconds East, 55.01 feet to the east line of County Road C-13-A (a 105 foot right-of-way as presently established); thence on said east line, North 01 degree 14 minutes 05 seconds West, 479.94 feet to the point of beginning; thence continue on said east line, North 01 degree 14 minutes 05 seconds West, 182.26 feet; thence North 88 degrees 33 minutes 26 seconds East, 979.90 feet; thence South 01 degree 14 minutes 05 seconds East, 182.26 feet; thence South 88 degrees 33 minutes 26 seconds West, 979.90 feet to the point of beginning; being 4.1 acres, more or less, in area.

USA TODAY CO.

LocaliQ

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Ethan Lane
Ethan Hale
Ethan Hale & Alexis Mc Cary
62 Thurnham LN
St Augustine FL 32092-3399

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the St Augustine Record, published in St Johns County, Florida; that the attached copy of advertisement, being a , was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

SAG St Augustine Record 09/29/2026

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 09/29/2026

Legal Clerk

Notary, State of WI, County of Brown

8.25.30

My commission expires

Publication Cost:	$328.40	
Tax Amount:	$0.00	
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THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

MARIAH VERHAGEN
Notary Public
State of Wisconsin

NOTICE OF A PROPOSED NON ZONING VARIANCE

NOTICE IS HEREBY GIVEN that a public hearing will be held on 10/20/2026 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida to consider a Request for a Non-zoning Variance to Sections 5.01.01.C of the Land Development Code regarding subdivision and platting standards and Section 6.02.00 regarding subdivision design standards.

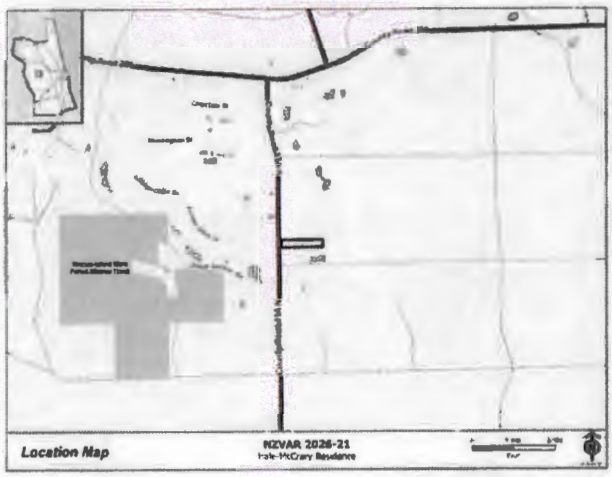
The subject property is located at 1760 County Rd 13A N. See attached map (Exhibit A). This file is maintained in the Planning and Zoning Division of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida 32084 and may be inspected by interested parties prior to said public hearing. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the St. Johns County Facilities Management, 2416 Dobbs Road, St. Augustine, FL 32086. Hearing impaired persons, call Florida Relay Service (1-800-955-8770), no later than 5 days prior to the meeting.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
CLAY MURPHY, CHAIR
FILE NUMBER: NZVAR-2026000021
Project Name: Hale-McCrary Residence



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