

**2**

**AGENDA ITEM  
Planning & Zoning**

Meeting

1/18/2024

MEETING DATE

**TO:** Planning and Zoning Board Members

**DATE:** January 2, 2024

**FROM:** Evan Walsnovich, Planner

**PHONE:** 904 209-0596

**SUBJECT OR TITLE:** SUPMIN 2023-10 Victorious Covenant Church

**AGENDA TYPE:** Business Item, Ex Parte Communication, Order, Report

**PRESENTER:** Tim Boehkein, PE | JBPro

**BACKGROUND INFORMATION:**

Request for a Special Use Permit pursuant to Section 2.03.12 of the Land Development Code to allow for a Church within Residential, Single Family (RS-3) zoning, specifically located at 1075 W. King Street.

**SUGGESTED MOTION/RECOMMENDATION/ACTION:**

**APPROVE:** Motion to approve SUPMIN 2023-10 subject to 8 conditions and 9 findings of fact, as provided in the staff report.

**DENY:** Motion to deny SUPMIN 2023-10 subject to 8 findings of fact, as provided in the staff report.



**Growth Management Department**  
Planning Division Report  
Application for Special Use Permit  
SUPMIN 2023-10 Victorious Covenant Church

**To:** Planning and Zoning Agency

**From:** Evan Walsnovich, Planner

**Date:** January 8, 2024

**Subject:** **SUPMIN 2023-10 Victorious Covenant Church**, request for a Special Use Permit to allow for a Church in Residential, Single Family (RS-3) zoning, pursuant to Land Development Code, Section 2.03.12, specifically located at 1075 W. King Street.

**Applicant:** Tim Boehkein, PE | JBPro

**Owner:** Raleigh Burney | Victorious Covenant Church Inc.

**Hearing Dates:** Planning and Zoning Agency – January 18, 2024

**Commissioner District:** District 3

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## SUGGESTED MOTION/ACTION

**APPROVE:** Motion to approve **SUPMIN 2023-10 Victorious Covenant Church** based upon nine (9) findings of fact and eight (8) conditions as provided in the Staff Report.

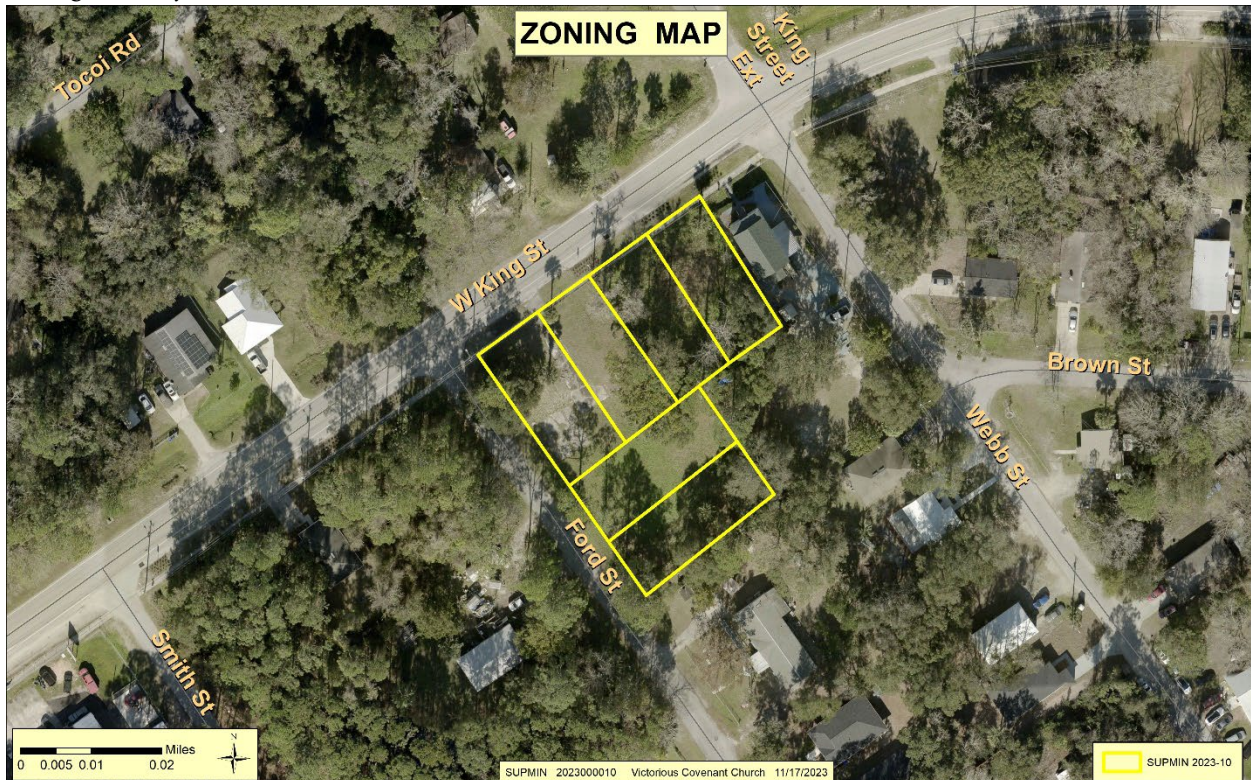
**DENY:** Motion to deny **SUPMIN 2023-10 Victorious Covenant Church** based upon eight (8) findings of fact as provided in the Staff Report.

### MAP SERIES

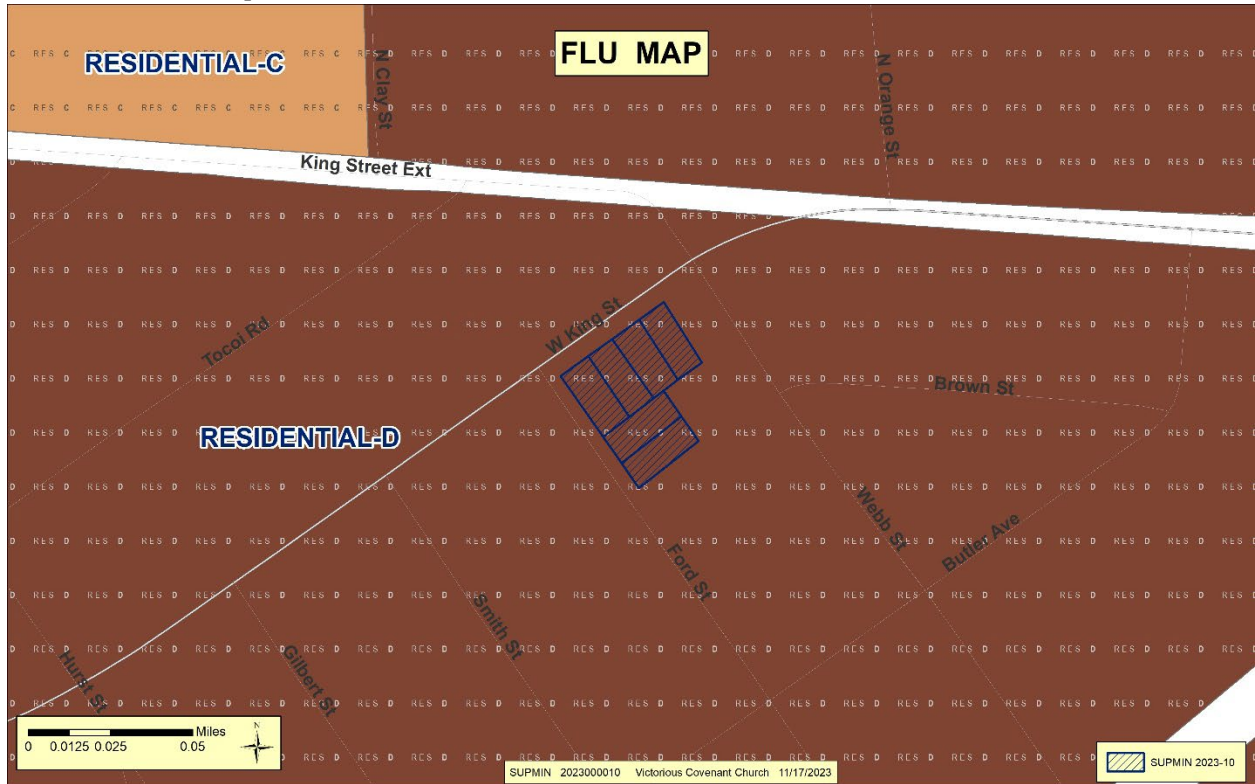
**Location:** The subject property is located on the eastern corner of West King Street and Ford Street.



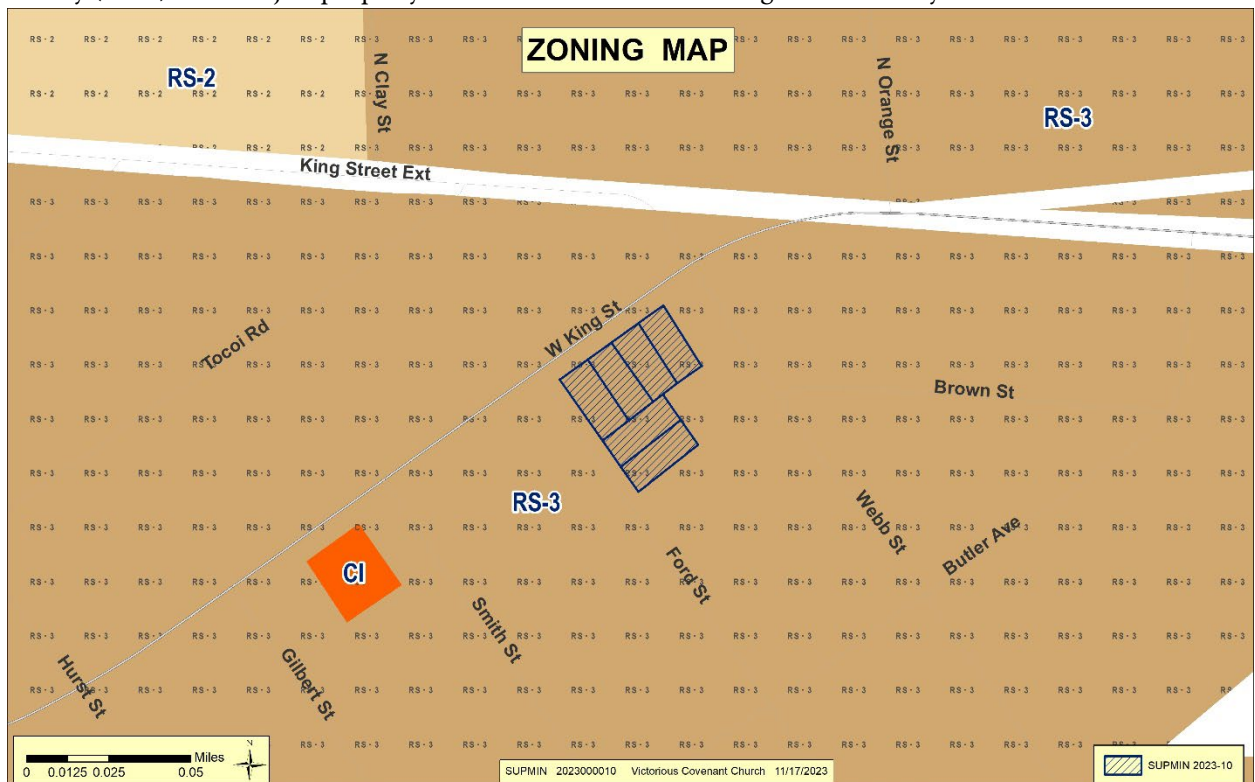
**Aerial Imagery:** The subject property is undeveloped and approximately 0.84 acres in size and consists of six (6) platted Lots of record which measure approximately 50 X 125 feet each. The immediate area is comprised of single-family homes.



**Future Land Use:** The subject property and surrounding area are designated Residential-D (RES-D) on the Future Land Use Map.



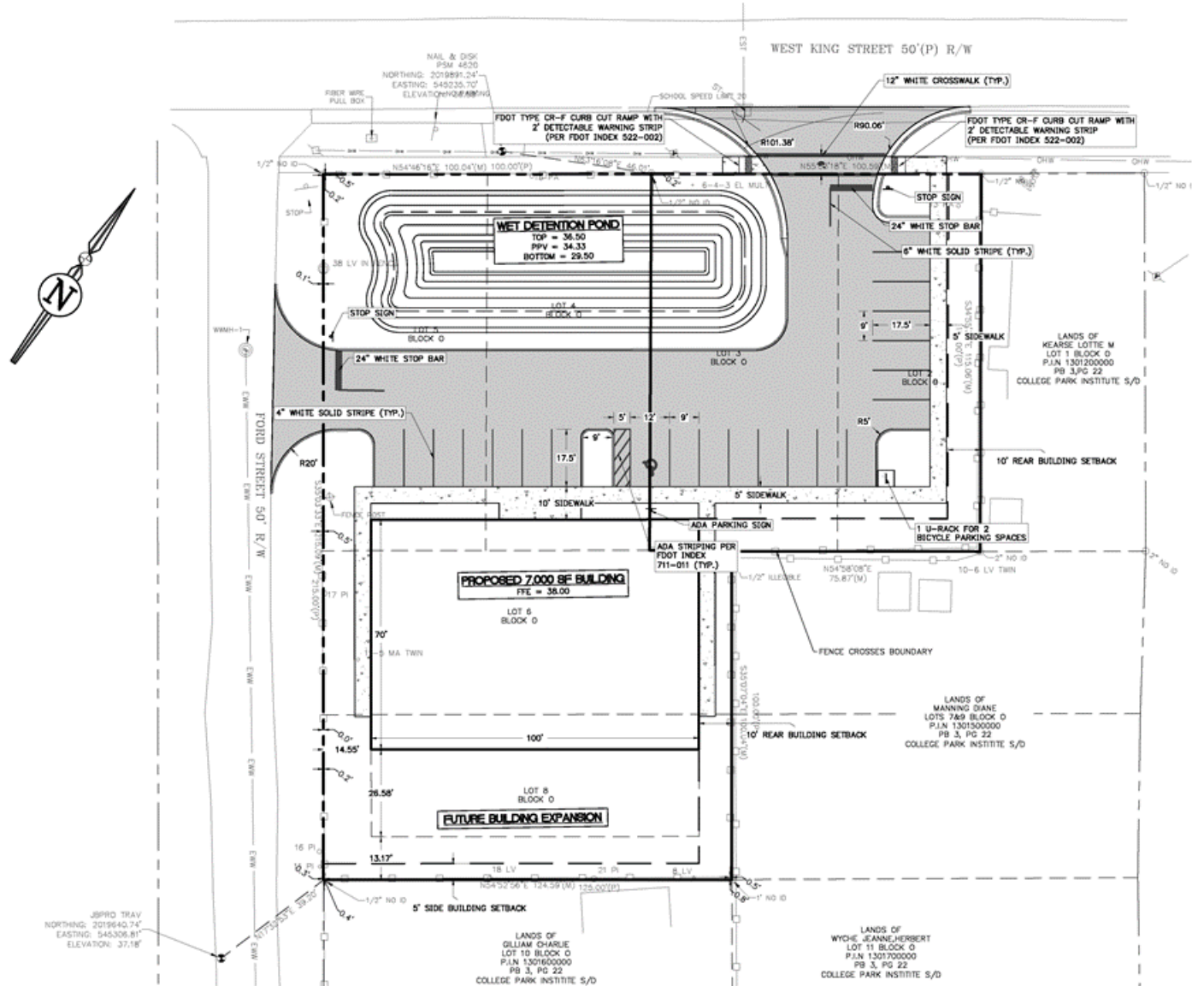
**Zoning District:** The subject property and immediate properties are currently zoned Residential, Single Family (RS-3). The subject property also falls within the West Augustine Overlay District.



### APPLICATION SUMMARY

The applicant is requesting approval of a Special Use Permit pursuant to Sections 2.03.12 of the Land Development Code to allow for a Church in Residential, Single-Family (RS-3) zoning.

### Proposed Site Plan:



The above site plan depicts the placement of the proposed Church building which is planned to be two phases. The initial phase will be the 7,000 square foot building and associated infrastructure followed by 2,658 square feet at a future date. There are planned connection points to both West King Street and Ford Street. The full site plan as well as the floor plan as provided by the applicant is in **Attachment 1 Supporting Documents**.

## DEPARTMENTAL REVIEW

The Planning and Zoning Division has routed this request to all appropriate reviewing departments. There are no open comments.

### **Office of the County Attorney Review:**

Office of the County Attorney Review: Applicant bears the burden of demonstrating by competent substantial evidence that the request meets the general standards of LDC section 2.03.01 as well as any specific standards required by that special use. The Agency may consider competent substantial evidence that the general or specific standards are not met and is, in fact, adverse to the public interest. Special Uses are uses, if the specific conditions are met, that would be allowable unless there is a determination that the use would adversely affect the public interest. Pursuant to LDC section 2.03.01.F, the Agency may prescribe appropriate conditions to mitigate for any evidenced incompatibility and to assure that potential adverse and negative effects are avoided.

Per LDC 2.03.01.C: A detailed site plan, drawn to scale, shall show the location and dimensions of all existing and proposed structures and other improvements and setbacks of same, signs, and provisions for off-street parking is required. The plan shall become a condition upon which the permits is permitted and any change or addition shall constitute a violation of the special use approval unless such change is submitted to and approved by the Planning and Zoning Agency.

As required by Section 2.03.01.D., the Special Use must be compatible with the adjacent and surrounding land uses. Land uses, as defined in Chapter 163, Part II, Florida Statutes (“Growth Management Act”) include, but are not limited to, permitted Uses, Structures, and activities allowed within the land use category or implementing zoning district. Compatibility means a condition in which land uses or conditions can co-exist in relative proximity to each other in a stable fashion over time such that no Use or condition is unduly negatively impacted directly or indirectly by another Use or condition. The compatibility of land uses is dependent on numerous characteristics which may impact adjacent or surrounding Uses. These include: type of Use, density, intensity, height, general appearance and aesthetics, odors, noise, smoke, dust, vibration, traffic generation, sanitation, litter, drainage, risk of fire, air quality, protection of Listed Species or Essential Habitat, maintenance of public infrastructure, availability of potable water and other necessary public services, and nuisances.

### **Technical Division Review:**

In the case that the Special Use Permit is approved, all site engineering, drainage, and required infrastructure improvements will be reviewed pursuant to the established Development Review Process to ensure that the Development has met all applicable Federal, State, and local regulations. No construction will be authorized prior to compliance with all applicable regulations and permits.

Access from Ford Street, a nonstandard local roadway will require upgrades based on the existing facilities provision of the Land Development Code 6.04.07.M.

The property is located in flood zone X as such there is not a minimum FFE required based on flood zone criteria.

### **Transportation Division Review**

The following assessment is a non-binding traffic impact analysis for **Victorious Covenant Church SUPMIN 2023-10** to assess for potential impact based solely upon the applicant's intent to develop a 7,000 square foot church within Residential zoning.

**Intended Plan of Development:** According to the application for rezoning, the applicant intends to develop a 7,000 sq. ft. church **estimated to generate 53 average weekday trips with 3 trips occurring during the weekday P.M. peak hour.**

The directly accessed roadway segment, Link 47 (CR 214 (W. King St) from Holmes Blvd. to Volusia St.), is currently operating at 36.0% of capacity based on existing 2023 traffic. Site access will be addressed at the time of Commercial Construction Plan review.

**Planning and Zoning Division Review:**

The Special Use request must meet certain requirements of the St. Johns County Comprehensive Plan and Land Development Code Sections 2.03.01 and 2.03.12. Staff review includes the applicable criteria found within the Land Development Code and the 'Land Development Code Reference and Criteria for Action' section of this report.

The subject property falls within the West Augustine Overlay District and churches are excluded from the application of West Augustine Overlay District Standards. However, they are entitled to utilize the site development criteria in LDC Section 3.1106 & 3.11.07.B.1. The purpose of the West Augustine Overlay District is to incorporate a mix of residential and non-residential uses to achieve infill redevelopment within this area of the county.

There are existing single-family homes on the adjacent properties to the northeast and southeast of the subject property. These lots are approximately 50-feet wide and the homes would be approximately 20 feet at minimum from the either the proposed parking lots or buildings. Therefore, the site must be developed with 5-foot incompatibility buffers that meet screening standard "A" as described in LDC Section 6.06.04 to keep in accordance with LDC Section 3.11.08. The proposed 5-foot minimum buffering and fence shown on the site plan would meet the minimum requirements for screening standard "A" which reads as follows:

**LDC Section 6.06.04.B.3:**

**Screening Standard "A"**

Minimum required screening shall consist of the following:

- a. Evergreen plants, at the time of planting, shall be six (6) feet in height and provide an overall screening opacity of seventy-five percent (75%); or
- b. A masonry wall six (6) feet in height, located within the required buffer; architecturally finished on all sides, and if a block wall, shall be painted on all sides; or
- c. A solid wooden fence six (6) feet in height (finished side out); or
- d. A berm not steeper than two to one (2:1) in combination with 1, 2, or 3 above, to achieve a minimum height of six (6) feet and seventy-five percent (75%) opacity at the time of installation; and
- e. Lawn, low growing evergreen plants, evergreen ground cover, or rock mulch covering the balance of the buffer.

However, due to the proximity of the proposed parking lots and buildings to the existing homes in the area, staff finds that providing a 10-foot buffer that meets screening standard "B" would better mitigate issues between the two uses. The most effective screening in this situation would be the installation of a solid fence combined with a row of evergreen canopy trees which are not less than 10 feet high, spaced not more than 20 feet apart. The canopy trees will require a minimum 10' buffer for the best conditions to thrive, along with space to be set back sufficiently from parking.

## Land Development Code Reference and Criteria for Action:

### Article XII, Definitions

**Special Use:** Means a Use that would not be appropriate, generally or without restriction, throughout a zoning division or district but which if controlled as to number, area, location, or in relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare. Such Uses may be permissible in a zoning classification or district upon the granting of a Special Use and meeting the requirements of this Code.

### LDC, Part 2.03.00 - Allowable and Special Uses (provided in part)

The Special Uses contained in this Part shall be considered and approved, approved with conditions, or denied in accordance with the requirements of this Code Part 9.01.00 for the issuance of Development Permits. The following Special Uses if allowed in a zoning district according to Section 2.02.02 and identified in Section 2.03.01 or allowed in this Part by reference to a zoning district may only be permitted upon demonstration of compliance with all of the requirements of this Part.

### LDC, Sec. 2.03.01.A - General Provisions on Special Uses

A Special Use shall be approved by the Planning and Zoning Agency only upon determination that the application and evidence presented establish that:

1. The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or this Code;

*Based on the application materials provided by the applicant, the proposed Special Use to allow for the use of a Church could be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Comprehensive Plan or Land Development Code. The property is designated Residential-D and zoned RS-3, which allows Churches with a special use.*

2. The Use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent Uses or on community facilities or services; and

*The neighborhood consists of a mixture of manufactured/mobile homes and site-built homes. The applicant's proposal to place a 7,000-square-foot building to be a church at this location could be compatible with the existing area and should not impose an excessive burden or have a substantial negative impact on surrounding or adjacent Uses or on community facilities or services. The site has frontage on West King Street and access would not intrude into a residential neighborhood.*

3. If access is provided by a street maintained by the Florida Department of Transportation (FDOT) a copy of the results of a pre-application meeting with FDOT is required unless otherwise deemed not necessary by the County Administrator; and

*The subject property is not accessed via a street maintained by FDOT; the property will be accessed off of West King Street and Ford Street.*

4. The Use, which is listed as a Special Use in the district in which it is proposed to be located, complies with all required regulations and standards of this Article II, unless greater or more stringent regulations are contained or provided in the Comprehensive Plan or elsewhere in this Code for the Special Use.

*The request, as submitted, requires Special Use approval and complies with all required regulations and standards of Article II, the Comprehensive Plan, and Land Development Code.*



**Sec. 2.03.12 Churches**

Churches (but not temporary revival establishments) may be permitted as a Special Use within districts as defined in Section 2.03.01, subject to the following conditions and limitations:

- A. No Church shall be established within one thousand (1,000 feet) of an established vendor of alcohol beverages except those vendors licensed in accordance with Section 563.02(1)(a) and/or Section 564.02(1)(a) of the Florida Statutes, as may be amended from time to time, unless a Variance has been granted as provided in Part 9.03.00 of this Code or a substantial burden on exercise of religion is shown as described by Section 761.03, Florida Statutes.

*Staff has confirmed that the subject property is confirmed to not be within a thousand feet of any established vendor of alcohol beverages except those vendors licensed in accordance with Section 563.02(1)(a) and/or Section 564.02(1)(a) of the Florida Statutes.*

- B. The application for Special Use Permit shall include any request for signage. No such Sign shall exceed sixty-four (64) square feet in size and shall not exceed ten (10) feet in height. Signs shall be top lighted with point light source directed downward.

*All signage will be installed in accordance with applicable sections of Article VII and the provisions of the Special Use Criteria for Churches.*

- C. If the Church has either more than 350 paved or unpaved parking spaces, including all spaces reserved for its use; or is capable of holding more than 1,000 people, it must satisfy the requirements of Sec. 2.03.55 for Large Place of Assembly.

*Not applicable. The site plans shows 21 parking spaces.*

**CORRESPONDENCE/PHONE CALLS**

As of the writing of this staff report, Staff has received one letter of opposition that cited concerns about this use increasing traffic along the “blind curve” on West King Street among other points.

**ACTION**

Staff offers nine (9) findings of fact and eight (8) conditions to support a motion to approve or eight (8) 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 and Supporting Documents
2. Final Draft Orders
3. Correspondence

## SUGGESTED MOTION / FINDINGS / CONDITIONS TO APPROVE REQUEST

Motion to approve **SUPMIN 2023-10 Victorious Covenant Church**, Request for a Special Use Permit to allow for a Church in Residential, Single Family (RS-3) zoning, pursuant to Land Development Code, Section 2.03.12, specifically located at 1075 W. King Street, subject to the following findings and conditions:

### SUGGESTED FINDINGS

1. The request for this Special Use Permit has been fully considered after public hearing with legal notice duly published as required by law.
2. The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or this Code.
3. The use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.
4. The use, which is listed as a Special Use in the Residential, Single Family (RS-3) zoning district complies with all required regulations and standards of Article II of the Land Development Code.
5. The request is in compliance with Part 2.03.12 and Article XII of the Land Development Code.
6. The request is not in conflict with the Future Land Use Map Designation of Residential-D (Res-D).
7. The requested Use, although not generally appropriate or without restriction throughout the zoning district, when controlled as to the number, location and relationship, to the neighborhood, promotes the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare of the residents of the area.
8. The requested Use is not in conflict with the development patterns of the area.
9. The applicant, at the public hearing, has stated no objections to the proposed conditions.

### SUGGESTED CONDITIONS

1. The Special Use is granted to Victorious Covenant Church located at 1075 W. King Street and shall be transferable.
2. Approval subject to the area designated on the Site Plan labeled as Exhibit B submitted by the applicant and made a part of this application.
3. Applicant agrees that St. Johns County may inspect the site for compliance with the Final Order and all other relevant requirements at the time the Special Use is being executed.
4. This approval of the Special Use Permit may be revoked by the County Administrator or designee, in his/her sole discretion, upon a determination of violation of the conditions set forth herein or a violation of any Federal, State, or Local law or regulation. Appeals of decisions by the County Administrator may be appealed to the Board of County Commissioners.

5. The Special Use Permit shall be commenced within one (1) year of the signing of the Order; otherwise all rights granted herein shall be null and void. Commencement will be defined as issuance of a Building Permit and subsequent Certificate of Occupancy from the Building Division.
6. The Special Use Permit is granted under the conditions of continual use. A Special Use that, once commenced, remains idle, discontinued or unused for a continuous period of one (1) calendar year shall no longer be valid and all rights granted herein shall become null and void.
7. Approval of the Special Use does not release project from compliance with all relevant requirements of the St Johns County Land Development Code, Comprehensive Land Use Plan, Florida Building Code and any other Agency having jurisdiction.
8. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations

*(Additional conditions may be added as a result of the public hearing)*

#### **SUGGESTED MOTION / FINDINGS TO DENY REQUEST**

Motion to deny **SUPMIN 2023-10 Victorious Covenant Church**, Request for a Special Use Permit to allow for a Church in Residential, Single Family (RS-3) zoning, pursuant to Land Development Code, Section 2.03.12, specifically located at 1075 W. King Street, subject to the following findings:

#### **SUGGESTED FINDINGS**

1. The request for this Special Use Permit has been fully considered after public hearing with legal notice duly published as required by law.
2. The Special Use cannot be granted without substantial detriment to the public good and will substantially impair the intent and purpose of the St. Johns County Comprehensive Plan and/or Land Development Code.
3. The use is not compatible with the contiguous and surrounding area and will impose an excessive burden or have a substantial negative impact on surrounding and/or adjacent uses and/or on community facilities or services.
4. The use, which is listed as a Special Use in the Residential, Single Family (RS-3) zoning district, does not comply with all required regulations and standards of Article II of the Land Development Code and/or the Comprehensive Plan.
5. The request is not in compliance with Section 2.03.12 and Article XII of the Land Development Code.
6. The request is in conflict with the Future Land Designation of Residential-D (Res-D).

7. The allowance of a church at this location is not appropriate and does not promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, and/or the general welfare of the residents of the area.
8. The requested use is in conflict with the development patterns of the area.

*(The Board may choose any or all of the above Findings or may provide additional Findings to support the motion.)*

**ATTACHMENT 1**  
**Application and**  
**Supporting Documents**



St. Johns County Growth Management Department

Application for: Special Use

Date 09/28/2023 Property Tax ID No 1301400000 & 1301300000

Project Name Victorious Covenant Church

Property Owner(s) Raleigh Burney (Victorious Covenant Church Inc.) Phone Number 904-710-2203

Address PO Box 28853 Fax Number

City Jacksonville State FL Zip Code 32226 e-mail burneyraleigh@gmail.com

Are there any owners not listed? [X] No [ ] Yes If yes please provide information on separate sheet.

Applicant/Representative Tim Boehlein, PE (JBPro) Phone Number 352-375-8999

Address 4420 S US-1, Suite 1 Fax Number 325-375-0833

City St. Augustine State FL Zip Code 32086 e-mail tim.boehlein@jbpro.com

Property Location 1075 W. King St. St. Augustine, FL 32080

Major Access W. King Street Size of Property 0.84 Cleared Acres (if applicable)

Zoning Class RS-3 No. of lots (if applicable) N/A Overlay District (if applicable) WAN-C

Water & Sewer Provider City of St. Augustine Future Land Use Designation D-RES

Present Use of Property Vacant Proposed Bldg. S.F. 7,000

Project Description (use separate sheet if necessary)

This project is a new 7,000 SF church along with associated parking, stormwater, and utility infrastructure.

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: N/A

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:

Signed By

Printed or typed name(s) Timothy Boehlein, PE



Owner's Authorization Form

Timothy Boehlein, PE (JBrown Professional Group Inc.)

is hereby authorized TO ACT ON BEHALF OF

Raleigh Burney (Victorious Covenant Inc.)

the owners(s) of those lands described within

the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to St. Johns County, Florida, for an application related to a development Permit or other action pursuant to a: application for:

Special Use Permit

By signing, I affirm that all legal owners(s), as listed on the Recorded Warranty Deed on file with the St. Johns County Clerk of Courts or otherwise stated ( ) , have been notified of the Special Use Permit

(Identify what document)

I further understand incomplete or false information provided on this form may lead to revocation of permits, termination of development activity.

Signature of Owner

[Handwritten Signature]

Print Name

Raleigh Burney

Signature of Owner

Print Name

Telephone Number

(904) 710-2203

STATE OF FLORIDA  
COUNTY OF

St. Johns

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 30th day of October 2023 by Raleigh Burney as

Special Use for Permit

[Handwritten Signature]

Notary Public, State of Florida  
Name: Treisha M. Brown

My Commission Expires: 09-24-24

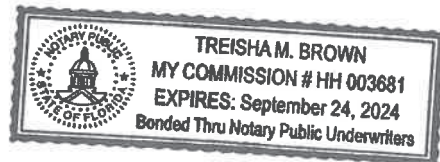
My Commission Number is: 003681

Personally Known OR Produced Identification

Type of Identification Produced

Drivers License

Revised August 30, 2011





St. Johns County Growth Management Department

Application for: Special Use

Date: 09/28/2023 Property Tax ID No: 0301400000 & 0301300000

Project Name: Victorious Covenant Church

Property Owner(s): Raleigh Burney (Victorious Covenant Church Inc.) Phone Number: 904-710-2203

Address: PO Box 28853 Fax Number:

City: Jacksonville State: FL Zip Code: 32226 e-mail: burneyraleigh@gmail.com

Are there any owners not listed? [X] No [ ] Yes If yes please provide information on separate sheet.

Applicant/Representative: Tim Boehlein, PE (JBPro) Phone Number: 352-375-8999

Address: 4420 S US-1, Suite 1 Fax Number: 325-375-0833

City: St. Augustine State: FL Zip Code: 32086 e-mail: tim.boehlein@jbpro.com

Property Location: 1075 W. King St. St. Augustine, FL 32080

Major Access: W. King Street Size of Property: 0.84 Cleared Acres (if applicable):

Zoning Class: RS-3 No. of lots (if applicable): N/A Overlay District (if applicable): WAN-C

Water & Sewer Provider: City of St. Augustine Future Land Use Designation: D-RES

Present Use of Property: Vacant Proposed Bldg. S.F.: 7,000

Project Description (use separate sheet if necessary)

This project is a new 7,000 SF church along with associated parking, stormwater, and utility infrastructure.

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: N/A

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:

Signed By: [Handwritten Signature]

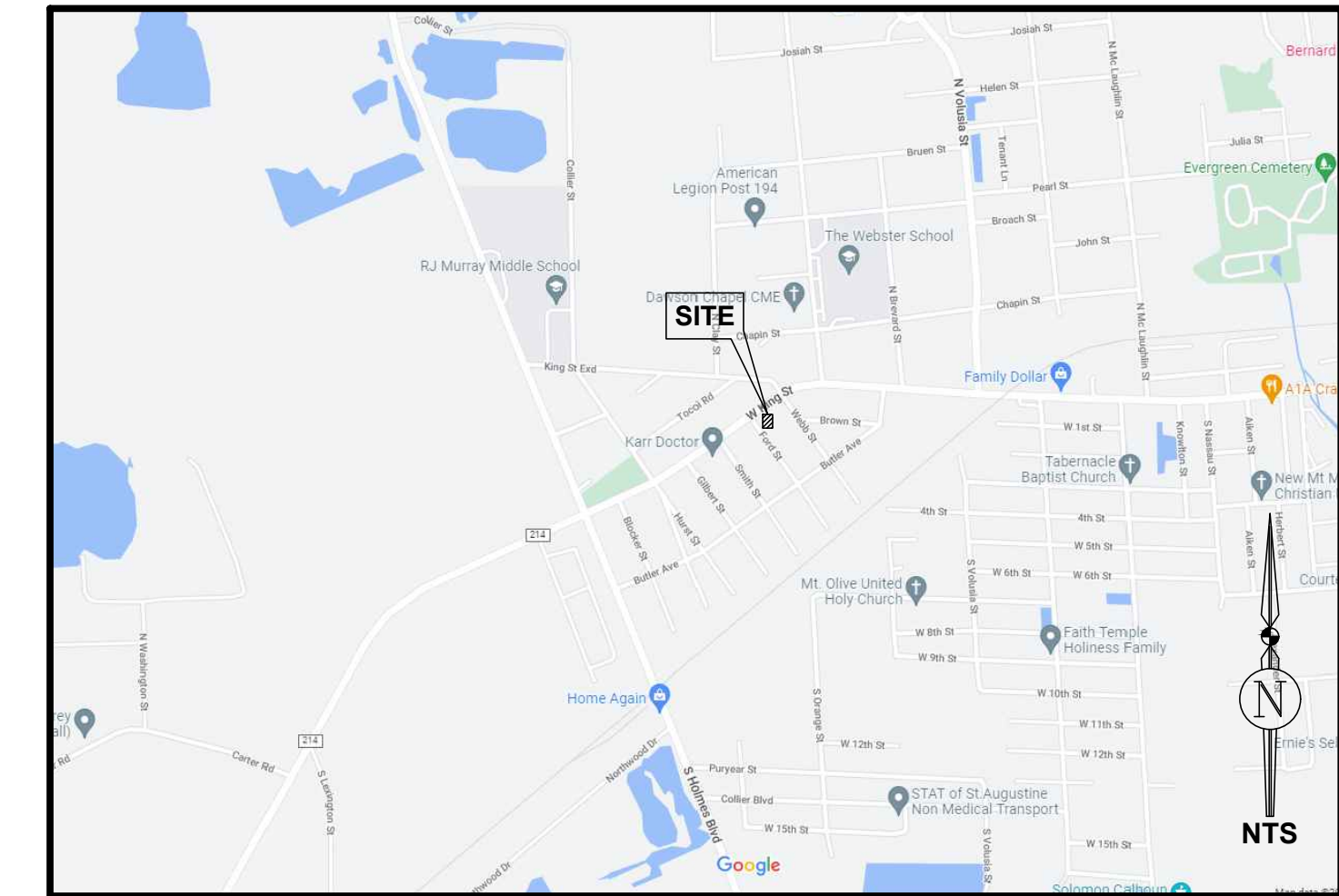
Printed or typed name(s): Timothy Boehlein, PE



# BOUNDARY & TOPOGRAPHIC SURVEY

## IN SECTION 45, TOWNSHIP 07 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA

### LOCATION MAP



#### ABBREVIATIONS

(M) = MEASURED  
 (P) = PLATTED  
 INV = INVERT  
 ELEV = ELEVATION  
 ID = IDENTIFICATION  
 JBPRO = JBROWN PROFESSIONAL GROUP  
 LB = LICENSED BUSINESS  
 LS = LICENSED SURVEYOR  
 NAD83(2011) = NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT  
 NAVD88 = NORTH AMERICAN VERTICAL DATUM OF 1988  
 P.B. = PLAT BOOK  
 O.R.B. = OFFICIAL RECORDS BOOK  
 PG. = PAGE  
 PRM = PERMANENT REFERENCE MONUMENT  
 PLS = PROFESSIONAL LAND SURVEYOR  
 R/W = RIGHT-OF-WAY  
 EP = EDGE OF PAVEMENT  
 BC = BACK OF CURB  
 FL = FLOWLINE

#### TREES:

CE = CEDAR  
 CT = CHAMPHOR  
 EL = ELM  
 LA = LAUREL OAK  
 LV = LIVE OAK  
 MA = MAGNOLIA  
 PI = PINE  
 PA = PALM  
 TWIN = TWIN TRUNK  
 WI = WILLOW

#### SYMBOL LEGEND

— BOUNDARY LINE  
 - - - TAX PARCEL LINE  
 - - - RIGHT-OF-WAY LINE  
 - - - FENCE LINE  
 ○ OHW  
 — EST  
 — STORM SEWER LINE  
 — BENCHMARK  
 ○ IRON ROD - CAPPED  
 △ NAIL AND DISK  
 ○ PIPE  
 ○ STORM SEWER MANHOLE  
 ○ WASTEWATER MANHOLE  
 ○ POWER POLE  
 ○ POWER POLE WITH TRANSFORMER  
 ○ GUY WIRE  
 ○ SINGLE POLE SIGN  
 ○ TREE-SIZE(INCHES) AND SPECIES  
 × SPOT ELEVATION - SOFT SURFACE  
 × SPOT ELEVATION - HARD SURFACE  
 — CONTOUR LINES  
 — ASPHALT SURFACE  
 — CONCRETE SURFACE

#### STRUCTURE TABLE

NAME	TYPE	RIM ELEV (FT)	BOTTOM OF BOX ELEV (FT)	DIRECTION/INV ELEV (FT)	PIPE SIZE(IN)/TYPE
ST-1	CATCH BASIN	35.50	33.40	N INV ELEV = 33.10	15 / RCP
ST-2	CULVERT WITH HEADWALL	NA	NA	S INV ELEV = 33.08	15 / RCP
WWMH-1	WASTEWATER	37.33	33.97	SOUTH INV ELEV = 33.17	12 / PVC
WWMH-2	WASTEWATER	37.58	32.4300	NORTH INV ELEV = 32.48 SOUTH INV ELEV = 32.18	12 / PVC

#### DESCRIPTION BY THIS FIRM

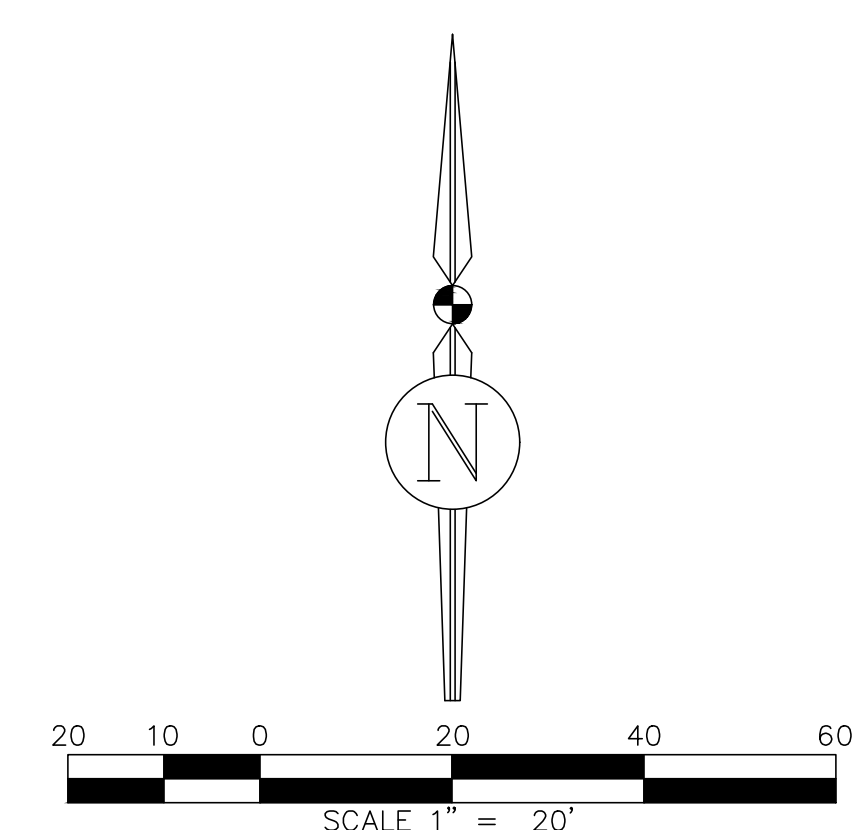
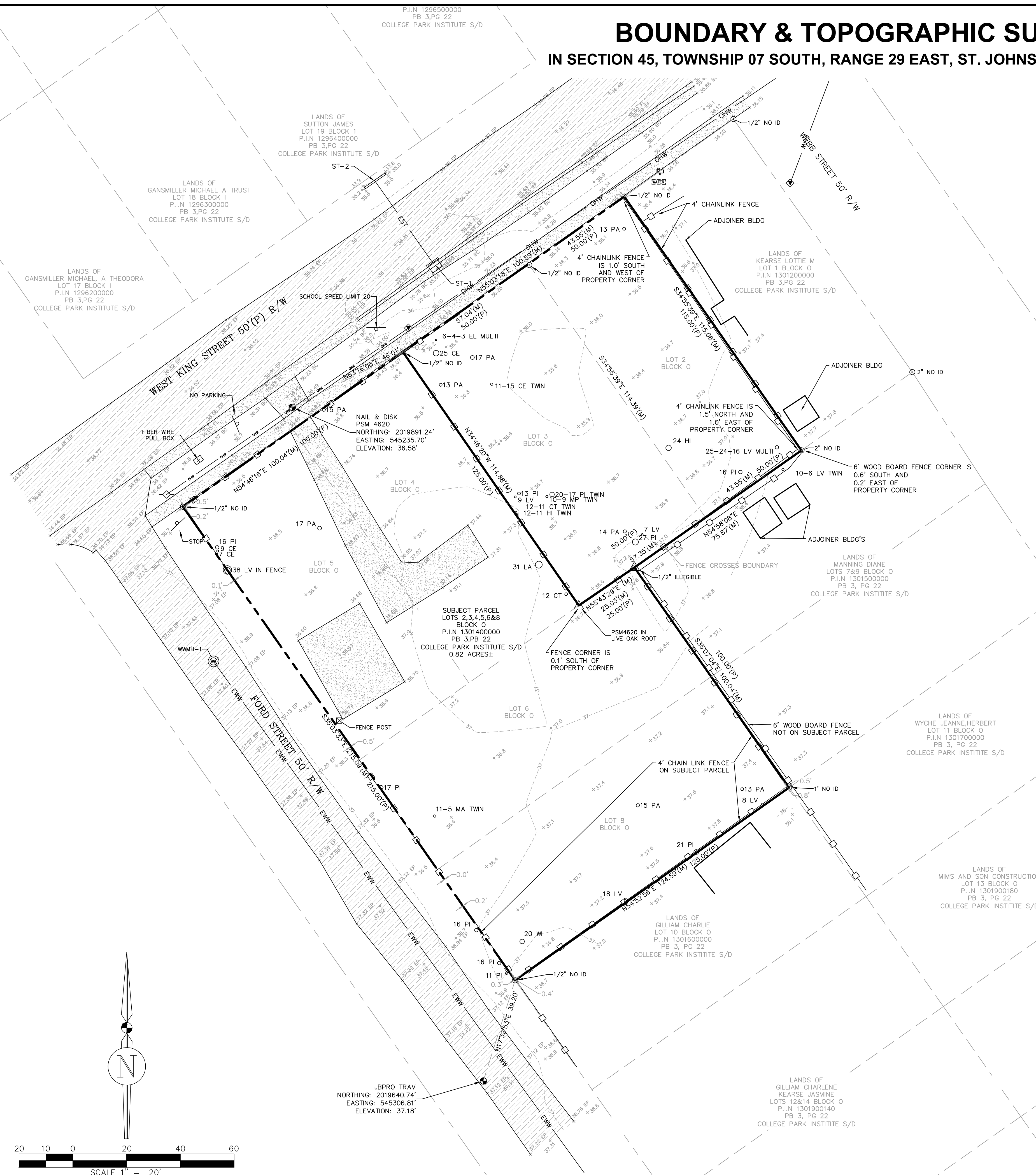
LOTS 2, 3, 4, 5, 6, AND 8, BLOCK O, COLLEGE PARK INSTITUTE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 22, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, CONTAINING 0.82 ACRES, MORE OR LESS.

#### SURVEYOR'S NOTES

- ALL DISTANCES AS SHOWN HEREON ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF.
- BEARINGS ARE BASED ON THE NORTHWEST LINE OF THE SUBJECT PARCEL, HAVING A MEASURED BEARING OF N54°46'16"E UTILIZING STATE PLANE NAD83 FLORIDA EAST ZONE PROJECTION.
- ELEVATIONS ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AND BASED ON MULTIPLE GPS OBSERVATIONS REFERENCING THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT REFERENCE NETWORK (FPRN).
- STATE PLANE COORDINATES ARE REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT, FLORIDA EAST COORDINATE ZONE AND BASED ON MULTIPLE GPS OBSERVATIONS REFERENCING THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT REFERENCE NETWORK (FPRN).
- THIS SURVEY IS BASED ON MEASUREMENTS CONDUCTED ON OR BEFORE DECEMBER 14TH, 2022.
- THE SIGNING LAND SURVEYOR HAS NOT BEEN PROVIDED A CURRENT TITLE COMMITMENT OF MATTERS AFFECTING TITLE TO THE SUBJECT PROPERTY. THERE MAY EXIST DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER MATTERS NOT SHOWN IN THE REFERENCED TITLE INSURANCE COMMITMENT, THAT COULD AFFECT THE BOUNDARIES OR TITLE TO THE SUBJECT REAL ESTATE.
- NO UNDERGROUND UTILITIES WERE LOCATED IN THE COURSE OF THIS SURVEY. UNDERGROUND UTILITY LINE LOCATIONS ARE APPROXIMATE.
- ADDITIONAL ENCUMBRANCES MAY AFFECT THE SUBJECT PARCEL THAT DO NOT APPEAR ON THIS MAP.
- EASEMENTS DEPICTED ON THIS SURVEY WERE PROVIDED BY THE CLIENT OR ARE RECORDED IN AN ASSOCIATED PLAT. NO EASEMENT RESEARCH WAS CONDUCTED DURING THE COURSE OF THIS SURVEY.
- REPRODUCED COPIES THAT ARE NOT AT 24"X36" MAY NOT BE TO SCALE.
- UNLESS OTHERWISE NOTED, CORNER MARKERS SHOWN HEREON WERE FOUND DURING THE COURSE OF THIS SURVEY.
- ALL DIMENSION LEADERS SHOWN ARE FENCE TIES TO THE BOUNDARY.
- ALL FENCES ARE ON THE SUBJECT PARCEL UNLESS OTHERWISE NOTED.
- SURVEY WAS UPDATED ON 06/14/2023 WIT ADDITIONAL BOUNDARY AND TOPOGRAPHIC DATA FOR LOTS 2 AND 3 OF BLOCK "O"

1075 W. KING ST.  
ST. AUGUSTINE, FL

 <b>CIVIL ENGINEERING   LAND PLANNING</b> SURVEYING   CONSTRUCTION SERVICES 3630 NW 43rd Street   Gainesville, Florida 32606 4420 US-1 S, Suite 1   St. Augustine, Florida 32086 Gainesville: (352) 375-8999   St. Augustine: (904) 789-8999 Toll Free: (844) Go-JBPro   Email: contact@jbpro.com	THE MAP OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY SUPERVISION AND THIS MAP OF SURVEY FURTHER MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5J-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THE MAP OF SURVEY SHOWN HEREON IS A TRUE AND ACCURATE REPRESENTATION THEREOF TO THE BEST OF MY KNOWLEDGE, BEING SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON. Florida License No. LS7210 Certificate of Authorization No. LB8031 NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER OR VALID DIGITAL SIGNATURE IN ELECTRONIC FORM	 <b>Troy V. Wright, PSM</b> Professional Surveyor and Mapper
	<b>BOUNDARY &amp; TOPOGRAPHIC SURVEY</b> CERTIFIED TO:	



October 11, 2023

St. Johns County Growth Management Department  
4040 Lewis Speedway  
St. Augustine, FL 32084

**Re: Victorious Covenant Church – Special Use Permit Statement**

The attached site plan is for a proposed 7,000 SF church with a future 2,750+/- SF expansion on tax parcel 0301400000 & 0301300000 in St. John's County. The project is currently zoned RS-3 with a future land use of RES-D. The proposed use for this project is cultural / institutional.

Per the St. John's County Land Development Code; Cultural / Institutional uses are allowed within the RS-3 zoning district with a special use permit. This project is located within the WAN-C district. This district is designed to be a focal point for neighborhood revitalization along West King Street. This church building will assist with that goal to continue to incorporate mixed use developments in this area.

Each adjacent lot is zoned RS-3 with a RES-D future land use. Each lot adjacent to the parcel is currently single family residential or vacant land. The required building setbacks as established in the WAN-C district will be met. The site will be accessed from W King Street and Ford Street. The site will be below the maximum building area (35%) and below the maximum impervious surface ratio (70%).

Please let us know if you have any questions or concerns,

Sincerely,



Timothy J. Boehlein, PE  
Project Manager, JBPro

**ATTACHMENT 2**  
**DRAFT FINAL ORDERS**  
**APPROVAL/DENIAL**



# St. Johns County Board of County Commissioners

Growth Management Department

ORDER  
ST. JOHNS COUNTY, FLORIDA  
PLANNING AND ZONING AGENCY

**RE:** Tim Boehkein, PE | JBPro  
4420 US 1 South, Ste 1  
St. Augustine, FL 32086

**FILE NUMBER:** SUPMIN 2023-10

**LEGAL:** See Exhibit A

**PARCEL:** 130130-0000  
130140-0000

**DATE OF HEARING:** January 18, 2024

ORDER GRANTING SPECIAL USE REQUEST

The above referenced application for a Special Use Permit to allow for a Church located within Residential, Single Family (RS-3) zoning, pursuant to Land Development Code, Section 2.03.12, specifically located at 1075 W. King Street, came before the Planning & Zoning Agency for public hearing on January 18, 2024.

FINDINGS

Having considered the application, along with supporting documents; the Staff report; statements by the applicant; and all evidence presented during public hearing, the Agency finds as follows:

1. The request for this Special Use Permit has been fully considered after public hearing with legal notice duly published as required by law.
2. The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or this Code.
3. The use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.

4. The use, which is listed as a Special Use in the Residential, Single Family (RS-3) zoning district complies with all required regulations and standards of Article II of the Land Development Code.
5. The request is in compliance with Part 2.03.12 and Article XII of the Land Development Code.
6. The request is not in conflict with the Future Land Use Map Designation of Residential-D (Res-D).
7. The requested Use, although not generally appropriate or without restriction throughout the zoning district, when controlled as to the number, location and relationship, to the neighborhood, promotes the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare of the residents of the area.
8. The requested Use is not in conflict with the development patterns of the area.
9. The applicant, at the public hearing, has stated no objections to the proposed conditions.

**NOW THEREFORE**, based on the said Findings of Fact, the Agency hereby grants the request for a Special Use Permit to allow for a Church located within Residential, Single Family (RS-3) zoning, pursuant to Land Development Code, Section 2.03.12, specifically located at 1075 W. King Street, subject to the following conditions:

1. The Special Use is granted to Victorious Covenant Church located at 1075 W. King Street and shall be transferable.
2. Approval subject to the area designated on the Site Plan labeled as Exhibit B submitted by the applicant and made a part of this application.
3. Applicant agrees that St. Johns County may inspect the site for compliance with the Final Order and all other relevant requirements at the time the Special Use is being executed.
4. This approval of the Special Use Permit may be revoked by the County Administrator or designee, in his/her sole discretion, upon a determination of violation of the conditions set forth herein or a violation of any Federal, State, or Local law or regulation. Appeals of decisions by the County Administrator may be appealed to the Board of County Commissioners.
5. The Special Use Permit shall be commenced within one (1) year of the signing of the Order; otherwise all rights granted herein shall be null and void. Commencement will be defined as issuance of a Building Permit and subsequent Certificate of Occupancy from the Building Division.
6. The Special Use Permit is granted under the conditions of continual use. A Special Use that, once commenced, remains idle, discontinued or unused for a continuous period

of one (1) calendar year shall no longer be valid and all rights granted herein shall become null and void.

7. Approval of the Special Use does not release project from compliance with all relevant requirements of the St Johns County Land Development Code, Comprehensive Land Use Plan, Florida Building Code and any other Agency having jurisdiction.
8. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.

This decision may be appealed to the St. Johns County Board of County Commissioners within thirty (30) days of the signing of this Order, pursuant to Section 9.07.03 of the Land Development Code.

Deed Restrictions, if any, are not affected by the actions of the Agency or this Order.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

PLANNING AND ZONING AGENCY OF ST. JOHNS COUNTY FLORIDA

\_\_\_\_\_  
Chair/Vice-Chair

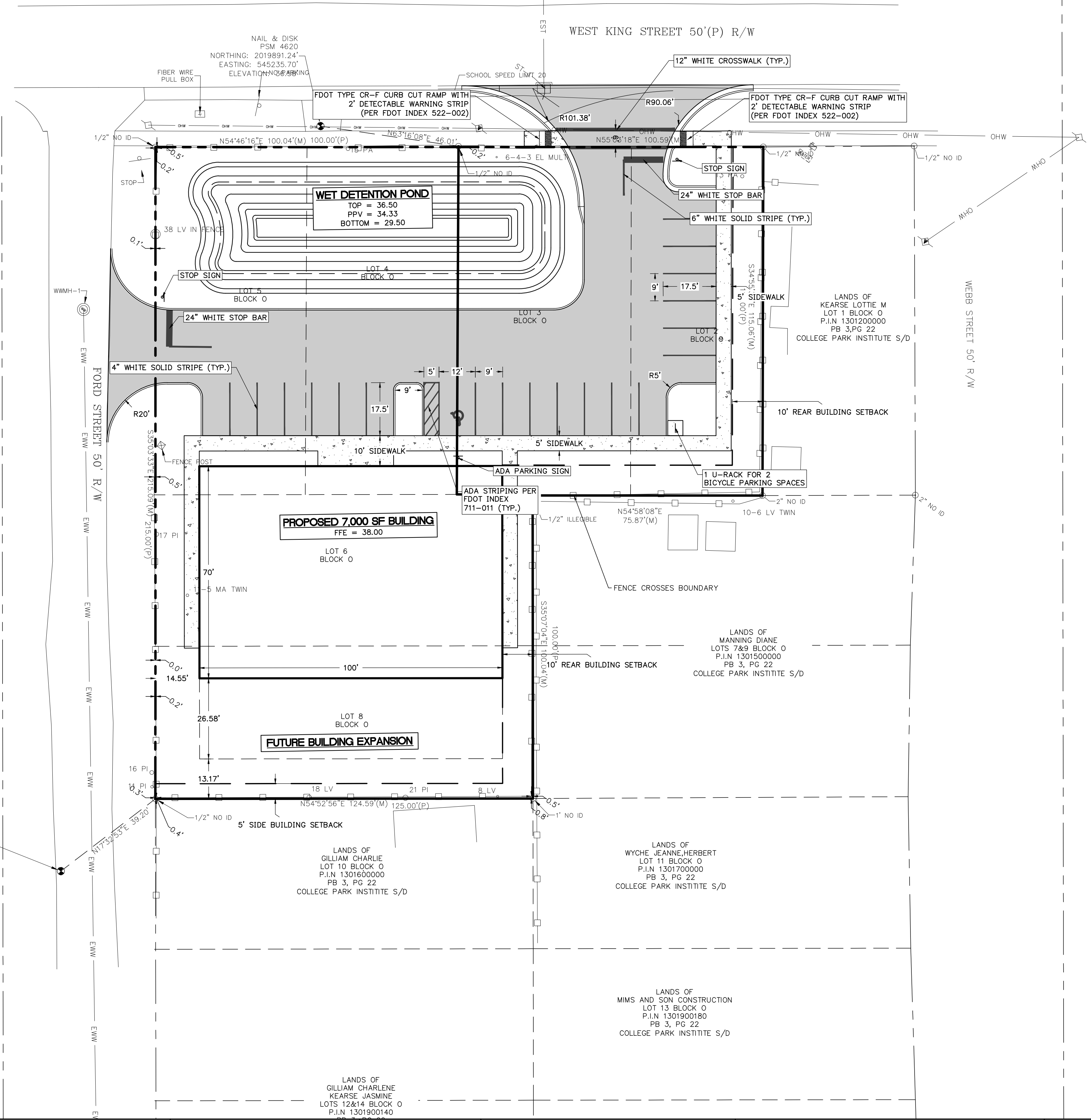
The undersigned Clerk to the Planning and Zoning Agency of St. Johns County, Florida certifies that the above Order of the Planning and Zoning Agency is a true and correct rendition of the Order adopted by said Agency as the same appears in the record of the Planning and Zoning Agency minutes.

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

\_\_\_\_\_  
Date Filed

**ATTACHMENT A - DESCRIPTION BY THIS FIRM**

LOTS 2, 3, 4, 5, 6, AND 8, BLOCK O, COLLEGE PARK INSTITUTE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 22, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. CONTAINING 0.82 ACRES, MORE OR LESS.



**LEGEND**

- 4" CONCRETE SIDEWALK
- PROPOSED ASPHALT

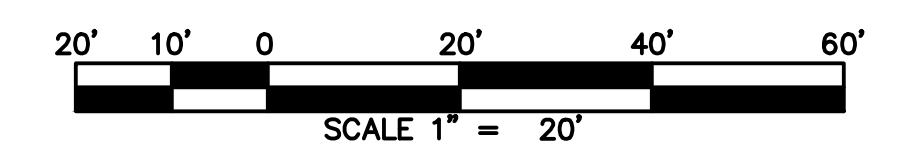
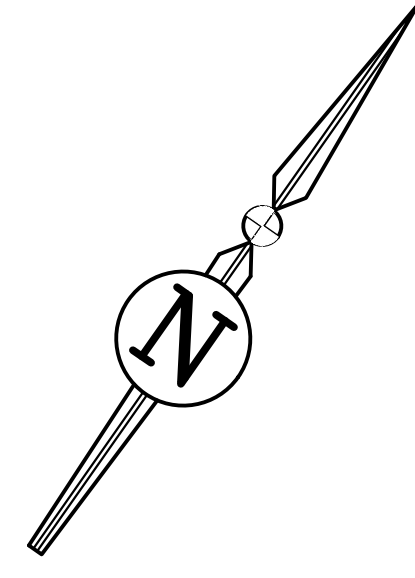
**DIMENSION NOTES**

1. CONTRACTOR SHALL FAMILIARIZE THEMSELVES WITH THE PROJECT SURVEY AND DESIGN DRAWINGS, AND SHALL VERIFY EXISTING SITE CONDITIONS. ANY APPARENT DISCREPANCIES OR ADDITIONAL PERTINENT INFORMATION SHALL BE BROUGHT TO THE PROJECT ENGINEER'S ATTENTION IMMEDIATELY.
2. ALL STRIPING SHALL CONFORM TO FDOT STANDARD INDEX 711-001.
3. ALL SIGNAGE TO BE INSTALLED SHALL CONFORM TO MUTCD REQUIREMENTS, 2009 VERSION W/ REV. NO. 1&2, INCORPORATED 2012.

**SITE DEVELOPMENT NOTES**

1. PARCEL IDENTIFICATION NUMBER: 1301400000 & 1301300000
2. SECTION / TOWNSHIP / RANGE: 45 / 075 / 29E
3. ADDRESS: 1075 W KING ST, ST. AUGUSTINE, FL 32084
4. OWNER: MR. RALEIGH BURNEY (VICTORIOUS COVENANT CHURCH)
5. ENGINEER: JBPRO (TIM BOEHLIN, PE) 352-375-8999
6. SURVEYOR: JBPRO (TROY WRIGHT, PSM) 352-375-8999
7. OVERLAY DISTRICT: WEST AUGUSTINE NEIGHBORHOOD COMMERCIAL SUB-AREA (WAN-C)
8. ZONING DISTRICT: RS-3
9. FUTURE LAND USE: RES-D
10. PROPOSED USE: CULTURAL / INSTITUTIONAL
11. REQUIRED SETBACKS (FRONT/SIDE/REAR) 0' / 5' / 10'
12. DEVELOPMENT DATA:
  - TOTAL SITE AREA = 35,520 SF = 0.82 AC
  - TOTAL IMPERVIOUS AREA = 22,703 SF = 0.52 AC = 63.55% (MAXIMUM = 70%)
  - TOTAL BUILDING AREA = 7,000 SF = 0.16 AC = 19.71% (MAXIMUM = 35%)
  - FUTURE BUILDING AREA = 9,750 SF = 0.22 AC = 27.30% (MAXIMUM = 35%)
  - TOTAL OPEN AREA = 7,670 SF = 0.17 AC = 21.47%
13. PARKING CALCULATIONS:
  - PARKING REQUIREMENTS = 2 PARKING SPACES FOR EACH 1,000 SF NON-RESIDENTIAL SPACE
  - REQUIRED PARKING = 2 PARKING SPACES X (7,000 SF / 1,000 SF) = 14 PARKING SPACES
  - REQUIRED ADA PARKING = 1 ADA PARKING SPACE
  - PARKING PROVIDED = 21 SPACES
  - ADA PARKING PROVIDED = 2 SPACES
  - BICYCLE PARKING PROVIDED = 2 SPACES

JBPRO TRAV  
NORTHING: 2019640.74'  
EASTING: 545306.81'  
ELEVATION: 37.18'



REVISIONS			DRWN	APPR
NO.	DATE	DESCRIPTION		

ENGINEER OF RECORD: **TIMOTHY J. BOEHLIN, P.E.**  
FLORIDA LICENSE NO. 96416

**PRELIMINARY NOT FOR CONSTRUCTION**

CIVIL ENGINEERING | LAND PLANNING  
SURVEYING | CONSTRUCTION SERVICES

THIS DOCUMENT IS ISSUED FOR THE PURPOSE OF REVIEW ONLY AND IS NOT INTENDED FOR FINAL PERMITTING, BIDDING, OR CONSTRUCTION PURPOSES.

3530 NW 43rd Street | Gainesville, Florida 32606  
4420 US-1 S, Suite 1 | St. Augustine, Florida 32086

Gainesville: (352) 375-8999 | St. Augustine: (904) 789-8999  
Toll Free: (844) Go-JBPro | E-mail: [contact@jbpro.com](mailto:contact@jbpro.com)

SHEET TITLE: **SITE PLAN**

CLIENT: **VICTORIOUS COVENANT, INC**  
ST. AUGUSTINE, FLORIDA

PROJECT: **VICTORIOUS COVENANT WORSHIP CENTER**

DATE: **OCTOBER 2023**

PROJECT NO: **618-22-01**

SHEET NO: **C2.0**





# St. Johns County Board of County Commissioners

Growth Management Department

ORDER  
ST. JOHNS COUNTY, FLORIDA  
PLANNING AND ZONING AGENCY

RE: Tim Boehkein, PE | JBPro  
4420 US 1 South, Ste 1  
St. Augustine, FL 32086

FILE NUMBER: SUPMIN 2023-10

LEGAL: See Exhibit A

PARCEL: 130130-0000  
130140-0000

DATE OF HEARING: January 18, 2024

ORDER DENYING SPECIAL USE REQUEST

The above referenced application for a Special Use Permit to allow for a Church located within Residential, Single Family (RS-3) zoning, pursuant to Land Development Code, Section 2.03.12, specifically located at 1075 W. King Street, came before the Planning & Zoning Agency for public hearing on January 18, 2024.

FINDINGS

Having considered the application, along with supporting documents; the Staff report; statements by the applicant; and all evidence presented during public hearing, the Agency finds as follows:

1. The request for this Special Use Permit has been fully considered after public hearing with legal notice duly published as required by law.
2. The Special Use cannot be granted without substantial detriment to the public good and will substantially impair the intent and purpose of the St. Johns County Comprehensive Plan and/or Land Development Code.
3. The use is not compatible with the contiguous and surrounding area and will impose an excessive burden or have a substantial negative impact on surrounding and/or adjacent uses and/or on community facilities or services.

4. The use, which is listed as a Special Use in the Residential, Single Family (RS-3) zoning district, does not comply with all required regulations and standards of Article II of the Land Development Code and/or the Comprehensive Plan.
5. The request is not in compliance with Section 2.03.12 and Article XII of the Land Development Code.
6. The request is in conflict with the Future Land Designation of Residential-D (Res-D).
7. The allowance of a church at this location is not appropriate and does not promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, and/or the general welfare of the residents of the area.
8. The requested use is in conflict with the development patterns of the area.

**NOW THEREFORE**, based on the said Findings of Fact, the Agency hereby denies the request for a Special Use Permit to allow for a Church located within Residential, Single Family (RS-3) zoning, pursuant to Land Development Code, Section 2.03.12, specifically located at 1075 W. King Street.

This decision may be appealed to the St. Johns County Board of County Commissioners within thirty (30) days of the signing of this Order, pursuant to Section 9.07.03 of the Land Development Code.

Deed Restrictions, if any, are not affected by the actions of the Agency or this Order.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

PLANNING AND ZONING AGENCY OF ST. JOHNS COUNTY FLORIDA

\_\_\_\_\_  
Chair/Vice-Chair

The undersigned Clerk to the Planning and Zoning Agency of St. Johns County, Florida certifies that the above Order of the Planning and Zoning Agency is a true and correct rendition of the Order adopted by said Agency as the same appears in the record of the Planning and Zoning Agency minutes.

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

\_\_\_\_\_  
Date Filed

**ATTACHMENT A - DESCRIPTION BY THIS FIRM**

LOTS 2, 3, 4, 5, 6, AND 8, BLOCK O, COLLEGE PARK INSTITUTE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 22, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. CONTAINING 0.82 ACRES, MORE OR LESS.

**ATTACHMENT 3**  
**CORRESPONDENCE**

## Evan Walsnovich

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**From:** Kimberly Daniels  
**Sent:** Wednesday, December 27, 2023 8:55 AM  
**To:** Evan Walsnovich; Jennifer Gutt  
**Subject:** FW: SUPMIN-2023000010

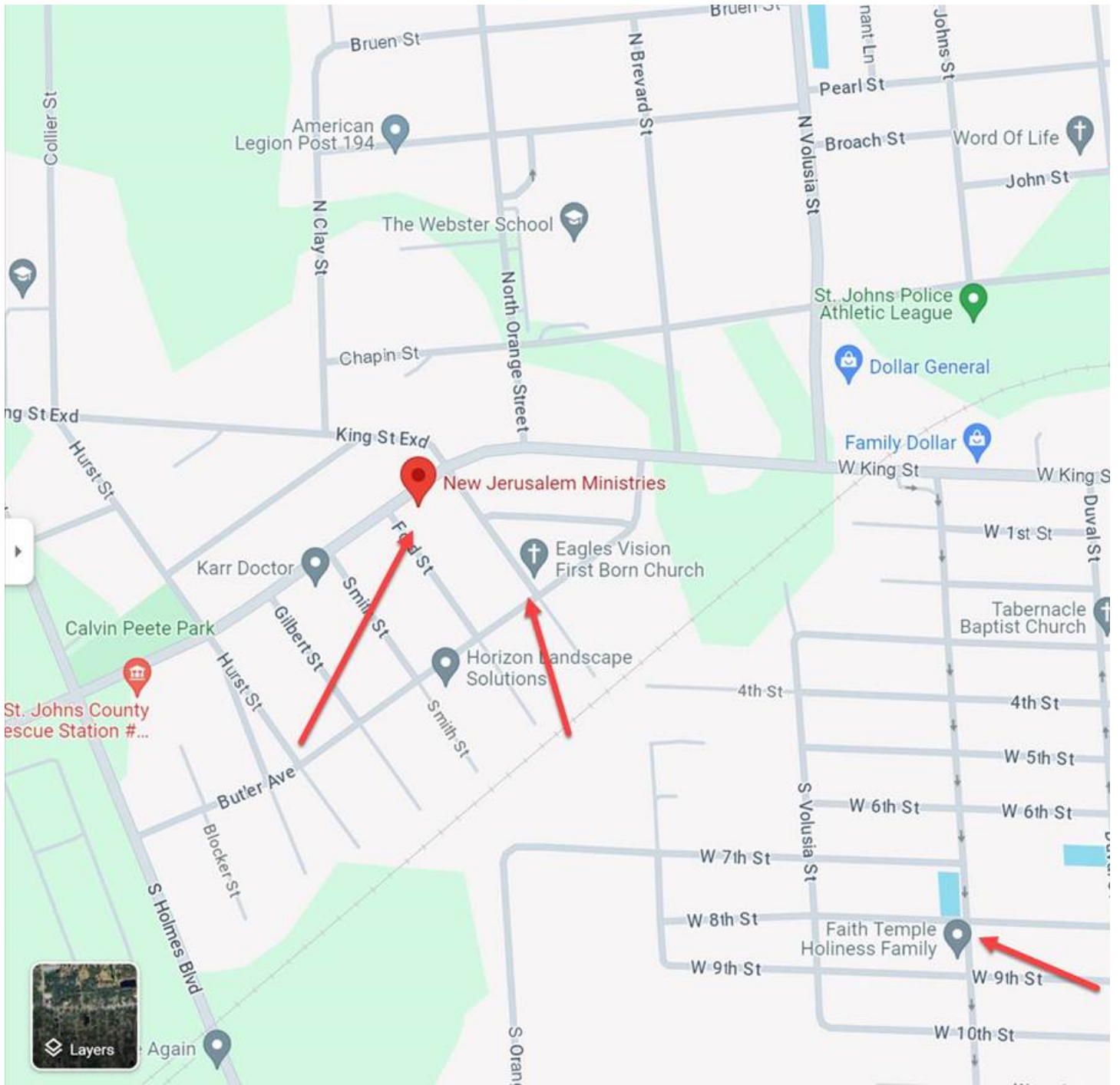
**Categories:** Opposition

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**From:** timd@comcast.net <timd@comcast.net>  
**Sent:** Sunday, December 24, 2023 11:18 AM  
**To:** FAXPLANDEPT <faxplandept@sjcfl.us>  
**Cc:** timd@comcast.net  
**Subject:** SUPMIN-2023000010

Hi, I oppose this, there are already a lot of churches in the area, below only shows the ones Google is aware of. It's on a blind curve and most probably a lot more traffic. This is a commercial overlay district, not a religious one. Merry Xmas

Tim Davis



**CAUTION:** This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you believe this message is fraudulent or malicious, please contact MIS for further assistance.