

4

**AGENDA ITEM
Planning & Zoning**

Meeting

1/18/2024

MEETING DATE

TO: Planning and Zoning Board Members

DATE: January 3, 2024

FROM: Trevor Steven, Planner

PHONE: 904 209-0587

SUBJECT OR TITLE: ZVAR 2023-17 920 Francis Street

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

PRESENTER: William Woinski, Jr

BACKGROUND INFORMATION:

Request for a Zoning Variance to Table 6.01 of the Land Development Code to allow for a reduced Side Yard setback of 1.3 feet in lieu of the eight (8) foot requirement in Residential, Single Family (RS-3) zoning to accommodate the placement of an existing detached Accessory Structure, located at 920 Francis Street.

SUGGESTED MOTION/RECOMMENDATION/ACTION:

APPROVE: Motion to approve ZVAR 2023-17 920 Francis Street, based on seven (7) conditions and five (5) findings of fact as provided in the Staff Report.

DENY: Motion to deny ZVAR 2023-17 920 Francis Street, based on four (4) findings as provided in the Staff Report.



Growth Management Department
Planning Division Report
Application for Zoning Variance
ZVAR 2023-17 920 Francis Street

To: Planning and Zoning Agency

From: Trevor Steven, Planner

Date: January 2, 2024

Subject: **ZVAR 2023-17 920 Francis Street**, a request for a Zoning Variance to Table 6.01 of the Land Development Code to allow for a reduced Side Yard setback of 1.3 feet in lieu of the eight (8) foot requirement in Residential, Single Family (RS-3) zoning to accommodate the placement of an existing detached Accessory Structure, located at 920 Francis Street.

Applicant: William Woinski, Jr.

Owner: William Woinski, Jr.

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

Commissioner District: District 3

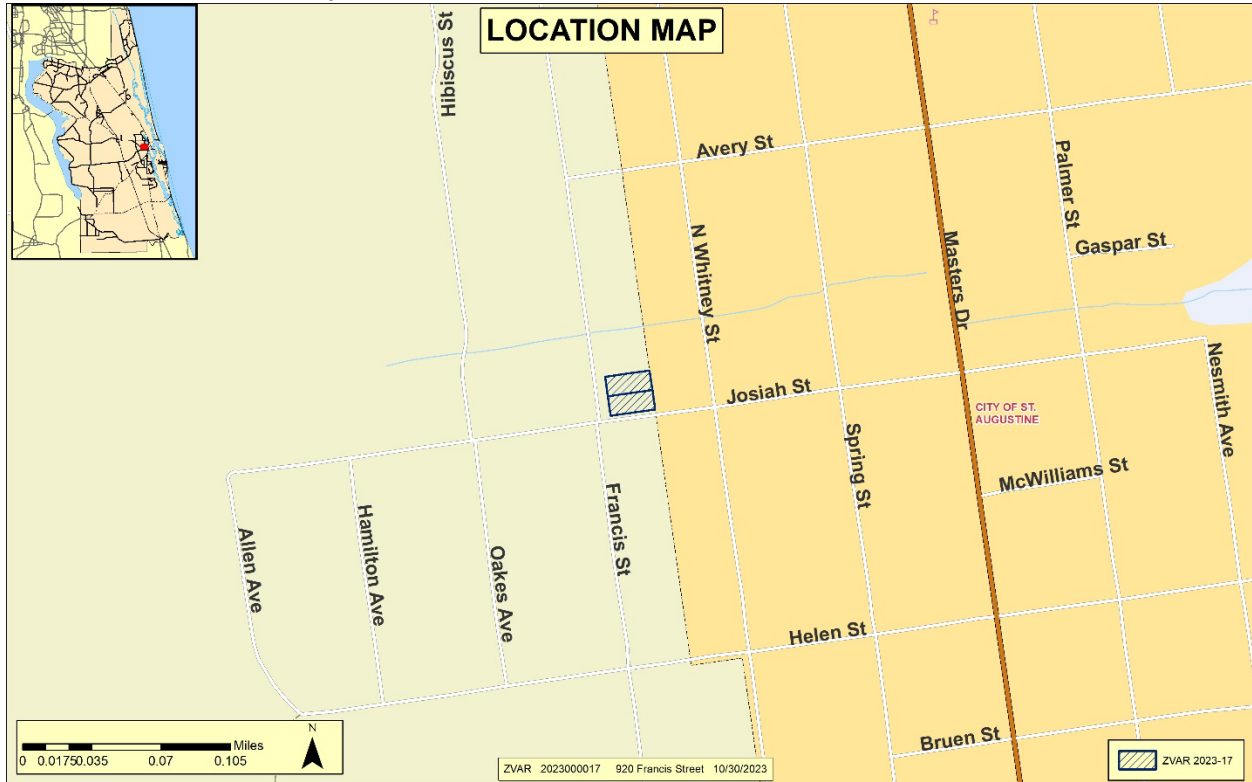
SUGGESTED MOTION/ACTION

APPROVE: Motion to approve **ZVAR 2023-17 920 Francis Street** based upon five (5) findings of fact and seven (7) conditions as provided in the Staff Report.

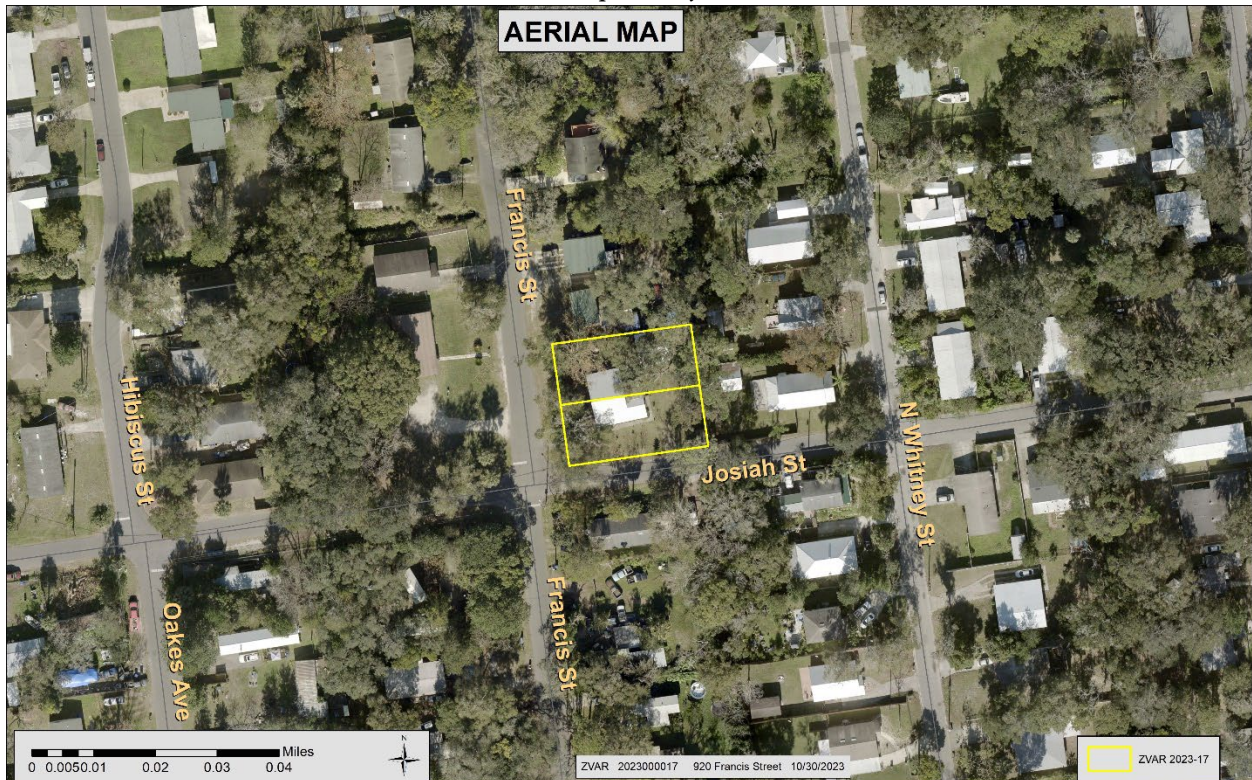
DENY: Motion to deny **ZVAR 2023-17 920 Francis Street** based upon four (4) findings of fact as provided in the Staff Report.

MAP SERIES

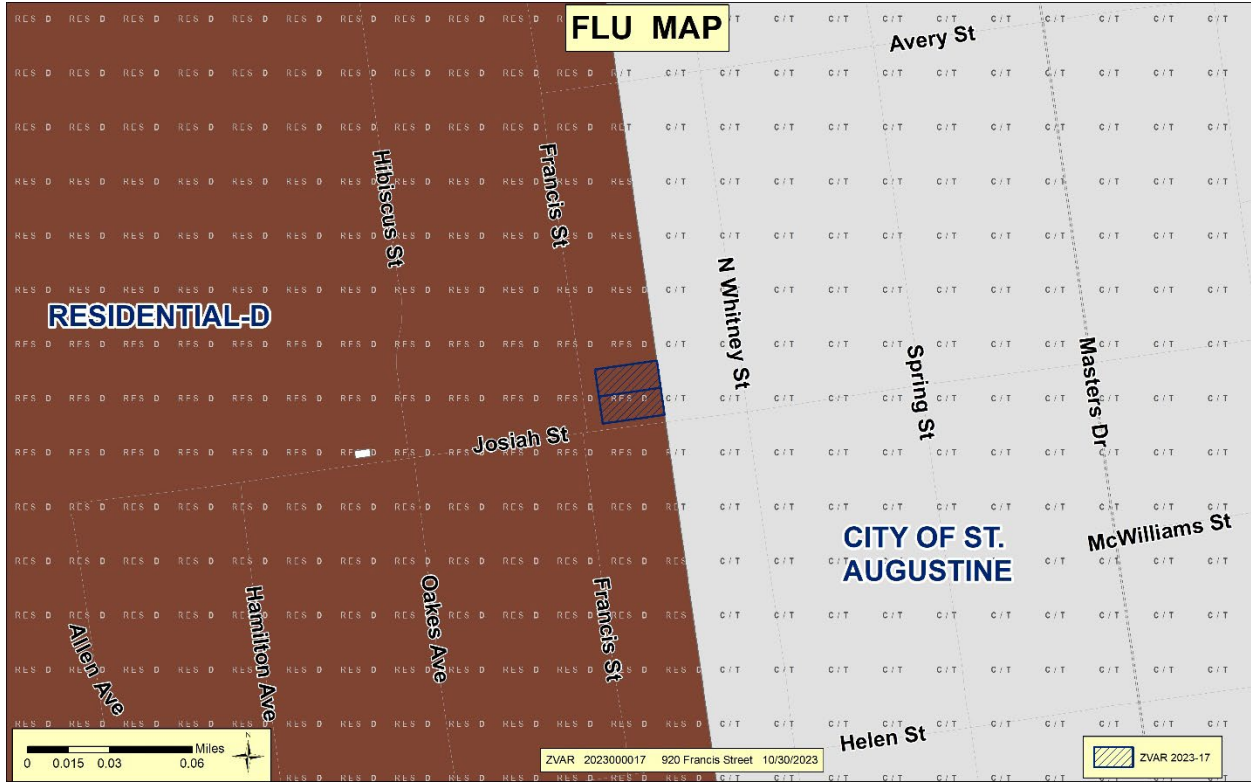
Location: The subject property is part of the Osceola Lakes platted subdivision, and is located on the northeast corner of Francis Street and Josiah Street.



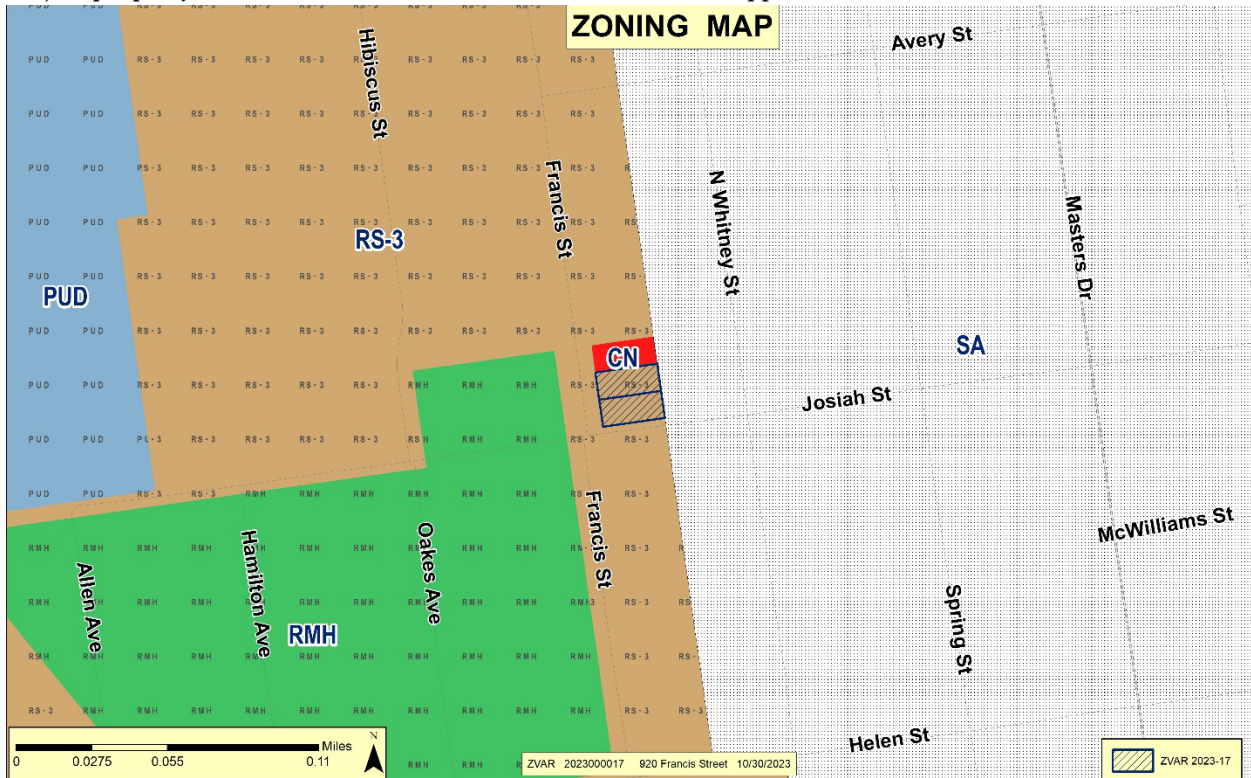
Aerial Imagery: The subject property is a corner lot with an existing single-family home and detached garage, both of which were built in the 1920s and 1950s, respectively.



Future Land Use: The subject property and surrounding properties are designated Residential-D (RES-D).



Zoning District: The subject property and adjacent property to the south are zoned Residential, Single Family (RS-3), while the property adjacent to the north is zoned Commercial, Neighborhood (CN). Properties in the vicinity include Planned Unit Development (PUD) and Residential, Manufactured/Mobile Home (RMH). The subject property was rezoned from CN to RS-3 in 2021 with an approval vote of 4-0.



APPLICABLE REGULATIONS

LDC, Section 10.04.02 Zoning Variances

The St. Johns County Planning and Zoning Agency (PZA) may grant Zoning Variances, which are found not to be contrary to the public interest and owing to special conditions, a literal enforcement of this Code will result in unnecessary and undue Hardship. The Planning and Zoning Agency may provide such conditions and safeguards as may be appropriate and in harmony with the purpose and intent of this Code as part of the Variance.

Article XII, Definitions

Variance, Zoning: Variance is a relaxation of the terms of this Code where; i) such Variance will not be contrary to the public interest, and where; ii) by reason of the exceptional narrowness, shallowness, or unusual shape of a specific piece of property, or by reason of exceptional topographic conditions, or other extraordinary situation or condition of such piece of property, or by reason of the Use or Development of property immediately adjoining the piece of property in question, iii) the literal enforcement of the requirements of this Code would cause undue hardship to carry out the spirit and purpose of this Code, and iv) the Variance would not be contrary to the spirit and purpose of this Code. In this context personal, family or financial difficulties, loss of prospective profits, neighboring violations, or hardships created by any act of the owner, are not considered hardships justifying a Variance.

Lot Frontage: The front of an interior Lot shall be construed to be the portion nearest the street. For the purpose of determining Yard requirements on corner Lots and through Lots, all sides of a Lot adjacent to street shall be considered frontage, and Yards shall be provided as set out in this Code.

Yard: A required open space other than a court unoccupied and unobstructed by a Structure or portion of a Structure from thirty (30) inches above the general ground level of the graded Lot upward; provided, however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any Yard subject to height limitations and requirements limiting obstruction of visibility.

Yard, Front: A required Yard extending between Side Lot lines across the front of a Lot adjoining a public or private street.

LDC Section 6.01.03.E. Lot Yards; Methods of Measurement; Special Requirements (in part)

3. Front Yards on Corner Lots

Front Yards on Corner Lots shall be construed as extending across the Lot from each interior side Lot line to the opposite Street Line. Corner Lots are considered to have two (2) Front Yards. The required Front Yard of the second frontage may be reduced by twenty percent (20%). In Subdivisions where non-conforming Lots exist, the second frontage may be reduced by forty percent (40%), provided the residence is constructed on one (1) Lot only.

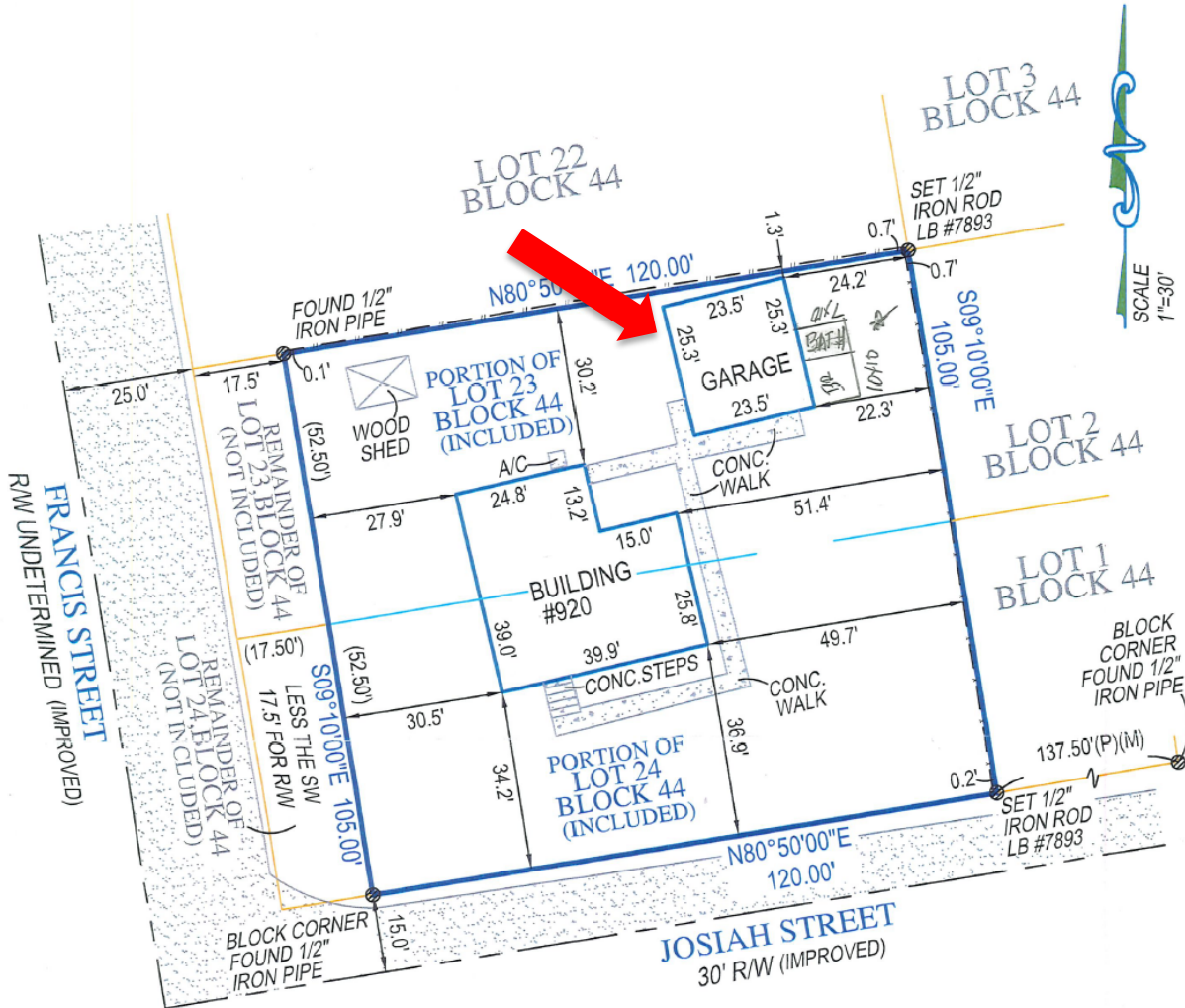
7. Interior Yards on Corner Lots

On Corner Lots, the Side Yard is the Yard along any Interior Lot line which intersects with a Street Lot line. When a Corner Lot has four (4) sides, the two (2) sides not adjacent to the Streets are both Side Yards and the Lot has no Rear Yard.

APPLICATION SUMMARY

The applicant is requesting a Zoning Variance to Table 6.01 of the Land Development Code to allow for a reduced Side Yard setback of 1.3 feet in lieu of the eight (8) foot requirement in Residential, Single Family (RS-3) zoning to accommodate the renovation and conversion of an existing detached Accessory Structure, which is being used as a garage, into an Accessory Family Unit (AFU). The applicant’s Narrative application is provided in full within **Attachment 1 Supporting Documents**.

Proposed Site Plan:



The above-proposed site plan, provided by the applicant, depicts the location and layout of the existing garage. The full site plan is included 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:

Pursuant to Section 10.04.02 of the Land Development Code, the St. Johns County Planning and Zoning Agency (PZA) may grant Zoning Variances, which are found not to be contrary to the public interest and owing to special conditions, a literal enforcement of this Code will result in unnecessary and undue Hardship.

The Planning and Zoning Agency may provide such conditions and safeguards as may be appropriate and in harmony with the purpose and intent of this Code as part of the Variance.

As defined in Article 12 of the LDC, a Variance is a relaxation of the terms of this Code where; i) such Variance will not be contrary to the public interest, and where; ii) by reason of the exceptional narrowness, shallowness, or unusual shape of a specific piece of property, or by reason of exceptional topographic conditions, or other extraordinary situation or condition of such piece of property, or by reason of the Use or Development of property immediately adjoining the piece of property in question, iii) the literal enforcement of the requirements of this Code would cause undue hardship to carry out the spirit and purpose of this Code, and iv) the Variance would not be contrary to the spirit and purpose of this Code. In this context personal, family or financial difficulties, loss of prospective profits, neighboring violations, or hardships created by any act of the owner, are not considered hardships justifying a Variance.

The Applicant bears the burden of demonstrating by competent substantial evidence that there exists a special condition or unique circumstance of the property such that the literal application of the Land Development Code constitutes a hardship. The Agency may consider the quality (character convincing power, probative value or weight) of the evidence and testimony in the Staff report as well as by Staff, evidence and testimony produced by the applicant, and of the evidence and testimony produced by public comment, as well as any other evidence presented or disclosed during the hearing.

The Agency may grant such relief to the extent only necessary to alleviate the hardship. If the evidence presented does not warrant the full relief requested, the Agency may grant only a portion of the relief. The Agency may attach additional reasonable conditions to further mitigate the effect of the requested relief along with corresponding findings.

The approval requested within this application is limited to the requested relief from the specific provisions of the Land Development Code. Approval of this request shall not operate as approval or waiver of any other provision of the Land Development Code or Comprehensive Plan. Representations and depictions within application materials shall assist Staff in the interpretation of the requested relief but shall not operate as approval of, or as a determination of compliance with, any other provision of the Land Development Code or Comprehensive Plan.

Please be advised that, pursuant to Section 10.04.02.A of the LDC, the Planning and Zoning Agency may grant a variance that is less than the full requested variance to the extent that a hardship no longer exists. Additionally, the Planning and Zoning Agency may impose reasonable additional conditions in order to mitigate for the harm caused by the granting of the variance.

Technical Division Review:

In the case that the Zoning Variance is approved by the Planning and Zoning Agency, 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.

Planning and Zoning Division Review:

The subject property is zoned Residential, Single Family (RS-3) and is considered to be a Corner Lot with two (2) Front Yards and two (2) Side Yards.

Table 6.01 (LDC)

SCHEDULE OF AREA, HEIGHT, BULK AND PLACEMENT STANDARDS							
Zoning District	Minimum Lot Widths	Minimum Lot Area	Maximum Lot Coverage by All Buildings	Floor Area Ratio	Impervious Surface Ratio	Min. Yard Req. Front/Side/Rear	Maximum Height of Structures
RS-3	75 feet	7,500 square feet	35%	N/A	70%	25/8/10 feet	35 feet

The subject property is comprised of two platted lots, and collectively are approximately 52.5 feet by 120 feet in size, with an overall size of 12,600 square feet. Many of the other lots platted in the Osceola Acres subdivision also share similar lot width, but have more depth with 137.5 feet being fairly common.

The current detached garage structure was built many years ago, and pre-dates Land Development Code requirements. The applicant states that the structure is currently in disrepair, and wishes to renovate and convert it to viable living space in the form of an Accessory Family Unit (AFU). Should this Variance be approved, the applicant is aware that the AFU would be required to meet all permitting requirements under the Land Development Code during the renovation process. The applicant also states the property/structure was previously owned by the adjacent property to the north. The applicant's full Narrative can be found in **Application and Supporting Documents**.

Regarding drainage, the applicant states they plan to install gutters and downspouts on the front and rear eaves of the building to help mitigate drainage impacts, along with providing French drains if necessary. This would be confirmed upon the AFU permit submittal and review.

In the submittal documents, the applicant provided the following responses to the Variance criteria outlined in LDC Article 12:

- i) **Such Variance will not be contrary to the public interest**
 - When we filed for our application for a variance we had and still do have every intention of complying with all that is put forth in the code.
- ii) **by reason of the exceptional narrowness, shallowness, or unusual shape of a specific piece of property, or by reason of exceptional topographic conditions, or other extraordinary situation or condition of such piece of property, or by reason of the Use or Development of property immediately adjoining the piece of property in question,**
 - Our intention is not to infringe on any issues with any adjoining properties and that we will comply with the spirit of the code.
- iii) **the literal enforcement of the requirements of this Code would cause undue hardship to carry out the spirit and purpose of this Code, and**
 - Any hardship would be the nonconforming encroachment of property line with the adjoining property. The property to be remodeled into an AFU located at 920 Francis as built in the early 1950's and it was previously owned by the persons who owned 970 Francis Street, the adjacent property. Allegedly the zoning laws in the 1950's may not have been heavily regulated. *Staff notes St, Johns County adopted zoning in the 1970's.*

iv) **the Variance would not be contrary to the spirit and purpose of this Code**

- The context of this item of Article 12 are not pertinent to the application of this variance. The owner of the adjacent property has already stated there are no issues with our application for a variance to remodel the existing structure into an AFU.

Street view from the Property Appraiser (12/22/2022):



CORRESPONDENCE/PHONE CALLS

Staff has received one written letter of support from the directly affected neighbor bordering the subject property to the north. No other correspondence or phone calls regarding this request have been received as of the writing of this Staff Report.

ACTION

Staff offers five (5) findings of fact and seven (7) conditions to support a motion to approve or four (4) 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

ATTACHMENT 1
Application and
Supporting Documents



St. Johns County Growth Management Department

Application for: Variance

Date 05/26/2023 Property Tax ID No 1055900230

Project Name Variance 2023-06

Property Owner(s) Lauren, William, Diane Woinski Phone Number 772-410-7376

Address 920 Francis St. Fax Number NA

City St. Augustine State FL Zip Code 32084 e-mail savoybrown49@peoplepc.com

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

Applicant/Representative William Woinski Jr. Phone Number 772-410-7376

Address 920 Francis St. Fax Number NA

City St. Augustine State FL Zip Code 32084 e-mail savoybrown49@peoplepc.com

Property Location 920 Francis St. St. Augustine, FL 32084

Major Access Masters Drive Size of Property .330 Cleared Acres (if applicable)

Zoning Class RS3 No. of lots (if applicable) Overlay District (if applicable)

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

Present Use of Property Residential Proposed Bldg. S.F. 750 S.F.

Project Description (use separate sheet if necessary)

We would like to convert the detached standing garage into a living space. The garage is approximately 600square ft. Our plan is to increase the size of the structure by an additional 170 square feet. We are seeking a variance because the property does not meet code requirements,encroaching setbacks. The property and adjacent property to the north are in conflict with code requirements. The former property owner owned both properties and did not concern themselves with any restrictions and property lines. We are senior citizens. I experienced Leukemia in 2022 and we would feel more confident living adjacent to our daughter for any health or well being issues that may arise.

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:

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) William Woinski Jr.

19.50
REC: \$18.50 Doc: \$1267.00
After Recording Return to:
This Instrument Prepared by:
Marlene Lagasse (\$181,000.00)
ESTATE TITLE OF ST. AUGUSTINE, INC.
71 CARRERA STREET
ST AUGUSTINE, FL 32084
as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):
105590-0230
File No.: 61870

WARRANTY DEED

This Warranty Deed, Made the 25th day of April, 2018, by

EUSEBIO VILLADONIGA and MARIA D. L. VILLADONIGA, husband and wife, whose post office address is:

152 MARINE ST ST AUGUSTINE FL 32084

hereinafter called the "Grantor", to **LAUREN WOINSKI, single, WILLIAM WOINSKI JR. and , and DIANE WOINSKI, husband and wife, all as Joint Tenants With Full Rights of Survivorship - Not as Tenants in Common,**

whose post office address is:

920 FRANCIS ST ST AUGUSTINE FL 32084
hereinafter called the "Grantee".

WITNESSETH: That said Grantor, for and in consideration of the sum of **Ten Dollars and No Cents (\$10.00)** and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in **St Johns** County, Florida, to wit:

LOTS 23 AND 24, BLOCK 44, OSCEOLA ACRES, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN MAP BOOK 4, PAGE 30, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, EXCEPTING THEREFROM THAT PART CONVEYED TO ST. JOHNS COUNTY FOR ROAD RIGHT-OF-WAY PURPOSES BY DEED BOOK 230, PAGE 79, SAID PUBLIC RECORDS.

The property is not the homestead of the Grantor(s) under the laws and constitution of the state of Florida in that neither Grantor(s) or any member of the household of Grantor(s) reside thereon.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 2017, reservations, restrictions and easements of record, if any.

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON RECORD IN ST. JOHNS COUNTY, FLORIDA
WITNESS MY HAND AND OFFICIAL SEAL
THIS 24 DAY OF MAY 2023
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
BY: [Signature] D.C.



(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES

TWO SEPARATE DISINTERESTED WITNESSES REQUIRED

Witness Signature: Carol A Lagasse Eusebio Villadoniga
Printed Name: Carol A Lagasse EUSEBIO VILLADONIGA

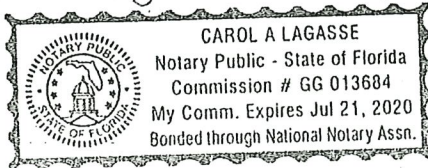
Witness Signature: Marlene Lagasse Maria D. L. Villadoniga
Printed Name: Marlene Lagasse MARIA D. L. VILLADONIGA

State of Florida

County of St Johns

The foregoing instrument was acknowledged before me this 24 day of April, 2018 by MARIA L. VILLADONIGA who is/are personally known to me or has/have produced driver license(s) as identification.

Carol A Lagasse
Notary Public Signature _____ My Commission Expires: _____
Printed Name: _____ (SEAL)

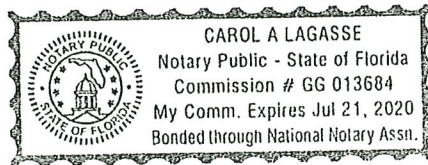


State of Florida

County of St Johns

The foregoing instrument was acknowledged before me this 24 day of April, 2018 by EUSEBIO VILLADONIGA who is/are personally known to me or has/have produced driver license(s) as identification.

Carol A Lagasse
Notary Public Signature _____ My Commission Expires: _____
Printed Name: _____ (SEAL)





Owner's Authorization Form

William Woinski Jr.

is hereby authorized TO ACT ON BEHALF OF

Lauren Woinski and Diane Woinski

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:

Variance

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 application for a Variance (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 of Lauren Woinski]

Print Name

Lauren Woinski

Signature of Owner

[Handwritten signature of Diane Woinski]

Print Name

Diane Woinski

Telephone Number

772-410-7127 & 772-410-7376

STATE OF FLORIDA COUNTY OF St. Johns Cnty

The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization, this 20th day of July, 2023, by Lauren Woinski and Diane Woinski as owners for

[Handwritten signature of Notary Public]

Notary Public, State of Florida

Name: Tristan Alexander Edwards

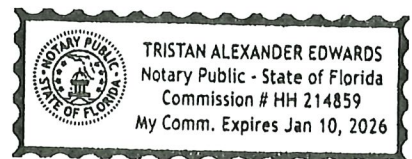
My Commission Expires: Jan 10, 2026

My Commission Number is: HH 214859

Personally Known OR Produced Identification FLDL

Type of Identification Produced FLDL

Revised August 30, 2011.



LAND DEVELOPMENT CODE

Article 12

- I. When we filed for our application for a variance we had and still do have every intention of complying with all that is put forth in the code.
- II. Our intention is not to infringe on any issues with any adjoining properties and that we will comply with the spirit of the code.
- III. Any hardship would be the nonconforming encroachment of property line with the adjoining property. The property to be remodeled into a AFU located at 920 Francis as built in the early 1950's and it was previously owned by the persons who owned 970 Francis st. the adjacent property. Allegedly the zoning laws in the 1950's may not have been heavily regulated.
- IV. The context of this item of Article 12 are not pertinent to the application of this variance. The owner of the adjacent property has already stated there are no issues with our application for a variance to remodel the existing structure into a AFU.

William Woinski

ATTACHMENT 2
DRAFT FINAL ORDERS
APPROVAL/DENIAL



ORDER
ST. JOHNS COUNTY, FLORIDA
PLANNING AND ZONING AGENCY

RE: William Woinski, Jr.
920 Francis Street
St. Augustine, FL 32084

FILE NUMBER: ZVAR 2023-17

LEGAL: Exhibit A

SITE PLAN: Exhibit B

PARCEL ID: 105590-0230

DATE OF HEARING: January 18th, 2024

ORDER GRANTING ZONING VARIANCE REQUEST

The above referenced application for a Zoning Variance to Table 6.01 of the Land Development Code to allow for a reduced Side Yard setback of 1.3 feet in lieu of the eight (8) foot requirement in Residential, Single Family (RS-3) zoning to accommodate the placement of an existing detached Accessory Structure, located specifically at 920 Francis Street, came before the Planning & Zoning Agency for public hearing on January 18, 2024.

FINDINGS OF FACT

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

1. The request for this Zoning Variance has been fully considered after public hearing with legal notice duly published as required by law.
2. The Variance request is in compliance with Article XII of the Land Development Code, defining a Zoning Variance. Substantial evidence has been submitted to support a special condition of the property, such that the literal enforcement of the code would produce a hardship as defined by the Code, or why denying the application would be contrary to the spirit and purpose of the Land Development Code.

3. The request is not contrary to the public interest and is not in conflict with surrounding development.
4. The request meets the criteria established by Section 10.04.02 of the Land Development Code.
5. The request is not in conflict with the Future Land Use Map designation of Residential-D.

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby grants the request for a Zoning Variance to Table 6.01 of the Land Development Code to allow for a reduced Side Yard setback of 1.3 feet in lieu of the eight (8) foot requirement in Residential, Single Family (RS-3) zoning to accommodate the placement of an existing detached Accessory Structure, subject to the following conditions:

1. The Variance will be transferable and will run with title to the property for the lifetime of the proposed structure.
2. Approval of the Variance does not release the project from compliance with all relevant requirements of the St. Johns County Land Development Code, Comprehensive Plan, or any other Agency having jurisdiction.
3. Approval is pursuant to site plan labeled as **Exhibit B**, submitted by applicant, and made a part of this application.
4. The Variance shall commence within one (1) year of the signing of the Final Order. Failure to commence within the prescribed time shall render the Order invalid and all rights granted herein shall become null and void. Commencement shall be defined as issuance of a Development Permit by the St. Johns County Operations Division.
5. The approval requested within this application is limited to the requested relief from the specific provisions of the Land Development Code. Approval of this request shall not operate as approval or waiver of any other provision of the Land Development Code or Comprehensive Plan. Representations and depictions within application materials shall assist Staff in the recommendation and interpretation of the requested relief but shall not operate as approval of, or as a determination of compliance with, any other provision of the Land Development Code or Comprehensive Plan.
6. 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.
7. The applicant, at the public hearing, has stated no objections to the proposed conditions.

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.

All applicable state or federal permits must be obtained before commencement of the development. Issuance of a development permit or development order by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

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

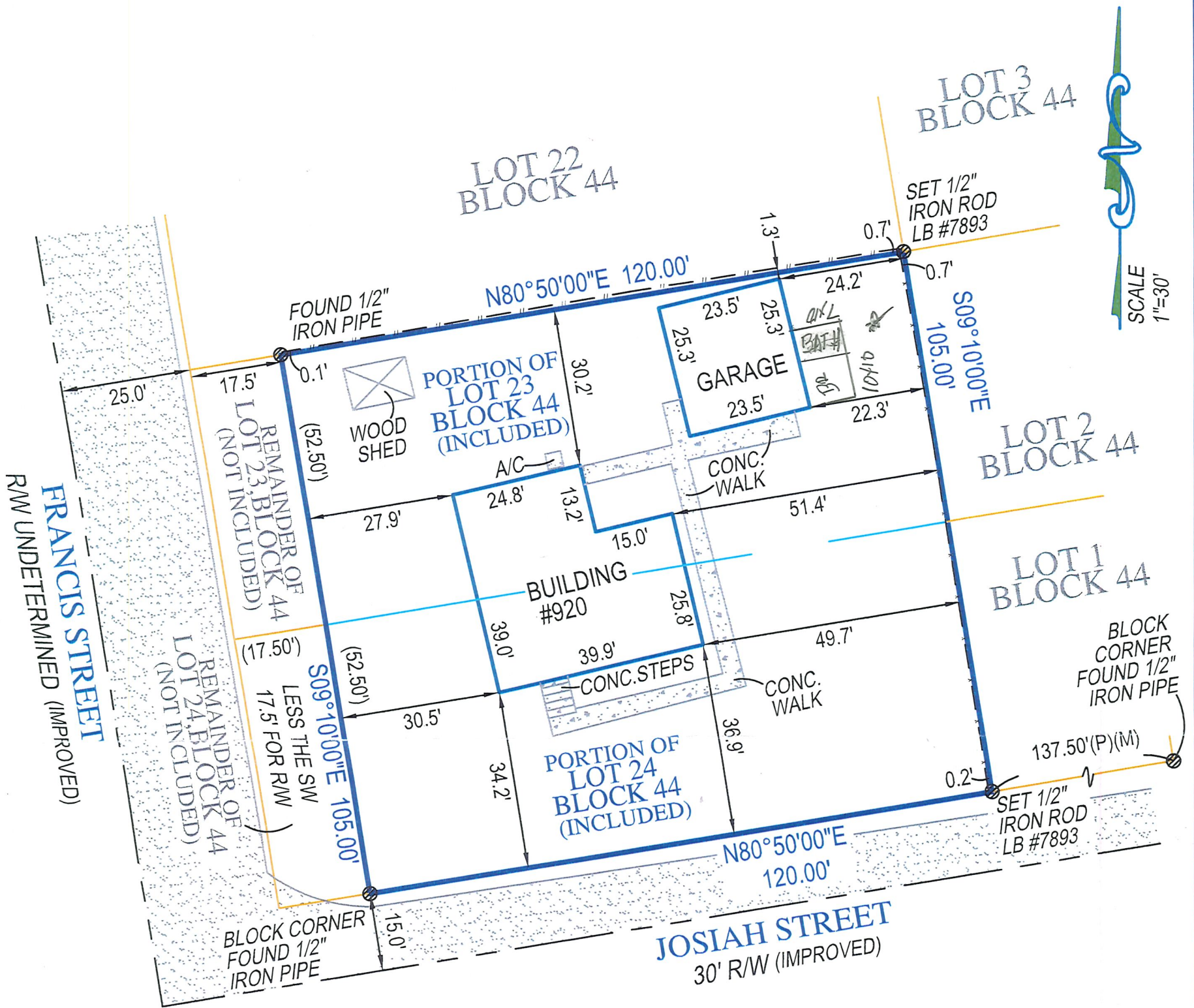
Date Filed

Exhibit "A"

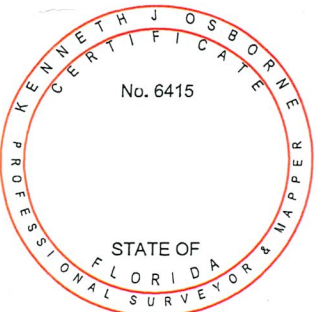
LOTS 23 AND 24, BLOCK 44, OSCEOLAACRES, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN MAP BOOK 4, PAGE 30, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, EXCEPTING THEREFROM THAT PART CONVEYED TO ST. JOHNS COUNTY FOR ROAD RIGHT-OFWAY PURPOSES BY DEED BOOK 230, PAGE 79, SAID PUBLIC RECORDS.

* Bedroom + Bathroom will be 10'x17' AND will be ADDED ON TO EXISTING STRUCTURE

BOUNDARY SURVEY



SURVEY NOTES
THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY.



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

Kenneth Osborne

(SIGNED) KENNETH J OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

Kenneth Osborne
Digitally signed by Kenneth Osborne
Date: 2021.02.09 15:19:26 -05'00'

PAGE 2 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 1)



TARGET SURVEYING, LLC

LB #7893

SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>



ORDER
ST. JOHNS COUNTY, FLORIDA
PLANNING AND ZONING AGENCY

RE: William Woinski, Jr.
920 Francis Street
St. Augustine, FL 32084

FILE NUMBER: ZVAR 2023-17

LEGAL: Exhibit A

SITE PLAN: Exhibit B

PARCEL ID: 105590-0230

DATE OF HEARING: January 18th, 2024

ORDER DENYING SPECIAL USE APPROVAL

The above referenced application for a Zoning Variance to Table 6.01 of the Land Development Code to allow for a reduced Side Yard setback of 1.3 feet in lieu of the eight (8) foot requirement in Residential, Single Family (RS-3) zoning to accommodate the placement of an existing detached Accessory Structure, located specifically at 920 Francis Street, came before the Planning & Zoning Agency for public hearing on January 18, 2024.

FINDINGS OF FACT

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

1. The Variance is not in compliance with Article XII of the Land Development Code, defining a Zoning Variance. Substantial evidence has not been submitted to support a hardship as defined by the Code.
2. The request is contrary to the public interest and is in conflict with surrounding development.
3. The request does not meet the criteria established by Section 10.04.02 of the Land Development Code.
4. The request is in conflict with the Future Land Use Map designation of Residential-D.

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby denies the Zoning Variance to Table 6.01 of the Land Development Code to allow for a reduced Side Yard setback of 1.3 feet in lieu of the eight (8) foot requirement in Residential, Single Family (RS-3) zoning to accommodate the placement of an existing detached Accessory Structure.

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

Exhibit "A"

LOTS 23 AND 24, BLOCK 44, OSCEOLAACRES, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN MAP BOOK 4, PAGE 30, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, EXCEPTING THEREFROM THAT PART CONVEYED TO ST. JOHNS COUNTY FOR ROAD RIGHT-OFWAY PURPOSES BY DEED BOOK 230, PAGE 79, SAID PUBLIC RECORDS.

ATTACHMENT 3
CORRESPONDENCE

Dec. 29, 2023

To Whom it may concern,

Please be advised that I have no issues with the Bill Woinski rebuilding the garage. The structure does not impact our property in any way. He agrees to meet all requirements per the land code. I believe the approval of the variance is warranted.

Doral and
Parker

