

3

**AGENDA ITEM
Planning & Zoning**

Meeting

3/7/2024

MEETING DATE

TO: Planning and Zoning Board Members

DATE: February 16, 2024

FROM: Cynthia A. May, ASLA, Principal Planner

PHONE: 904 209-0591

SUBJECT OR TITLE: ZVAR 2024-02 Barnea Fence

AGENDA TYPE: Ex Parte Communication, Order, Business Item

PRESENTER: Neri Benjamin Barnea, Owner

BACKGROUND INFORMATION:

Request for a Zoning Variance to Section 2.02.04.B.12 of the Land Development Code to allow for a fence height of eight (8) feet in lieu of the four (4) foot maximum height requirement on the frontage of SR 13 N, specifically located at 12 State Road 13.

SUGGESTED MOTION/RECOMMENDATION/ACTION:

APPROVE: Motion to approve ZVAR 2024-02 Barnea Fence based upon five (5) findings of fact and seven (7) conditions as provided in the Staff Report.

DENY: Motion to deny ZVAR 2024-02 Barnea Fence based upon four (4) findings of fact as provided in the Staff Report.



Growth Management Department
Planning Division Report
Application for Zoning Variance
ZVAR 2024-02 Barnea Fence

To: Planning and Zoning Agency

From: Cynthia A. May, ASLA, Principal Planner

Date: February 20, 2024

Subject: **ZVAR 2024-02 Barnea Fence**, a request for a Zoning Variance to Section 2.02.04.B.12 of the Land Development Code to allow for a fence height of eight (8) feet in lieu of the four (4) foot maximum height requirement on the frontage of SR 13 North, specifically located at 12 State Road 13.

Applicant/Owner: Neri Benjamin Barnea

Hearing Date: Planning and Zoning Agency – March 7, 2024

Commissioner
District: District 1

SUGGESTED MOTION/ACTION

APPROVE: Motion to approve **ZVAR 2024-02 Barnea Fence** based upon five (5) findings of fact and seven (7) conditions as provided in the Staff Report.

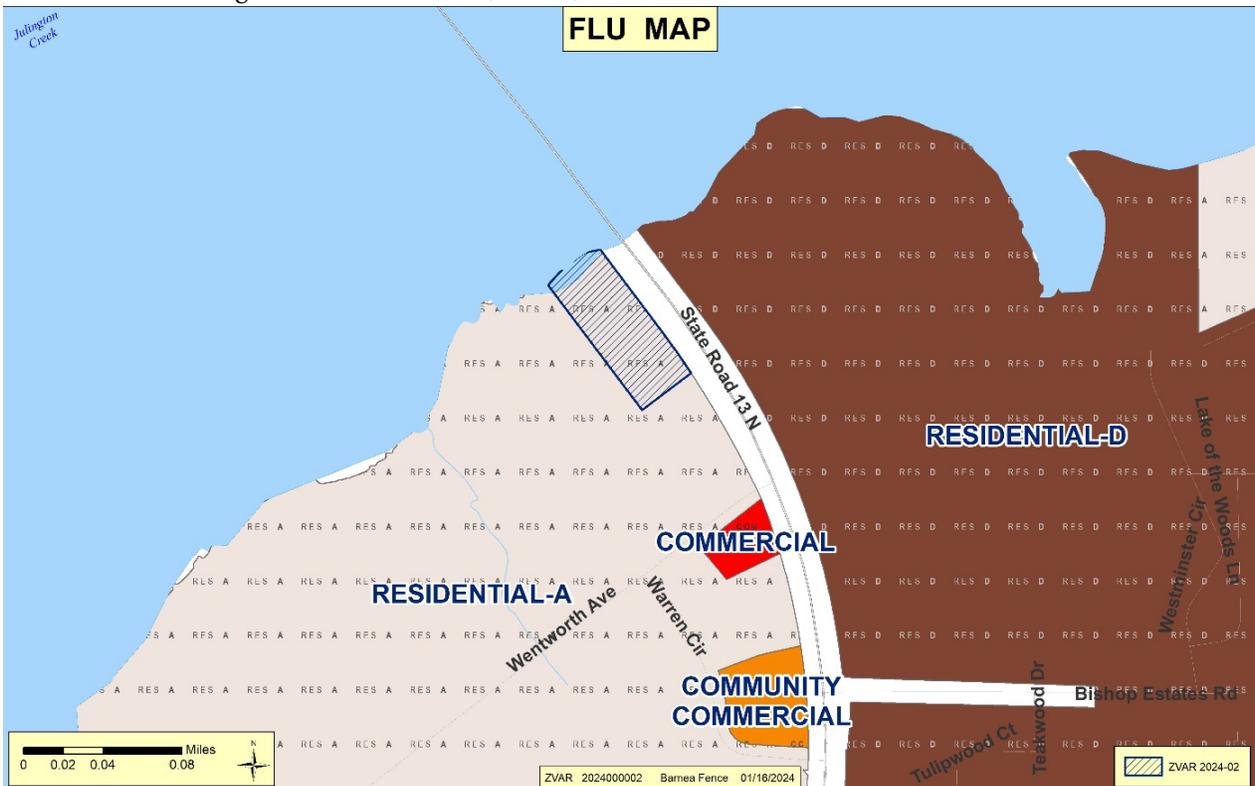
DENY: Motion to deny **ZVAR 2024-02 Barnea Fence** based upon four (4) findings of fact as provided in the Staff Report.

MAP SERIES

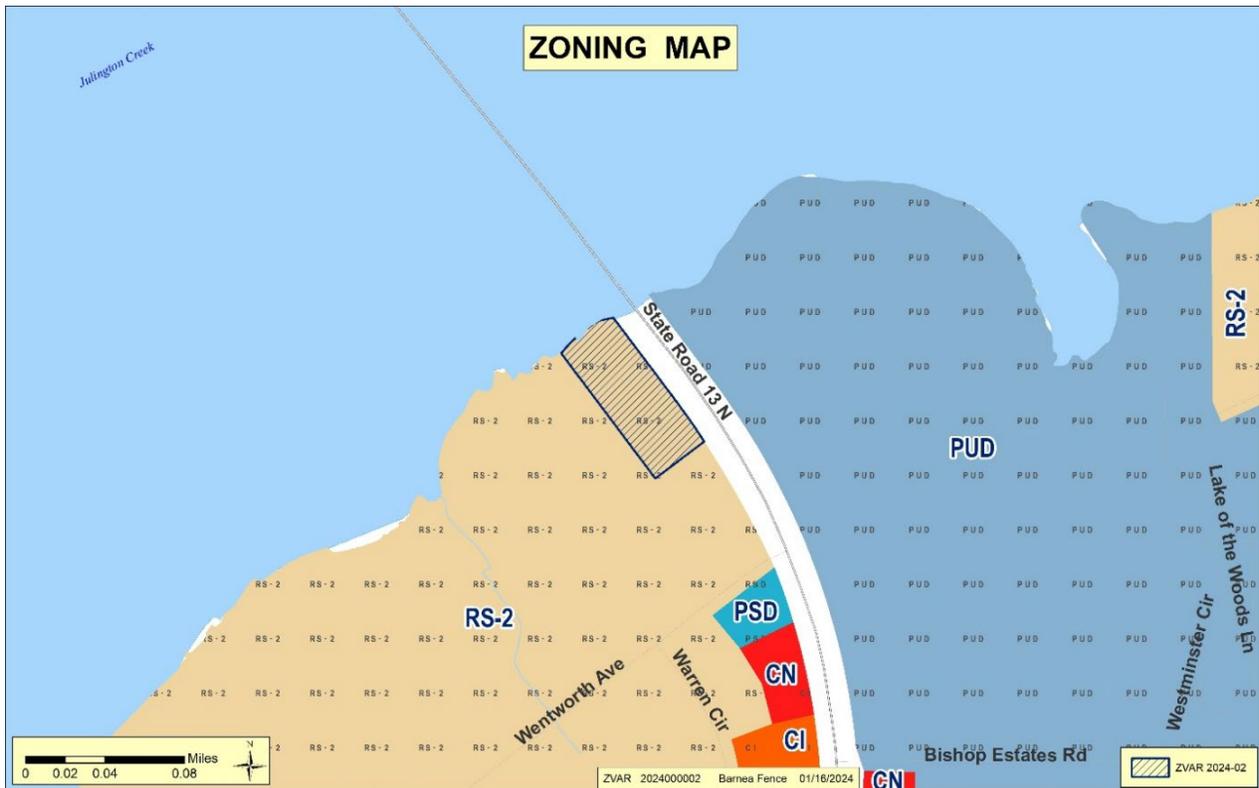
Location: The subject property is located on the west side of State Road 13 North in Fruit Cove at the southwestern base of the Julington Bridge. The site fronts SR 13 North and is located on Julington Creek.



Future Land Use: The subject property is designated Residential-A (RES-A) on the Future Land Use Map. Surrounding properties to the south and west are also designated RES-A. Properties directly east and across SR 13 North are designated Residential-D (RES-D).



Zoning District: The subject property is zoned Residential Single Family (RS-2), as are properties to the north, west and south. Property to the northeast across SR 13N is zoned PUD.



Aerial Imagery: The subject property has approximately 1.62 acres of land, and currently contains a single-family residential home built in the 1950s. The site also has outbuildings, a patio, inground pool, and an onsite well. Properties in the area consist of single family residential to the west and Westminster Woods to the east across SR 13 North. Further south on SR 13 North there are a mixture of commercial businesses.



APPLICABLE REGULATIONS

LDC, Section 2.02.04.B.12

b. Front Property Line: No fence, wall or hedge in excess of four (4) feet in height shall be allowed within twenty-five (25) feet of the front property line of residential districts, except:

(1) as may conflict with the Roadway, Drainage & Utilities Standards of this Code, as may be amended from time to time; or

(2) in the case of corner Lots, those with two (2) or more Front Yards, or through Lots, the maximum height of fence, wall or hedge may be six (6) feet within the second Front Yard, except within the visibility triangle at roadway intersections as described in Part 6.04.00 Roadway, Drainage & Utilities Standards; or

(3) that walls and combination of walls and berms, up to eight (8) feet in height, may be erected in Yards which abut Arterial or Major Collectors, as defined in this Code, and are projected by the County Administrator to be exposed to street noise levels that exceed 65 db provided that no access is provided to said arterial or collector and the fence is two and one-half (2-1/2) feet or less in height within the sight triangle described in Part 6.04.00 Roadway, Drainage & Utilities Standards; or

(4) that posts, columns, gates, lights, and other substantially similar features may not exceed the maximum fence height by two (2) feet.

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

Structure: Means a walled and roofed Building that is principally above ground, including screened enclosures, a Manufactured/Mobile Home, a gas or liquid storage tank, or other man-made facilities or infrastructures including, but not limited to, towers, smokestacks, utility poles, and overhead transmission lines.

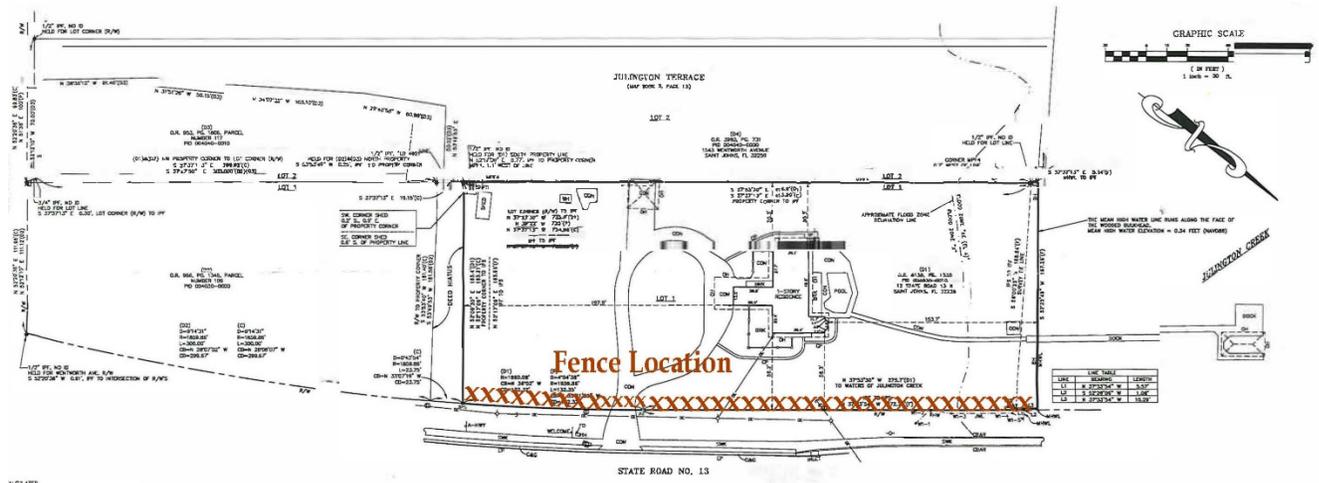
Variance, Zoning: Variance is a relaxation of the terms of this Code where;

- 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.

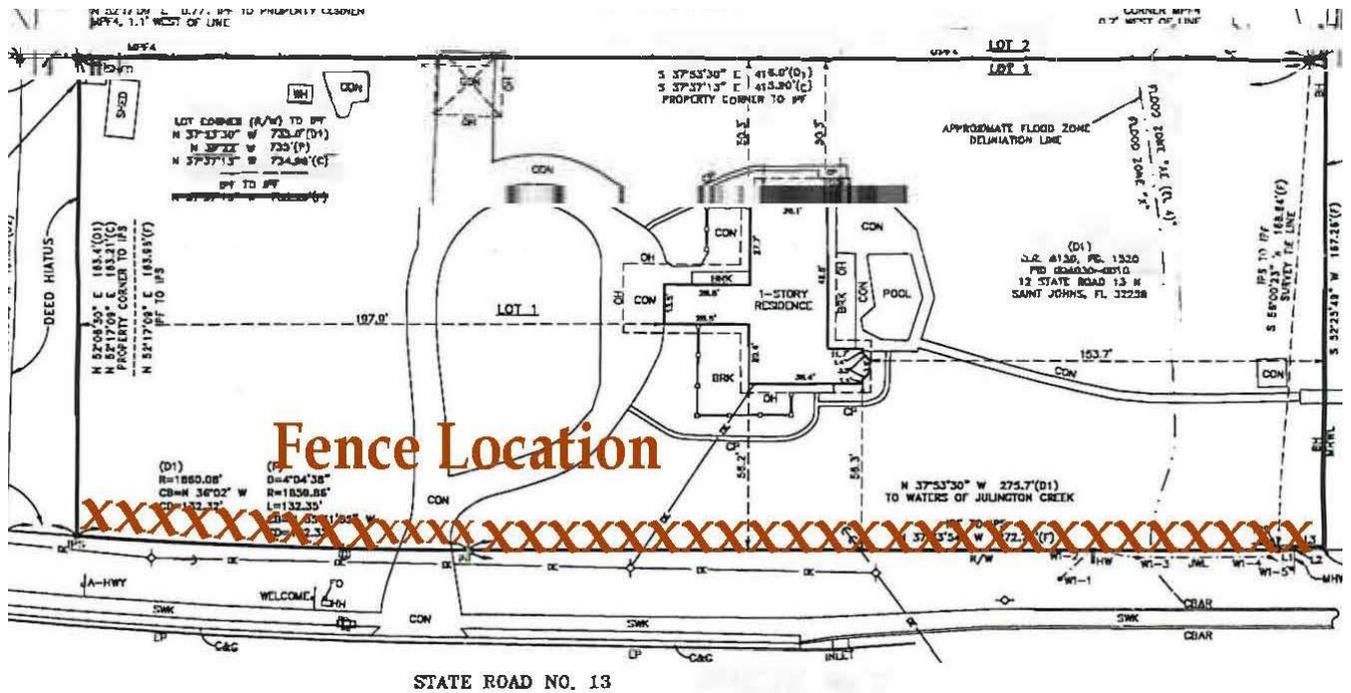
APPLICATION SUMMARY

The applicant is requesting a Variance to allow for construction of an eight (8) foot high wooden fence along their entire SR 13N property frontage, which is classified as a Minor Arterial Road in St. Johns County. The increased fence height is requested to ameliorate highway noise, improve security, and manage litter. The applicant's application and support letters are provided within **Attachment 1 Supporting Documents**.

Proposed Fence Location (behind and along the SR 13 North frontage):

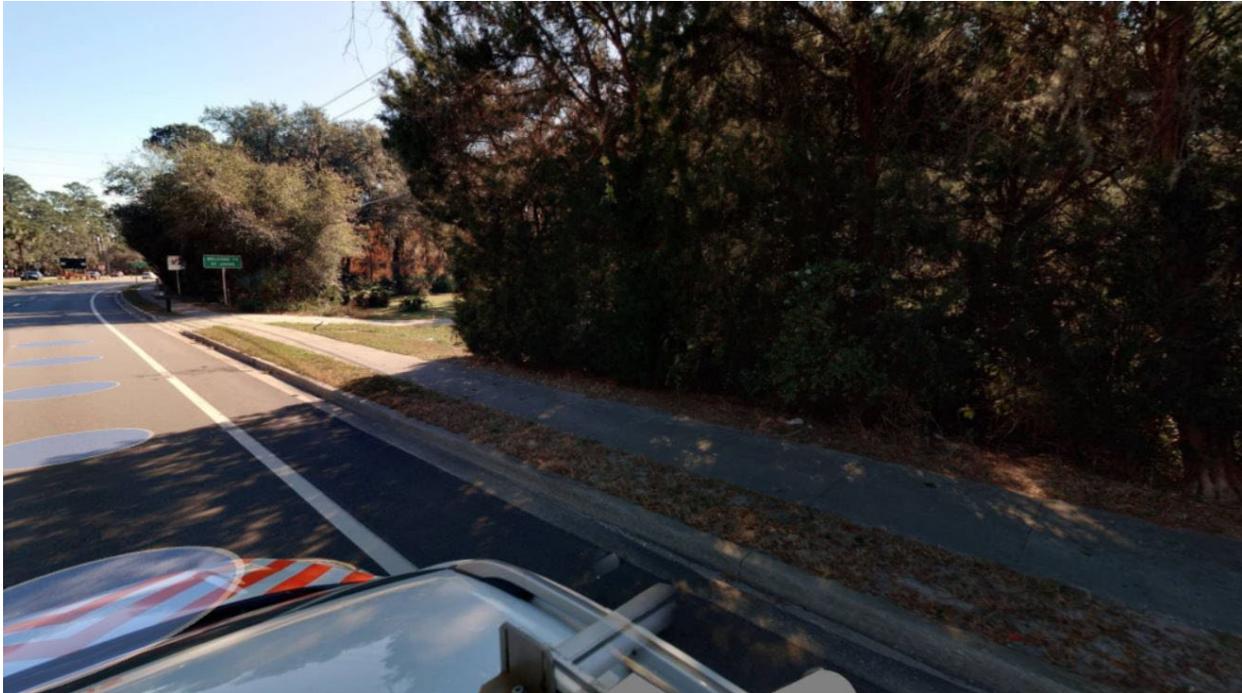


Enlarged Image of Site Plan:



The above survey shows the proposed location of the fence, to be set back behind the Right-of-Way of SR 13N. Existing vegetation grows within the public ROW, as shown in the photo below. The fence would be located behind the vegetation on the subject property.

Street View SR 13N toward subject property:



Views to SR 13N (from edge of the property and from on-site looking toward the road):



DEPARTMENTAL REVIEW

The Planning and Zoning Division routed this request to all appropriate reviewing departments. There are no open comments. Please note that the Applicant did not provide a separate Narrative responding to each of the Variance Criteria separately as listed in LDC Article XII, Definitions; however, they included their justifications for the increased fence height in the Application Project Description and subsequent email.

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.

The Technical Division requested the Applicant to reach out to FDOT regarding visibility in relation to the State Highway Right-of-Way, if an eight (8) foot fence were constructed. This item was on the FDOT Pre-app agenda on December 6, 2023, and the response received was that the FDOT does not have jurisdiction over fencing on private property if it does not impede or harm the safety of the traveling public. **(FDOT Agenda and response are included in Attachments.)**

Planning and Zoning Division Review:

The proposed Zoning Variance seeks approval for an eight (8) foot high fence to be constructed across the property frontage parallel to State Road 13N. LDC Section 2.02.04.B.12.b. requires that fences located within 25 feet of the Front Property Line be no higher than 4 feet. According to the Applicant, the fence would be set back approximately 40 feet from the roadway. The distance from the property line to the roadway is approximately 27 feet, so the fence would be located inside the property boundary. The highway is divided in this location, and the median precludes left turns from the driveway of the subject property. The FDOT has indicated that there are no safety issues related to the proposed eight-foot fence.

The Applicant stated that the hardship related to their property is its proximity to SR 13 North. The Applicant provided decibel meter readings of traffic noise ranging from 68 to 81 decibels on the day it was measured. The taller fence is requested to provide more protection from the roadway, which appears to sit at a higher elevation than the property, at approximately 4 to 6 feet according to the IMAF topographic layer. The Applicant expressed that a higher fence may block more of the trash that accumulates in their yard from the street and passing traffic (**Photos are provided in the Attachments**). The Applicant also states that the property's adjacency to the road provides opportunity for access and exposure to theft and vandalism. The Sheriff's Department recommended that the Applicant install a privacy fence and security cameras on site (**Sheriff's letter included in Attachments**).

According to LDC Section 2.20.04.B.12(3), "...walls and combination of walls and berms, up to eight (8) feet in height, may be erected in Yards which abut Arterial or Major Collectors, as defined in this Code, and are projected by the County Administrator to be exposed to street noise levels that exceed 65 db provided that no access is provided to said arterial or collector and the fence is two and one-half (2-1/2) feet or less in height within the sight triangle described in Part 6.04.00 Roadway, Drainage & Utilities Standards". With verification of the decibel levels, and confirmation of an unimpeded site triangle at the driveway entrance, the Applicant may have been eligible to have an eight-foot fence without seeking a Variance, except that their driveway access is provided to a Minor Arterial road. FDOT owns the parcel to the south, and unlike their neighbors to the west, the subject property does not have frontage on Wentworth Avenue.

Based on the information provided, the Application appears to satisfy the 4 criteria of a Zoning Variance listed in Section 12 of the LDC:

Variance, Zoning: Variance is a relaxation of the terms of this Code where;

- v) such Variance will not be contrary to the public interest, and where;
- vi) 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,
- vii) the literal enforcement of the requirements of this Code would cause undue hardship to carry out the spirit and purpose of this Code, and
- viii) 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.

CORRESPONDENCE/PHONE CALLS

As of the writing of this staff report, Staff has received no correspondence or phone calls regarding this request, with the exception of the email in support of the requested Variance from the neighbor to the west.

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

SUGGESTED MOTION / FINDINGS / CONDITIONS TO APPROVE REQUEST

Motion to approve ZVAR 2024-02 Barnea Fence, a request for a Zoning Variance to Section 2.02.04.B.12 of the Land Development Code to allow for a fence height of eight (8) feet in lieu of the four (4) foot maximum height requirement on the frontage of SR 13 N, specifically located at 12 State Road 13, subject to the following findings and conditions:

SUGGESTED FINDINGS

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-A.

SUGGESTED CONDITIONS

1. The Variance will be transferable and is limited only to the proposed eight (8) foot fence along the property's frontage of State Road 13 N. Should the property be conveyed, the requested relief will run with the property.
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. Development of the Fence shall be consistent with improvements depicted on the site plan labeled **Exhibit B** submitted by the applicant and made part of this Order.
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.
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.

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

SUGGESTED MOTION / FINDINGS TO DENY REQUEST

Motion to deny **ZVAR 2024-02 Barnea Fence**, request for a Zoning Variance to Section 2.02.04.B.12 of the Land Development Code to allow for a fence height of eight (8) feet in lieu of the four (4) foot maximum height requirement on the frontage of SR 13 N, specifically located at 12 State Road 13, subject to the following findings:

SUGGESTED FINDINGS

1. The Variance request 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 in 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-A.

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

ATTACHMENT 1
RECORDED DOCUMENTS SECTION

**BEGIN DOCUMENTS
TO BE RECORDED**



ORDER
ST. JOHNS COUNTY, FLORIDA
PLANNING AND ZONING AGENCY

RE: Neri Benjamin Barnea
12 State Road 13 N
St. Johns, FL 32259

FILE NUMBER: ZVAR 2024-02

LEGAL: Exhibit A

SITE PLAN: Exhibit B

PARCEL ID: 004030-0010

DATE OF HEARING: March 07, 2024

ORDER GRANTING ZONING VARIANCE REQUEST

The above referenced application for a Zoning Variance to Section 2.02.04.B.12 of the Land Development Code to allow for a fence height of eight (8) feet in lieu of the four (4) foot maximum height requirement on the frontage of SR 13 N, specifically located at 12 State Road 13, came before the Planning & Zoning Agency for public hearing on March 7, 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-A.

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby grants the request for a Zoning Variance to Section 2.02.04.B.12 of the Land Development Code to allow for a fence height of eight (8) feet in lieu of the four (4) foot maximum height requirement on the frontage of SR 13 N, specifically located at 12 State Road 13, subject to the following conditions:

1. The Variance will be transferable and is limited only to the proposed eight (8) foot fence along the property's frontage of State Road 13 N. Should the property be conveyed, the requested relief will run with the property.
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. Development of the Fence shall be consistent with improvements depicted on the site plan labeled **Exhibit B** submitted by the applicant and made part of this Order.
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.
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"

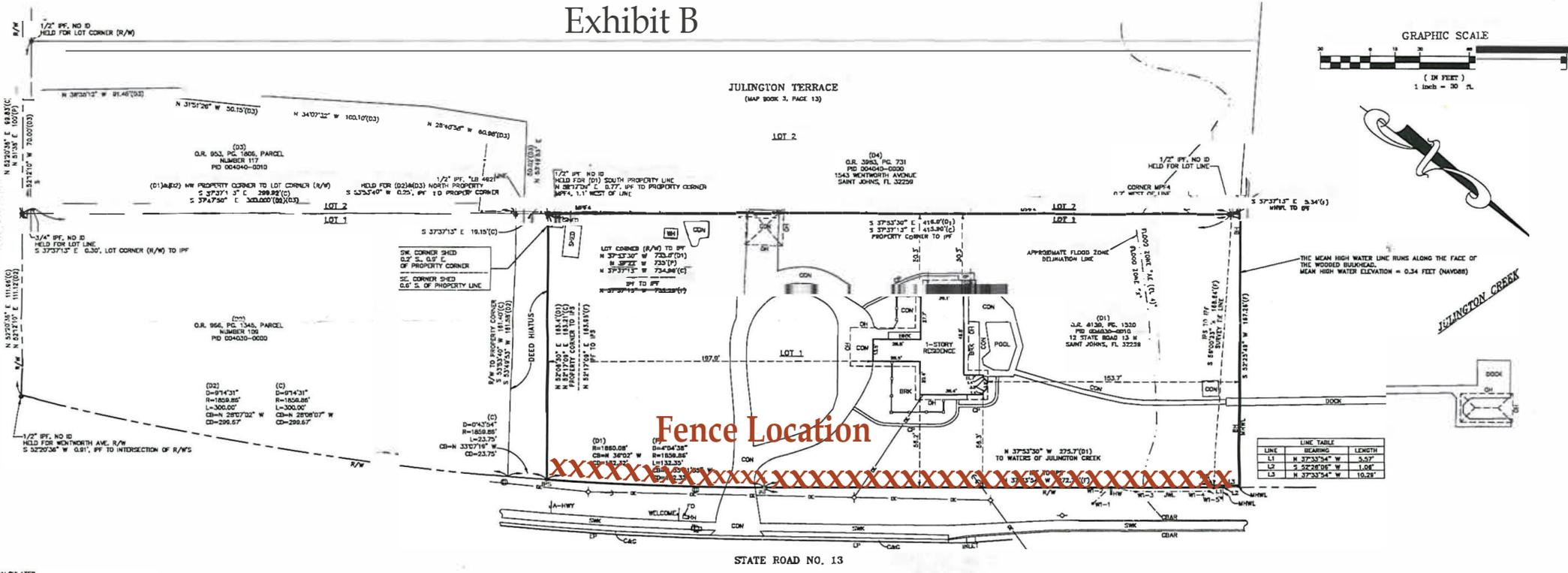
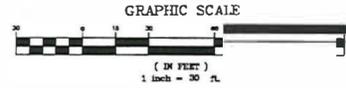
GOVERNMENT LOT 1, SECTION 30, TOWNSHIP 4 SOUTH, RANGE 27
EAST SAINT JOHNS COUNTY, FLORIDA

LEGAL DESCRIPTION

THE NORTH 408 FEET OF LOT 1, JULINGTON TERRACE, A SUBDIVISION OF PART OF GOVERNMENT LOT 1, SECTION 30, TOWNSHIP 4 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY MAP BOOK 6, PAGE 13, DEED BOOK 240, PAGE 509, BEING 170 FEET BY 408 FEET MORE OR LESS, INCLUDING AN ARTESIAN WELL. MORE PARTICULARLY DESCRIBED AS FOLLOWS: SURVEY OF A PART OF LOT 1, JULINGTON TERRACE, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 6, PAGE 13, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT AN IRON THAT IS AT THE INTERSECTION OF THE LINE BETWEEN LOTS 1 AND 2 OF SAID JULINGTON TERRACE AND THE WATERS OF JULINGTON CREEK, SAID IRON BEING NORTH 37 DEGREES 53 MINUTES 30 SECONDS WEST, 735.0 FEET FROM THE MOST SOUTHERLY CORNER OF SAID LOT 1 AS MEASURED ALONG THE LINE BETWEEN SAID LOTS 1 AND 2; THENCE SOUTH 37 DEGREES 53 MINUTES 30 SECONDS EAST, 416.0 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1; THEN NORTH 52 DEGREES 06 MINUTES 30 SECONDS EAST, 163.7 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 13; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE AND BEING ALONG A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 1860.08 FEET A CHORD BEARING AND DISTANCE OF NORTH 36 DEGREES 02 MINUTES WEST, 132.32 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY NORTH 37 DEGREES 53 MINUTES 30 SECONDS WEST, 275.7 FEET TO AN IRON AT THE WATERS OF SAID JULINGTON CREEK; THENCE SOUTHWESTERLY DOWN SAID JULINGTON CREEK 170.0 FEET MORE OR LESS TO THE POINT OF BEGINNING.

Exhibit B

JULINGTON TERRACE
(MAP BOOK 3, PAGE 13)



LINE	BEARING	LENGTH
L1	N 37°33'24\" W	3.57'
L2	S 32°28'08\" W	1.08'
L3	N 37°33'24\" W	10.28'

STATE ROAD NO. 13

UNCALCULATED



ORDER
ST. JOHNS COUNTY, FLORIDA
PLANNING AND ZONING AGENCY

RE: Neri Benjamin Barnea
12 State Road 13 N
St. Johns, FL 32259

FILE NUMBER: ZVAR 2024-02

LEGAL: Exhibit A

PARCEL ID: 004030-0010

DATE OF HEARING: March 7, 2024

ORDER DENYING ZONING VARIANCE REQUEST

The above referenced application for a Zoning Variance to Section 2.02.04.B.12 of the Land Development Code to allow for a fence height of eight (8) feet in lieu of the four (4) foot maximum height requirement on the frontage of SR 13 N, specifically located at 12 State Road 13, came before the Planning & Zoning Agency for public hearing on March 7, 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 request 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 in 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-A.

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby denies the Zoning Variance to Section 2.02.04.B.12 of the Land Development Code to allow for a fence height of eight (8) feet in lieu of the four (4) foot maximum height requirement on the frontage of SR 13 N, specifically located at 12 State Road 13.

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"

GOVERNEMENT LOT 1, SECTION 30, TOWNSHIP 4 SOUTH, RANGE 27
EAST SAINT JOHNS COUNTY, FLORIDA

LEGAL DESCRIPTION

THE NORTH 408 FEET OF LOT 1, JULINGTON TERRACE, A SUBDIVISION OF PART OF GOVERNMENT LOT 1, SECTION 30, TOWNSHIP 4 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY MAP BOOK 6, PAGE 13, DEED BOOK 240, PAGE 509, BEING 170 FEET BY 408 FEET MORE OR LESS, INCLUDING AN ARTESIAN WELL. MORE PARTICULARLY DESCRIBED AS FOLLOWS: SURVEY OF A PART OF LOT 1, JULINGTON TERRACE, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 6, PAGE 13, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT AN IRON THAT IS AT THE INTERSECTION OF THE LINE BETWEEN LOTS 1 AND 2 OF SAID JULINGTON TERRACE AND THE WATERS OF JULINGTON CREEK, SAID IRON BEING NORTH 37 DEGREES 53 MINUTES 30 SECONDS WEST, 735.0 FEET FROM THE MOST SOUTHERLY CORNER OF SAID LOT 1 AS MEASURED ALONG THE LINE BETWEEN SAID LOTS 1 AND 2; THENCE SOUTH 37 DEGREES 53 MINUTES 30 SECONDS EAST, 416.0 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1; THEN NORTH 52 DEGREES 06 MINUTES 30 SECONDS EAST, 163.7 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 13; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE AND BEING ALONG A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 1860.08 FEET A CHORD BEARING AND DISTANCE OF NORTH 36 DEGREES 02 MINUTES WEST, 132.32 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY NORTH 37 DEGREES 53 MINUTES 30 SECONDS WEST, 275.7 FEET TO AN IRON AT THE WATERS OF SAID JULINGTON CREEK; THENCE SOUTHWESTERLY DOWN SAID JULINGTON CREEK 170.0 FEET MORE OR LESS TO THE POINT OF BEGINNING.

**END DOCUMENTS
TO BE RECORDED**

ATTACHMENT 2
APPLICATION AND SUPPORTING
MATERIALS



St. Johns County Growth Management Department

Application for: Zoning Variance

Date 12-28-23 Property Tax ID No 0040300010

Project Name FENCE HEIGHT VARIANCE

Property Owner(s) N. B. BARNEA Phone Number 954-5015015

Address 10265 VESTAL MANOR Fax Number -

City CORAL SPRINGS State FL Zip Code 33071 e-mail DRNBB@AOL.COM

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

Applicant/Representative _____ Phone Number _____

Address _____ Fax Number _____

City _____ State _____ Zip Code _____ e-mail _____

Property Location 12-STATE ROAD - 13N

Major Access SR-13 Size of Property 1.62 ACRES Cleared Acres (if applicable) _____

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

Water & Sewer Provider WELL + SEPTIC ON SITE Future Land Use Designation _____

Present Use of Property RESIDENTIAL Proposed Bldg. S.F. _____

Project Description (use separate sheet if necessary)

REQUESTING HEIGHT VARIANCE ADJACENT TO SR-13 FOR A FENCE. 8FT.
- HIGH TRAFFIC NOISE FROM 68 TO 81 DECIBELS
- ROADWAY (SR-13) IS 4 FEET ABOVE MY PROPERTY PER IMAP. (SEE PHOTOS)
- SECURITY: SEE REPORT FROM SHERIFF'S OFFICE
- CONSTANT TRASH FROM SR-13 BLOWN ONTO MY PROPERTY

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 [Signature]

Printed or typed name(s) NERI BENJAMIN BARNEA

From: [DR. BENJAMIN BARNEA](#)
To: [Cynthia May](#)
Subject: Re:Barnea Fence
Date: Wednesday, February 21, 2024 10:58:22 AM
Attachments: [image001.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

GM

The 8 foot fence will be wooden to run the entire length of my property parallel to SR 13 and placed on my property 40 feet from the roadway. It will have a 20 foot wide gate across my driveway also 40 feet from the roadway and turning inwards towards my property.

The fence variance request is based on the following:

1- high traffic roadway [SR13] causing constant high noise levels of 68 to 81 decibels. [see decibel meter photos]

2- SR 13 is 2 to 6 feet above my property verified by I-MAP. [see photos]

3- trespassing and break-ins by homeless and squatters necessitating police intervention for safety. Also theft of boat trailer. [see police reports and recommendation]

4- constant trash and debris blow onto my property by passing high speed vehicles. [see photos]

Please add this EMAIL to my file.

Respectfully
N B Barnea

On Wednesday, February 21, 2024 at 09:25:29 AM EST, Cynthia May <cmay@sjcfl.us> wrote:

Good Morning Mr. Barnea,

Please let me know if you intend to have a gate on your fence. I'm finalizing the staff report today and realized that I don't have that information. Also, if you can let me know what materials you intend to use for the fence, that would also be helpful.

Best regards,

Cynthia May



Cynthia A. May, ASLA

Principal Planner

Growth Management Department

Planning and Zoning

St. Johns County Board of County Commissioners

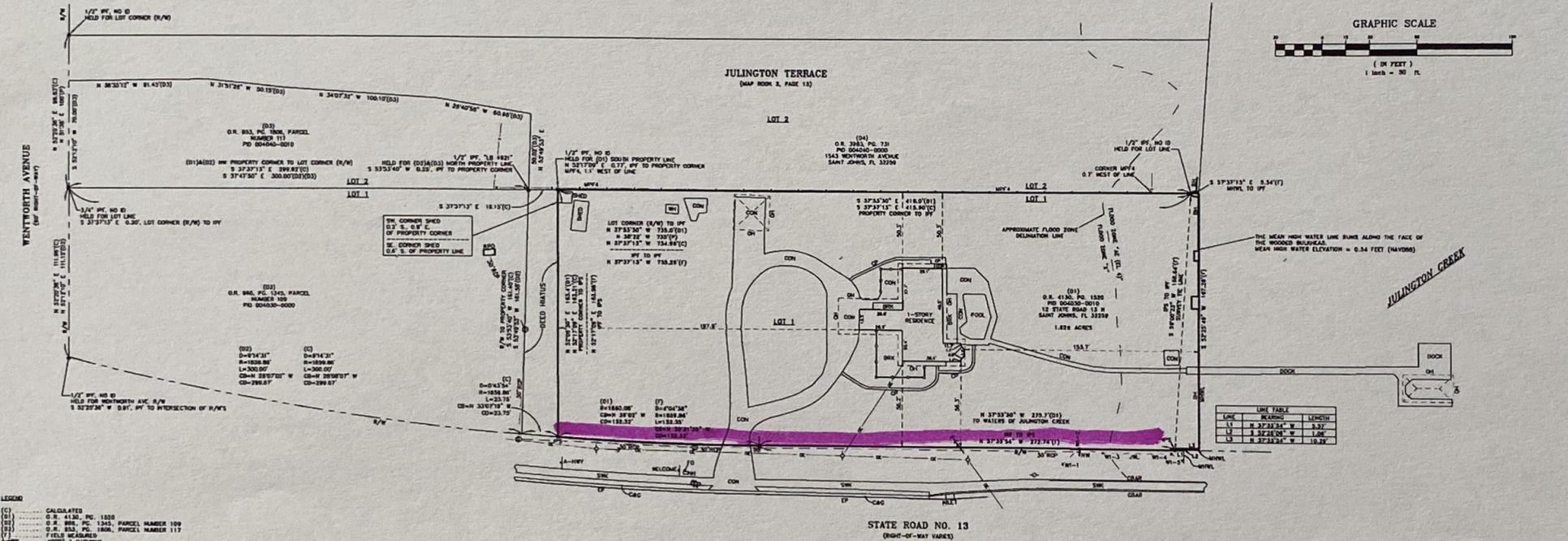
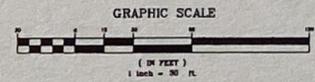
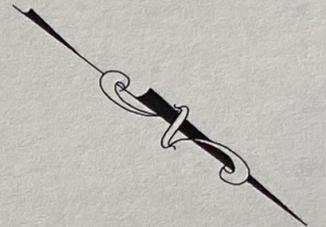
4040 Lewis Speedway, St. Augustine FL 32084

904.209.0591 | www.sjcfl.us

A MAP SHOWING A BOUNDARY SURVEY
 LYING IN
 GOVERNMENT LOT 1, SECTION 30, TOWNSHIP 4 SOUTH, RANGE 27 EAST
 SAINT JOHNS COUNTY, FLORIDA

DESCRIPTION

THE NORTH 400 FEET OF LOT 1, JULINGTON TERRACE, A SUBDIVISION OF PART OF GOVERNMENT LOT 1, SECTION 30, TOWNSHIP 4 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY MAP BOOK 6, PAGE 13, DEED BOOK 240, PAGE 509, BEING 170 FEET BY 400 FEET MORE OR LESS, INCLUDING AN ARTESIAN WELL, MORE PARTICULARLY DESCRIBED AS FOLLOWS: SURVEY OF A PART OF LOT 1, JULINGTON TERRACE, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 6, PAGE 13, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT AN IRON NAIL THAT IS AT THE INTERSECTION OF THE LINE BETWEEN LOTS 1 AND 2 OF SAID JULINGTON TERRACE AND THE WATERS OF JULINGTON CREEK, SAID IRON BEING NORTH 37 DEGREES 53 MINUTES 30 SECONDS WEST, 735.0 FEET FROM THE MOST SOUTHERLY CORNER OF SAID LOT 1 AS MEASURED ALONG THE LINE BETWEEN SAID LOTS 1 AND 2; THENCE SOUTH 37 DEGREES 53 MINUTES 30 SECONDS EAST, 418.0 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1; THEN NORTH 82 DEGREES 06 MINUTES 30 SECONDS EAST, 183.7 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 13; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE AND BEING ALONG A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 180.08 FEET A CHORD BEARING AND DISTANCE OF NORTH 38 DEGREES 02 MINUTES WEST, 132.32 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY NORTH 37 DEGREES 53 MINUTES 30 SECONDS WEST, 279.7 FEET TO AN IRON AT THE WATERS OF SAID JULINGTON CREEK; THENCE SOUTHWESTERLY DOWN SAID JULINGTON CREEK 170.0 FEET MORE OR LESS TO THE POINT OF BEGINNING.



- LEGEND**
- (C) CALCULATED
 - (D) D.B. 4130, P.C. 1830
 - (E) D.B. 888, P.C. 1345, PARCEL NUMBER 109
 - (F) D.B. 883, P.C. 1808, PARCEL NUMBER 117
 - (V) FIELDS MEASURED
 - (W) ADJUST A WEDGEMAN
 - BM BENCHMARK
 - BR BRICK
 - CB CURB & GUTTER
 - CD CHORD BEARING
 - CON CONCRETE
 - CS CHORD DISTANCE
 - CONC CONCRETE
 - CM CURB & MUD BLOCKS
 - D DEGREE OF CURVE
 - EP EASE OF PAVEMENT
 - FO FLOOD ZONE
 - HP HYDRAULIC POST
 - IR IRON
 - IRP IRON PIPE
 - IRP-12 IRON PIPE, CAP STAMPED "12 3/8"
 - IRP-18 IRON PIPE, CAP STAMPED "18 3/8"
 - IRP-24 IRON PIPE, CAP STAMPED "24 3/8"
 - IRP-30 IRON PIPE, CAP STAMPED "30 3/8"
 - IRP-36 IRON PIPE, CAP STAMPED "36 3/8"
 - L CURVE LENGTH
 - ML NEAR HIGH WATER LINE
 - MP4 METAL PILEDRY FENCE
 - ND NO IDENTIFICATION
 - O.R. OFFICIAL RECORDS BOOK
 - PD PLOT DRAWING
 - PID PARCEL IDENTIFICATION NUMBER
 - R CURVE RADIUS
 - RT RIGHT-OF-WAY
 - RI REINFORCED CONCRETE PIPE
 - RO RETENTION POND OUTLET
 - SC CONCRETE SIDEWALK
 - SH WELL HOUSE
 - U OVERHEAD UTILITIES
 - PINEY POLE
 - GUY ANCHOR
 - STORM MANHOLE
 - WALLBOX

GENERAL NOTES

- 1.) THE DESCRIPTION SHOWN HEREON WAS TAKEN FROM THAT CERTAIN DEED RECORDED IN OFFICIAL RECORDS BOOK 4130, PAGE 1330 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.
- 2.) BEARINGS SHOWN IN (F) & (C) REFER TO TRANSMISSION VECTOR PROJECTION FOR THE EAST ZONE OF FLORIDA AND REFERENCED TO NORTH AMERICAN DATUM OF 1983 (NAD83). (C)11-11-2009 (2)11-2009 SAID COORDINATES ARE BASED ON BASES ON FLORIDA DEPARTMENT OF TRANSPORTATION HORIZONTAL CONTROL POINTS OPCA AND OPCA2. THE COORDINATES ARE PUBLISHED IN A REPORT TITLED "FINANCIAL PROJECT ID 441037, STATE ROAD 13, HORIZONTAL/VERTICAL CONTROL AND ADJUSTMENT SURVEY, ST. JOHNS COUNTY, FLORIDA". THE REPORT IS AVAILABLE AT THE FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT TWO HEADQUARTERS. BEARINGS ARE REFERENCED TO THE WESTERLY RIGHT-OF-WAY OF STATE ROAD NO. 13, BEARING BEING NORTH 37°33'54" WEST.
- 3.) THE RIGHT-OF-WAY FOR STATE ROAD 13 SHOWN HEREON WAS TAKEN FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION DRAWING FILE "SURV9707018.DWG". THE DRAWING FILE IS AVAILABLE AT THE FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT TWO HEADQUARTERS.
- 4.) CERTIFICATION OF THE SURVEY SHOWN HEREON IS VALID FOR THE FIELD WORK DATE AND NOT THE SIGNATURE DATE.
- 5.) THIS SURVEY MEETS THE STANDARDS OF PRACTICE ADOPTED BY THE FLORIDA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER 35-17 OF THE FLORIDA ADMINISTRATIVE CODE.
- 6.) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OR SEARCH OF TITLE, AND THEREFORE THE UNDERSIGNED AND R.D. RICHARDS SURVEYING, INC. MAKE NO CERTIFICATIONS REGARDING INFORMATION SHOWN OR NOT SHOWN HEREON RELATING TO EASEMENTS, RIGHTS OF WAY, EASEMENT LINES, OVERLAPS, BOUNDARY LINE DISPUTES, AGREEMENTS, RESERVATIONS OR OTHER SIMILAR MATTERS WHICH MAY APPEAR IN THE ABSTRACT, OR SEARCH OF TITLE.
- 7.) THERE MAY BE OTHER MATTERS, PUBLIC AND/OR PRIVATE, AFFECTING THIS PROPERTY NOT KNOWN TO THIS SURVEYOR.
- 8.) AS SCALED FROM THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER "ST. JOHNS COUNTY 123147 0049 J", MAP NUMBER: 13120004A, MAP REVISION: OCTOBER 1, 2018, LANDS SHOWN HEREON ARE IN FLOOD ZONE "A" AND "AE (1-3)".
- 9.) ATTENTION IS DIRECTED TO THE FACT THAT THIS DRAWING MAY HAVE BEEN REDUCED OR ENLARGED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN SCALING DATA.
- 10.) UNDERGROUND UTILITIES, FOUNDATIONS AND/OR IMPROVEMENTS, IF PRESENT, WERE NOT LOCATED.
- 11.) THE INFORMATION REPORTED HEREON REPRESENTS THE RESULT OF A SURVEY ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THE TIME.
- 12.) THE JURISDICTIONAL WETLAND LINE SHOWN HEREON WAS FLAGGED BY ATLANTIC ECOLOGICAL SERVICES, 201 BASSETT ROAD, SAINT AUGUSTINE, FLORIDA 32080.

ROBERT D. RICHARDS
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERT. #5790

THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

FIELD FILE:	21-105_ (SURVCE)
FIELD WORK:	3/23/2021
SCALE:	1" = 30'
JOB NO.:	21-105
DRAWING:	21-105RDY20210323

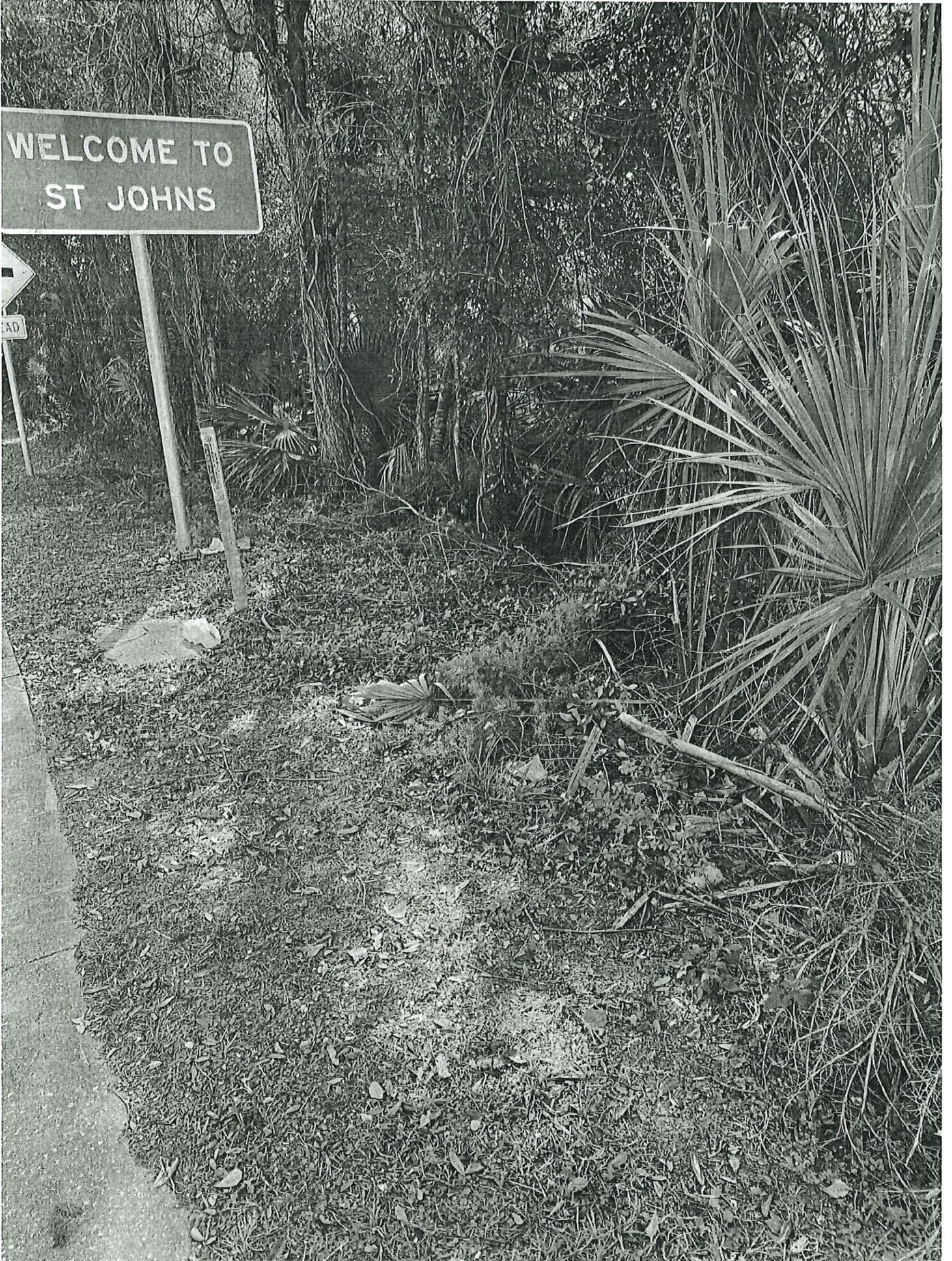
ROBERT D. RICHARDS SURVEYING, INC.
 PROFESSIONAL SURVEYING & MAPPING
 800 E. N. 13 BOWEN
 SAINT AUGUSTINE, FL 32084
 LICENSE BUSINESS NO. 7397

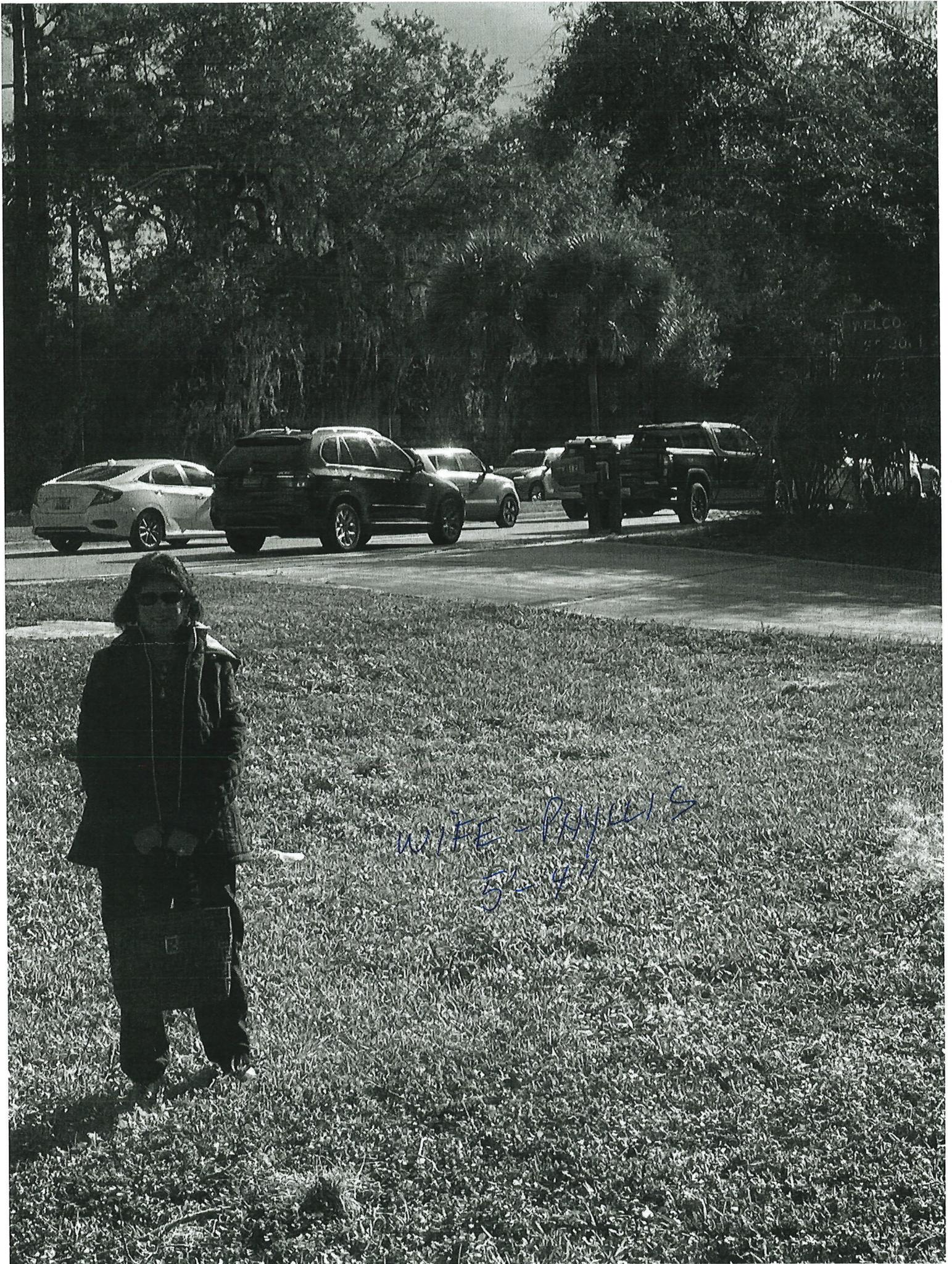
PHONE (904) 948-0221 FAX (904) 948-2888



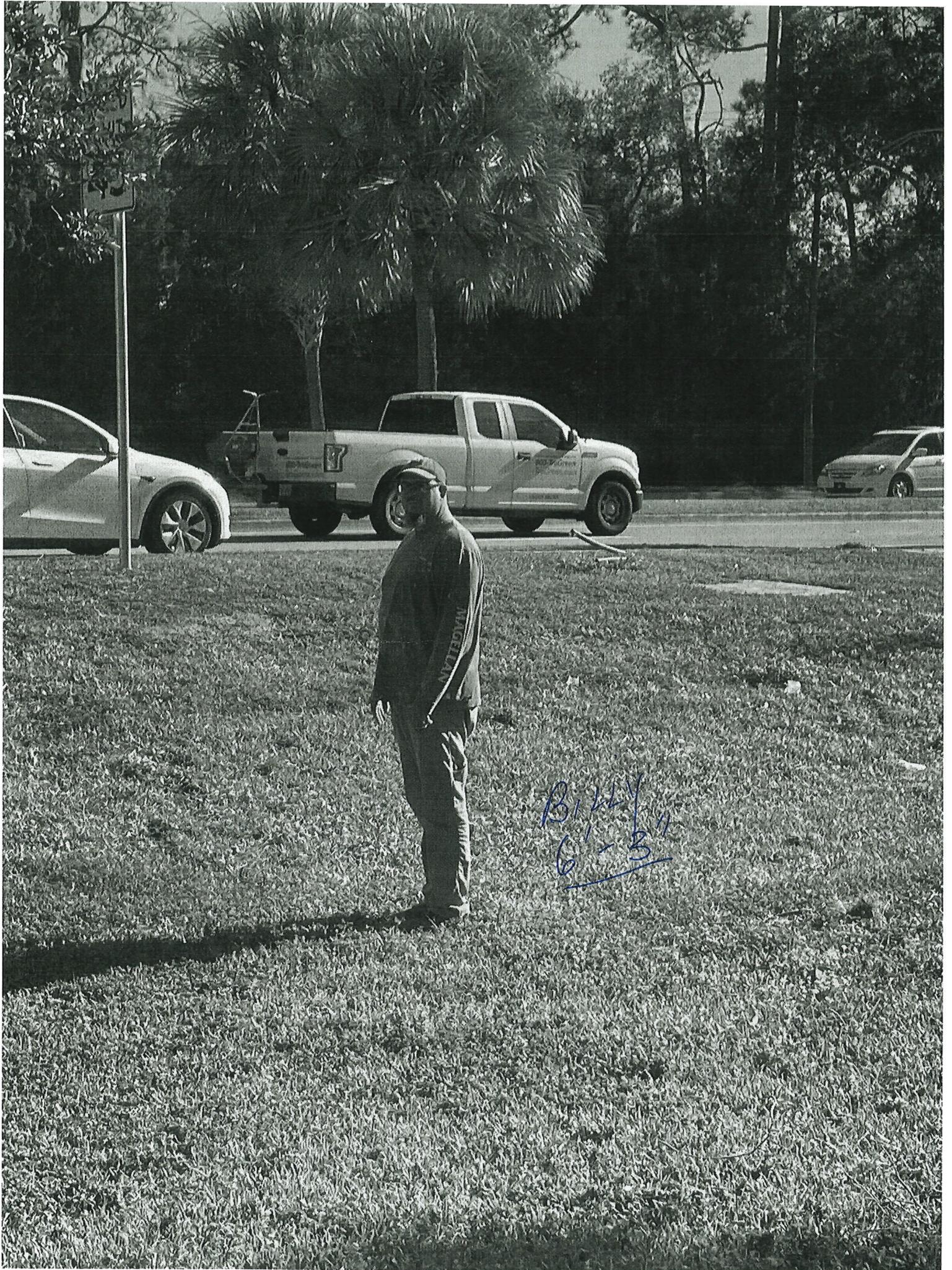
WELCOME TO
ST JOHNS

HEAD





WIFE - RAYLIS
5'-4"



Billy
6'-3"

3:07

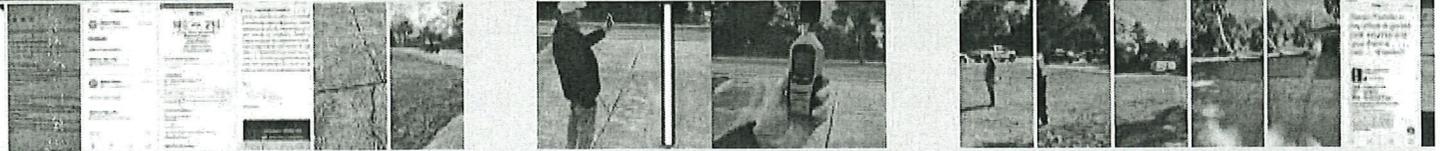


Fruit Cove

December 19, 2023 4:42 PM

Edit





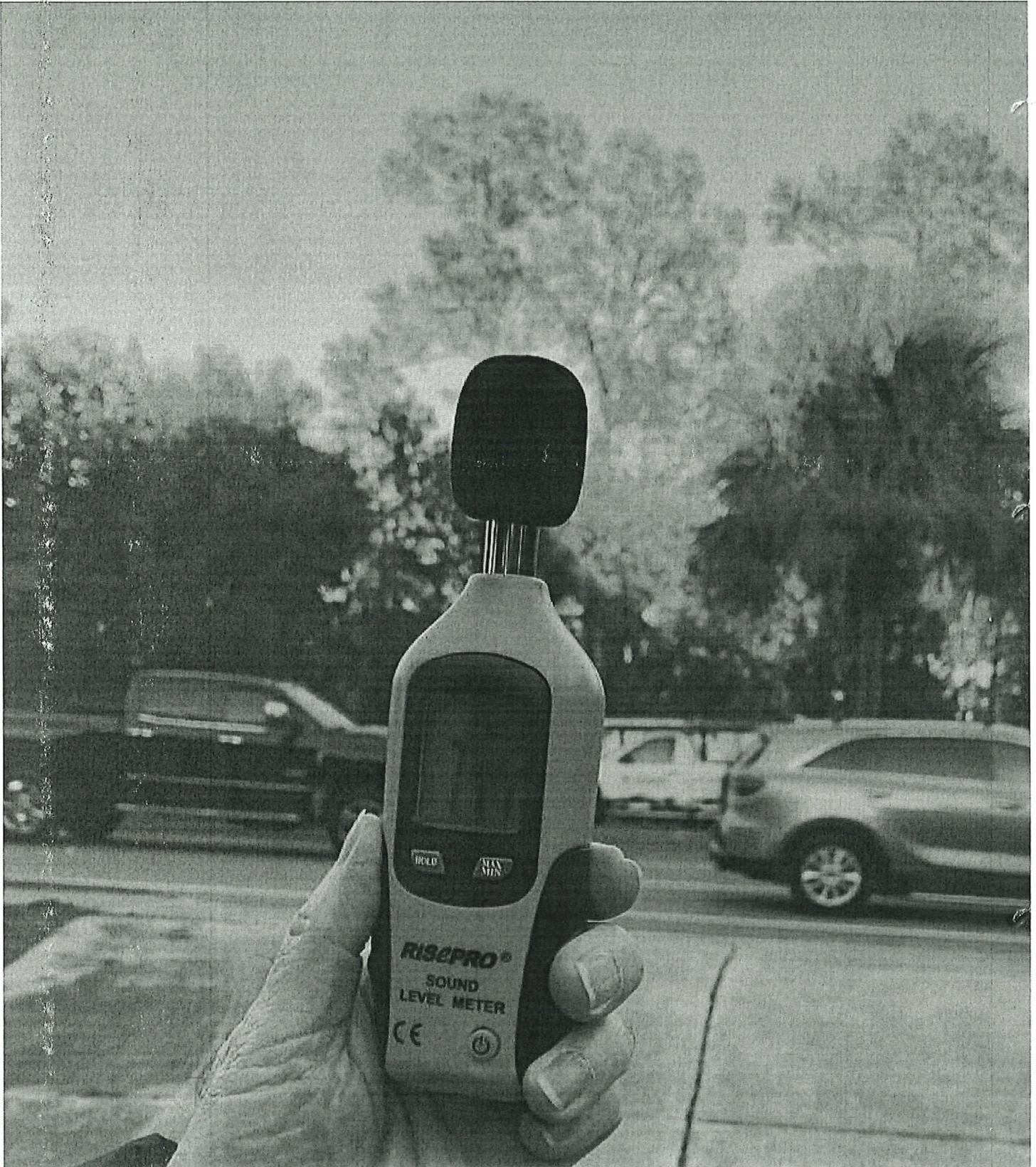
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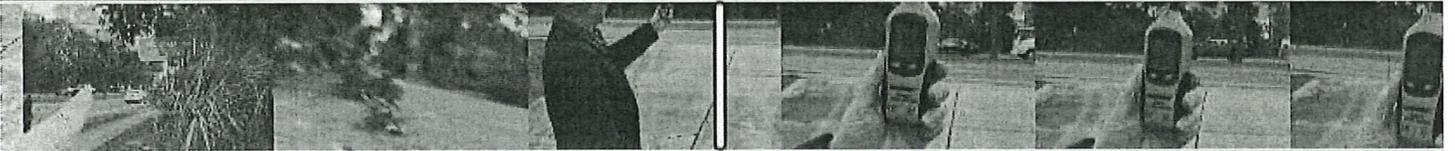


Fruit Cove

December 19, 2023 4:42 PM

Edit





3:05

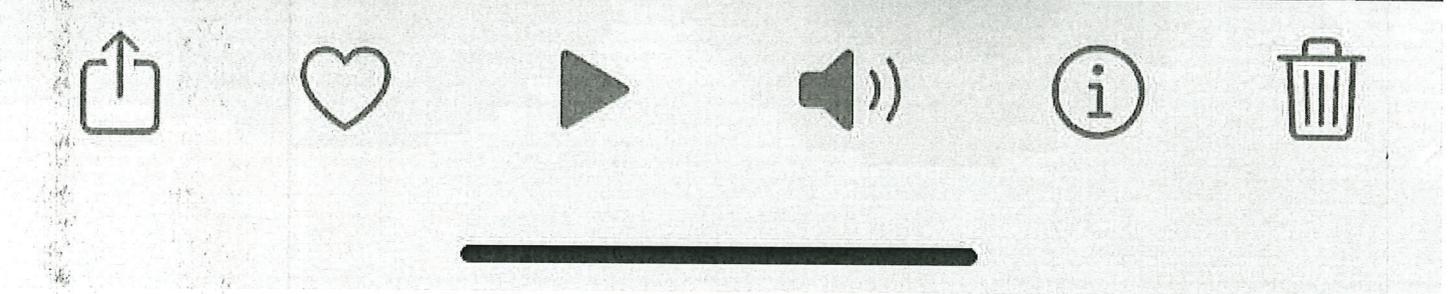
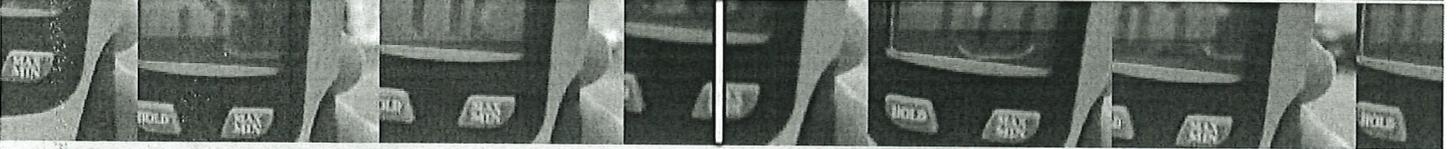


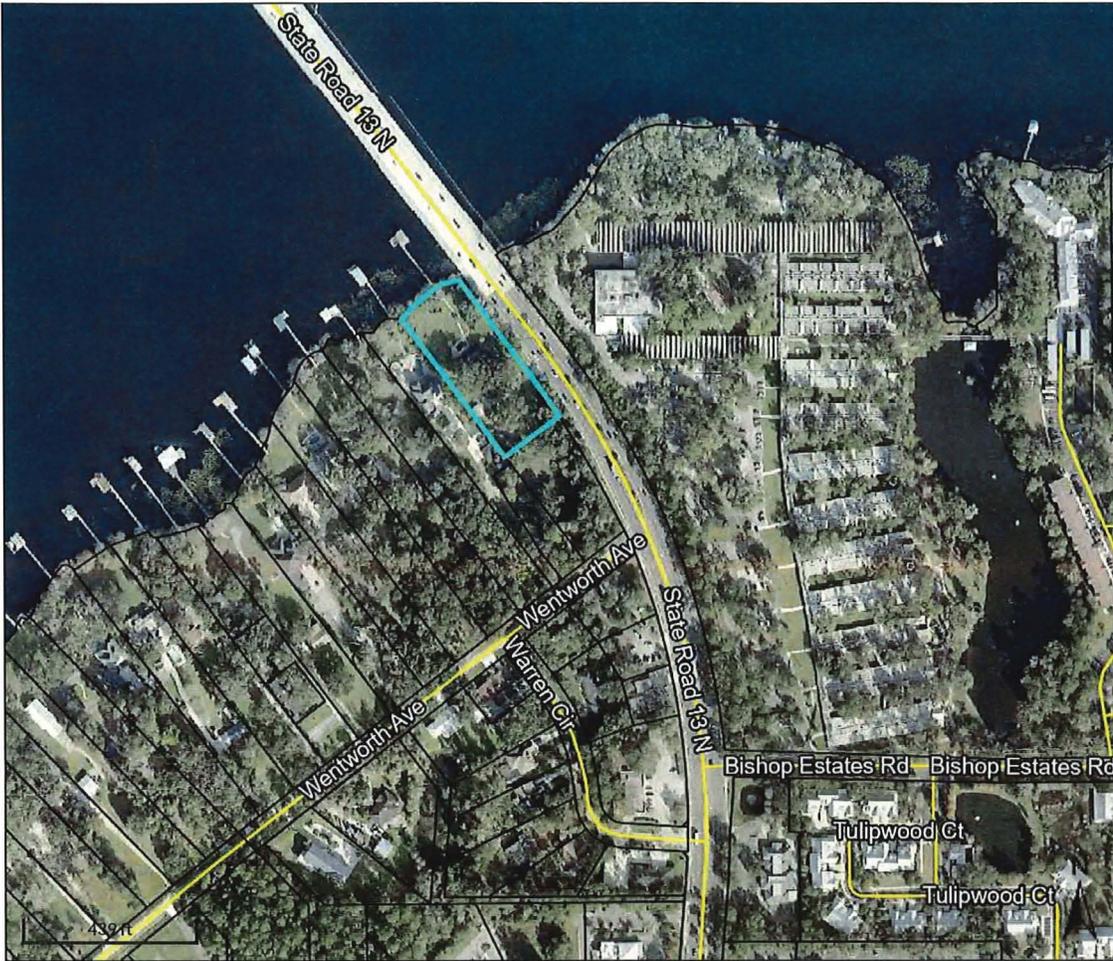
Fruit Cove

December 19, 2023 4:28 PM

Edit







Overview



Legend

□ Parcels

Parcel ID	0040300010	Physical	12 STATE ROAD 13 N	Building Value	\$109,054	Last 2 Sales			
Property Class	0100 - Single Family	Address	SAINT JOHNS	Extra Feature Value	\$75,040	Date	Price	Reason	Qual
Taxing District	County	Mailing Address	BARNEA NERI BENJAMIN	Total Land Value	\$648,754	5/28/2021	\$850000	01	Q
Acres	1.62	Address	10265 VESTAL MANOR CORAL SPRINGS FL 33071-0000	Just Value	\$832,848	10/1/1981	\$135000	11	U
				Total Deferred	N/A				
				Assessed Value	\$832,848				
				Total	N/A				
				Exemptions					
				Taxable Value	\$832,848				

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Date created: 11/6/2023
 Last Data Uploaded: 11/4/2023 12:30:53 AM

Developed by  Schneider GEOSPATIAL

Chris Carlos

1992 - Renton pond

From: [BEN BARNEA](#)
To: [Cynthia May](#)
Subject: Fwd: SAM Pre-Application Meeting Barnea Fence
Date: Thursday, February 1, 2024 1:26:57 PM

Sent from my iPhone

Begin forwarded message:

From: BEN BARNEA <drnbb@aol.com>
Date: December 15, 2023 at 11:28:58 AM EST
To: "Pogue, Christopher" <Christopher.Pogue@dot.state.fl.us>
Subject: Re: SAM Pre-Application Meeting

GM

When will I receive your team's recommendations to improve access to my property at 12 SR 13 Fruit Cove 32259. Thx
Ben Barnea

Sent from my iPhone

On Dec 6, 2023, at 2:21 PM, Pogue, Christopher
<Christopher.Pogue@dot.state.fl.us> wrote:

From: Pogue, Christopher <Christopher.Pogue@dot.state.fl.us>
Sent: Thursday, June 8, 2023 1:58:25 PM (UTC-05:00) Eastern Time (US & Canada)
To: Middlemas, Ian <Ian.Middlemas@dot.state.fl.us>; White, Robert <Robert.White@dot.state.fl.us>; Roberts, Yongman <Yongman.Roberts@dot.state.fl.us>; Collins, Timothy <Timothy.Collins@dot.state.fl.us>; Senter, Chris <Chris.Senter@dot.state.fl.us>; Nieto, Carlos A <CarlosA.Nieto@dot.state.fl.us>; Dycus, Douglas <Douglas.Dycus@dot.state.fl.us>; Ferrara, Vittorio <Vittorio.Ferrara@dot.state.fl.us>; Charron, David <David.Charron@dot.state.fl.us>; drnbb@aol.com <drnbb@aol.com>; Diaz, Victor <vdiaz@fj-group.com>; bcrenshaw@prosserinc.com <bcrenshaw@prosserinc.com>; Collins, Nathan <Nathan.Collins@kimley-horn.com>; Harvey, Paul <paul.harvey@atkinsglobal.com>; Galloway, Claire <Claire.Galloway@dot.state.fl.us>
Cc: Bassett, Julie <Julie.Bassett@dot.state.fl.us>; Brzak, Robert <Robert.Brzak@dot.state.fl.us>; vdiaz@bowman.com <vdiaz@bowman.com>; Calvin Fenlon <cfenlon@bowman.com>
Subject: SAM Pre-Application Meeting

12/6/23 Pre-apps

Wednesday Dec 6, 2023 from 9:15 AM - 3:45 PM (EST)

Please see below and join my meeting from your computer, tablet, or smartphone. Feel free to forward this to those you deem necessary for the project. **(Please join only at the slated time per the schedule below, so as not interrupt the others. Also, notice shall be provided if legal representation will be present.)**

Pre-App Schedule:

9:15 am Victoria Diaz - 2355 US-1 South
SJC parcel: 1350110000 / SR 5 – 78010 / 13.532 / Class 5 – 45 MPH

10:00 am Nathan Collins – The Approach at Ponte Vedra (2021-A-297-00042)
SJC Parcel: 0510400000 / SR A1A – 78001 / 6.481-7.151 / Class 3 – 45 MPH

10:45 am Bryce Crenshaw - Gate #1201
SJC parcel: 0615190150 & 0615190180 / SR A1A N – 78051 / 4.463 / Class 3 - 45 MPH

Lunch

1:30 pm Ben Barnea - SR 13 @ Julington Creek Bridge
SJC parcel: 0040300010 / SR 13- 78070 / 16.81 / Class 5- 45 MPH

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 264 344 416 238
Passcode: M9jcdd
[Download Teams](#) | [Join on the web](#)

Join with a video conferencing device

11384774@t.plcm.vc
Video Conference ID: 111 288 896 0
[Alternate VTC instructions](#)

Or call in (audio only)

[+1 850-739-5589,,345584913#](#) United States, Tallahassee
Phone Conference ID: 345 584 913#
[Find a local number](#) | [Reset PIN](#)



Information that is submitted to the Florida Department of Transportation is open for personal inspection and copying by any person in accordance with Chapter 119, Florida Statutes (F.S.).

[Learn More](#) | [Help](#) | [Meeting options](#) | [Legal](#)

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<#579 St Augustine_01.pdf>
<2022-08-19 - Village of Ponte Vedra MDP-MDP-02.pdf>
<Gate #1201.pdf>

CAUTION:
This email
originated
from
outside of
the County.
Do not click
links or

From: [BEN BARNEA](#)
To: [Cynthia May](#)
Subject: Fwd. Barnea : Fence at 12 SR 13
Date: Friday, February 2, 2024 3:30:10 PM
Attachments: [Outlook-2sz3mzqx.png](#)
[Outlook-qh51vlf2.png](#)

Please add Email response from DOT to my file. Thx

Sent from my iPhone

Begin forwarded message:

From: "Pogue, Christopher" <Christopher.Pogue@dot.state.fl.us>
Date: February 2, 2024 at 2:54:56 PM EST
To: BEN BARNEA <drnbb@aol.com>
Subject: Re: Fence at 12 SR 13

Good Afternoon,

FDOT does not have any jurisdiction on fencing of private property if it does not impeded of harm the safety of the traveling public.

Sincerely,

Christopher Pogue

St Augustine Maintenance Permits Manager

[3600 D O T Rd, St Augustine, FL 32084](#)

christopher.pogue@dot.state.fl.us

Work: 904-825-5086

Cell: 904-253-9157



From: Giglio, Frank fgiglio@sjsso.org
Subject: Property Issues
Date: Dec 20, 2023 at 3:20:07 AM
To: Drnbb@aol.com

Mr. Barnea,

As a result of our investigation into the stolen trailer from your property, and the ongoing issue of homeless people staying in your home without your permission, we recommend you install a privacy fence, along with a security camera system to help safeguard your property. In our professional opinion, a six-foot security fence would help keep vagrants out, especially given the proximity to the river, being the first home after the bridge and the distance your house is from the street. Obviously, you will need to obtain the necessary permits and get the approval of Saint John's County Zoning, but we believe taking these measures will help keep you more secure. Please let us know if we can be of any further assistance.



F. Giglio

Deputy Sheriff | Patrol Division

ST. JOHNS COUNTY SHERIFF'S OFFICE | *Robert A. Hardwick, Sheriff*

4015 Lewis Speedway, St. Augustine, Florida, 32084

Office 904-824-8304

From: [BEN BARNEA](#)
To: [Jennifer Gutt](#)
Subject: Fwd: Fence at 12 SR 13
Date: Thursday, January 18, 2024 1:58:36 PM

Sent from my iPhone

Begin forwarded message:

From: Derek Voldness <abbeymtg@aol.com>
Date: January 18, 2024 at 1:34:37 PM EST
To: Drnbb@aol.com
Subject: Fence at 12 SR 13
Reply-To: Derek Voldness <abbeymtg@aol.com>

I agree that it would be good to put up a fence and I consent to the fence. I am the owner of 1543 Wentworth ave St Johns FL

Thanks,
Derek Voldness
In a message dated 1/18/2024 1:31:50 PM Eastern Standard Time, drnbb@aol.com writes:

Hi Derek
I am applying for a permit to build an 8 foot wooden fence along my property line adjacent to SR- 13. Can I have your support and agreement on this issue as my only adjacent neighbour.
Thank you
N B Barnea
12 SR - 13

Sent from my iPhone

 **CAUTION:**
This email originated from outside of the County. Do not click links or open attachments