

4

AGENDA ITEM
Planning & Zoning

Meeting

11/5/2026

MEETING DATE

TO: Planning and Zoning Board Members

DATE: October 16, 2026

FROM: Marie Colee, Assistant Program Manager

PHONE: 904 209-0662

SUBJECT OR TITLE: MINMOD 2026-10 359 White Horse Way Pool

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

PRESENTER: Eric & Ireishal Adams, Owners

BACKGROUND INFORMATION:

Request for a Minor Modification to the Oxford Estates PUD (Ord. 2013-16, as amended) to allow a Rear Yard setback of five (5) feet in lieu of the ten (10) foot requirement to accommodate placement of a swimming pool, specifically located at 359 White Horse Way.

SUGGESTED MOTION/RECOMMENDATION/ACTION:

APPROVE: Motion to approve MINMOD 2026-10 359 White Horse Way Pool based upon six (6) findings of fact and subject to seven (7) conditions, as provided within the Staff Report.

DENY: Motion to deny MINMOD 2026-10 359 White Horse Way Pool based upon five (5) findings of fact, as provided within the Staff Report.



Growth Management Department
Planning Division Report
Application for Minor Modification
MINMOD 2026-10 359 White Horse Way Pool

To: Planning and Zoning Agency

From: Marie Colee, Assistant Program Manager

Date: October 9, 2026

Subject: **MINMOD 2026-10 359 White Horse Way Pool**, a request for a Minor Modification to the Oxford Estates PUD (Ord. 2013-16, as amended) to allow a Rear Yard setback of five (5) feet in lieu of the ten (10) foot requirement to accommodate placement of a swimming pool, specifically located at 359 White Horse Way.

Applicant: Eric & Ireishal Adams

Hearing Dates: Planning and Zoning Agency – November 5, 2026

Commissioner District: District 1

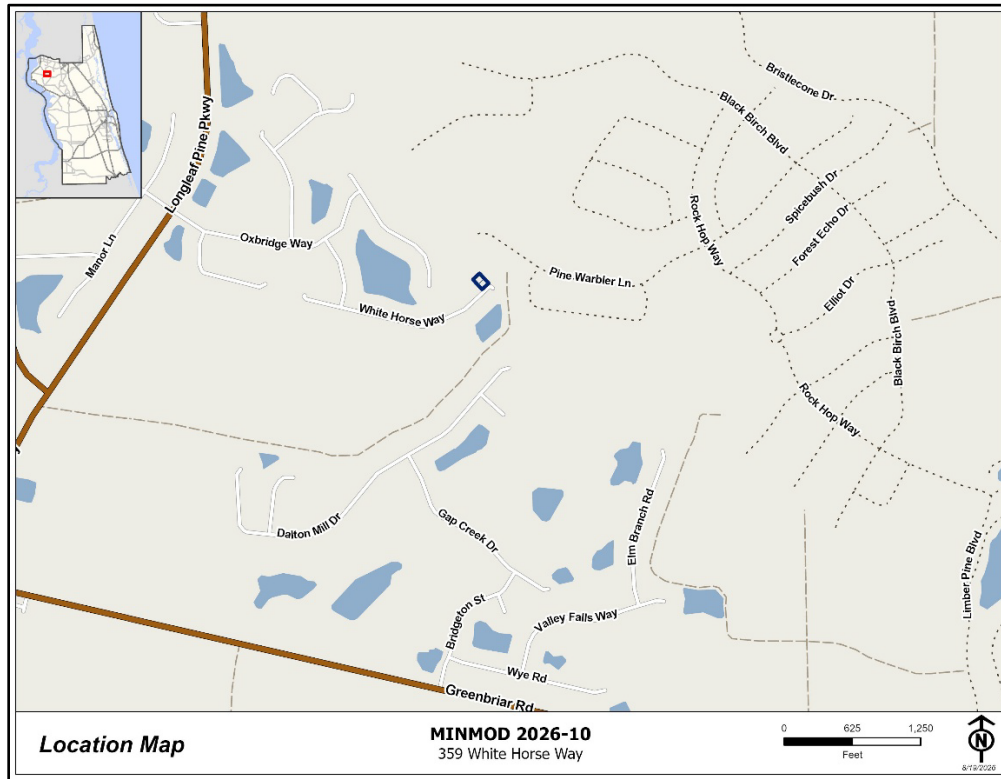
SUGGESTED MOTION/ACTION

APPROVE: Motion to approve MINMOD 2026-10 359 White Horse Way Pool based upon six (6) findings of fact and subject to seven (7) conditions, as provided within the Staff Report.

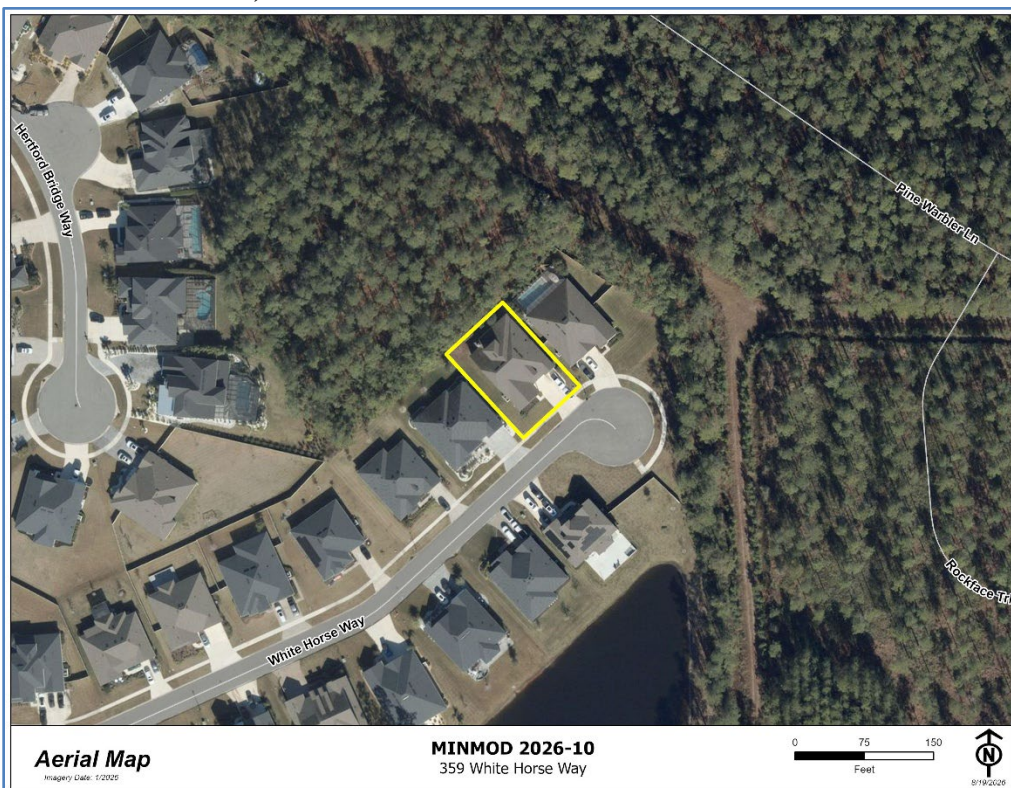
DENY: Motion to deny MINMOD 2026-10 359 White Horse Way Pool based upon five (5) findings of fact, as provided within the Staff Report.

MAP SERIES

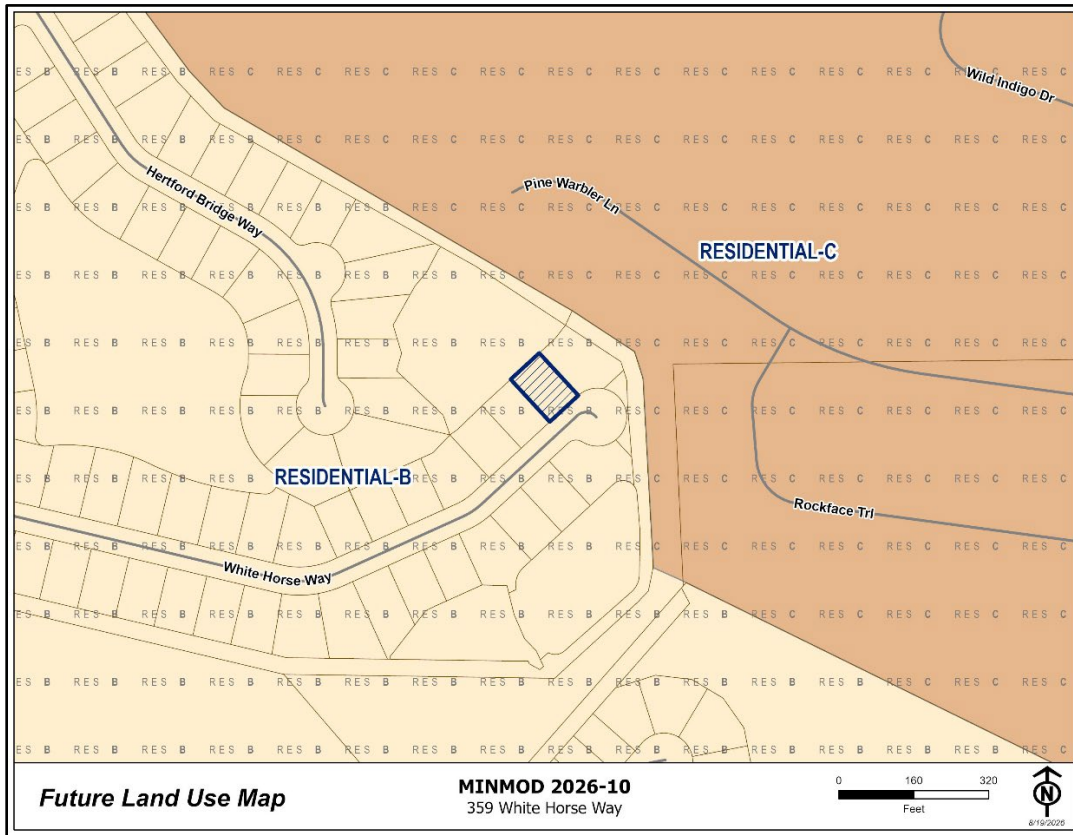
Location: The subject property is located in the Oxford Estates PUD on the east side of White Horse Way, east of Long Leaf Pine Parkway and north of Greenbriar Road, specifically at 359 White Horse Way.



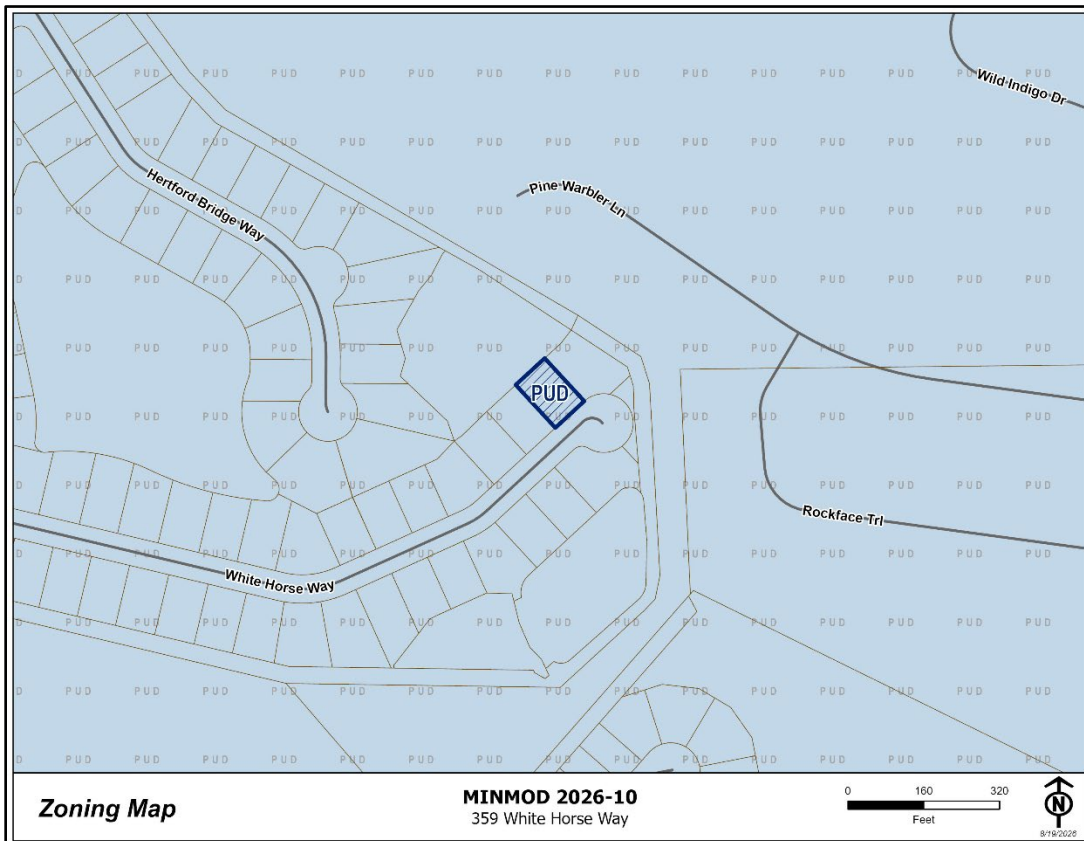
Aerial Imagery: The subject property is currently developed as a single-family residence located within a planned community of comparable single-family homes in the Oxford Estates PUD. The subject property is located on a cul-de-sac and is adjacent to Common Elements of the PUD.



Future Land Use: The subject property has a Future Land Use Map designation of Residential-B. Lands to the east are designated Residential-C.



Zoning District: The subject property and adjoining lands are zoned as a part of the Oxford Estates PUD. Lands east of the terminus of White Horse way are zoned as a part of the Greenbriar Helo PUD.



The Applicant responded to Land Development Code Section 10.04.06 in response to the Zoning Variance Criteria listed, and the following is a summary of applicable responses per the LDC.

1. Such Variance will not be contrary to the public interest.

Applicant's response: *The proposed improvement will not negatively impact public safety, traffic circulation, drainage, neighboring property values, or the general welfare of the community. Every effort has been made to minimize the scope of the request and maintain compliance with all other applicable regulations.*

2. By reason of 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.

Applicant's response: *The subject property is impacted by site-specific conditions that create a practical hardship under the current zoning requirements. Specifically, the property is affected by setback limitations.*

3. The literal enforcement of the requirements of this Code would cause undue hardship to carry out the spirit and purpose of the Code.

Applicant's response: *The request is the minimum relief necessary to allow for safe and functional placement of the pool while preserving required access area and maintaining compatibility with surrounding properties. The proposed location was carefully selected to minimize impacts to neighboring lots, drainage flow, existing utilities, and overall neighborhood appearance.*

4. 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 hardship justifying a Variance.

Applicant's response: *To further explain this non-self-created hardship, when purchasing the property, we were advised by the sales agent that after the home was built, we would have at least an additional 10-15 feet to build a pool.*

APPLICABLE REGULATIONS

LDC, Section 5.03.05 - Changes in Approved Planned Unit Developments

Changes to approved PUDs may be made in one of three (3) ways: Small Adjustments, Minor Modifications, and Major Modifications. A Minor Modification shall require approval by the Planning and Zoning Agency pursuant to the requirements of Section 9.06.04 of this Code.

LDC, Section 5.03.05.B Minor Modifications

Unless otherwise determined to be a Small Adjustment, the Planning and Zoning Agency may approve Minor Modifications to approved PUDs, under the authority of these provisions, on application by the original Applicant or successors in interest, upon making a finding that all of the following conditions are met:

1. The changes are in accordance with all applicable regulations currently in effect, including the St. Johns County Comprehensive Plan and the PUD regulations of this Code

2. The changes do not reduce the number of parking spaces below that which is required by the Uses within the PUD by more than two percent (2%), unless a further reduction is demonstrated through a joint use parking study;
3. The changes do not relocate categories of Uses from one Parcel or Phase to a different Parcel or Phase.
4. The changes do not reduce the amount of open space/recreation area by more than five percent (5%), or result in any substantial change in the location of open space/recreation area;
5. The changes do not change the location, number, or type of pedestrian or vehicular accesses;
6. The changes do not increase the density or intensity of Use by more than two thousand (2,000) square feet of usable floor area, ten (10) Dwelling Units, or five percent (5%) in the amount of outside land area devoted to sales, displays, or demonstrations over the entire PUD. In no case shall the overall intensity or density be increased over the maximum allowed by the PUD district in the Master Development Plan or the Comprehensive Plan;
7. The changes do not increase the Structure height;
8. The changes do not decrease the required Yards within the entire PUD by more than ten percent (10%). Decreases of required Yards by more than ten percent (10%) for individual residential Lots within a PUD may be approved as a Minor Modification. Such Minor Modification shall be subject the notice requirements and criteria as a Zoning Variance;
9. The changes do not increase the area allocated to any land Use type, except open space/recreation area, by more than ten percent (10%);
10. The changes do not increase the traffic generation by more than five percent (5%);
11. The changes do not change the location of specific land Use(s) by more than ten percent (10%) of the total land area of the specific land Use(s); and
12. The changes are not determined to be a Major Modification under the provisions of this Section.

LDC, Section 5.03.11 Certain Changes Constitute a Variance

Changes to vary the minimum yard requirements, minimum LOT area or width, maximum building height, maximum building coverage, and minimum building separation as specified in the ordinance creating the PUD or PSD for individual Lot(s) that do not apply to the PUD or PSD as a whole, shall be processed in the same manner as a Zoning Variance.

LDC, Section 6.01.03.E.8 Yard Requirements, Rear Yards

Rear Yards shall be construed as extending across the full width of the Lot at its rear. Required depth of Rear Yards shall be determined in the same manner as required width of interior Side Yards.

LDC, Section 10.04.06.B.1 - Variances Made Part of a PUD

Variances to the criteria contained in Section 10.04.02 or to criteria in a PUD that serves the same purpose and effect as those provisions in Section 10.04.02 affecting an individual Lot or Parcel within an approved PUD shall be processed as a Minor Modification to the PUD in accordance with Section 5.03.05. Such requests for modification affecting an individual Lot shall demonstrate a hardship as required for a Zoning Variance.

LDC, Section 10.04.02 – Zoning Variances

Except as stated herein, 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.

Oxford Estates PUD, Section Q Accessory Uses (in part)(ORD. 2021-34, as amended)

All temporary uses and structures as provided in the Land Development Code are allowed within the project, provided such uses are of a nature customarily incidental and clearly subordinate to the permitted or principal use of the structure.

LDC, Section 2.02.04.B.8 Pools as Permitted Accessory Uses

Private swimming pools shall be any pool located either above or below the existing finished grade of the site, not located within a completely enclosed building, and exceeding one hundred fifty (150) square feet in surface area and two (2) feet in depth, designed, used or intended to be used for swimming or bath purposes. A private swimming pool shall be allowed in a residential district as an Accessory Use only if it fully complies with the following conditions:

- a. The pool is intended and is to be used solely for the enjoyment of the occupants or guests.
- b. The pool meets the minimum Yard requirements of the zoning district in which it is located.
- c. The pool shall be enclosed by a retaining wall, fence, or other Structure having a minimum height of four (4) feet and so constructed or installed to obstruct access thereto by persons other than the owners or occupants. All gates installed shall be self-latching with latches placed at least four (4) feet above the underlying ground. Gates shall be kept securely closed and latched at all times.

<u>Oxford Estates PUD (Section G Site Development Criteria)</u>					
<u>Setbacks</u> <u>(Front/Side/Rear)</u>	<u>Minimum</u> <u>Lot Width</u>	<u>Minimum</u> <u>Lot Area</u>	<u>Maximum</u> <u>Impervious</u> <u>Surface</u>	<u>Max Lot</u> <u>Coverage</u>	<u>Maximum</u> <u>Height</u>
<u>20’//10’/10’</u>	<u>83 feet</u>	<u>10,000 SF</u>	<u>60% (per lot)</u>	<u>70%</u>	<u>35 feet</u>

LDC PART 12.01.00 DEFINITIONS

PUD: For the purposes of this Code, a Planned Unit Development (PUD) shall mean the Development of land under unified control which is planned and developed as a whole in a single or programmed series of operations with Uses and Structures substantially related to the character of the entire Development. Permissible Uses may include any Use which is permitted or permissible by Special Use in any zoning district.

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.

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, Rear: A required yard extending across the rear of the Lot between inner side yard lines.

DEPARTMENTAL REVIEW

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

Office of the County Attorney Review: Applicant bears the burden of demonstrating with competent substantial evidence that a) the required conditions of LDC Section 5.03.05.B are met; b) that the request is not incompatible with the surrounding area; and c) that the changes are otherwise consistent with the Master Development Plan.

Pursuant to LDC Sec. 10.04.06.B.1. Variances to the criteria contained in Section 10.04.02 or to criteria in a PUD that serves the same purpose and effect as those provisions in Section 10.04.02 affecting an individual Lot or Parcel within an approved PUD shall be processed as a Minor Modification to the PUD in accordance with Section 5.03.05. Such requests for modification affecting an individual Lot shall demonstrate a hardship as required for a Zoning Variance.

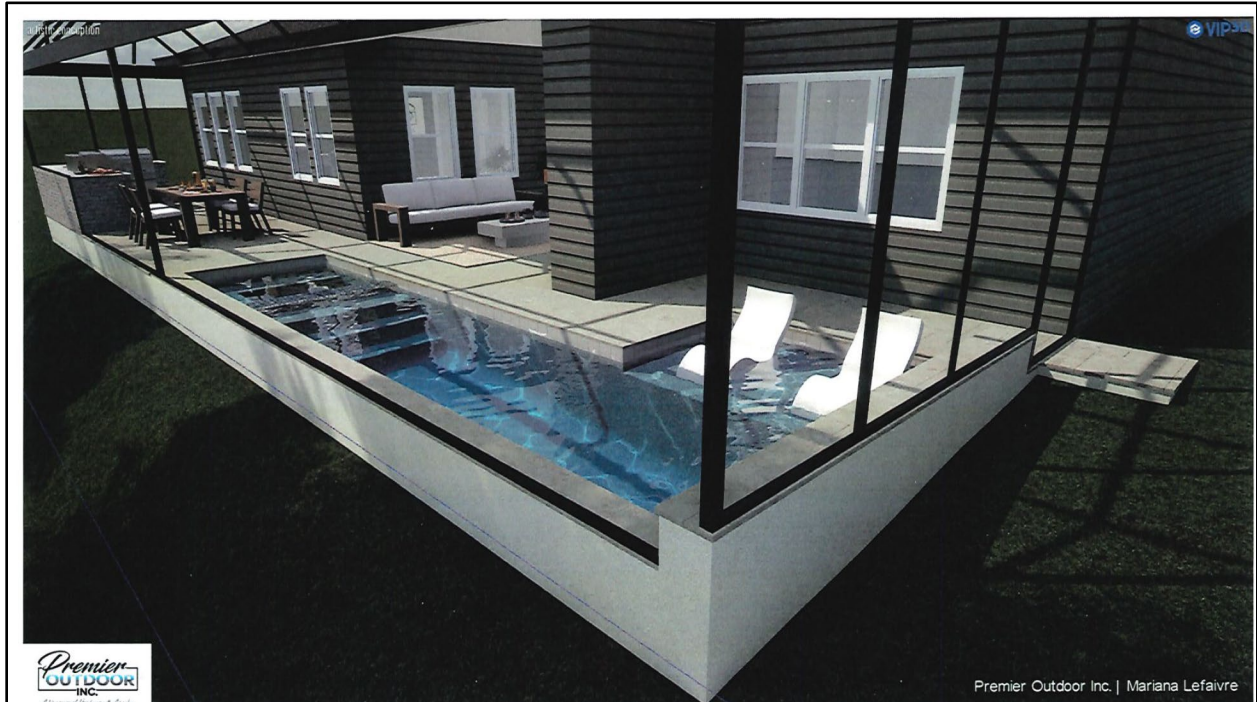
Technical Division Review: Staff notes that the original design for this lot per the subdivision construction plans is type "B" drainage (grade break at mid-point of lot/ split drainage to front and rear). The rear yard does not directly abut another private residential property and instead backs up to an isolated wetland that flows out to a perimeter ditch surrounding the site. A site plan demonstrating that there are no alterations to the originally intended drainage pattern will be required to be submitted. The following criteria must be met for site plan/final inspection approval:

1. Excavated material shall be removed from the site.
2. Existing/Engineered drainage patterns shall not be altered without authorization by the Engineer of Record or submission of a revised engineered drainage plan (signed and sealed). If drainage patterns are altered or changed, C.O. will not be issued until corrected per field staff.
3. Any existing or proposed drains (gutters/ downspouts, etc.) will be directed away from adjacent lots (not outfall directly to shared property line).
4. Retaining walls and roof gutters with an underground drainage system may be required based on actual field conditions. Pool may need to be constructed on a partial stem wall to avoid altering the existing lot grading.
5. Contractor must coordinate a lot grade inspection with County Staff prior to permit closeout.

Planning and Zoning Division Review: The applicant is requesting a Minor Modification to the Oxford Estates PUD to reduce the required rear yard setback from ten (10) feet to five (5) feet in order to accommodate the placement of a swimming pool. The subject property is platted as Lot 131 within Phase 6 of the Oxford Estates PUD. Pursuant to Section Q of the recorded PUD Text, all accessory structures provided for within the LDC are permitted within the development. Per Section 2.02.04.B.8.b of the LDC, a private swimming pool shall be allowed in a residential district as an Accessory Use provided that the pool meets the minimum Yard requirements of the zoning district in which it is located and is the reason for this requested variance to the required 10' Rear Yard setback requirement.

A review by staff found that a similar application for a Minor Modification to the Oxford Estates PUD was approved by the Agency in 2021 (MINMOD 2020-21). That request also sought relief to allow for a Rear Yard setback of five (5) feet in lieu of the required ten (10) feet to accommodate placement of a pool. It is noted that the neighboring property to the east (365 White Horse Way) received approval for the placement of a swimming pool with a Rear Yard setback of eleven (11) feet (CS #R2021-000031*001).

Proposed Pool Renderings (provided by applicant):



CORRESPONDENCE/PHONE CALLS

Staff has received three (3) letters of support provided in your staff report and no phone calls regarding this request as of the writing of this Staff Report.

FINDINGS/ACTION

Staff provides six (6) Findings of Fact and seven (7) conditions to support a motion to approve the Minor Modification request, and five (5) Findings of Fact to support the motion to deny the Minor Modification request. These findings may be subject to other competent substantial evidence received at the quasi-judicial public hearing.

ATTACHMENTS

1. Draft Resolution and Denial Order
2. Supporting Documents
3. Public Correspondence

SUGGESTED MOTION / FINDINGS / CONDITIONS TO APPROVE REQUEST

Motion to approve **MINMOD 2026-10 White Horse Way Pool**, a request for a Minor Modification to the Estates PUD (Ordinance Number 2013-16, as amended) to allow for a Rear Yard setback of five (5) feet in lieu of the required ten (10) feet to accommodate construction of a new swimming pool, specifically located at 359 White Horse Way, and subject to the following findings and conditions:

SUGGESTED FINDINGS

1. The request for this Minor Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. The Minor Modification is in compliance with Land Development Code Sections 5.03.05.B, 10.04.02, 10.04.06.B and with Article XII, defining a Zoning Variance. Competent and 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, and that denying the application would be contrary to the spirit and purpose of the Land Development Code.
3. The proposed Minor Modification is not contrary to the public interest and is not in conflict with the surrounding development.
4. The request is consistent with applicable portions of the St. Johns County Comprehensive Plan.
5. The request is not in conflict with the Future Land Use designation of Residential-B (Res-B).
6. The applicant, at the public hearing, has stated no objections to the proposed conditions.

SUGGESTED CONDITIONS

1. The Minor Modification approval will be transferable and applies only to the proposed pool as submitted with this application. Should the property be conveyed, the requested relief will run with the property.
2. Approval of the Minor Modification 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 pool shall be consistent with improvements depicted on the site plan labeled Exhibit B submitted by the applicant and made part of this Order.
4. This approval of the Minor Modification may be revoked by the County Administrator or designee, at 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 or designee to revoke the permit may be appealed to the Board of County Commissioners.

5. The Minor Modification 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.
6. 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.
7. 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 Resolution, except as may be modified by preceding conditions and limitations.

SUGGESTED MOTION / FINDINGS TO DENY REQUEST

Motion to deny **MINMOD 2026-10 White Horse Way Pool**, a request for a Minor Modification to the Oxford Estates PUD (Ordinance Number 2013-16, as amended) to allow for a Rear Yard setback of five (5) feet in lieu of the required ten (10) feet to accommodate construction of a new swimming pool, specifically located at 359 White Horse Way, and subject to the following findings:

SUGGESTED FINDINGS

1. The request for this Minor Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. The Minor Modification is not in compliance with the Land Development Code, Section 5.03.05, 10.04.06.B., & 10.04.02, which provide criteria for Minor Modifications to PUDs.
3. The proposed Minor Modification is contrary to the public interest and is in conflict with the surrounding development.
4. The request is not consistent with applicable portions of the St. Johns County Comprehensive Plan.
5. The request is in conflict with the Future Land Use designation of Residential-B (Res-B).

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

Attachment 1

Draft Final Orders

RESOLUTION NUMBER 2026-_____

**RESOLUTION OF THE PLANNING AND ZONING
AGENCY OF THE COUNTY OF ST. JOHNS, STATE
OF FLORIDA APPROVING A MINOR
MODIFICATION TO THE OXFORD ESTATES PUD
(ORD 2013-16, AS AMENDED).**

BE IT RESOLVED BY THE PLANNING AND ZONING AGENCY OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. Pursuant to the request by Alex Smith, the Players Oxford Estates PUD (Ordinance 2013-16 as amended) is hereby modified as outlined in application File Number **MINMOD 2026-10 White Horse Way Pool**, as more generally described below:

Allowing a Rear Yard setback of five (5) feet in lieu of the ten (10) foot requirement to accommodate the placement of a swimming pool at 359 White Horse Way.

SECTION 2. Findings of Fact: Having considered the application, along with supporting documents, the Staff Report prepared on October 9, 2026, statements by the applicant, and all evidence presented during public hearing, the Agency finds as follows:

1. The request for this Minor Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. The Minor Modification is in compliance with Land Development Code Sections 5.03.05.B, 10.04.02, 10.04.06.B and with Article XII, defining a Zoning Variance. Competent and 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, and that denying the application would be contrary to the spirit and purpose of the Land Development Code.
3. The proposed Minor Modification is not contrary to the public interest and is not in conflict with the surrounding development.
4. The request is consistent with applicable portions of the St. Johns County Comprehensive Plan.
5. The request is not in conflict with the Future Land Use designation of Residential -B (Res-B).
6. The applicant, at the public hearing, has stated no objections to the proposed conditions.

SECTION 3. CONDITIONS: The approval described in Section 1 is subject to the following conditions:

1. The Minor Modification approval will be transferable and apply only to the proposed pool as submitted with this application. Should the property be conveyed, the requested relief will run with the property.
2. Approval of the Minor Modification 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 pool shall be consistent with improvements depicted on the site plan labeled Exhibit B submitted by the applicant and made part of this Order.
4. This approval of the Minor Modification may be revoked by the County Administrator or designee, at 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 or designee to revoke the permit may be appealed to the Board of County Commissioners.
5. The Minor Modification 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.
6. 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.
7. 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 Resolution, except as may be modified by preceding conditions and limitations.

SECTION 4. All other commitments contained within Ordinance 2013-16 as amended shall remain in effect, except as modified above. Furthermore, to the extent they do not conflict with the unique specific and detailed provisions of this PUD Ordinance, all provisions of the Land Development Code, as such may be amended from time to time, shall be applicable to this development; except (a) that modification to this PUD by variance or special use shall be prohibited, except where allowed by the Land Development Code; and except (b) to the degree that the development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency ordinance, building code, comprehensive plan or any other non-Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

SECTION 5. This Resolution shall take effect upon adoption.

SECTION 6. This decision may be appealed to the St. Johns County Board of County Commissioners within thirty (30) days of the signing of this Resolution, pursuant to Section 9.07.03 of the Land Development Code. 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.

**PASSED AND ADOPTED BY THE PLANNING AND ZONING AGENCY OF ST. JOHNS COUNTY,
FLORIDA**

DATED THIS ____ DAY OF _____, 2026.

BY: _____
Chair/Vice-Chair

ATTEST:

BY: _____
Clerk, Growth Management Department

EFFECTIVE DATE: _____

EXHIBIT A

**LOT 131 OF OXFORD ESTATES – PHASE SIX A, ACCORDING TO THE PLAT THEREOF AS
RECORDED IN PLAT BOOK 103, PAGE(S) 90-93, OF THE PUBLIC RECORDS OF ST. JOHNS
COUNTY, FLORIDA**

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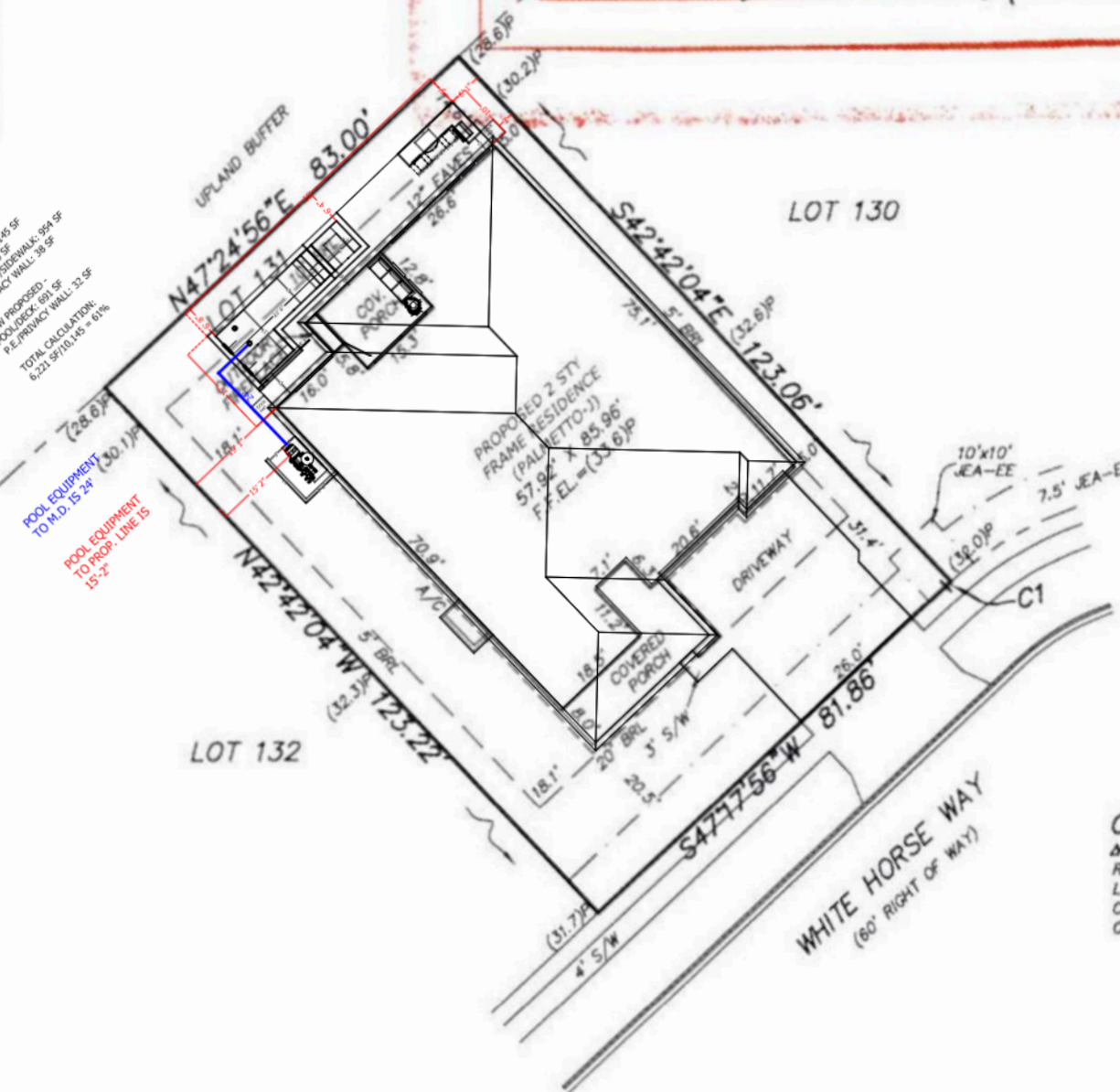
ST. JOHNS COUNTY
GROWTH MANAGEMENT
APPROVED SITE PLAN

THIS PLAN MUST BE ON JOB SITE
AT FINAL INSPECTION

BY: WA DATE: 4/26/21

TRACT "C"
OXFORD ESTATES PHASE FIVE & SIX B
(MAP BOOK 99, PAGES 63-67)

LOT CALCULATIONS:
EXISTING -
TOTAL LOT: 10,145 SF
HOUSE: 4,594 SF
DRIVEWAY/SIDEWALK: 39 SF
NEW PROPOSED -
POOL/DOCK: 891 SF
P.E. PRIVACY WALL: 32 SF
TOTAL CALCULATION:
6,221 9710.145 = 61%



CURVE C1
Δ=103°13'
R=62.00'
L=1.14'
CB=S47°49'24"W
CH=1.14'

- Erosion control such as silt fence shall be placed at the limits of construction activities and/or property line.
 - Excavated material shall be removed from the site.
 - Existing/Engineered drainage patterns shall not be altered without authorization by the engineer of record.
 - Drains will be directed away from adjacent lots.
 - The applicant/owner/contractor shall immediately contact St. Johns County lot grading staff should modifications to the plan be required based on actual field conditions.
 - Retaining walls, roof gutters with underground drainage system may be required based on actual field conditions.
 - Contractor shall coordinate a lot grade inspection with the county staff.
- Call 904-877-6894 and schedule a 904 inspection

NO CITY SIDEWALKS ON THIS LOT	
FLOOD ZONE	X
DRAINAGE	TYPE "B"

IMPERVIOUS INFORMATION	
BUILDING SQFT. =	3,992 SQ.FT.
LOT COVERAGE BY BUILDING: $\frac{3,992}{10,220} = \%$	39.1%
CONCRETE SQFT. (FLAT WORK) =	1,483 SQ.FT.
ISR = $\frac{3,992 + 1,483}{10,220} = \%$	53.6%

LOT WAS CLEARED PREVIOUSLY	
LOT AREA "WITHOUT EASEMENTS"	9,585 SQ.FT.
% OF ACRE 9,585/43,560	0.22 ACRES
ACRE % X 40 INCHES PER ACRE	8.8 INCHES
# OF TREES PLANTED FOR INCHES	3 TREES PLANTED
# OF EXISTING TREES	0 TREES
TOTAL TREE INCH VALUE PROVIDED	12 TREE INCHES

TREE INCHES TABLE		
(3) TOTAL TREES PLANTED		
(3) X 70% = 2.1		
(3) REQUIRED CANOPY TYPE TREES		
TREE LEGEND		QTY.
	4" CAL. RED MAPLE CANOPY TREE	2
	CAL. RIVER BIRCH CANOPY TREE	
	4" CAL. LIVE OAK CANOPY TREE	1
	CAL. GRAPE MYRTLE	

SETBACKS	
FRONT	20'
SIDE	5'
REAR	10'

LEGAL DESCRIPTION:
LOT 131, OXFORD ESTATES-PHASE SIX A,
ACCORDING TO PLAT THEREOF RECORDED IN MAP
BOOK 103, PAGES 90 THROUGH 93 OF THE PUBLIC
RECORDS OF ST. JOHNS COUNTY, FLORIDA.

SUBDIVISION NOTES

LOT AREA = 10,220 SQ. FT.
BUILDING HEIGHT = 26' 0-1/2"
ALL SETBACKS ARE MEASURED TO THE FURTHEST PROJECTION.
WHEN PLANTING TREES, 70% ARE TO BE CANOPY TYPE WITH NOT MORE THAN 30% OF ONE SPECIES AND ALL SHALL BE NATIVE. LAND DEVELOPMENT CODE 4.01.05.E1
ALL SIDEWALK AND FLATWORK SHALL, AT MINIMUM, MEET CURRENT ST. JOHNS COUNTY AND ADA STANDARDS. CROSS SLOPES SHALL BE NO MORE THAN 2% AND RUNNING SLOPE NOT TO EXCEED 5%. THE PORTION OF THE SIDEWALK WHICH TRAVERSES THROUGH THE DRIVEWAY APRON SHALL ALSO MEET THIS REQUIREMENT. ALSO, UTILITIES (METER BOXES, VALVES, ETC.) SHALL NOT BE INSTALLED WITHIN THE SIDEWALK.
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DRIVEWAY WIDTH AT THE ROADWAY RIGHT-OF-WAY TO BE IN ACCORDANCE WITH ST. JOHNS COUNTY STANDARDS AS PER LAND DEVELOPMENT CODE SECTION 6.04.05.C
ELEVATIONS ARE BASED ON NAVD 88 DATUM.

Parcel # 002396-1310

REV. 4-7-21
REV. 2-2-21

PREPARED FOR:

Drees
HOMES

9452 PHILIPS HIGHWAY, SUITE 4
JACKSONVILLE, FLORIDA 32256
PHONE (904) 399-2501
WWW.DREESHOMES.COM

SITE PLAN
363 WHITE HORSE WAY
SAINT JOHNS, FL 32259

Date: 1-7-21
Scale: 1"=30'
Job No. 2021-9
Client File No. OXE-0131-00
Comp. File: OXE LOT 131.dwg
Drawn By: DEW

MELROSE SURVEYING AND MAPPING, INC.
PROFESSIONAL LAND SURVEYORS
11437 CENTRAL PARKWAY, SUITE #107
JACKSONVILLE, FLORIDA 32224
L.B. No. 8295
Tele. (904) 721-1226



ORDER
ST. JOHNS COUNTY, FLORIDA
PLANNING AND ZONING AGENCY

RE: Eric and Ireishal Adams
539 White Horse Way
Saint Johns, FL 32259

FILE NUMBER: MINMOD 2026-10 Exhibit A

LEGAL: 062079-0070

PARCEL ID: November 5, 2026

DATE OF HEARING:

ORDER DENYING MINOR MODIFICATION

The above-referenced application for a Minor Modification to the Oxford Estates PUD (Ordinance Number 2013-16, as amended) to allow for a Rear Yard setback of five (5) feet in lieu of the required ten (10) feet to accommodate construction of a new swimming pool, specifically located at 359 Whit Horse Way, came before the Planning & Zoning Agency for public hearing on November 5, 2026.

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 Minor Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. The Minor Modification is not in compliance with Land Development Code, Section 5.03.05, 10.04.06.B., & 10.04.02, which provide criteria for Minor Modifications to PUDs.
3. The proposed Minor Modification is contrary to the public interest and is in conflict with the surrounding development.
4. The request is not consistent with applicable portions of the St. Johns County Comprehensive Plan.

5. The request is in conflict with the Future Land Use designation of Residential-B (Res-B).

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby denies the Minor Modification to the Oxford Estates PUD (Ordinance Number 2013-16, as amended) to allow for a Rear Yard setback of five (5) feet in lieu of the required ten (10) feet to accommodate construction of a new swimming pool, specifically located at 359 White Horse Way.

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 _____, 2026.

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

**LOT 131 OF OXFORD ESTATES – PHASE SIX A, ACCORDING TO THE PLAT THEREOF AS
RECORDED IN PLAT BOOK 103, PAGE(S) 90-93, OF THE PUBLIC RECORDS OF ST. JOHNS
COUNTY, FLORIDA**

Attachment 2

Supporting Documents

Date: May 29, 2026

To: St. Johns County Planning and Zoning Agency

Re: Variance Request for 359 White Horse Way, St. Johns, FL 32259

Dear Members of the Planning and Zoning Agency,

We respectfully request approval of a 5-foot pool setback variance for my property located at 359 White Horse Way within St. Johns County, Florida.

The requested variance is necessary due to unique conditions affecting this property that create a practical hardship under the current zoning requirements. Specifically, the property is affected by setback limitations.

The requested variance is the minimum relief necessary to allow for safe and functional placement of the pool while preserving required access areas and maintaining compatibility with surrounding properties. The proposed location was carefully selected to minimize impacts to neighboring lots, drainage flow, existing utilities, and overall neighborhood appearance.

Because of these unique conditions, strict application of the zoning code would prevent reasonable use of the property and create unnecessary hardship that is not self-created. The requested variance represents the minimum relief necessary to allow reasonable use of the property while maintaining compatibility with surrounding properties and the character of the neighborhood.

The proposed improvement will not negatively impact public safety, traffic circulation, drainage, neighboring property values, or the general welfare of the community. Every effort has been made to minimize the scope of the request and maintain compliance with all other applicable county regulations.

Additionally:

- The proposed pool will remain fully compliant with all applicable safety and building code requirements.
- The variance request will not negatively impact adjacent property owners.
- The pool design maintains the residential character of the neighborhood.
- Drainage patterns and utility access will remain protected.
- The request represents only the minimum variance necessary for reasonable use of the property.

To further explain this not self-created hardship, when purchasing this property we were advised by the sales agent of Drees Homes that after the home was built, we would have at least an additional 10-15 feet to build a pool. During our Drees Design Studio appointment, we included all the upgraded items for pool preparation such as additional gas lines, a pool

conduit, and a secondary circuit breaker box to accommodate a pool. About two months later at our pre-construction meeting was our first time seeing the property survey and we found out that our space would be limited for a pool.

This pool is also needed because Eric Adams is a 100% total and permanent disabled veteran. One of his disabilities includes facet syndrome and herniated discs. Eric has to have spinal injections bi-annually for this issue. To help his back relief, the pool will provide a form of water therapy. Pool therapy is excellent for lower back pain by providing a weightless, low-impact environment that reduces spinal compression while utilizing the water's natural resistance to safely strengthen core and back muscles.

In support of this request, we have included:

- Application with your requested setback and required setback
- Proof Ownership (property deed is common)
- Legal Description on a separate sheet of paper and labelled as Exhibit A
- Exhibit B – Legal Description with pool dimensions
- Exhibit C – 3D Picture 1
- Exhibit D – 3D Picture 2

Every effort has been made to design the project responsibly and respectfully while minimizing the need for variance relief. We respectfully request the Planning and Zoning Agency's approval of this application based upon the unique property constraints and practical hardship outlined above.

Thank you for your consideration and time.

Respectfully,

A handwritten signature in black ink, appearing to read "Eric Adams", with a long horizontal flourish extending to the right.A handwritten signature in black ink, appearing to read "Eric Adams", with a long horizontal flourish extending to the right.

EXHIBIT D



artistic conception

WIPSO

Premier
OUTDOOR
INC.
A Division of Lefevre & Lefevre

Premier Outdoor Inc. | Mariana Lefevre



Premier Outdoor Inc. | Mariana Lefavre

THIS PLAN AT FINAL

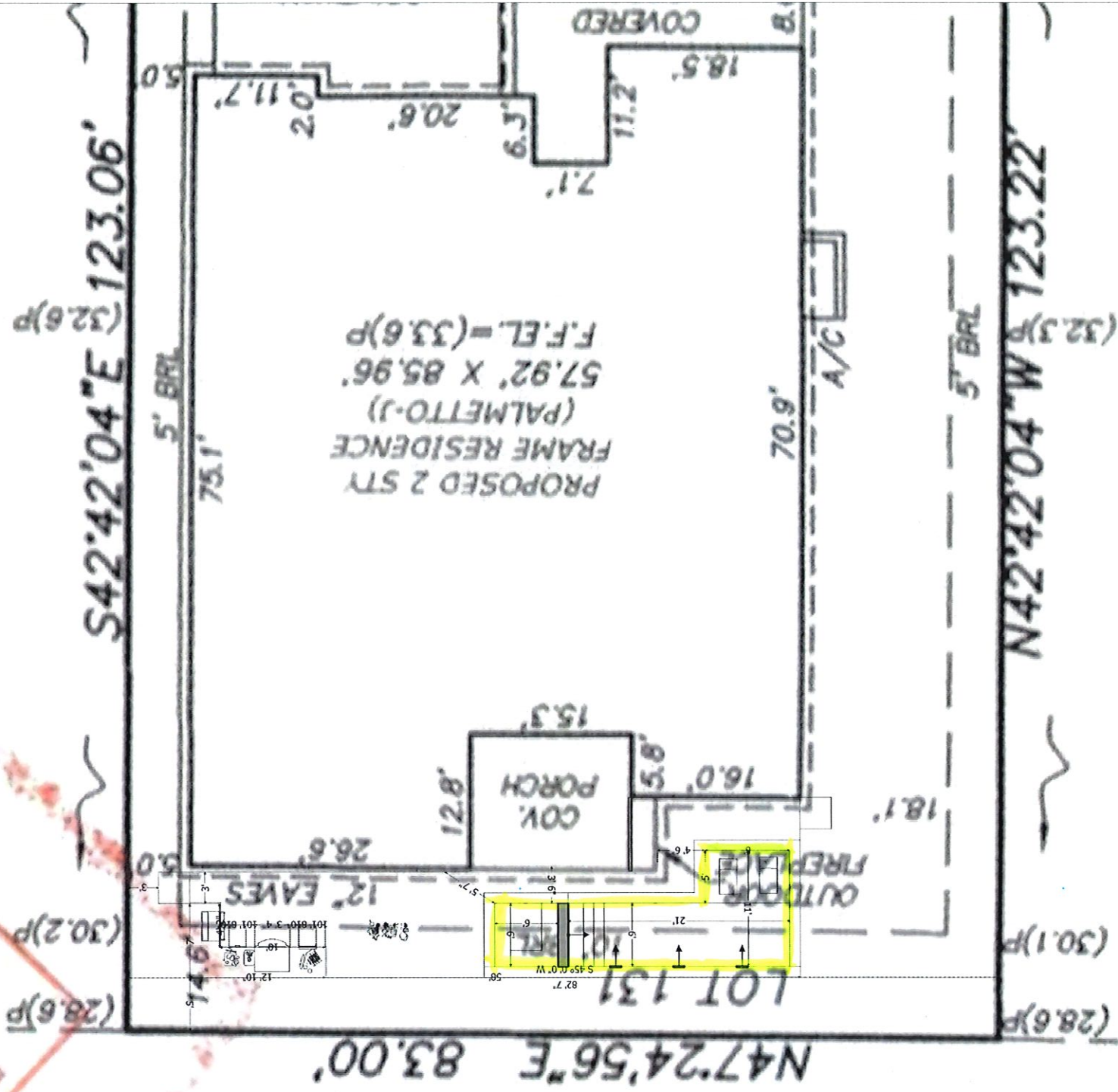


EXHIBIT A

**LOT 131 OF OXFORD ESTATES – PHASE SIX A, ACCORDING TO THE PLAT THEREOF AS
RECORDED IN PLAT BOOK 103, PAGE(S) 90-93, OF THE PUBLIC RECORDS OF ST. JOHNS
COUNTY, FLORIDA**

K 21 434

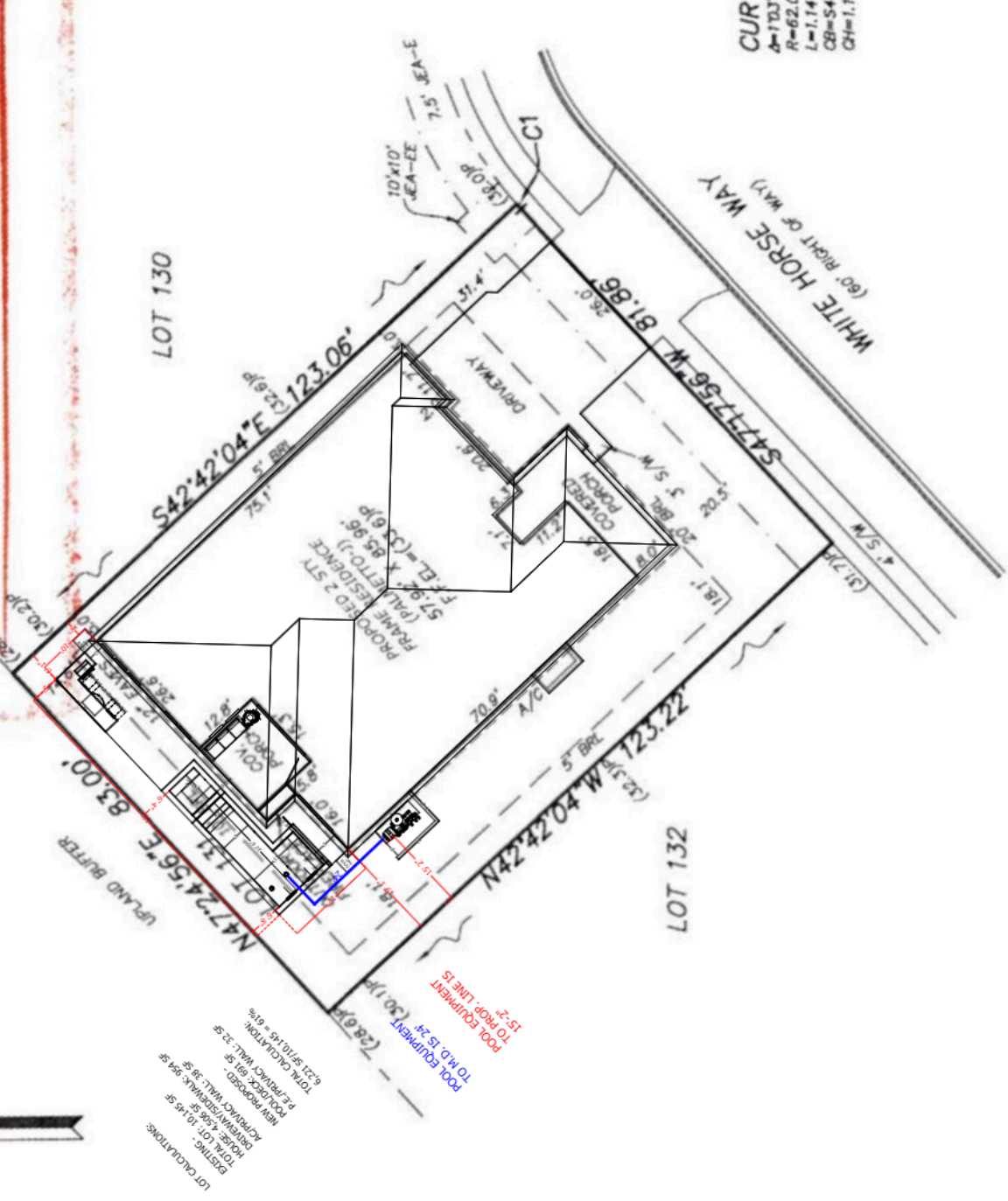
APR 11

ST. JOHNS COUNTY
GROWTH MANAGEMENT
APPROVED SITE PLAN

THIS PLAN MUST BE ON JOB SITE
AT FINAL INSPECTION

DATE: 4/26/24

TRACT "C"
OXFORD ESTATES PHASE FIVE & SIX B
(MAP BOOK 98, PAGES 63-67)



CURVE C1
R=170.13'
L=62.00'
CB=547.40'
CH=1.14'

- Erosion control such as silt fence shall be placed at the limits of construction activities and/or property line.
 - Excavated material shall be removed from the site.
 - Existing/Engineered drainage patterns shall not be altered without authorization by the engineer of record.
 - Drains will be directed away from adjacent lots.
 - The applicant/owner/contractor shall immediately contact St. Johns County lot grading staff should modifications to the plan be required based on actual field conditions.
 - Retaining walls, roof gutters with underground drainage system may be required based on actual field conditions.
 - Contractor shall coordinate a lot grade inspection with the county staff.
- Call 904-877-6894 and schedule a 904 inspection

NO CITY SIDEWALKS ON THIS LOT

FLOOD ZONE	X
DRAINAGE	TYPE "B"

IMPERVIOUS INFORMATION

BUILDING SQFT. =	3,992 SQ.FT.
LOT COVERAGE BY BUILDING: $\frac{3,992}{10,220} = \%$	39.1%
CONCRETE SQFT. (FLAT WORK) =	1,483 SQ.FT.
ISR = $\frac{3,992 + 1,483}{10,220} = \%$	53.6%

LOT WAS CLEARED PREVIOUSLY

LOT AREA "WITHOUT EASEMENTS"	9,585 SQ.FT.
% OF ACRE $\frac{9,585}{43,560}$	0.22 ACRES
ACRE $\times$ 40 INCHES PER ACRE	8.8 INCHES
# OF TREES PLANTED FOR INCHES	3
# OF EXISTING TREES	0
TOTAL TREE INCH VALUE PROVIDED	12
TREES PLANTED	TREES
TREE INCHES	

TREE INCHES TABLE

(3) TOTAL TREES PLANTED
(3) $\times$ 70% = 2.1
(3) REQUIRED CANOPY TYPE TREES

TREE LEGEND	QTY.
4" CAL. RED MAPLE CANOPY TREE	2
CAL. RIVER BIRCH CANOPY TREE	
4" CAL. LIVE OAK CANOPY TREE	1
CAL. GRAPE MYRTLE	

SETBACKS	
FRONT	20'
SIDE	5'
REAR	10'

LEGAL DESCRIPTION:

LOT 131, OXFORD ESTATES—PHASE SIX A, ACCORDING TO PLAT THEREOF RECORDED IN MAP BOOK 103, PAGES 90 THROUGH 93 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

SUBDIVISION NOTES

LOT AREA = 10,220 SQ. FT.
BUILDING HEIGHT = 26' 0-1/2"
ALL SETBACKS ARE MEASURED TO THE FURTHEST PROJECTION.
WHEN PLANTING TREES, 70% ARE TO BE CANOPY TYPE WITH NOT MORE THAN 50% OF ONE SPECIES AND ALL SHALL BE NATIVE. LAND DEVELOPMENT CODE 4.01.05.E1
ALL SIDEWALK AND FLATWORK SHALL, AT MINIMUM, MEET CURRENT ST. JOHNS COUNTY AND ADA STANDARDS. CROSS SLOPES SHALL BE NO MORE THAN 2% AND RUNNING SLOPE NOT TO EXCEED 5%. THE PORTION OF THE SIDEWALK WHICH TRAVERSES THROUGH THE DRIVEWAY APRON SHALL ALSO MEET THIS REQUIREMENT. ALSO, UTILITIES (METER BOXES, VALVES, ETC.) SHALL NOT BE INSTALLED WITHIN THE SIDEWALK.
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ELEVATIONS ARE BASED ON NAVD 88 DATUM.

Parcel # 002396-1310

REV. 4-7-21
REV. 2-2-21

PREPARED FOR:

Drees
HOMES

9453 PHILIPS HIGHWAY, SUITE 4
JACKSONVILLE, FLORIDA 32256
PHONE (904) 399-2501
WWW.DREESHOMES.COM

SITE PLAN

363 WHITE HORSE WAY
SAINT JOHNS, FL 32259

Date: 1-7-21
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Job No. 2021-9
Client File No. OXE-0131-00
Comp. File: OXE LOT 131.dwg
Drawn By: DEW

MELROSE SURVEYING AND MAPPING, INC.
PROFESSIONAL LAND SURVEYORS
11437 CENTRAL PARKWAY, SUITE #107
JACKSONVILLE, FLORIDA 32224
L.B. No. B295
Tel. (904) 721-1226

Attachment 3

Correspondence

Date: August 10, 2026

To: St. Johns County Planning and Zoning Agency

Re: Support for Pool Setback Variance Request at 359 White Horse Way, St. Johns, FL 32259

Dear Members of the Planning and Zoning Agency,

I am a neighboring property owner/resident near the property located at 359 White Horse Way, St. Johns, FL 32259 and I am writing in support of the requested 5-foot pool setback variance.

I have reviewed and discussed the proposed project with the property owner and do not believe the variance will negatively affect my property, neighborhood appearance, drainage, safety, privacy, or property values.

Based on my understanding of the request, the proposed swimming pool appears to be appropriately designed for the property and consistent with the residential character of the community. I understand the property has certain layout and space limitations that make the variance request reasonable.

I support the owner's request and respectfully ask the Planning and Zoning Agency to approve the variance application.

Sincerely,

Neighbor Name: John and Rosa Gabriel

Property Address: 327 White Horse Way, St. Johns, FL 32259

Phone Number (optional):

904.608.3600

Signature: _____

Date: _____

7/10/2026

Date: August 10, 2026

To: St. Johns County Planning and Zoning Agency

Re: Support for Pool Setback Variance Request at 359 White Horse Way, St. Johns, FL 32259

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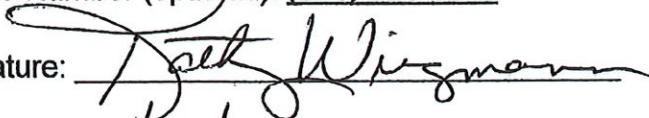
I support the owner's request and respectfully ask the Planning and Zoning Agency to approve the variance application.

Sincerely,

Neighbor Name: Kathy Wiegmann

Property Address: 345 White Horse Way, St. Johns, FL 32259

Phone Number (optional): (904) 591-8846

Signature: 

Date: 8/10/2026

Date: August 10, 2026

To: St. Johns County Planning and Zoning Agency

Re: Support for Pool Setback Variance Request at 359 White Horse Way, St. Johns, FL 32259

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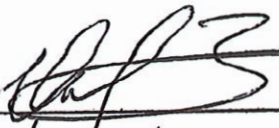
Neighbor Name: Daniel & Amelia Zukoski

Property Address: 365 White Horse Way, St. Johns, FL 32259

Phone Number (optional): Daniel Zukoski (757) 846-4821/Amelia Zukoski (203-494-8596)

Signature: _____

Date: _____

 
8/10/26