1	**AGENDA ITEM** **Planning & Zoning**
	Meeting

12/3/2026

MEETING DATE

TO: **Planning and Zoning Board Members** **DATE:** **November 19, 2026**

FROM: **Karla Castellon, Ponte Vedra Zoning District Planning Advisor** **PHONE:** **904 209-0604**

SUBJECT OR TITLE: **ZVAR 2026-27 90 Gene Johnson Rd**

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

PRESENTER: **Sarah Ryan**

BACKGROUND INFORMATION:

Request for a Zoning Variance to Section 2.02.04.B.8.b & Table 6.01 of the Land Development Code to allow for a Second Front Yard setback of ten (10) feet in lieu of the required fifteen (15) in Residential, Single Family (RS-3) zoning to allow for the placement of a swimming pool, specifically located at 90 Gene Johnson Road.

SUGGESTED MOTION/RECOMMENDATION/ACTION:

APPROVE: Motion to approve ZVAR 2026-27 90 Gene Johnson Road based upon (6) findings of fact and (6) conditions as provided in the Staff Report
DENY: Motion to deny ZVAR 2026-27 90 Gene Johnson Road based upon (6) findings of fact and (6) conditions as provided in the Staff Report

Growth Management Department
Planning Division Report
Application for Zoning Variance
ZVAR 2026-27 90 Gene Johnson Rd

To:	Planning and Zoning Agency
From:	Karla Castellon, Ponte Vedra Zoning District Planning Advisor
Date:	October 27, 2026
Subject:	**ZVAR 2026-27 90 Gene Johnson Rd,** request for a Zoning Variance to Section 2.02.04.B.8.b & Table 6.01 of the Land Development Code to allow for a Second Front Yard setback of ten (10) feet in lieu of the required fifteen (15) in Residential, Single Family (RS-3) zoning to allow for the placement of a swimming pool, specifically located at 90 Gene Johnson Road.
Applicant:	Sarah Ryan
Owner:	James & Tina Bates
Hearing Date:	Planning and Zoning Agency | December 3, 2026
Commissioner District:	District 3

SUGGESTED MOTION/ACTION

APPROVE: Motion to approve **ZVAR 2026-27 90 Gene Johnson Rd** based upon six (6) findings of fact and six (6) conditions as provided in the Staff Report.

DENY: Motion to deny **ZVAR 2026-27 90 Gene Johnson Rd** based upon four (4) findings of fact as provided in the Staff Report.

MAP SERIES

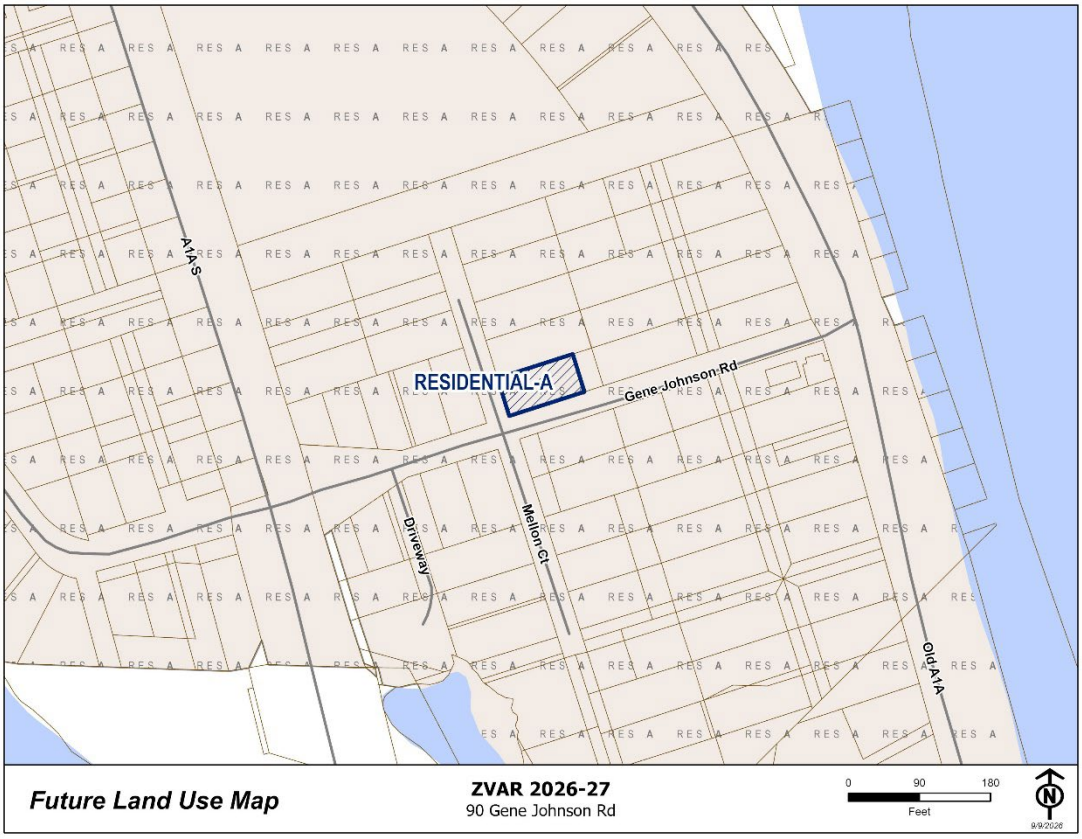
Location: The subject property is located on the northeast corner of Gene Johnson Road and Mellon Court, approximately 0.06 miles east of A1A S.



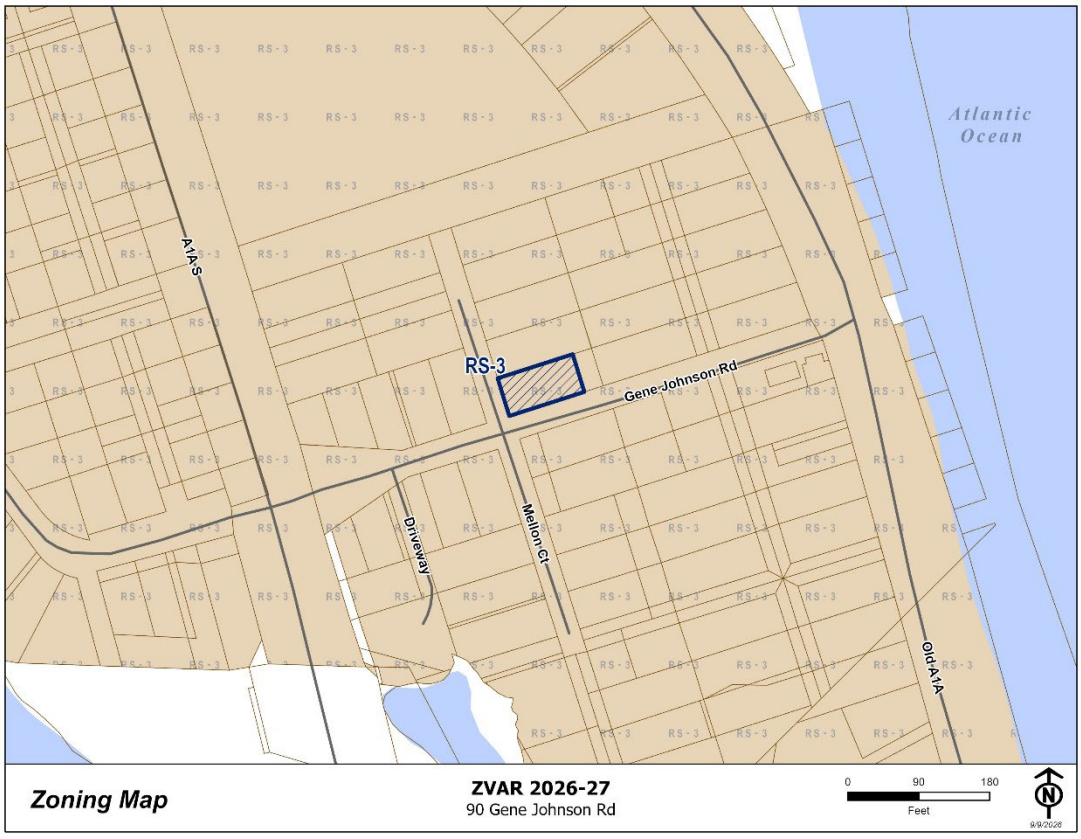
Aerial Imagery: The subject property consists of approximately 0.110 acres or 4,792 sq. ft. and is currently developed with a single-family residence.



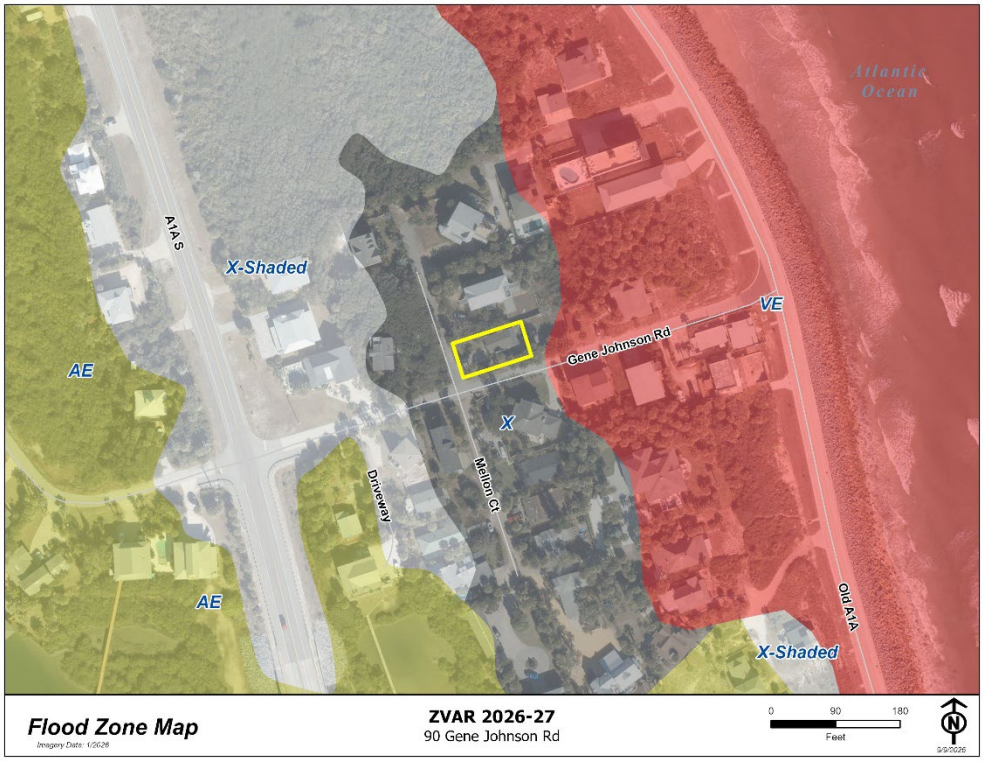
Future Land Use: The subject property and all surrounding areas are designated Residential-A on the Future Land Use Map (FLUM).



Zoning District: The subject property and all adjacent properties are zoned Residential, Single Family (RS-3).



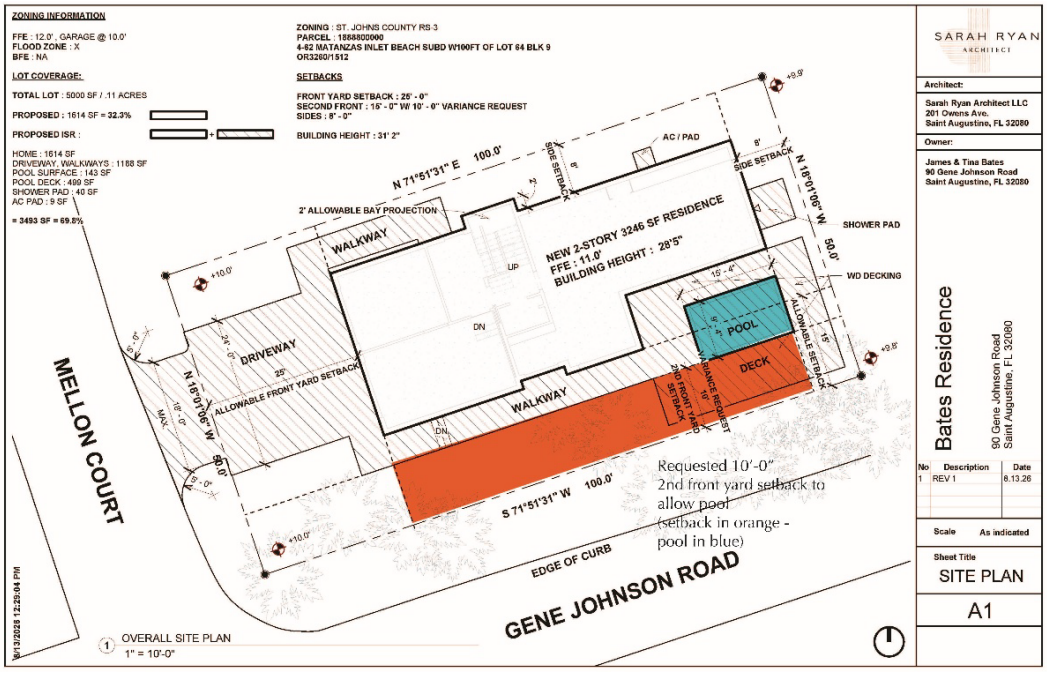
Flood Zone Map: The subject property is located in Flood Zone X.



APPLICATION SUMMARY

The applicant requests a Zoning Variance to Section 6.01.03.E.3 of the Land Development Code to allow for a reduced second Front Yard setback of ten (10) feet in lieu of the permitted reduced fifteen (15) feet setback for a corner lot, and where a non-conforming lot exists, in Residential, Single Family (RS-3) zoning to accommodate construction of a swimming pool, located specifically at 90 Gene Johnson Road. The proposed placement of the swimming pool can be seen in the site plan below. The Application, Narrative, Site Plan, and other relevant information are provided within **Attachment 2 Application and Supporting Documents.**

Proposed Site Plan:



APPLICABLE REGULATIONS

LDC, Section 2.02.04.B Permitted Accessory Uses, Residential Districts (provided in part)
Each of the following Uses is considered to be a customary Accessory Use, and as such, may be situated on the same Lot with, but detached from, the principal Use with which it is associated.

8. Private swimming pools, spas, as regulated herein, shall be any pool, pond, lake or open tank located either above or below the existing finished grade of the site, not located within a completely enclosed Building, and exceeding 150 square feet in surface area and 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 bona fide 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 4 feet and so constructed or installed as to obstruct access thereto by persons other than the owners or occupants of the premises on which such swimming pool is located.

LDC, Section 6.01.03.E.3 Front Yards on Corner Lots
Front Yards on Corner Lots shall be construed as extending across the Lot from each interior side Lot line to the opposite Street Line. Corner Lots are considered to have two (2) Front Yards. The required Front Yard of the second frontage may be reduced by twenty percent (20%). In Subdivisions where non-conforming Lots exist, the second frontage may be reduced by forty percent (40%), provided the residence is constructed on one (1) Lot only.

LDC Table 6.01 Schedule of Area, Height, Bulk and Placement Standards

TABLE 6.01

SCHEDULE OF AREA, HEIGHT, BULK AND PLACEMENT STANDARDS

Zoning Districts	Minimum Lot Widths	Minimum Lot Area	Maximum Lot Coverage by All Buildings	Floor Area Ratio	Impervious Surface Ratio	Min. Yard Req. ⊗ Front/ Side/Rear	Maximum Height of Structures ⊕
RS-E	150 feet ☼	1 acre ☼	20%	N/A	70%	30/20/20 feet ✦	35 feet
RS-1	120 feet ☼	13,200 square feet ☼	25%	N/A	70%	30/10/15 feet ✦	35 feet
RS-2	90 feet ☼	10,000 square feet ☼	30%	N/A	70%	25/8/10 feet ✦	35 feet
RS-3	75 feet ☼	7,500 square feet ☼	35%	N/A	70%	25/8/10 feet ✦	35 feet

Article XII, Definitions

Lot Frontage: The front of an interior Lot shall be construed to be the portion nearest the street. Where a thirty (30) feet Easement is used to access no more than two (2) Dwelling Units, the front shall be construed to be the portion nearest the street from which the Easement extends. For the purpose of determining Yard requirements on corner Lots and through Lots, all sides of a Lot adjacent to street shall be considered frontage, and Yards shall be provided as set out in this Code.

Lot of Record:
A. A Lot which is part of a subdivision which has been recorded in the Office of the Clerk of the Circuit Court of the County, or
B. A Lot, Parcel or tract described by metes and bounds, the description of which has been so recorded in the Office of the Clerk of the Circuit Court of St. Johns County consistent with the Land Development Regulations in effect at that time, or
C. A Lot, Parcel or tract described by metes and bounds, the division of which complies with the Land Development Regulations in effect on the date of conveyance creating the division as evidenced by

reasonably reliable documentation substantiating such conveyance

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

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

LDC, Section 10.04.02 Zoning Variances
The St. Johns County Planning and Zoning Agency (PZA) may grant Zoning Variances, which are found not to be contrary to the public interest and owing to special conditions, a literal enforcement of this Code will result in unnecessary and undue Hardship. The Planning and Zoning Agency may provide such conditions and safeguards as may be appropriate and in harmony with the purpose and intent of this Code as part of the Variance.

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

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

DEPARTMENT 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:
Pursuant to Section 10.04.02 of the Land Development Code, the St. Johns County Planning and Zoning Agency (PZA) may grant Zoning Variances, which are found not to be contrary to the public interest and owing to special conditions, a literal enforcement of this Code will result in unnecessary and undue Hardship. The Planning and Zoning Agency may provide such conditions and safeguards as may be appropriate and in harmony with the purpose and intent of this Code as part of the Variance.

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

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

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

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

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

Technical Division Review:
In the case that the Zoning Variance is approved by the Planning and Zoning Agency, all site engineering, drainage and required infrastructure improvements will be reviewed pursuant to the established Development Review Process to ensure that the development has met all applicable Federal, State, and local regulations.

Planning and Zoning Division Review:
The site is improved with a 1,700-square-foot single-family home constructed in 1986, per the St. Johns County Property Appraiser. The applicant's plans indicate a new residence will be constructed on the site, the proposed home placement is within the required setbacks; therefore, the proposed location of the swimming pool is the component of the proposal necessitating review.

The subject property is 0.11 acres and was originally platted as Lot 64, Block 9 of the Matanzas Inlet Beach Subdivision, recorded in 1929 in Map Book 3, Page 35 of the St. Johns County Plat Maps. The original plat identified the lot as measuring 50 feet in width and 125 feet in depth; however, according to the St. Johns County Property Appraiser and the current legal description, the lot now measures 50 feet in width and 100 feet in depth. Based on these existing dimensions, the lot is considered as Legal, Non-Conforming.

The subject property is a corner lot, with frontage along Mellon Court and Gene Johnson Road. The proposed driveway entrance is along Mellon Court which is in line for other properties that have frontage along Mellon Court. The proposed front of the residence is oriented toward Gene Johnson Road, and, according to the proposed site plan, the swimming pool is situated along this same frontage, which is the area for which setback relief is being requested

Along Gene Johnson Road, the corridor exhibits a varied development pattern, including properties with both primary building entrances and vehicular access oriented toward Gene Johnson Road, as well as properties that utilize driveway access only.

Per LDC Section 6.01.03.C.2, the shortest boundary on the street shall be considered the main front yard,

which for this property would mean the property line along Mellon Court. LDC 6.01.03.E.2.3 goes on to state the required Front Yard of the second frontage can be reduced by 40% where non-conforming lots exist, provided the residence is constructed on one (1) Lot only. This results in a required second front yard of 15 feet, which the applicant is looking to reduce by an additional five (5) feet down to ten (10) feet for placement of the swimming pool.

Matanzas Inlet Beach subdivision with the subject property boundary in red:



Aerial of the subject property boundary:



The Narrative submitted by the applicant gave the following responses to the Zoning Variance criteria outlined in LDC Article 12:

"The request is to reduce the required setback from 15'-0" to 10'-0". The proposed pool is modest in scale, measuring only 15'-4" x 9'-4", and has been designed to minimize its impact on the property and surrounding neighborhood.

The hardship is created by the unique characteristics of the property. As a corner lot, the site is subject to two required front yard setbacks, which significantly reduce the available buildable area. Additionally, at 5,000 square feet, the property is smaller than the minimum lot size typically required in the RS-3 zoning district and is considered a legal nonconforming lot. These conditions are unique to the property and limit the reasonable placement of site improvements.

The proposed variance will not adversely affect adjacent properties or the character of the neighborhood. The property is extensively landscaped with mature palm trees that provide a substantial visual buffer from both the street and neighboring residences, further reducing the visibility and impact of the pool.

The current owners have owned the property for nearly 20 years and are constructing a new home that will serve as their permanent residence. Granting the requested variance will allow them to reasonably enjoy the property while maintaining the intent of the zoning regulations and preserving the character of the surrounding area."

CORRESPONDENCE/PHONE CALLS

Staff received an opposition email related to this Variance request. The email can be found in the **Correspondence** section.

ACTION

Staff offers six (6) findings of fact and six (6) 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. Recorded Documents
2. Supporting Documents
3. Correspondence

SUGGESTED MOTION / FINDINGS / CONDITIONS TO APPROVE REQUEST

Motion to approve **ZVAR 2026-27 90 Gene Johnson Road**, request for a Zoning Variance to Section 2.02.04.B.8.b & Table 6.01 of the Land Development Code to allow for a Second Front Yard setback of ten (10) feet in lieu of the required fifteen (15) in Residential, Single Family (RS-3) zoning to allow for the placement of a swimming pool, specifically located at 90 Gene Johnson Road, came before the Planning & Zoning Agency for public hearing on December 3, 2026, and is 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.
6. The applicant, at the public hearing, has stated no objections to the proposed conditions.

SUGGESTED CONDITIONS

1. The Variance will be transferable and apply only to the proposed swimming pool as submitted for this approval. 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 site shall be consistent with improvements depicted on the site plan labeled as **Exhibit B,** submitted by the applicant, and made part of this application.
4. The Variance shall commence within one (1) year of the signing of the Final Order. Failure to commence within the prescribed time shall render the Order invalid and all rights granted herein shall become null and void.
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.

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

SUGGESTED MOTION / FINDINGS TO DENY REQUEST

Motion to deny **ZVAR 2026-27 90 Gene Johnson Road**, request for a Zoning Variance to Section 2.02.04.B.8.b & Table 6.01 of the Land Development Code to allow for a Second Front Yard setback of ten (10) feet in lieu of the required fifteen (15) in Residential, Single Family (RS-3) zoning to allow for the placement of a swimming pool, specifically located at 90 Gene Johnson Road., came before the Planning & Zoning Agency for public hearing on December 3, 2026.

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 Agency 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:	James & Tina Bates 90 Gene Johnson Road St. Augustine, FL 32080
FILE NUMBER:	ZVAR 2026-27
LEGAL:	Exhibit A
SITE PLAN:	Exhibit B
PARCEL ID:	188880-0000
DATE OF HEARING:	December 3, 2026

ORDER GRANTING ZONING VARIANCE REQUEST

The above referenced application for a Zoning Variance to Section 2.02.04.B.8.b & Table 6.01 of the Land Development Code to allow for a Second Front Yard setback of ten (10) feet in lieu of the required fifteen (15) in Residential, Single Family (RS-3) zoning to allow for the placement of a swimming pool, specifically located at 90 Gene Johnson Road came before the Planning & Zoning Agency for public hearing on December 3, 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 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.

6. The applicant, at the public hearing, has stated no objections to the proposed conditions.

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby grants the request for a Zoning Variance to Section 2.02.04.B.8.b & Table 6.01 of the Land Development Code to allow for a Second Front Yard setback of ten (10) feet in lieu of the required fifteen (15) in Residential, Single Family (RS-3) zoning to allow for the placement of a swimming pool, specifically located at 90 Gene Johnson Road, came before the Planning & Zoning Agency for public hearing on December 3, 2026, subject to the following conditions:

1. The Variance will be transferable and apply only to the proposed swimming pool as submitted for this approval. 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 site shall be consistent with improvements depicted on the site plan labeled **Exhibit B**, submitted by the applicant, and made part of this application.

4. The Variance shall commence within one (1) year of the signing of the Final Order. Failure to commence within the prescribed time shall render the Order invalid and all rights granted herein shall become null and void.

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.

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 _____, 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

LEGAL DESCRIPTION

A PART OF LOT 64, IN BLOCK 9, MATANZAS INLET BEACH, A SUBDIVISION IN SECTION 37, TOWNSHIP 9 SOUTH, RANGE 31 EAST, AND SECTION 49, TOWNSHIP 9 SOUTH, RANGE 30 EAST, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 62, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWESTERLY CORNER OF LOT 64, BLOCK 9 AFORESAID; (1) THENCE RUN NORTHERLY ALONG WESTERLY LINE OF SAID LOT 64 FOR A DISTANCE OF 50 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 64; (2) THENCE RUN EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 64 FOR A DISTANCE OF 100 FEET; (3) THENCE RUN SOUTHERLY ALONG A LINE PARALLEL TO THE WESTERLY LINE OF SAID LOT 64 FOR A DISTANCE OF 50 FEET TO THE SOUTHERLY LINE OF SAID LOT 64; (4) THENCE RUN WESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 64 FOR A DISTANCE OF 100 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 64, THE POINT OF BEGINNING, AND TO CLOSE.

ZONING INFORMATION

FFE : 12.0' , GARAGE @ 10.0'
FLOOD ZONE : X
BFE : NA

LOT COVERAGE:

TOTAL LOT : 5000 SF / .11 ACRES

PROPOSED : 1614 SF = **32.3%**

PROPOSED ISR :

HOME : 1614 SF
DRIVEWAY, WALKWAYS : 1188 SF
POOL SURFACE : 143 SF
POOL DECK : 499 SF
SHOWER PAD : 40 SF
AC PAD : 9 SF

= 3493 SF = 69.8%

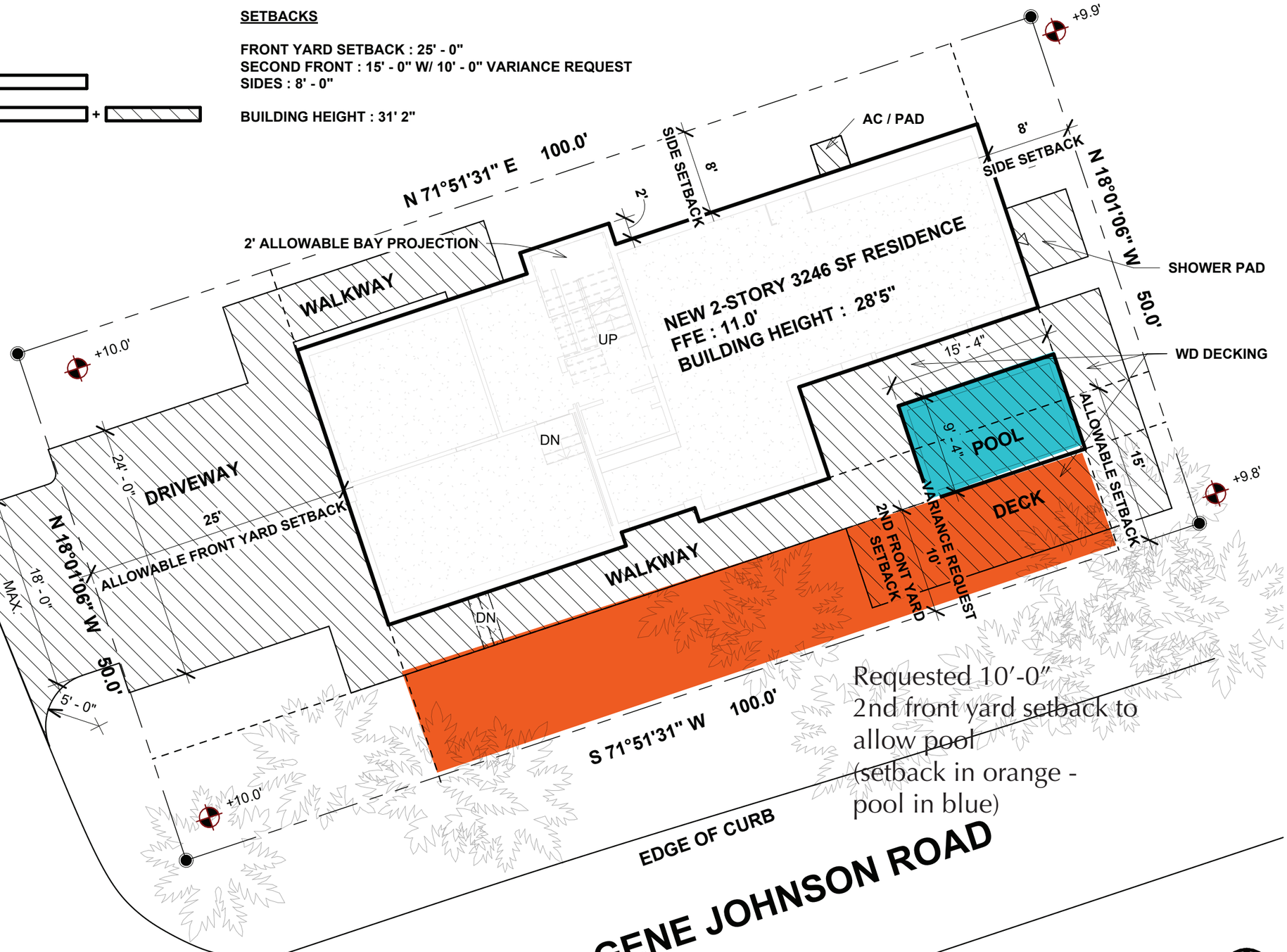
ZONING : ST. JOHNS COUNTY RS-3
PARCEL : **1888800000**
4-62 MATANZAS INLET BEACH SUBD W100FT OF LOT 64 BLK 9
OR3260/1512

SETBACKS

FRONT YARD SETBACK : 25' - 0"
SECOND FRONT : 15' - 0" W/ 10' - 0" VARIANCE REQUEST
SIDES : 8' - 0"

BUILDING HEIGHT : 31' 2"

Exhibit B



Requested 10′-0″
2nd front yard setback to
allow pool
(setback in orange -
pool in blue)

1 OVERALL SITE PLAN
1" = 10'-0"

8/13/2026 12:29:04 PM

SARAH RYAN
ARCHITECT

Architect:

Sarah Ryan Architect LLC
201 Owens Ave.
Saint Augustine, FL 32080

Owner:

James & Tina Bates
90 Gene Johnson Road
Saint Augustine, FL 32080

Bates Residence

90 Gene Johnson Road
Saint Augustine, FL 32080

No	Description	Date
1	REV 1	8.13.26

Scale **As indicated**

Sheet Title
SITE PLAN

A1

ORDER
ST. JOHNS COUNTY, FLORIDA
PLANNING AND ZONING AGENCY

RE:	James & Tina Bates 90 Gene Johnson Road St. Augustine, FL 32080
FILE NUMBER:	ZVAR 2026-27
LEGAL:	Exhibit A
PARCEL ID:	188880-0000
DATE OF HEARING:	December 3, 2026

ORDER DENYING ZONING VARIANCE REQUEST

The above referenced application for a Zoning Variance to Section 2.02.04.B.8.b & Table 6.01 of the Land Development Code to allow for a Second Front Yard setback of ten (10) feet in lieu of the required fifteen (15) in Residential, Single Family (RS-3) zoning to allow for the placement of a swimming pool, specifically located at 90 Gene Johnson Road came before the Planning & Zoning Agency for public hearing on December 3, 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 Variance is not in compliance with Article XII of the Land Development Code, defining a Zoning Variance. Substantial evidence has not been submitted to support a hardship as defined by the Code.
2. The request is contrary to the public interest and is in conflict with surrounding development.
3. The request does not meet the criteria established by Section 10.04.02 of the Land Development Code.
4. The request is in conflict with the Future Land Use Map designation of Residential-A.

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby denies the request for a Zoning Variance to Section 2.02.04.B.8.b & Table 6.01 of the Land Development Code to allow for a Second Front Yard setback of ten (10) feet in lieu of the required fifteen (15) in Residential, Single Family (RS-3) zoning to allow for the placement of a swimming pool, specifically located at 90 Gene Johnson Road came before the Planning & Zoning Agency for public hearing on December 3, 2026.

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

LEGAL DESCRIPTION

A PART OF LOT 64, IN BLOCK 9, MATANZAS INLET BEACH, A SUBDIVISION IN SECTION 37, TOWNSHIP 9 SOUTH, RANGE 31 EAST, AND SECTION 49, TOWNSHIP 9 SOUTH, RANGE 30 EAST, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 62, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWESTERLY CORNER OF LOT 64, BLOCK 9 AFORESAID; (1) THENCE RUN NORTHERLY ALONG WESTERLY LINE OF SAID LOT 64 FOR A DISTANCE OF 50 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 64; (2) THENCE RUN EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 64 FOR A DISTANCE OF 100 FEET; (3) THENCE RUN SOUTHERLY ALONG A LINE PARALLEL TO THE WESTERLY LINE OF SAID LOT 64 FOR A DISTANCE OF 50 FEET TO THE SOUTHERLY LINE OF SAID LOT 64; (4) THENCE RUN WESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 64 FOR A DISTANCE OF 100 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 64, THE POINT OF BEGINNING, AND TO CLOSE.

END DOCUMENTS
TO BE RECORDED

ATTACHMENT 2
SUPPORTING DOCUMENTS

St. Johns County Growth Management Department

Application for: Variance Request

Date: 7-15-26 Property Tax ID No: 1888800000

Project Name: 90 Gene Johnson Rd

Property Owner(s): James and Tina Bates Phone Number: 352-317-3238

Address: 97028 LANDING TRL Fax Number:

City: Yulee State: FL Zip Code: 32097-2478 e-mail: tinasbates@gmail.com

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

Applicant/Representative: Sarah Ryan, Architect Phone Number: 904-547-9430

Address: 201 Owens Ave Fax Number:

City: St Augustine State: FL Zip Code: 32080 e-mail: sr@sarahryanarchitect.com

Property Location: 90 Gene Johnson Rd

Major Access: Mellon Court Size of Property: 5000 SF Cleared Acres (if applicable):

Zoning Class: RS-3 No. of lots (if applicable): Overlay District (if applicable):

Water & Sewer Provider: County and Septic Future Land Use Designation:

Present Use of Property: Residential single family Proposed Bldg. S.F.: 3246 SF

Project Description (use separate sheet if necessary)

Please see attached memo

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: NA

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:

S Ryan

Signed By

Printed or typed name(s): Sarah Ryan, Architect

SARAH RYAN
ARCHITECT

07.15.26

St Johns County – Planning and Zoning Agency
4040 Lewis Speedway
St. Augustine, FL 32084
plandept@sjcfl.us

RE: Zoning Variance - 90 Gene Johnson Rd – Bates Residence

Dear St Johns County Planning and Zoning Agency,

We respectfully request a variance to allow a portion of the proposed swimming pool to encroach into the required secondary side yard setback. **The request is to reduce the required setback from 15'-0" to 10'-0**". The proposed pool is modest in scale, measuring only 15′-4″ x 9′-4″, and has been designed to minimize its impact on the property and surrounding neighborhood.

The hardship is created by the unique characteristics of the property. As a corner lot, the site is subject to two required front yard setbacks, which significantly reduce the available buildable area.

Additionally, at 5,000 square feet, the **property is smaller than the minimum lot size typically required in the RS-3 zoning district and is considered a legal nonconforming lot**. These conditions are unique to the property and limit the reasonable placement of site improvements.

The proposed variance will not adversely affect adjacent properties or the character of the neighborhood. The property is extensively landscaped with mature palm trees that provide a substantial visual buffer from both the street and neighboring residences, further reducing the visibility and impact of the pool.

The current owners have owned the property for nearly 20 years and are constructing a new home that will serve as their permanent residence. Granting the requested variance will allow them to reasonably enjoy the property while maintaining the intent of the zoning regulations and preserving the character of the surrounding area.

Sincerely,

Sarah Ryan

Sarah Ryan, AIA, Architect

sr@sarahryanarchitect.com | 201 Owens Ave, St. Augustine, FL 32080 | 904.547.9430

ZONING INFORMATION

FFE : 12.0' , GARAGE @ 10.0'
FLOOD ZONE : X
BFE : NA

LOT COVERAGE:

TOTAL LOT : 5000 SF / .11 ACRES

PROPOSED : 1614 SF = **32.3%**

PROPOSED ISR : +

HOME : 1614 SF
DRIVEWAY, WALKWAYS : 1188 SF
POOL SURFACE : 143 SF
POOL DECK : 499 SF
SHOWER PAD : 40 SF
AC PAD : 9 SF

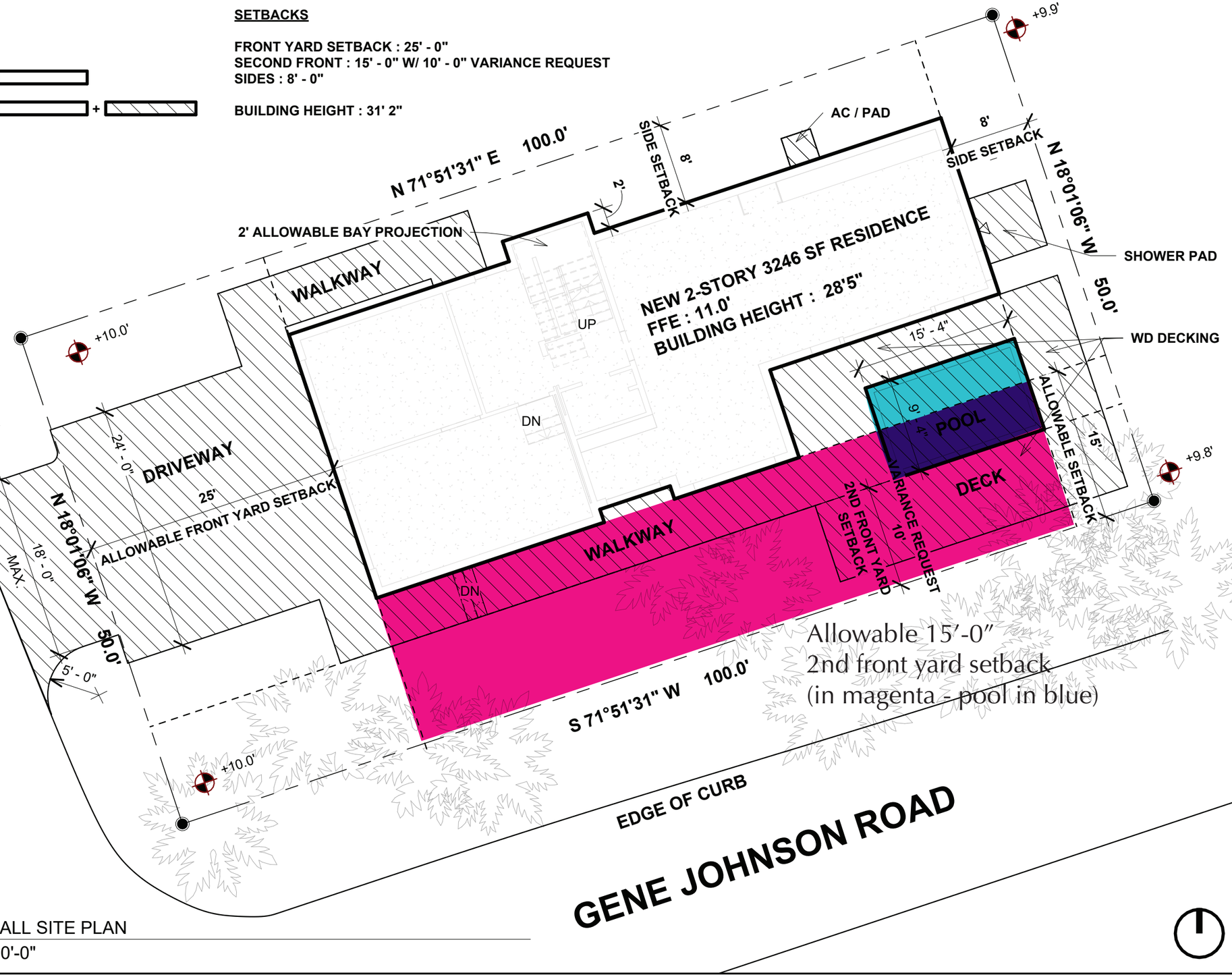
= 3493 SF = 69.8%

ZONING : ST. JOHNS COUNTY RS-3
PARCEL : **1888800000**
4-62 MATANZAS INLET BEACH SUBD W100FT OF LOT 64 BLK 9
OR3260/1512

SETBACKS

FRONT YARD SETBACK : 25' - 0"
SECOND FRONT : 15' - 0" W/ 10' - 0" VARIANCE REQUEST
SIDES : 8' - 0"

BUILDING HEIGHT : 31' 2"



Allowable 15'-0"
2nd front yard setback
(in magenta - pool in blue)

1 OVERALL SITE PLAN
1" = 10'-0"

8/13/2026 12:29:04 PM

SARAH RYAN
ARCHITECT

Architect:

Sarah Ryan Architect LLC
201 Owens Ave.
Saint Augustine, FL 32080

Owner:

James & Tina Bates
90 Gene Johnson Road
Saint Augustine, FL 32080

Bates Residence

90 Gene Johnson Road
Saint Augustine, FL 32080

No	Description	Date
1	REV 1	8.13.26

Scale As indicated

Sheet Title
SITE PLAN

A1

ZONING INFORMATION

FFE : 12.0' , GARAGE @ 10.0'
FLOOD ZONE : X
BFE : NA

LOT COVERAGE:

TOTAL LOT : 5000 SF / .11 ACRES

PROPOSED : 1614 SF = **32.3%**

PROPOSED ISR : +

HOME : 1614 SF
DRIVEWAY, WALKWAYS : 1188 SF
POOL SURFACE : 143 SF
POOL DECK : 499 SF
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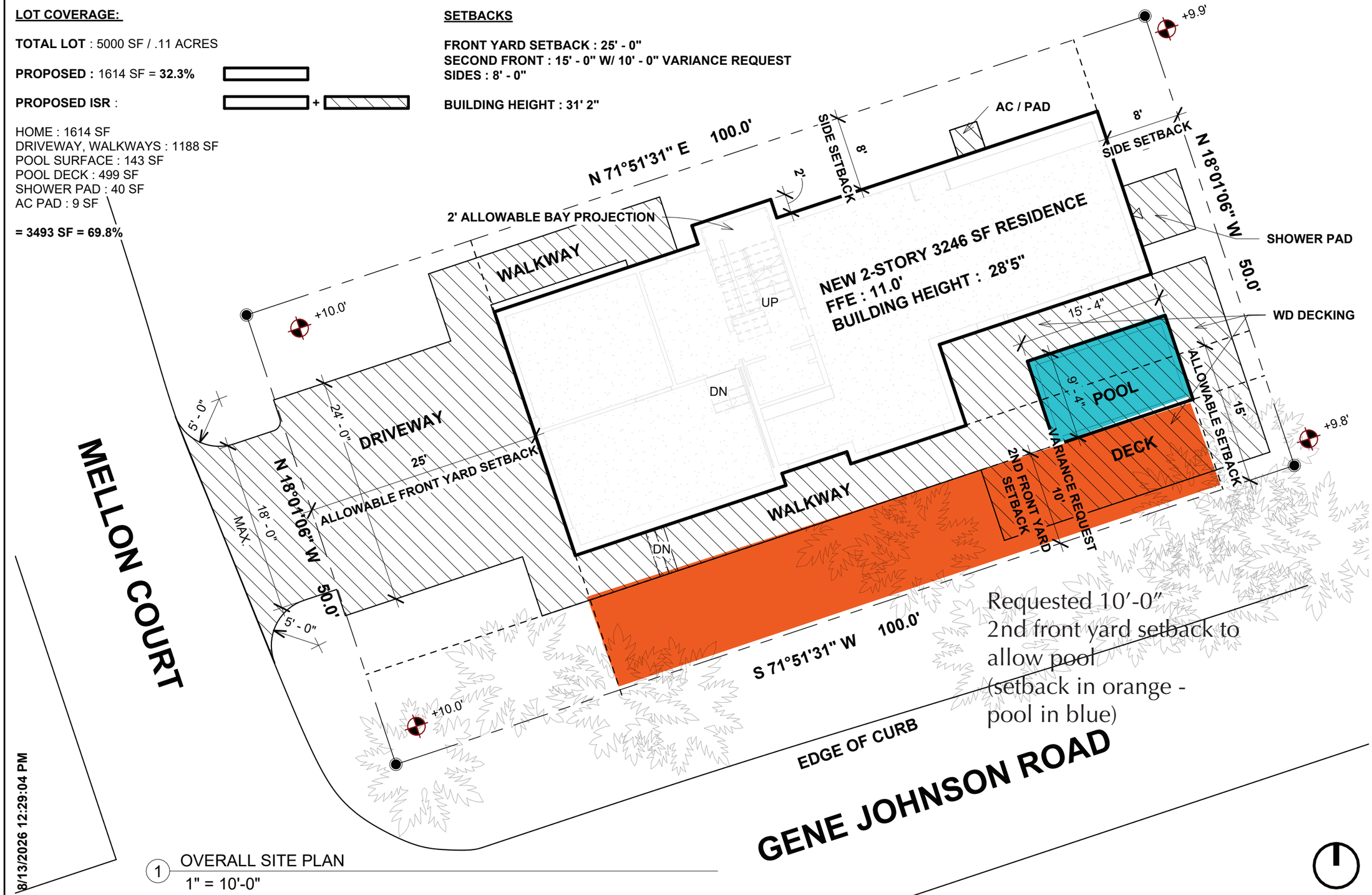
= 3493 SF = 69.8%

ZONING : ST. JOHNS COUNTY RS-3
PARCEL : **1888800000**
4-62 MATANZAS INLET BEACH SUBD W100FT OF LOT 64 BLK 9
OR3260/1512

SETBACKS

FRONT YARD SETBACK : 25' - 0"
SECOND FRONT : 15' - 0" W/ 10' - 0" VARIANCE REQUEST
SIDES : 8' - 0"

BUILDING HEIGHT : 31' 2"



1 OVERALL SITE PLAN
1" = 10'-0"

8/13/2026 12:29:04 PM

SARAH RYAN
ARCHITECT

Architect:

Sarah Ryan Architect LLC
201 Owens Ave.
Saint Augustine, FL 32080

Owner:

James & Tina Bates
90 Gene Johnson Road
Saint Augustine, FL 32080

Bates Residence

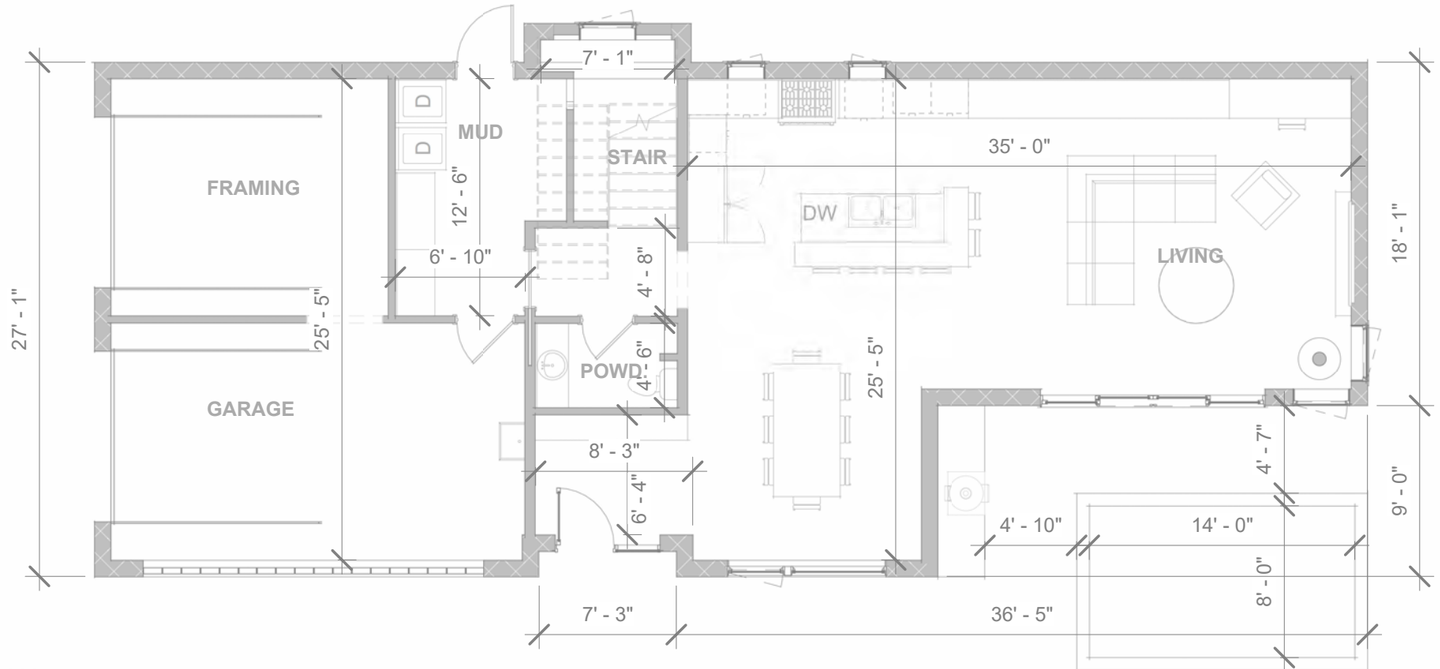
90 Gene Johnson Road
Saint Augustine, FL 32080

No	Description	Date
1	REV 1	8.13.26

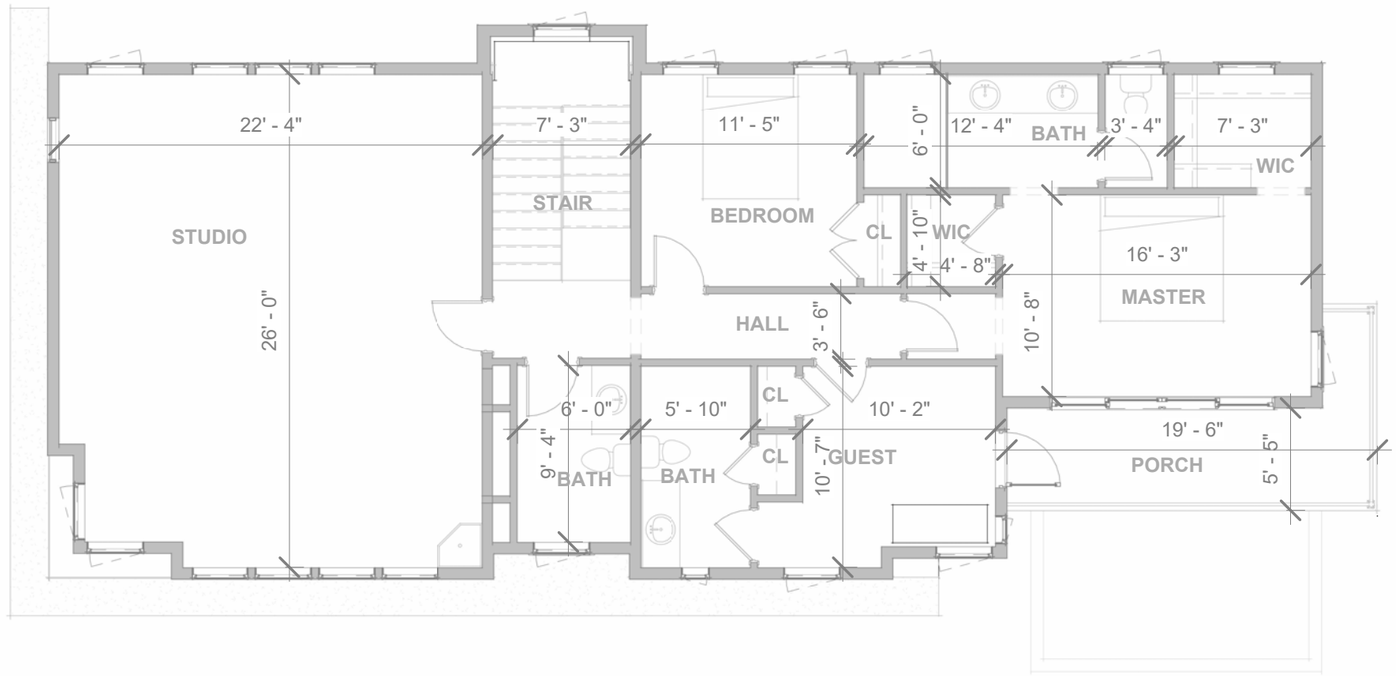
Scale **As indicated**

Sheet Title
SITE PLAN

A1



1 GROUND FLOOR PLAN
1/8" = 1'-0"



2 SECOND FLOOR PLAN
1/8" = 1'-0"

7/15/2026 12:34:33 PM

SARAH RYAN
ARCHITECT

Architect:

Sarah Ryan Architect LLC
201 Owens Ave.
Saint Augustine, FL 32080

Owner:

James & Tina Bates
90 Gene Johnson Road
Saint Augustine, FL 32080

Bates Residence

90 Gene Johnson Road
Saint Augustine, FL 32080

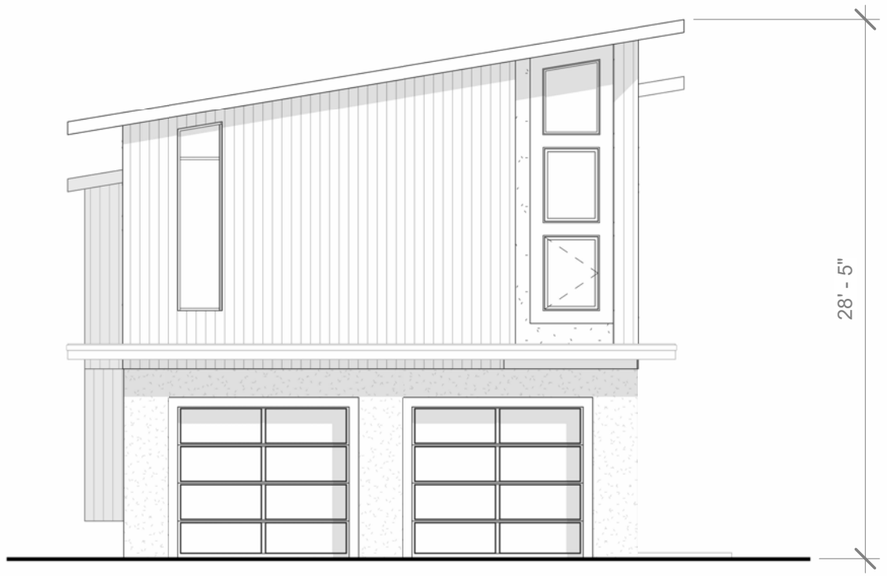
No	Description	Date
1	PZB Submission	7.15.2026

Scale 1/8" = 1'-0"

Sheet Title

PLANS

A002



1 WEST ELEVATION - FRONT
1/8" = 1'-0"



2 SOUTH ELEVATION - SECOND FRONT
1/8" = 1'-0"

7/15/2026 12:34:40 PM

SARAH RYAN
ARCHITECT

Architect:

Sarah Ryan Architect LLC
201 Owens Ave.
Saint Augustine, FL 32080

Owner:

James & Tina Bates
90 Gene Johnson Road
Saint Augustine, FL 32080

Bates Residence

90 Gene Johnson Road
Saint Augustine, FL 32080

No	Description	Date
1	PZB Submission	7.15.2026

Scale 1/8" = 1'-0"

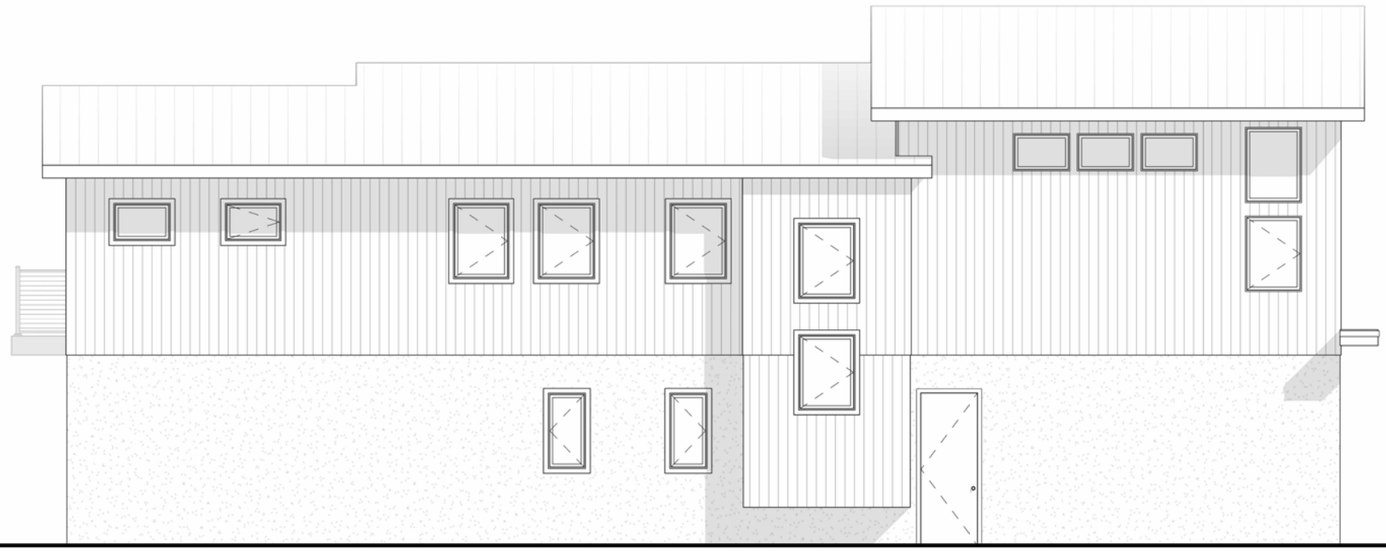
Sheet Title

ELEVATIONS

A003



1 EAST ELEVAITON - SIDE
1/8" = 1'-0"



2 NORTH ELEVATION - SIDE
1/8" = 1'-0"

7/15/2026 12:34:46 PM

SARAH RYAN
ARCHITECT

Architect:

Sarah Ryan Architect LLC
201 Owens Ave.
Saint Augustine, FL 32080

Owner:

James & Tina Bates
90 Gene Johnson Road
Saint Augustine, FL 32080

Bates Residence

90 Gene Johnson Road
Saint Augustine, FL 32080

No	Description	Date
1	PZB Submission	7.15.2026

Scale 1/8" = 1'-0"

Sheet Title

ELEVATIONS

A004





7/15/2026 12:35:00 PM

SARAH RYAN
ARCHITECT

Architect:

Sarah Ryan Architect LLC
201 Owens Ave.
Saint Augustine, FL 32080

Owner:

James & Tina Bates
90 Gene Johnson Road
Saint Augustine, FL 32080

Bates Residence

90 Gene Johnson Road
Saint Augustine, FL 32080

No	Description	Date
1	PZB Submission	7.15.2026

Scale

Sheet Title

3D VIEWS

A005

Public Records of St. Johns County, FL Clerk # 2009059408, O.R. 3260 PG 1512,
11/19/2009 at 11:22 AM REC. $9.00 SUR. $9.50 Doc. D $1463.00

In: Estate (54066) Doc: $1463.00 ($209,000.00) Rec: $18.50
WARRANTY DEED
INDIVID. TO INDIVID.
Return To: JAMES I. BATES JR AND TINA S. BATES,
HUSBAND AND WIFE

Address:

This Instrument Prepared by: Carol A. Lagasse, An Employee of
Estate Title of St. Augustine, Inc.
Address: 71 Carrera Street
St. Augustine, FL 32084

Property Appraisers Parcel Identification (Folio) Number(s):
188880-0000

SPACE ABOVE THIS LINE FOR RECORDING DATA

This Warranty Deed Made the ____ day of **October** A.D. **2009 by WALTER OLSEN AND PAULA OLSEN, HUSBAND AND WIFE** hereinafter called the grantor, **to JAMES I. BATES JR AND TINA S. BATES, HUSBAND AND WIFE** whose post office address is
2519 SW 81ST ST., GAINESVILLE, FL 32608
hereinafter called the grantee:

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

Witnesseth: That the grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in St. Johns County, State of Florida, viz:

A PART OF LOT 64, IN BLOCK 9, MATANZAS INLET BEACH, A SUBDIVISION IN SECTION 37, TOWNSHIP 9 SOUTH, RANGE 31 EAST, AND SECTION 49, TOWNSHIP 9 SOUTH, RANGE 30 EAST, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 62, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWESTERLY CORNER OF LOT 64, BLOCK 9 AFORESAID; (1) THENCE RUN NORTHERLY ALONG WESTERLY LINE OF SAID LOT 64 FOR A DISTANCE OF 50 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 64; (2) THENCE RUN EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 64 FOR A DISTANCE OF 100 FEET; (3) THENCE RUN SOUTHERLY ALONG A LINE PARALLEL TO THE WESTERLY LINE OF SAID LOT 64 FOR A DISTANCE OF 50 FEET TO THE SOUTHERLY LINE OF SAID LOT 64; (4) THENCE RUN WESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 64 FOR A DISTANCE OF 100 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 64, THE POINT OF BEGINNING, AND TO CLOSE.

Verified by: MEP & JNR

COPY

PLO

Subject To covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2009 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any,

Together, with all the tenements, hereditament and appurtenances thereto belonging or in anywise appertaining.

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness :

Carol A. Lagasse

Print Witness Signature:

Witness:

Margarita Cassese

Print Witness Signature:

Signature

P.O. Address:

Signature WALTER OLSEN

P.O. Address: 91 Gene Johnson Rd St Augustine FL 32080

Signature PAULA OLSEN

P.O. Address:

Signature

P.O. Address:

COPY

STATE OF FLORIDA

COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 2 day of October, 2009 by WALTER OLSEN AND PAULA OLSEN, HUSBAND AND WIFE who produced personally known as identification and who take an oath.

CAROL A. LAGASSE
MY COMMISSION # DD 800670
EXPIRES: July 21, 2012
Bonded Thru Notary Public Underwriters

SEAL

Notary Public, State and County Aforesaid

Notary Signature

Printed Notary Signature
My Commission Expires:

ATTACHMENT 3
CORRESPONDENCE

Outlook

PUBLIC COMMENT FOR DEC. 3, 2026 PZA HEARING – Objection to ZVAR 2026-27 (90 Gene Johnson Rd)

From Beach House <campidontwannagohom@gmail.com>
Date Thu 11/19/2026 9:52 AM
To Karla Castellon <kcastellon@sjcfl.us>
Cc Jennifer Padera <thegypsypalace@gmail.com>

Dear Ms. Castellon,

Following up on our conversation yesterday, please find below my formal written objection regarding **ZVAR 2026-27 (90 Gene Johnson Road)**—along with attached supporting photos—for inclusion in the official packet and record for the **December 3, 2026 Planning and Zoning Agency hearing**.

Please reply to confirm receipt so I know it has been logged prior to the holiday deadline. Thank you very much for your assistance.

Best regards,

Jennifer Padera, David Tilghman, Ben Tilghman

On Behalf of The Tilghman Family Trust

904-392-9430

Date: November 19, 2026

To: St. Johns County Planning and Zoning Agency (PZA)
c/o St. Johns County Growth Management Department
4040 Lewis Speedway
St. Augustine, FL 32084

Re: Formal Objection to Zoning Variance Request **ZVAR 2026-27** (90 Gene Johnson Road, St. Augustine, FL 32080)
Hearing Date: December 3, 2026

Dear Chair and Members of the Planning and Zoning Agency:

I am writing as the owner of the contiguous, lower-lying property adjacent to **90 Gene Johnson Road** in Summer Haven to formally **object to ZVAR 2026-27**, which seeks to reduce the required 15-foot road setback to 10 feet to accommodate a swimming pool, deck, and 3,300-square-foot residence on a 0.11-acre (4,792 sq. ft.) RS-3 parcel.

Under **Section 10.04.02 of the St. Johns County Land Development Code**, a zoning variance may only be granted when strict enforcement creates an unnecessary hardship caused by unique physical conditions of the land—not by the applicant's own design choices—and when the variance will not be injurious to neighboring properties or the public welfare. ZVAR 2026-27 fails these mandatory legal standards on four grounds:

1. **The Applicant's 69% ISR Proves a Self-Created Hardship:**
   The applicant's own site plan reflects an **Impervious Surface Ratio (ISR) of 69%**—just one percentage point below the 70% maximum cap allowed in RS-3 zoning. Maximizing nearly every square foot of allowable impervious coverage on a standard 50' × 100' Summer Haven lot demonstrates that this lot is entirely buildable without setback relief. The alleged "hardship" is strictly self-created by the applicant's desire to fit an oversized 3,300-square-foot home, pool, and deck onto a compact coastal parcel. (I also respectfully request that staff verify whether the 69% ISR calculation properly counts the swimming pool water surface at 100% impervious per Article XII and complies with the 35% maximum RS-3 building lot coverage limit.)

2. **Stormwater Runoff Risk to Contiguous Lower-Lying Property:**
   Leaving only 31% of the parcel permeable while eliminating 5 feet of unpaved road setback buffer significantly reduces on-site stormwater absorption during coastal rain events. Because my contiguous property sits at a lower elevation, pushing impervious pool decking and walls closer to the perimeter increases the risk of sheet-flow runoff and drainage impacts onto my land.

3. **Worsening Traffic and Public Safety Hazards on Gene Johnson Road:**
   Gene Johnson Road is a narrow coastal access road where delivery trucks, RVs, and service vehicles routinely block the travel lane, forcing passing vehicles onto dunes and private yards. Reducing the 15-foot setback to 10 feet eliminates vital off-street staging and vehicle buffer space, pushing maintenance and service vehicles directly into the right-of-way and compounding an existing public safety hazard.

4. **Adverse Impact on Neighborhood Character and Sightlines:**
   Encroaching 5 feet closer to the access road with a pool deck and perimeter wall disrupts the open coastal character of Summer Haven and restricts driver sightlines along a constrained roadway.

Because the applicant can reasonably construct a slightly smaller home or pool within the legal 15-foot setback, there is no legal basis to grant relief. I respectfully urge the Planning and Zoning Agency to **deny ZVAR 2026-27**.

Thank you for your time and consideration of the surrounding neighborhood.

Sincerely,

Jennifer Padera, David Tilghman, Ben Tilghman

On Behalf of The Tilghman Family Trust

60 Gene Johnson Road

St. Augustine, Florida

32080

904-392-9430

Campidontwannagohom@gmail.com

Thegypsypalace@gmail.com