

# GROWTH MANAGEMENT DEPARTMENT STAFF REPORT MID-ANASTASIA DESIGN OVERLAY DISTRICT

# **April 14, 2022 Public Meeting**

NZVAR 2022-03 Anastasia Baptist Church (roof and building length)

To: Mid-Anastasia Design Review Board

From: Saleena Randolph, Planner

Applicant: Brian Couch

**KBJ-L&B Architects** 

50 N. Laura Street, Suite 4200

Jacksonville, FL 32202

Owner: Anastasia Baptist Church

**Location:** 1650 A1A South

**Zoning / FLUM:** Residential, Single Family (RS-3) / Residential-C (Res-C)

Applicable Standards: Land Development Code (LDC), Part 3.08.00

Summary of Request: The applicant requests a Non-Zoning Variance to Land

Development Code Section 3.08.04.A to allow relief from the requirement to have a pitched roof and to allow relief from the

maximum allowed building length parallel to a roadway.

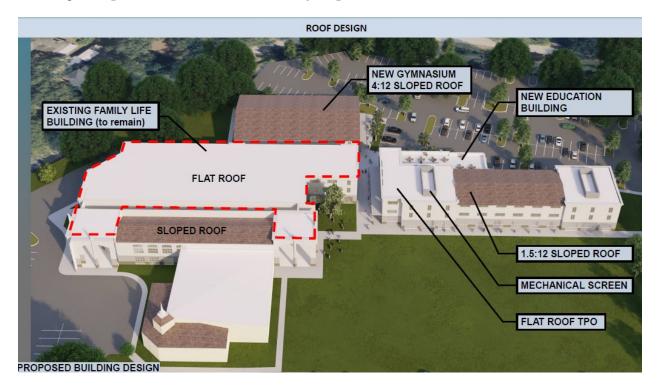
#### STAFF COMMENTS

The applicant is requesting the Board's review and approval for the following: to allow portions of the building to contain a flat roof therefore allowing relief from the requirement to have a pitched roof, and to allow a building parallel to a roadway to be 250 feet therefore allowing relief from the requirement of a maximum building length of 120 parallel to roadways. This request is a companion to an application for design approval (MADRB 2021-06). This report covers only the Non-Zoning Variance request.

ROOF: Based on application materials provided by the applicant, the applicant is seeking a Non-Zoning Variance to LDC, Sections 3.08.04.A, which states the following: "Roof design shall be hipped, shed or gable unless otherwise approved by the Design Review Board. Horizontal roofs, which give the appearance of flat roofs, shall not be allowed." The applicant's provided drawings show that portions of the proposed new education building have a flat roof design.

BUILDING LENGTH: Based on application materials provided by the applicant, the applicant is seeking a Non-Zoning Variance to LDC, Sections 3.08.04.A, which states the following: "Long monotonous facade designs including, but not limited to, those characterized by unrelieved repetition of shape or form or design elements, or by unbroken extension of line shall be avoided. The maximum length of any Building parallel to a roadway shall be 120 feet." The applicant's provided drawings show that the new education building will be 250 feet parallel to A1A South.

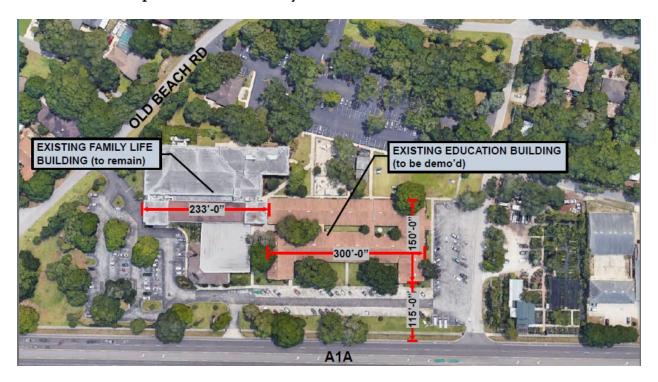
ROOF Existing and Proposed: Roofing types in the provided drawing shows that the existing Family Life Building is currently a flat roofed structure. The proposed new Education Building shows that portions of the building will have a flat roof, similar to the existing Family Life Building, and portions will have a minimally sloped roof.



### Provided Rendering:



<u>BUILDING LENGTH Existing</u>: the provided drawing shows that the existing Education Building measures 300 feet parallel to the roadway.



<u>BUILDING LENGTH Proposed</u>: the provided drawing shows that the new Education Building would measure 250 feet parallel to the roadway.



#### Section 3.08.01 Purpose and Intent

The purpose and intent of this Special District is to achieve specific goals and objectives of the St. Johns County Comprehensive Plan and establish additional requirements which regulate development in a manner that protects natural resources and further supports the provisions of Article IV of this Code, and maintains and enhances the diverse and unique character of the Mid-Anastasia Overlay District.

The objective of these requirements is to protect surrounding residential Uses; cluster complementary Uses; protect scenic views; enhance physical appearance through design and signage controls; protect community character and encourage pedestrian activity. These objectives shall be accomplished through the establishment and implementation of special guidelines, standards and criteria which shall apply to the location, character, compatibility and appearance of proposed cultural, institutional, commercial and multi-family land Uses, and to certain changes or renovations to such existing land Uses. The implementation of this Part shall be assisted by a Design Review Board, which shall be established in accordance with the administrative procedures of this Part. The review of activities which are subject to these additional requirements shall be performed with the goal of determining whether a proposed activity meets the goals, objectives and policies set forth in the Comprehensive Plan and the guidelines, standards and criteria of this Part.

#### APPLICABLE REGULATIONS FOR NON-ZONING VARIANCE

LDC, 3.08.04, Development Standards

The following general development standards shall apply within the Mid-Anastasia Overlay District:

A. Roof design shall be hipped, shed or gable unless otherwise approved by the Design Review Board. Horizontal roofs, which give the appearance of flat roofs, shall not be allowed.

Long monotonous facade designs including, but not limited to, those characterized by unrelieved repetition of shape or form or design elements, or by unbroken extension of line shall be avoided. The maximum length of any Building parallel to a roadway shall be 120 feet.

### LDC, Section 10.04.03, Non-Zoning Variances To Be Considered As Part of Development Review

- A. Recommendation of Approval and Authority
  - 2. If the non-zoning variance involves a deviation from the requirements of Part 3.06 thru Part 3.10 of the Code, the applicable overlay review board shall hear and determine whether to approve the item at a public hearing instead of the BCC. The Overlay review board must use the criteria in Section 10.04.03.B to approve a request to a non-zoning variance to the applicable overlay section. Appeals to overlay decisions may be appealed to the Board of County Commissioners pursuant to Section 9.07.04

- LDC, Section 10.04.03, Non-Zoning Variances To Be Considered As Part of Development Review
  - B. Required Findings

The BCC shall not vary the requirements of any provision of this Code unless it makes a positive finding, based on substantial evidence, on each of the following:

(Provided below are the applicant's response to each of the following findings.)

- 1. There are practical difficulties in carrying out the strict letter of the regulation. Reply: Because of the existing site constraints, mature trees and existing education and administration buildings, there are practical difficulties in carrying out the strict letter of the regulation. The new gym and education/admin buildings are located to allow for construction while the existing buildings remain in use. After the new construction, the existing one-story education and administration buildings will be removed. We previously designed and permitted the existing family life center for Anastasia Baptist Church which is also three stories tall and under the 35' height limit. The three-story design does not allow a hipped, shed or gable roof under 35'. We have incorporated the 1.5:12 pitched roof section in the center of the building to match the existing design of the family life center and the campus. The new building is setback approximately 270' away from AIA and is shorter in length than the existing buildings. See attached presentation with renderings and site plan graphics for additional information.
- 2. The Variance request is not based exclusively upon a desire to reduce the cost of developing the site.

Reply: This variance request is not based on a desire to reduce the cost of developing the site. Since this is an existing site and because of many of the reasons listed in item #1, constructing a 3-story building under 35' in height is one of the only options to get this amount of square footage the church needs to serve their educational and administrative needs. Construction of a three-story building is more costly than a one-story building because of stairs, elevators, etc.

- 3. The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
- Reply: The proposed variance will not substantially increase congestion on surrounding public street, the danger of fire or other hazard to the public. The new building is a replacement for several older buildings on the church campus in kind. The new building will be fully sprinklered and much safer for the public and the occupants.
- 4. The proposed Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
- Reply: The proposed variance will not substantially diminish property values in, nor alter then essential character of, the area surrounding the site. The surrounding property values should increase in values after this construction because of the reduced footprint and further setbacks.
- 5. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

  Reply: The effect of the proposed variance is in harmony with the general intent of the code and

the specific intent of the relevant subject areas of the code. A perfect case study would be the existing family life center. The character of the neighborhood remains intact and because of the increased setback from AIA, the appearance of the three-story building and the existing one-story buildings are the same based on site lines from AIA.

#### SUGGESTED ACTION TO APPROVE

The Design Review Board may consider a motion to approve **NZVAR 2022-03 Anastasia Baptist Church**, as described within the application and supporting documents provided:

- 1. There are practical difficulties in carrying out the strict letter of the regulation.
- 2. The Variance request is not based exclusively upon a desire to reduce the cost of developing the site.
- 3. The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
- 4. The proposed Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
- 5. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

#### SUGGESTED ACTION TO DENY

The Design Review Board may consider a motion to deny **NZVAR 2022-03 Anastasia Baptist Church**, as described within the application and supporting documents provided one or more of the following:

- 1. There are no practical difficulties in carrying out the strict letter of the regulation.
- 2. The Variance request is based exclusively upon a desire to reduce the cost of developing the site.
- 3. The proposed Variance will substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
- 4. The proposed Variance will substantially diminish property values in, or alter the essential character of, the area surrounding the site.
- 5. The effect of the proposed Variance is not in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

#### **ATTACHMENTS:**

- 1. Application and Supporting Documents
- 2. Draft Final Orders

# ATTACHMENT 1 APPLICATION AND SUPPORTING DOCUMENTS

St. Johns County Growth Management Department				
Application for: Non-Zoning Variance				
Date Feb. 4, 2022 Property Tax ID No 1618700000				
Project Name Anastasia Baptist Church				
Property Owner(s) Anastasia Baptist Church Phone Number 904-471-2166				
Address 1650 AIA South Fax Number				
City St. Augustine State FI Zip Code 32080-5464 e-mail				
Are there any owners not listed?    X   No   Yes   If yes please provide information on separate sheet.				
Applicant/Representative Brian Couch Phone Number 904-382-2729				
Address 50. North Laura Street, Suite 4200 Fax Number				
City Jacksonville State FL Zip Code 32202 e-mail brian.couch@landrumbrown.com				
Property Location 1650 AIA South, St. Augustine, Florida 32080-5464				
Major Access AIA Size of Property 9.770 ac Cleared Acres (if applicable)				
Zoning Class RS-2 No. of lots (if applicable) Overlay District (if applicable) Mid Anastasia Island				
Water & Sewer Provider Future Land Use Designation				
Present Use of Property Church Proposed Bldg. S.F. 60,884				
Project Description (use separate sheet if necessary)				
Demolition of Existing Educational and Administration Buildings New Educational and Administration Building - 47,754 sq. ft. New Gymnasium - 13,130 sq. ft.				
Please list any applications currently under review or recently approved which may assist in the review of this application including				

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:

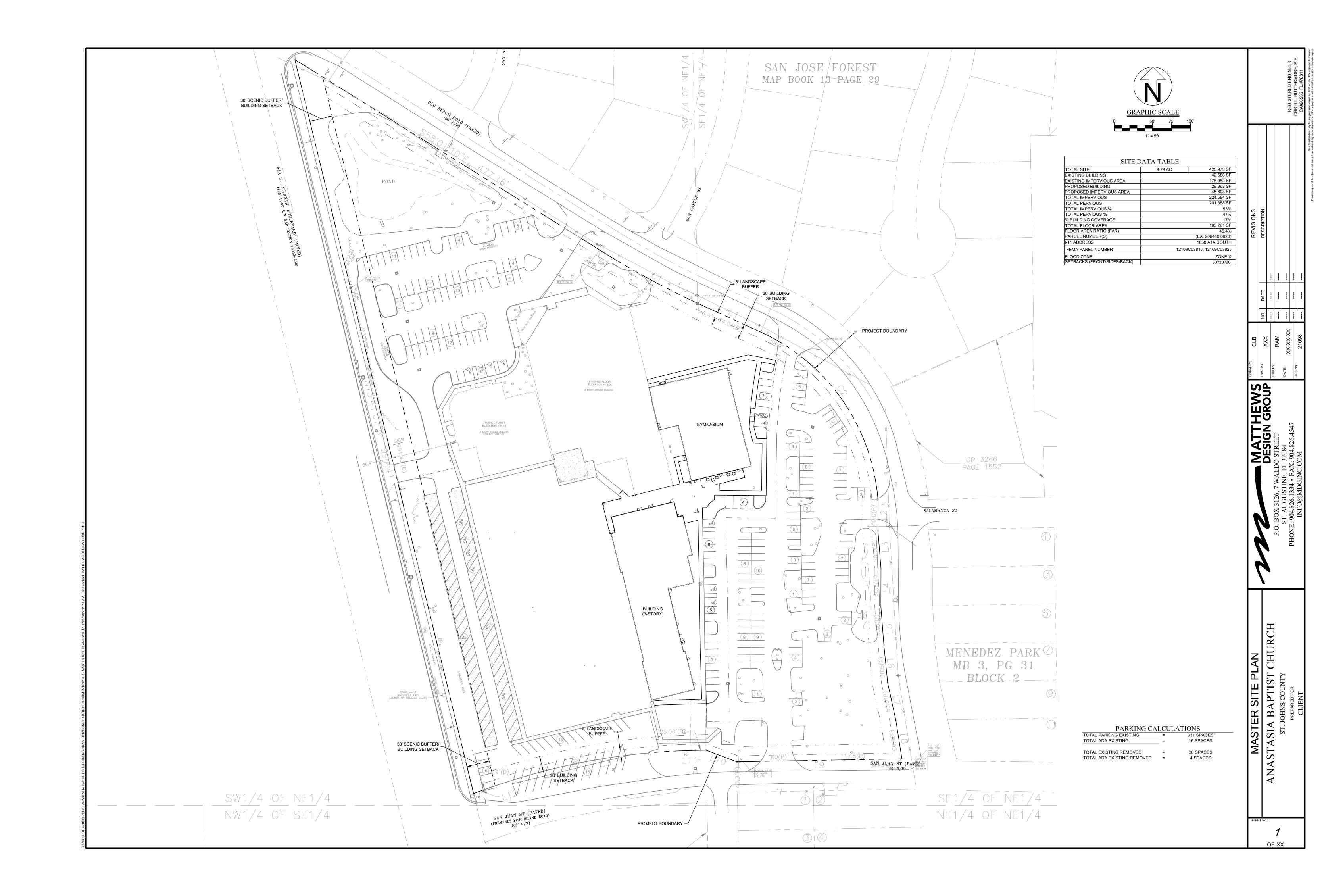
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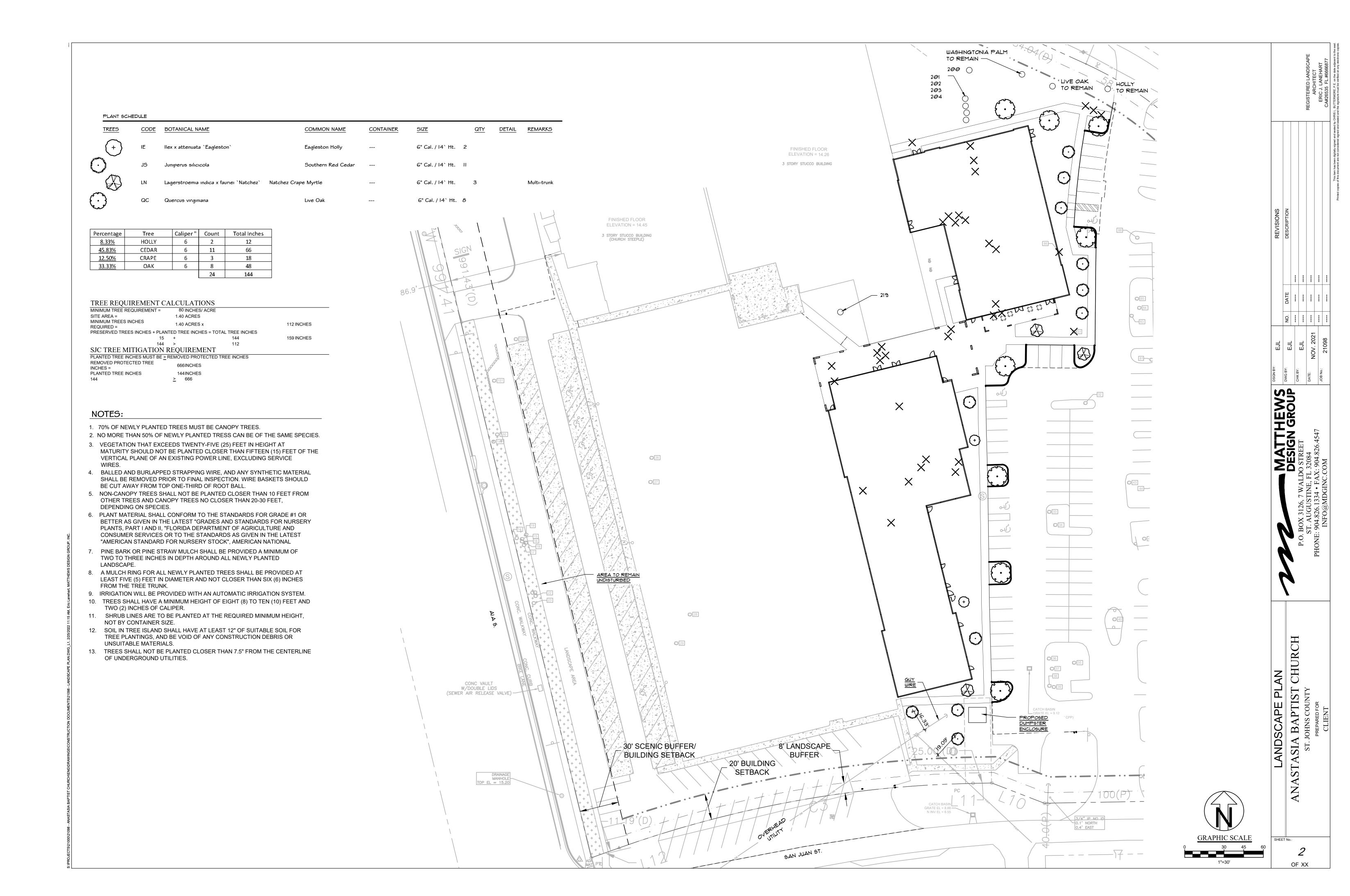
Printed or typed name(s)

the name of the PUD/PRD:

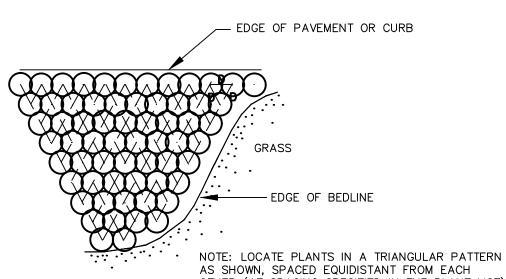
Brian Couch

Revised August 24, 2015



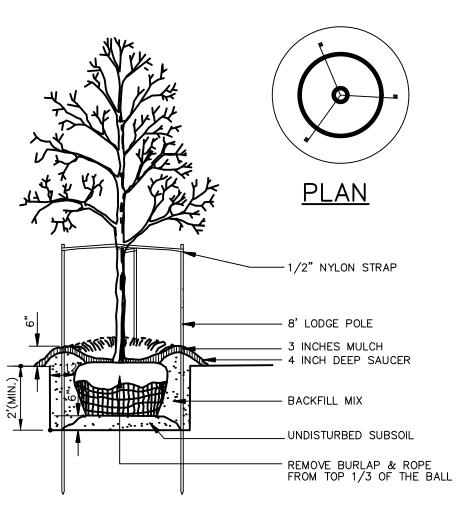


## SHRUB AND GROUND COVER PLANTING DETAIL

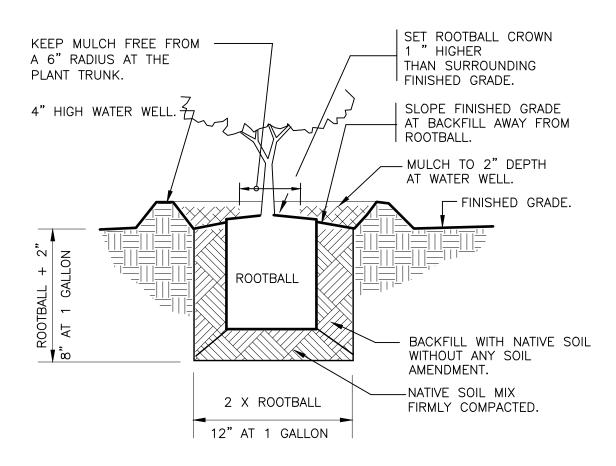


OTHER (AT SPACING SPECIFIED IN THE PLANT LIST).

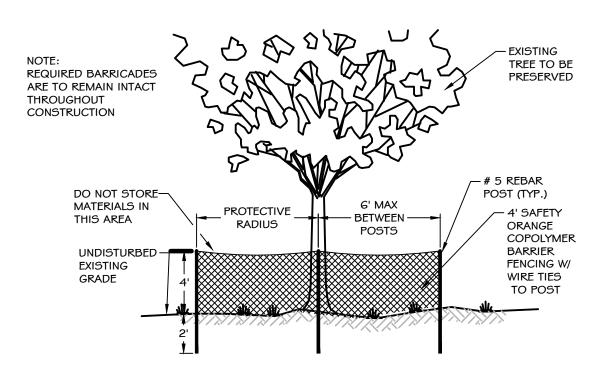
# SHRUB/GROUNDCOVER SPACING PLAN



# STAKING DETAIL



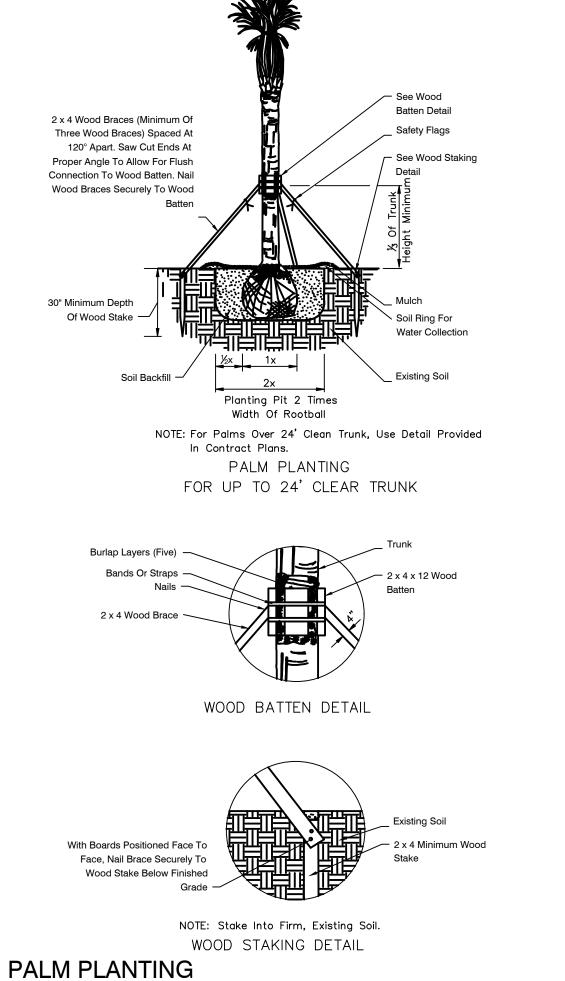
NATIVE SHRUB PLANTING



ALL PROTECTED TREES. PRESERVED UNDERSTORY VEGETATION. AND TREES RETAINED FOR TREE CREDIT SHALL BE PROTECTED FROM INJURY DURING ANY LAND CLEARING AND CONSTRUCTION PROCESS IN THE FOLLOWING MANNER

- THE MINIMUM UNDISTURBED AREA SHALL BE DESCRIBED BY A RADIUS OF ONE FOOT FOR EACH INCH OF THE TREE'S DIAMETER AT BREAST HEIGHT. DURING DEVELOPMENT ACTIVITY, ENCROACHMENT INTO THE UNDISTURBED AREA FOR PROPOSED ACTIVITY DESCRIBED IN CC LDC 6-2(5)(E), MAY BE PERMITTED UP TO 25% OF THE RADIUS OR UP TO 50% OF THE RADIUS ON ONE SIDE BUT NOT CLOSER THAN 6 FEET TO THE TRUNK OF THE TREE IN ALL EVENTS.
- 2. A TEMPORARY BARRIER SHALL BE CONSTRUCTED TO PREVENT DISTURBANCE OF THE SOIL EQUAL TO MINIMUM UNDISTURBED AREA. THE BARRIERS SHALL BE IN PLACE PRIOR TO LAND CLEARING AND REMAIN IN PLACE THROUGHOUT
- 3. THE DEVELOPER SHALL NOT CAUSE OR ALLOW THE CLEANING OF EQUIPMENT, STORAGE OR DISPOSAL OF MATERIALS OR WASTE MATERIALS SUCH AS PAINT, SOLVENTS, ASPHALT, CONCRETE, MORTAR, OR ANY OTHER MATERIAL THAT MAY ENDANGER THE HEALTH OF TREES OR VEGETATION WITHIN THE MINIMUM UNDISTURBED AREAS OF PROTECTED TREES.
- 4. THE MINIMUM UNDISTURBED AREA SHALL BE MAINTAINED AT ITS ORIGINAL GRADE WITH NO TRENCHING OR CUTTING OF ANY ROOTS, AND THERE SHALL BE NO STORAGE OF FILL OR COMPACTION OF SOIL. IN NO EVENT SHALL MOTORIZED VEHICLES OR EQUIPMENT BE ALLOWED TO PARK ON OR TRAVERSE THAT AREA WITHIN THE MINIMUM UNDISTURBED AREA OF THE PROTECTED TREES, NOR SHALL ANY DIRT OR OTHER MATERIALS BE STORED WITHIN THE BARRIERS.
- 5. NO ATTACHMENT, WIRES (OTHER THAN PROTECTIVE GUY WIRES), SIGNS OR PERMITS SHALL BE FASTENED TO A TREE.
- 6. ALL CLEARING AND GRUBBING WITHIN PROTECTED TREE AREA WILL BE DONE WITH HAND TOOLS ONLY
- 7. ALL ROOT SYSTEMS OUTSIDE THE PROTECTIVE RADIUS WHICH OCCUR IN AREAS OF PROPOSED IMPROVEMENTS SHALL BE PRUNED BY A QUALIFIED TREE SURGEON PRIOR TO EXCAVATION.

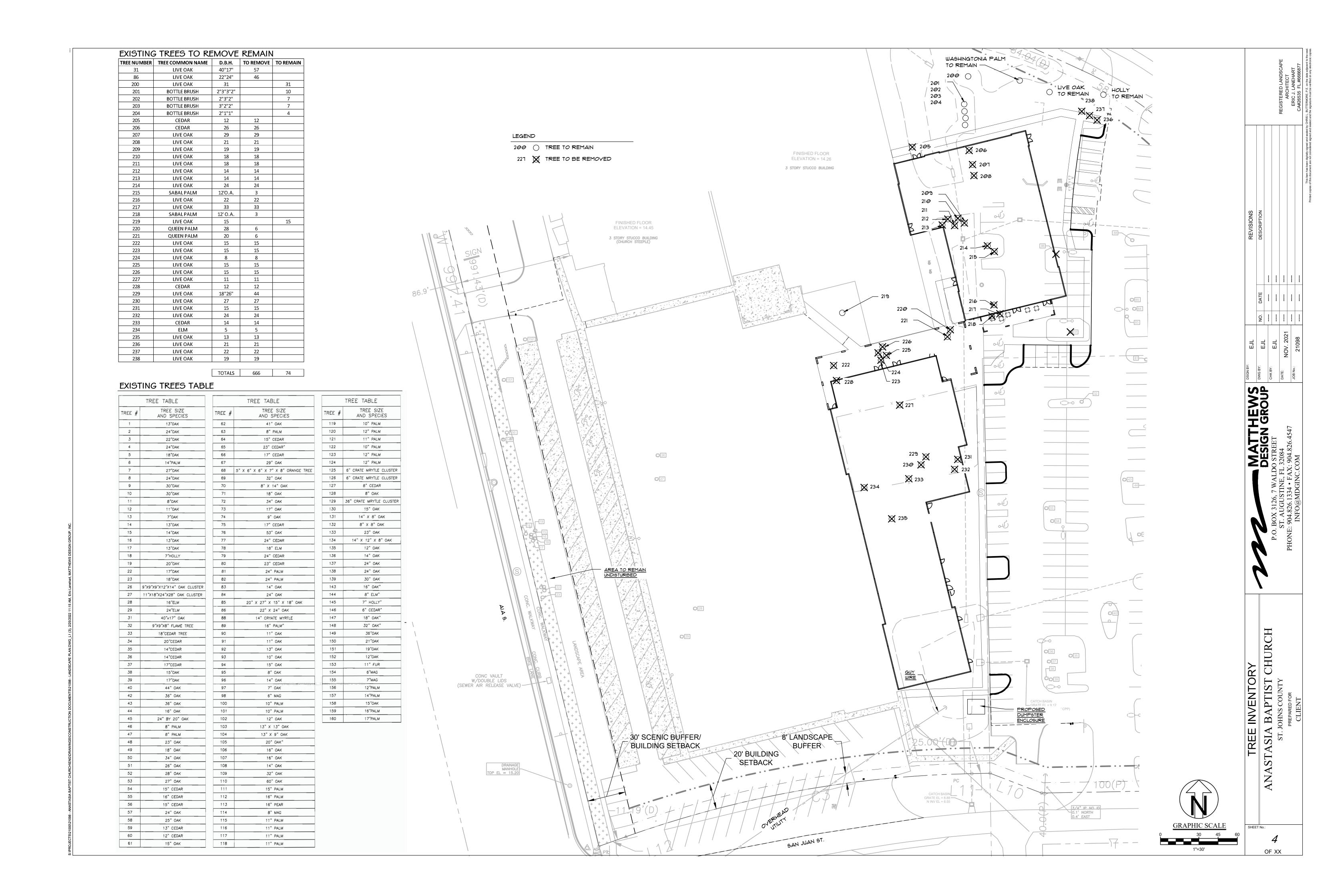
# TREE PROTECTION FENCING / MIN. UNDISTURBED AREAS



P-CO-15

## PLANTING NOTES

- I. The LANDSCAPE CONTRACTOR is responsible for verifying project site conditions and all quantities indicated on these plans before commencing any work. LANDSCAPE CONTRACTOR shall notify the LANDSCAPE ARCHITECT if soil conditions are poorly drained to determine is substitution of materials is necessary.
- 2. All plant material shall be Florida Grade No. I or better nursery grown in accordance to Florida Grades and Standards
- 3. All plant material shall be container grown or B\$B. B\$B materials shall be "hardened off" root pruned during field production and shall be dug at least several weeks before
- 4. Plants shall be sound, healthy and vigorous, well branched and densely foliated when in leaf. They shall be free of disease, insects, eggs or larvae and shall have healthy, well developed root systems. They shall be free from physical damage or adverse conditions that would prevent thriving growth.
- 5. Substitution of plant materials will not be permitted unless authorized in writing by the LANDSCAPE ARCHITECT. If proof is submitted that any plant specified in not obtainable, a proposal will be considered for use of the nearest equivalent size or variety with corresponding adjustment of contract price.
- 6. LANDSCAPE CONTRACTOR shall bear final responsibility for proper surface drainage of planted areas. Any discrepancy in the drawings, obstruction on the site, or prior to work done by any other party, which the CONTRACTOR feels precludes establishing proper drainage shall be brought to the attention of the LANDSCAPE ARCHITECT for correction or relief of said responsibility.
- 7. Planting beds shall be cut or edged to form a uniform clean line between beds and lawn areas.
- 8. After all plant material in a plant bed area has been installed and approved, the areas between plants shall be raked to an even grade to conform to premulching finish grades. All planting beds and plant saucers shall then be uniformly covered with a minimum three (3) inches of #2 grade or better of PINE BARK MINI NUGGETS.
- 9. Before fertilization a soil and/or foliar nutrient analysis shall be performed to determine whether phosphorus fertilizer with 30% slow release nitrogen will be required. All planting bed areas shall be fertilized approximately 4-6 weeks after installation.
- 10. Plant material soil shall be "native" soil that was removed from the planting hole. If soil is badly contaminated, good quality soil shall be used as replacement after contaminated soil has been completely removed from planting area.
- II. After sodding is completed, the entire side areas shall be watered by hand or irrigation system each day for two weeks. After approximately one month of installation, sodded areas shall then be top dressed with a 15-0-15 commercial slow-release fertilizer at a rate of 6.67 pounds per 1,000 square feet of area in an evenly broad-case pattern.
- 12. The LANDSCAPE CONTRACTOR is responsible for all fine grading preparation for planting. Apply pre-emergent to all beds prior to planting.
- 13. Rough grades will be established by the owners general contractor at approximately 3 inches below curbs, sidewalks, hardscape amenities, moving strips and abutments. All materials shall be a minumim 30" from buildings or walks.
- 14. Sod areas shall be SPECIFIED Grass. Grass for sodding shall be freshly cut in squares one foot wide by two feet long. Sod shall be healthy, free of insects and weeds, in naturally flourishing conditions. Dry, brown and unfresh sod will be rejected.
- 15. Sod shall be laid end to end and side to side in a staggered line to form a uniform layer. All uneven edges shall be squarely trimmed to allow close and firm fitting of each piece.
- 16. The LANDSCAPE CONTRACTOR is responsible for fully maintaining all plant material on site during and before planting, until the work in accepted by the LANDSCAPE ARCHITECT and/or owner.
- 17. All plants shall be guaranteed by the LANDSCAPE CONTRACTOR to be healthy plants and in flourishing condition of active growth for ninety (90) days from final inspection and acceptance. All trees shall be guaranteed an additional one year from final inspection and acceptance.
- 18. The LANDSCAPE ARCHITECT, owner or owners representative shall have the right to reject any and all work which in his opinion does not meet with the requirements of the specifications at any stage of the project operation.
- 19. There will be special care to all existing trees to be retained on site to avoid construction damage.



# **MID-ANASTASIA DESIGN REVIEW BOARD**



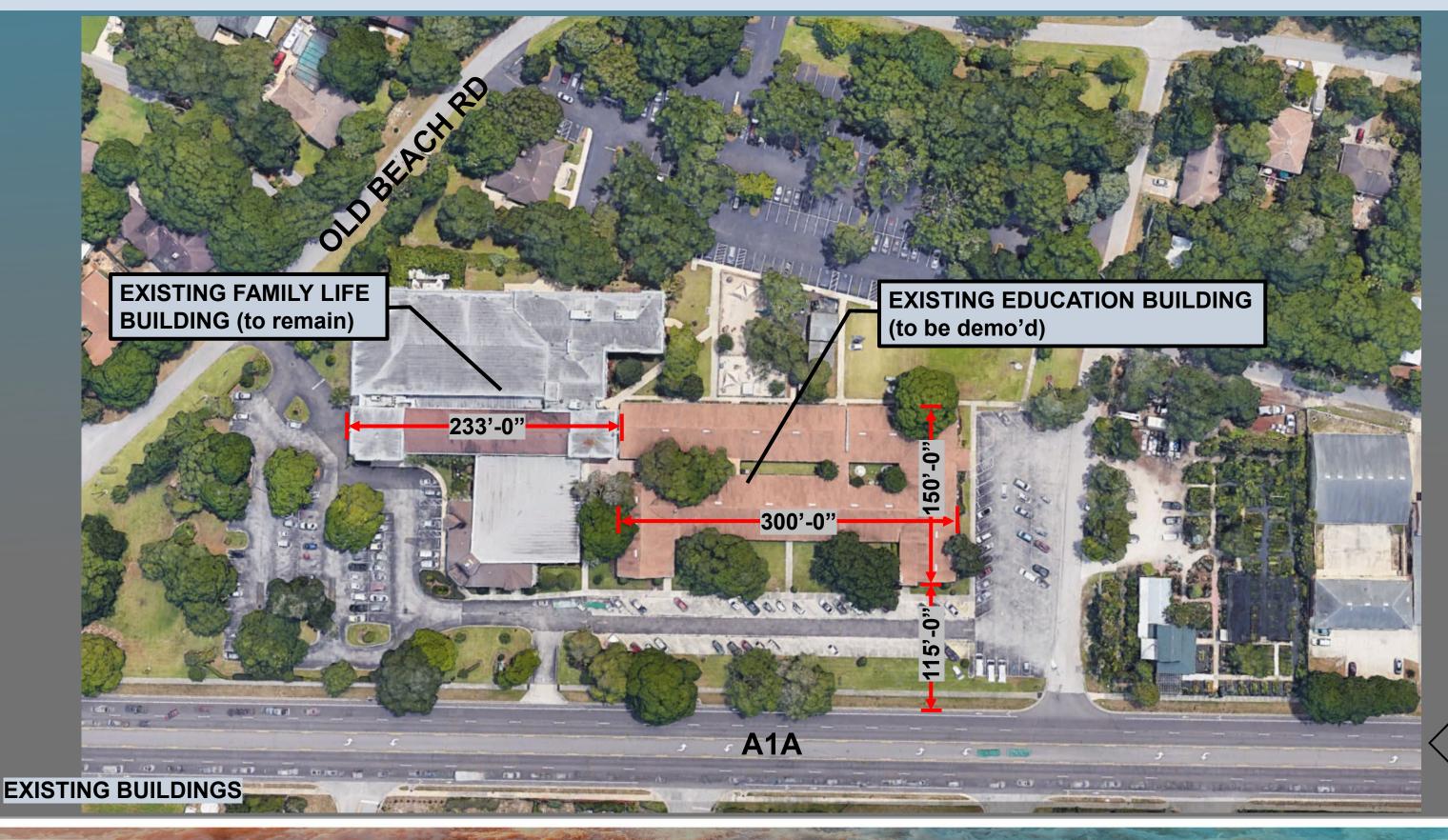




St. Augustine, Florida



# **EXISTING BUILDING LENGTH PARALLEL TO A ROADWAY**







# **BUILDING LENGTH**



\*CURRENT EDUCATION BUILDING IS PARALLEL TO A1A & EXTENDS 300' IN LENGTH

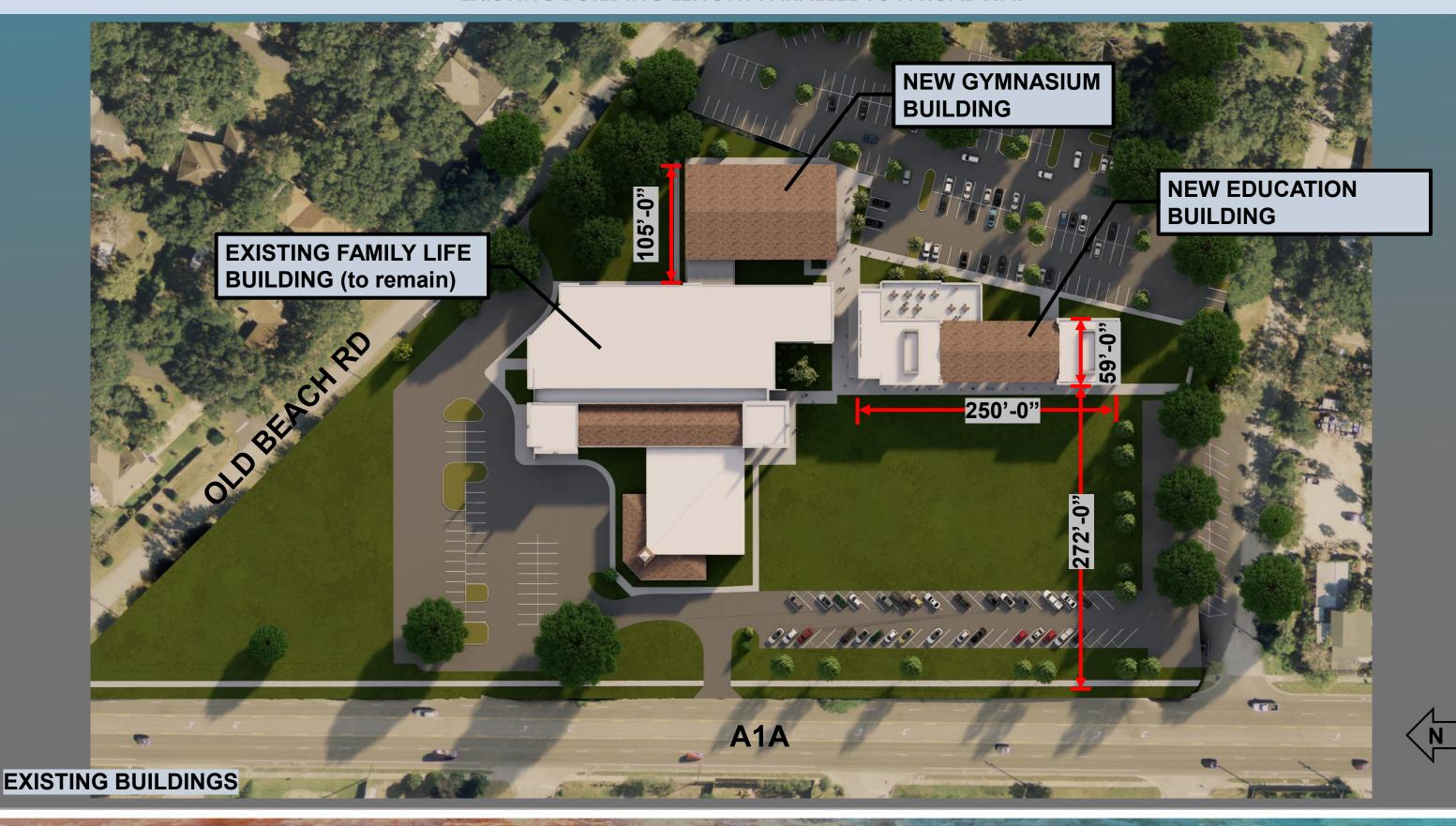
STREET VIEW - EDUCATION EXISTING BUILDINGS







# **EXISTING BUILDING LENGTH PARALLEL TO A ROADWAY**







# **BUILDING LENGTH**



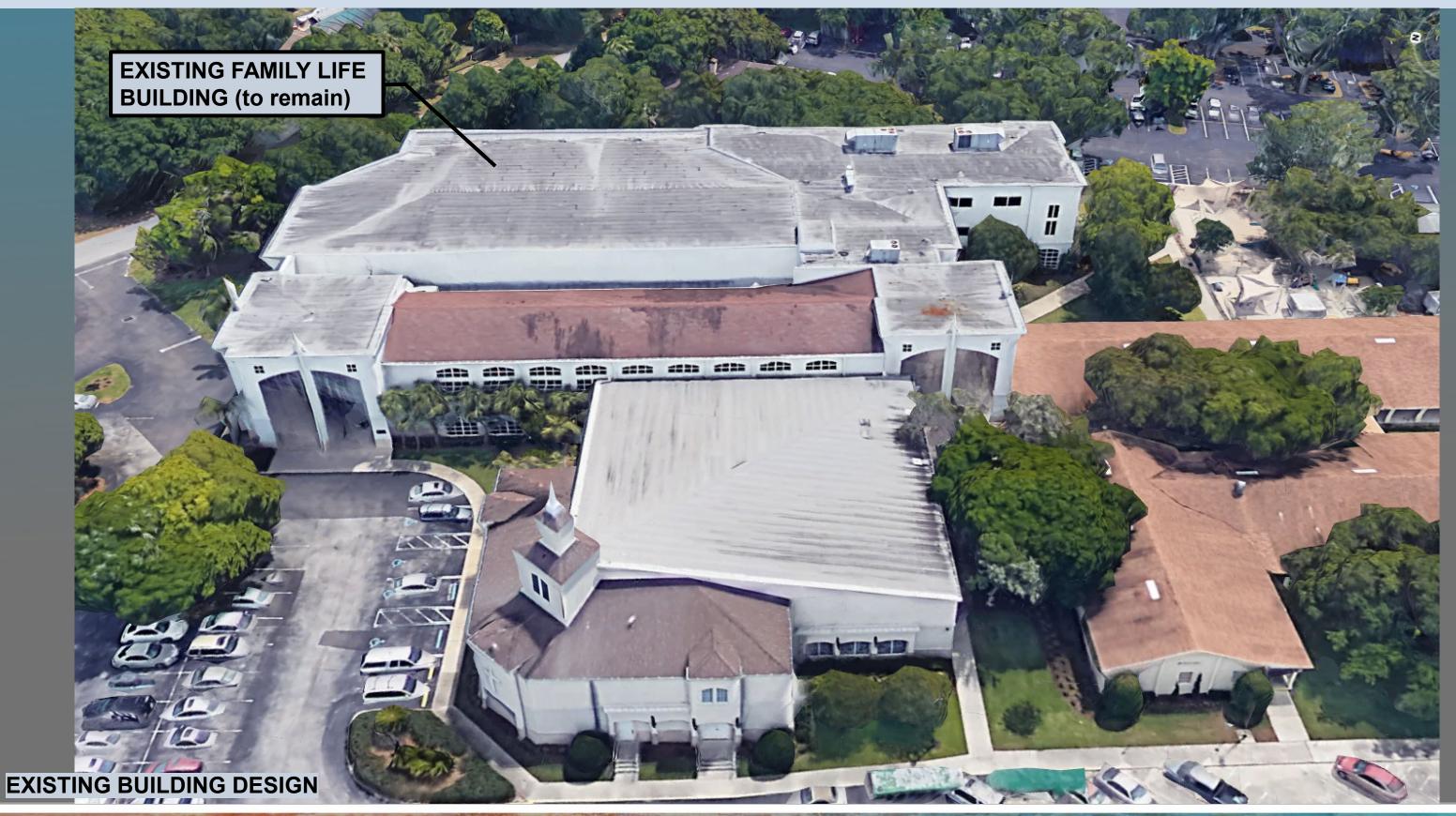








# **ROOF DESIGN**











# **ROOF DESIGN**

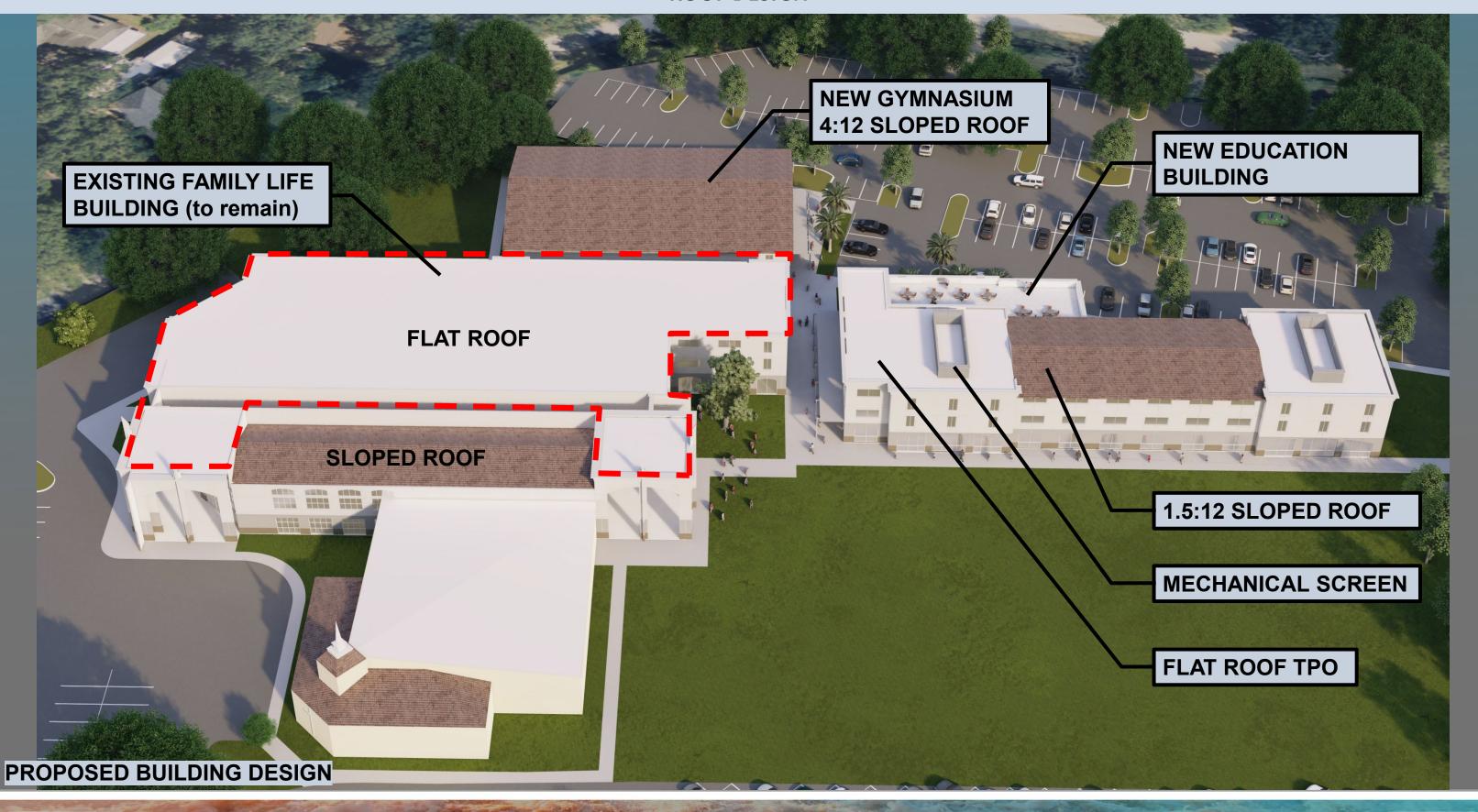








# **ROOF DESIGN**









# **NON-ZONING VARIANCE NARRATIVE**

St. Johns County Growth	Management Departmer	nt		
Application for: Non-Zoning Variance				
Date Feb. 4, 2022 Property Tax ID	o 1618700000			
Project Name Anastasia Baptist Church				
Property Owner(s) Anastasia Baptist Church	Phone Number 904-47	71-2166		
Address 1650 AIA South	Fax Number			
City St. Augustine State FI Zip Code 32080-546	e-mail			
Are there any owners not listed?	f yes please provide information on	ı separate sheet.		
Applicant/Representative Brian Couch	Phone Number	904-382-2729		
Address 50. North Laura Street, Suite 4200	Fax Number			
City Jacksonville State FL Zip Code 32202	e-mail brian.couch@landru	mbrown.com		
Property Location 1650 AIA South, St. Augustine, Florida 32080-546-				
Major Access AIA Size of Property	9.770 ac Cleared A	Acres (if applicable)		
	y District (if applicable) Mid Anasta			
Water & Sewer Provider	Future Land Use De			
Present Use of Property Church Proposed Bldg. S.F. 60,884  Project Description (use separate sheet if necessary)				
Demolition of Existing Educational and Administration Buildings New Educational and Administration Building - 47,754 sq. ft. New Gymnasium - 13,130 sq. ft.				
Please list any applications currently under review or recently approthe name of the PUD/PRD:	ed which may assist in the review of	f this application includ		
understand that reasonable inspections of the subject property may that any material misrepresentations or errors contained in this appli application, at the reasonable determination of the County consideri applicable regulations.	ation or supporting documents ma	y void an approved		
HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT: Signature of owner or person authorized to represent this application				
Brin Coul				
Printed or typed name(s) Brian Couch				

**Anastasia Baptist Church** 

Application # MADRB 2021000006

Applicant: Brian Couch, KBJ - L&B Architects, LLC.

**Application for Non-Zoning Variance** 

RE: Narrative for Variance from 3.08.04 Roof Design and Maximum Length of Building parallel to roadway

Sec. 3.08.04 Development Standards

The following general development standards shall apply within the Mid-Anastasia Overlay District:

A. Roof design shall be hipped, shed or gable unless otherwise approved by the Design Review Board. Horizontal roofs, which give the appearance of flat roofs, shall not be allowed. Long monotonous facade designs including, but not limited to, those characterized by unrelieved repetition of shape or form or design elements, or by unbroken extension of line shall be avoided. The maximum length of any Building parallel to a roadway shall be 120 feet.

#### Sec. 10.04.03 Non-Zoning Variances To Be Considered As Part Of Development Review

B. Required Findings

The BCC shall not vary the requirements of any provision of this Code unless it makes a positive finding, based on substantial evidence, on each of the following:

.. There are practical difficulties in carrying out the strict letter of the regulation.

Reply: Because of the existing site constraints, mature trees and existing education and administration buildings, there are practical difficulties in carrying out the strict letter of the regulation. The new gym and education/admin buildings are located to allow for construction while the existing buildings remain in use. After the new construction, the existing one-story education and administration buildings will be removed. We previously designed and permitted the existing family life center for Anastasia Baptist Church which is also three stories tall and under the 35' height limit. The three-story design does not allow a hipped, shed or gable roof under 35'. We have incorporated the 1.5:12 pitched roof section in the center of the building to match the existing design of the family life center and the campus. The new building is setback approximately 270' away from AIA and is shorter in length than the existing buildings. See attached presentation with renderings and site plan graphics for additional information.

2. The Variance request is not based exclusively upon a desire to reduce the cost of developing the site.

Reply: This variance request is not based on a desire to reduce the cost of developing the site. Since this is an existing site and because of many of the reasons listed in item #1, constructing a 3-story building under 35' in height is one of the only options to get this amount of square footage the church needs to serve their educational and administrative needs. Construction of a three-story building is more costly than a one-story building because of stairs, elevators, etc.

3. The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.

Reply: The proposed variance will not substantially increase congestion on surrounding public street, the danger of fire or other hazard to the public. The new building is a replacement for several older buildings on the church campus in kind. The new building will be fully sprinklered and much safer for the public and the occupants.

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Reply: The proposed variance will not substantially diminish property values in, nor alter then essential character of, the area surrounding the site. The surrounding property values should increase in values after this construction because of the reduced footprint and further setbacks.

5. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

Reply: The effect of the proposed variance is in harmony with the general intent of the code and the specific intent of the relevant subject areas of the code. A perfect case study would be the existing family life center. The character of the neighborhood remains intact and because of the increased setback from AIA, the appearance of the three-story building and the existing one-story buildings are the same based on site lines from AIA.







# ATTACHMENT 2 DRAFT FINAL ORDERS APPROVAL / DENIAL



# ORDER OF THE ST. JOHNS COUNTY, FLORIDA DESIGN REVIEW BOARD OF THE MID-ANASTASIA OVERLAY DISTRICT

Brian Couch, KBJ- L&B Architects 50 N. Laura Street, Suite 4200 Jacksonville, FL 32202

FILE NUMBER: NZVAR 2022-03 Anastasia Baptist Church (roof and building length)

**PARCEL:** 161870-0000 **DATE OF HEARING:** April 14, 2022

#### **ORDER GRANTING APPROVAL**

The above referenced application, NZVAR 2022-03 Anastasia Baptist Church (roof and building length), a request for a Non-Zoning Variance to Land Development Code Section 3.08.04.A to allow relief from the requirement to have a pitched roof and to allow relief from the maximum allowed building length parallel to a roadway located at 1650 A1A South was considered by the Mid-Anastasia Design Review Board (MADRB) in a public hearing.

#### FINDINGS OF FACT

Having considered the application, supporting documents, statements made by the Applicant and Staff, and all evidence presented during the public hearing, the Board made the following Findings of Fact:

- 1. The request for the Non-Zoning Variance has been fully considered after public hearing with legal notice duly published as required by law.
- 2. There are practical difficulties in carrying out the strict letter of the regulation.
- 3. The Non-Zoning Variance request is not based solely upon a desire to reduce the cost of developing the site.
- 4. The proposed Non-Zoning Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
- 5. The proposed Non-Zoning Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
- 6. The effect of the proposed Non-Zoning Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.
- 7. The applicant, at the public hearing, has stated no objections to the proposed conditions.

NOW THEREFORE, based on said Findings of Fact, the Board hereby approves this application as submitted subject to the following conditions:

- 1. Any changes to the original application as submitted will require additional review by the Design Review Board.
- 2. The Non-Zoning Variances shall be transferable and shall run with title to the property.
- 3. The requested Non-Zoning Variance shall commence within one (1) year of the signing of the Order, otherwise all rights grants herein shall be null and void. Commencement shall be defined as issuance of a Building Permit by St. Johns County.
- 4. Approval of the Non-Zoning Variance is limited to the requested relief and does not release the project from compliance with all other relevant requirements of the St. Johns County Land Development Code or Comprehensive Land Use Plan. Representations and other documents shall assist in the interpretation of the requested relief but shall not be deemed as approval or waiver of any other provision of the Comprehensive Plan or Land Development Code.

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 9.07.04 of the Land Development Code. Deed Restrictions, if any, are not affected by the actions of the Board or this Order.

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, 2022.
DRB FOR THE MID-ANASTASIA OVERLAY DISTRICT WITHIN ST. JOHNS COUNTY, FLORIDA:
BY:Bob Boese, Chair  The undersigned Clerk of the Board certifies that the above Order is a true and correct copy of the Order adopted by said Board as the same appears in the record of the Board Minutes.
BY:Clerk: Saleena Randolph, Planner
Attachment: Stamped approved drawings

All applicable state or federal permits must be obtained before commencement of the development. Issuance of a



# ORDER OF THE ST. JOHNS COUNTY, FLORIDA DESIGN REVIEW BOARD OF THE MID-ANASTASIA OVERLAY DISTRICT

Brian Couch, KBJ- L&B Architects 50 N. Laura Street, Suite 4200 Jacksonville, FL 32202

FILE NUMBER: NZVAR 2022-03 Anastasia Baptist Church (roof and building length)

**PARCEL:** 161870-0000 **DATE OF HEARING:** April 14, 2022

#### **DENIAL ORDER**

The above referenced application, NZVAR 2022-03 Anastasia Baptist Church (roof and building length), a request for a Non-Zoning Variance to Land Development Code Section 3.08.04.A to allow relief from the requirement to have a pitched roof and to allow relief from the maximum allowed building length parallel to a roadway located at 1650 A1A South was considered by the Mid-Anastasia Design Review Board (MADRB) in a public hearing.

#### FINDINGS OF FACT

Having considered the application, supporting documents, statements made by the Applicant and Staff, and all evidence presented during the public hearing, the Board made the following Findings of Fact:

- 1. There are no practical difficulties in carrying out the strict letter of the regulation.
- 2. The Non-Zoning Variance request is based solely upon a desire to reduce the cost of developing the site.
- 3. The proposed Non-Zoning Variance will substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
- 4. The proposed Non-Zoning Variance will substantially diminish property values in, or alter the essential character of, the area surrounding the site.
- 5. The effect of the proposed Non-Zoning Variance is not in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

NOW THEREFORE, based on said Findings of Fact, the Board hereby denies this application as submitted. 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 9.07.04 of the Land Development Code. Deed Restrictions, if any, are not affected by the actions of the Board 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	, 2022.	
DRB FOR THE M	ID-ANASTASIA OVERL	AY DISTRICT WITHIN ST. JOHNS COU	NTY, FLORIDA:
BY:Bob Boese,	Chair		
	erk of the Board certifies that me appears in the record of	at the above Order is a true and correct copy of the Board Minutes.	the Order adopted by
BY:Clerk: Salee	ena Randolph, Planner		