

ST. JOHNS COUNTY, FLORIDA

ORDER

REZONING/EXCEPTION/VARIANCE

NAME OF APPLICANT

APPLICATION NUMBER

A. J. McGuinness

R-88-053

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

DENIED


CONDITIONAL ORDINANCE 88-71

Conditions

*See Attached

DATE OF COMMISSION ACTION: November 22, 1988

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Connie E. McDaniel
DEPUTY CLERK

(Pursuant to St. Johns County Zoning Code, Section 11-9-5b: failure to exercise an exception or variance by commencement of the use or action approved thereby within one year, or such longer time as approved by the Board, shall render the exception or variance invalid and all rights granted thereunder shall terminate)

is hereby changed to CI, Commercial Intensive

subject to the following conditions:

1. Use as Carwash **business**.
2. Existing driveway in middle of property to be the only access to the business located on the land described herein.
3. A tree be planted every 25 feet all around the property.
4. One off site sign which will conform to St. Johns county sign requirements.
5. Professional and business offices. **excluding Doctor's offices**.
6. Retail outlets for sale of food and drugs, books and stationery, leather goods, and luggage, jewelry (including watch repair but no pawnshop) art supplies, cameras or photographic supplies (including camera repair), sporting goods, hobby shops, and pet shops (but not kennel or veterinarian) musical instruments, television and radio (including repairs), florist or gift shop, delicatessen, bake shop (but not wholesale bakery), drugs and similar products.
7. Service establishments such as barber or beauty shop, shoe repair shop, restaurant, (but not drive in restaurant), interior decorator, photographic studio, dance or music studio, reducing salon or **gymnasium**, **self**-service laundry or dry cleaner, tailor or dressmaker, drycleaning and laundry package plants in **completely enclosed building** using nonflammable liquids such as perchlorethylene and with no odor, fumes or steam detectable tonormal senses from off the premises and similar activities.
8. Limit the height of all buildings to 35 feet maximum

(11/22/88 - 7 - 2.1932)

Hearing on Variance Fee Application #88-031/Brianne L. and Houston D. Beesley, variance to maximum height, located at 8960 Old AIA. Requesting change, Variance or Exception Requested: Height variance from 35 ft. to 37 ft.3 inches.. Reason for above stated request: contractor built the house too high off the ground. Proof of publication of notice of public hearing on proposed zoning height exception was received having been published in The St. Augustine Record on November 3, 1988. Houston Beesley, 2991 Woodrow Way, Atlanta, GA and also 8960 Old AIA. request variance due to height of house which contractor built 37 feet high rather than 35 feet. Beesley requests allowance of a variance of 37 feet. 3 inches. Planning and Zoning Agency feels the hardships shown were not a result of the owner, and find the request to be in compliance with the Comprehensive Plan and does not create a precedent or undue hardship on any surrounding lands, and hereby recommend approval of the request. Motion by Brubaker, seconded by Maguire, carried 3/2, adopting variance from 35 feet to 37 feet 3 inches.

(11/22/88 - 7 - 2 2082)

Vivian Zaricki, Florida Association of Counties, spoke at this point with regard to shared risk program. Duane Benjamin of the firm Bliss McKnight, commented on the coverages that are not available in the commercial market. After considerable discussion by Zaricki, Nickerson and Benjamin, the Commissioners posed questions to the aforementioned threesome.

(11/22/88 - 8 - 2 3590)

Greg Baker, President of Thompson, Bailey, Baker Agency, agent of record for the County's property and liability insurance program. , read excerpts from report of actual cases where lawsuits were initiated against insurance companies that were liquidated. Baker opionated the County should not affiliate with something that you must make a decision right away. Baker felt County should study this insurance program.

(11/22/88 - 8 - 3 079)

Baker passed out a one page summary enumerating serious problems with the F.A.C.T. proposal.

The discussion at this point was opened up to the Commissioners. After considerable discussion the shared risk program was postponed until November 29, at 10:30 a.m.

(11/22/88 - 8 - 3 0545)

Hearing on R-88-049/Steve Adelstein (for Cecil, Charles, Clifford, and Louis Hunter, owners) represented by Tom Atkins of Landers Atkins Planners; rezoning from OR to RS-E with conditions of minimum lot of one acre and maximum 135 units, and other conditions; located on State Road 16A in vicinity of 6505 SR-#16A. A formal letter of withdrawal was submitted by the Chairman from Thomas W. Atkins, Senior Vice President of Landers-Atkins Planners stating the applicant does not wish to continue the rezoning process without a date certain for closing nor to jeopardize the owner's use of the property if the closing does not occur. Motion made by Brubaker, seconded by Bailey, carried 5/0, to deny the rezoning process without a date certain for closing.

(11/22/88 - 8 - 3 0655)

Hearing on R-88-053/A. J. McGuinness, rezoning from CI with conditions to CI with change in conditions: adding specific uses; located at 2135 State Road #3 south of car wash. Proof of publication of notice of public hearing for the proposed change from CI with conditions to CI, adding conditions, published in the St. Augustine Records, October 21, 1988; upon a motion by Brubaker, seconded by Bailey, carried 5/0 to change from CI with conditions, to CI, adding conditions. Conditions were read and amended as follows: Paragraph 5 - professional and business offices excluding Doctor's offices. Paragraph 8. Limit the height of all buildings to 35 feet maximum, and accepted by the applicant. The PZA finds the request to add off-site sign, professional and business offices, retail establishment, and service establishments, and limited height of 35 feet to be in compliance with the Comprehensive Plan and hereby recommend approval. Motion by Brubaker, seconded by Maguire, carried 5/0, approving rezoning from CI with conditions to CI with change in conditions (Ordinance No. 88-71).

(11/22/88 - 8 - 3 0912)

Hearing on R-88-051/William and Dorothea Pellicer, rezoning from RMH to CHT in order to add continuous lands zoned CHT on which is located boat storage and marina; located off Nix Boatyard Road (variances for relaxation of paving requirement and set back for structures was approved concurrently, contingent upon final approval of rezoning). Proof of publication of notice of public hearing, published in The St. Augustine Record, October 21, 1988; for proposed change from RMH to CHT to add lands to contiguous CHT property for the increasing of parking area; upon Motion by Brubaker, seconded by Bailey, carried 5/0 to change from RMH to CHT to add lands to contiguous CHT property for the increasing of parking area; The PZA finds the request to be compatible and in compliance with the Comprehensive Plan and recommends approval (the PZA simultaneously approved