

ST. JOHNS COUNTY, FLORIDA
ORDER
REZONING/EXCEPTION/VARIANCE

NAME OF APPLICANT

APPLICATION NUMBER

American Legion Post 194, Inc.
applicant, Joseph Logan, Post Commander

R-88-045

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

DENIED

CONDITIONAL ORDINANCE 88-63

Conditions - see attached sheet.

*See Attached

DATE OF COMMISSION ACTION: October 11, 1988

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By Lawrence O. Hartley
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Spencer H. McDonald
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)

Legal Description:

Lots 4 and 5 Block 103, Afro American Subdivision of the Dancy Tract as recorded in Map Book 3, page 47 of the public records of St. Johns County, Fla.

IS HEREBY CHANGED TO :

OR, Open Rural

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Sole use of the property shall be a private club by the American Legion
2. Upon discontinuance of said use, the property shall revert to RS-3, single family residential classification.

requested clarification on what the ordinance should address; it was the consensus of the Board height should be limited to 35-feet and should cover the entire coastal area within the County. Waldron commented on the need to limit the height to 35-feet in coastal areas for density and hurricane evacuation, fire safety and the ability for these buildings to withstand high winds and erosion. Staff indicated they would work on this and report back later today. (See Page - 10 - 4.3585)

The meeting thereupon recessed and reconvened at 1:30 p.m. with Hartley, Bailey, Brubaker, Waldron, Lydon, Sisco, Castle and McDonald present. Also present was Planning Coordinator Jerry Napier.

(10/11/88 - 7 - 2.1383)

Final Plat for Summer Island located Rattlesnake Island, 66 lots on approximately 30 acres, water and sewer to be provided by ASD. Planning & Zoning Agency Summary recommending approval was received. Napier reported Mr. Wilcox is requesting a continuance until the next BCC meeting. Staff and Mr. Wilcox are still working on items relative to the dedication of park lands. Motion by Bailey, seconded by Waldron, carried 5/0, continuing this item until October 25, 1988 at 1:30 p.m.

With no further business to come before the Board at this time the meeting recessed until 2:00 p.m.

(10/11/88 - 7 - 2.1482)

Hearing on R-88-045, American Legion Lincolnville Post 184 Inc., Joseph Logan, Post Commander located 1029 W. Pearl Street rezoning from RS-3 to OR to enlarge grandfathered private club. Report of the Planning & Zoning Agency recommending approval with conditions was received. Proof of publication of notice of public hearing to consider passage of an ordinance was received having been published in The St. Augustine Record on September 9, 1988; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Joseph Logan was present requesting approval. Proposed conditions were read by the Clerk and accepted by the applicant. Motion by Brubaker, seconded by Waldron, carried 5/0, adopting Conditional Ordinance No. 88-63.

(10/11/88 - 7 - 2.1565)

Hearing on R-88-022, Syndate Six, Inc. a rezoning and an appeal to denial of exception: rezoning from CG with conditions to CG with different conditions and Exception for self-serve gasoline pumps, located on south side of S.R. #16 between Arthur Street and Derry Avenue. (PZA recommended approval of the rezoning with conditions but denied the exception for gasoline pumps) Report of the Planning & Zoning Agency recommending approval of the rezoning with conditions but denying the exception was received. Proofs of publication of notice of public hearing to consider passage of an ordinance and appeal for action taken by St. Johns County Planning and Zoning Agency were received having been published in The St. Augustine record on September 9, 1988; upon motion by Waldron, seconded by Brubaker, carried 5/0, were ordered filed. Charles Vensel representing Syndate Six, Inc. was present requesting approval and offered an additional condition to the application of test monitoring wells and double liner gas tanks with interior and exterior sensors. Napier clarified if this condition is imposed it will become part of the exception should the Board choose to grant the exception. Citizens present and commenting were: (2.1690 & 2.1962) Gary McCormick, 407 St. George Avenue requested the Board continue this item for two weeks in order for him to obtain a petition in opposition to this request. (2.1775) Terry Pacetti requesting Board approval explained the property in question is 400-feet deep from S.R. #16; they have worked with staff and the DOT to come up with a project conducive to the area and at the present time they plan only to develop the portion fronting S.R. #16 and have no plans at the present time to develop the back section. (2.1890) Barbara LaGasse, 337 S.R. #16 spoke in favor of the rezoning and exception. (2.2003) Irene ?, 416 Dairy Avenue stated she would rather see some stores and restaurants rather than another gas station. (2.2057) Mr. Vensel addressed the Board regarding the length of time since the date of this application, 4/27/88 and commented on conditions being offered. At this time the item was brought back to the Board. Proposed conditions were read by the Clerk and accepted by the applicant. Discussion followed regarding the location of the property in question and the proposed conditions. Napier questioned if the exception is denied do they still want the rezoning; Pacetti responded should the exception be denied they will withdraw the rezoning request. Motion by Brubaker, seconded by Lydon, carried 4/1 with Bailey dissenting, granting the exception for placement of self serve gasoline pumps/underground tanks in connection with convenience store located at Arthur Street and Derry Avenue, on S.R. #16 subject to the following condition: Test monitoring wells and double liner gas tanks with interior and exterior sensors. Motion by Brubaker, seconded by Lydon, carried 4/1 with Bailey dissenting,