

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

NAME OF APPLICANT

APPLICATION NUMBER

Julian Goad

R-88-057

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

DENIED

CONDITIONAL ORDINANCE 89-2

Conditions

*See Attached

DATE OF COMMISSION ACTION: January 10, 1989

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Harry Walker*
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: _____
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

subject to the following conditions:

1. Uses shall be limited to service station, service garage, and/or convenience store or an exception that is later approved in accordance with the requirements of St. Johns County Zoning Code, pursuant to Section 11-9 of the Zoning Code that would permit the sale of beer and wine for off premise consumption.
2. A minimum 8 ft. natural buffer shall be provided on all sides except highway frontage.
3. The maximum height shall be limited to 35 feet.
4. A Thirty (30) ft. strip of land shall be reserved along Road #207 for future road expansion.
5. Access/egress will be limited to one driveway on SR 207 permitted, designed and constructed to State DOT Standards..
6. No building or driveway permits shall be issued until such time as construction of the SR 207/312 intersection is completed and accepted by DOT.

the zoning classification to CN primarily for use of property as professional office and some retail. Considerable discussion ensued from a very large group present in favor of the rezoning as well as a sizeable group in opposition of the rezoning. Upon motion by Herold, seconded by Bailey, carried 4/1, Brubaker dissenting, denying west side of SR-#3, 300 feet south of 16th Street to 11th Street, change from RS-3 to CN. (10 - 5.3798) Maguire requested the BCC make a motion to waive the time period of one year to reapply. Upon motion by Maguire, seconded by Brubaker, carried 5/0 to waive one year time limitation.

(1/10/89 - 8 - 4.0875)

Hearing on appeal to denial of zoning exception E-88-087/Bill Langford, Jr., requested horse shows/rodeos at 258 S. Roscoe. Proof of publication of notice of public hearing was received having been published in the St. Augustine Record on December 8, 1988; upon motion by Bailey, seconded by Maguire, carried 5/0 was ordered filed. Deputy Clerk Connie E. McDaniel read a letter from Upchurch, Bailey and Upchurch, representatives of the applicant, requests a postponement of the hearing for a period of sixty (60) days to enable them to work out a mutually acceptable access plan with staff. Considerable discussion ensued between Frank Upchurch, 780 North Ponce de Leon Boulevard, BCC and Napier. Also Sisco suggested this item be sent back to Planning and Zoning Agency to review this item once again. Staff made a specific request for a site plan to be approved and worked out with County engineering. The PZA expressed concern over the access and traffic problems. Considerable discussion ensued from audience, staff and BCC. Upon motion by Bailey, seconded by Herold, carried 5/0 to re-man back to the PZA asking PZA to rehear with new conditions provided by the applicant pursuant to the staff's request, and there will be a notice to advertise public hearing with the applicant paying all cost of publication and re-notifications and mailings.

(1/10/89 - 8 - 4.1513)

Resolution to accept plat for Crossroads Plantation, Crossroads Unit One, construction bond in amount of \$419,842, warranty bond is \$0. Upon motion by Bailey, seconded by Brubaker, carried 5/0 to accept plat for Crossroads Plantation, Crossroads Unit One.

RESOLUTION NO. 89-14

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA

(1/10/89 - 8 - 4.1539)

Waldron reported on letter passed out by Castle from Harry Waldron, Chairman of BCC to Steve Tribble, Director, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, FL 32301, which brings to the table a utility company and developer who has asked for a service area in St. Johns County (the location is at the old inspection station, the County garage and Highway Patrol Office on the south side of the road and further to the west is a large tract on the north side of SR-#16) in an area the County has designated for another service. In part the letter states, pursuant to Section 367.051 Florida Statutes, this is the objection of the St. Johns County Commission to the Notice of Intent by Four Mile Utility Company to provide water and sewerage services. Upon motion by Brubaker, seconded by Maguire, carried 5/0 to send letter signed by Waldron, Chairman of BCC to Steve Tribble, Director, Florida Public Service Commission.

(1/10/89 - 8 - 4.1684)

Hearing on R-88-057/Julian Goad, rezoning from OR to CI with conditions, located on SR-#207 south of proposed intersection of SR-#312. Proof of publication of notice of public hearing was received having been published in the St. Augustine Record on December 5, 1988, upon motion by Brubaker, seconded by Maguire, carried 5/0 was ordered filed. Julian Goad, 5264 Shore Drive, applicant, requesting rezoning from OR to CI. This item was approved by PZA on 6/3 vote; however, Goad received letter on 1/9/89 from Sharon Holmes, Director of Engineering, stating her concerns about the area to be rezoned. Holmes says to delay additional traffic impact in the vicinity of the intersection until the SR-#312 plan becomes final. Goad is in agreement with this suggestion as well. Deputy Clerk Connie E. McDaniel was asked to read all conditions on the ordinance as amended. Upon motion by Brubaker, seconded by Maguire, carried 5/0, to approve rezoning from OR to CI with conditions on ordinance as amended which are as follows: 1) uses shall be limited to service station, service garage, and/or convenience store or an exception that is later approved in accordance with the requirements of St. Johns County Zoning Code, pursuant to Section 11-9 of the Zoning Code that would permit the sale of beer and wine for off premise consumption; 2) a minimum 8 ft. natural buffer shall be provided on all sides except highway frontage; 3) the maximum height shall be limited to 35 feet; 4) a thirty (30) ft. strip of land shall be reserved along SR #207 for future road expansion; 5) access/egress will be limited to one driveway on SR #207 permitted, designed and constructed to State DOT Standards; 6) no building or

driveway permits shall be issued until such time as construction of the SR #207/312 intersection is completed and accepted by DOT.
(1/10/89 - 8 - 4.2440)

Continued hearing on R-88-054/Charles D. Towers as trustee, rezoning from OR to RS-2 with offered conditions, located adjacent to Swiss Oaks Subdivision off SR-#13. John Bailey, 780 North Ponce de Leon Blvd, representing applicants, reported on last hearing which was to seek rezoning of the property to the RS-1 classification, with certain conditions which we would draft and review with staff by this meeting of BCC. An ordinance was prepared by Bailey and applicants which was submitted to the staff; reviewed the conditions with Napier and Holmes and the conditions are as follows: 1) the maximum number of lots platted within a property shall not exceed 23; 2) the minimum size of lots platting within a property shall be one half acre; 3) no land clearing or construction activities shall occur until approval of final subdivision plat of the property; 4) the area designated as Cypress Pond on the preliminary plan prepared by Hill, Boring and Associates, dated 1/4/89 and filed with the County Engineering Department, shall be preserved in its natural state. The area to be preserved shall be surveyed and staked prior to commencement of land clearing or construction; 5) the drainage system and site grating shall be designed so that there will be no adverse impact on downstream property owners; 6) prior to the issuance of any certificates of occupancy of the property the developer shall install a school bus shelter approximately 10' x 20' in size at the intersection of Swiss Oaks Court with the property. Considerable discussion ensued between BCC, staff and audience. However, due to the hospitalization of the attorney, representing the citizens in Swiss Oaks, B. Bartlett, Esq., a continuation was requested of the Commissioners until February 14, 1989. However, John Bailey, representative for Charles Towers objected to the continuation of this item. Bailey stated this is a continuation of the December meeting and he stated for the record the ordinance was sent to Mr. Bartlett last week; Bartlett did call Bailey on 1/9/89 and stated he had no objections to the conditions we had proposed, according to Bailey. Upon motion by Herold, seconded by Brubaker, carried 5/0 to continue rezoning from OR to RS-2 with offered conditions, located adjacent to Swiss Oaks Subdivision off SR-#13, until February 14, 1989 at 2:00 p.m.

(1/10/89 - 9 - 4.3537)

Herold at this time reported on a County insurance for claims against the County for jail and law enforcement incidents letter that was sent by Jim Sisco addressed to the BCC. Sisco's statement at the bottom of the letter should be given serious consideration by the County re the attached letter from Hunt Insurance Group, dated December 2, 1988. The problem arises due to more and more lawsuits filed against the Sheriff, including the County or the BCC as co-defendants. Our current liability insurance contains many exclusions, which are listed in the letter therein. If directed by BCC Herold will get together with David Halstead, Director of Administrative Services, and have Hunt Insurance Group make a presentation to BCC. Hunt Insurance Group has stated they would be ready to make a presentation in late January or mid-February. Considerable discussion ensued by BCC. Halstead commented to the effect that he will pursue this information with Hunt Insurance Group and reported back to BCC as soon as there is something to report. Bailey queried Castle on landfill situation. Bailey mentioned as of today, 1/10/89, four local environmentalist groups will petition to intervene. They have raised funds to obtain a lawyer in their behalf; The groups are, Florida Wildlife Federation, the National Sierra Group, the River Systems Preservation and Coastal Environmental Group. Bailey reported Jacksonville area people are coming out to do something about this landfill as well, also the Organized Fishermen have already intervened.

(1/10/89 - 9 - 5.0240)

BCC turned their attention to the two items pulled from the Consent Agenda earlier in the morning; items #9 and #10. Herold discussed item #9, funds allocated to the Golf Course; if additional funds are needed to operate the golf course they should be earmarked in the general fund. That group of folks involved in the operation of the golf course should have the right to go to Hendrix and state their position. Herold stated he feels more comfortable if budget stays at the number it is at with the funds clearly earmarked for use of the golf course only or, if possible, to use the funds to help the entire indebtedness on the bond. The funds should not shrink away to something else. At this point Leon Shimer, Director of Parks and Recreation reported on this biggest problem in operating the golf course which is cash flow. At this time the grounds crew is being paid (Dan Walton and his crew) out of construction money. We need to get them off the construction money so we can continue with that building program rather than depleting it. Last week was a good week; Shimer took in pre-paid green fees through actual play up to about \$30,000. Originally it was anticipated a larger sale of pre-paid green fees to give us the up-front money needed. There is basic things needed to get the golf course going; Shimer stated he cannot be handcuffed waiting until he get the funds before submitting invoices, the staff also has to be paid. An average of \$1,800 to \$2,000 a day will be needed over one year to meet the budget. A transfer of funds