

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

NAME OF APPLICANT

APPLICATION NUMBER

Robert L. Southwell (represented by Karen M Taylor)

R-88-069

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

DENIED

CONDITIONAL ORDINANCE NO. 89- 13

Conditions:

*See Attached

DATE OF COMMISSION ACTION: March 14, 1989

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
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)

will need and why they need them and that the earned interest on each section be applied directly to that section. Markel stated the Commission may want to think about language on what will be used as revenue source to do the budget for the split. The revenue source is not all the same; in the fund this year there is one entity in the arts and crafts that will not be funded. Maguire amended his motion just stated to read: the Association of Tennis Professionals is receiving money on a contract basis from the TDC; this should not be taken off the top because this would create a fourth section but stay with the three sections and let each section contribute a pro-rata share toward ATP in fulfillment of that contract. The dollars would be the same but a fourth section would not be created. The Tourist Advisory Board would now contribute 40% of the ATP contract price. Upon motion by Maguire, seconded by Herold, carried 5/0, to amend Maguire's motion not to create a fourth section, but stay with the three sections and let each section contribute a pro-rata share toward ATP in fulfillment of that contract. Maguire further added, these are guidelines for the 89/90 budget.

(3/14/89 - 8 - 3.2656)

Herold proposed to the Board a motion that the Beach Advisory be used as a precedent and create in the budget a line entry that says: "Tourist Development/Beaches", but earmark those funds to Beach Advisory. Maguire requested consideration be given to the fact that law does set up the TDC and requests still be funneled through the chain of command of the TDC to the BCC. The motion is to put a line entry in the budget for beachery nourishment based on the current funds available as budgeted. Upon motion by Herold, seconded by Bailey, carried 5/0, to put a line entry in the budget for beachery nourishment based on the current funds available as budgeted.

(3/14/89 - 8 - 3.2938)

Waldron broached the subject of the detention facility at the jail. Hendrix commented the bills that come from the jail facility are not handled by the Finance Department until they have been approved, nor does Finance have any control over their purchasing procedures. Hendrix felt if the detention facility is to stay under the Board, it should go through the Purchasing Department and have the bids submitted through Purchasing so that some control could be maintained. However, the Sheriff has administered all such things as well as the payroll for his staff, and Hendrix suggested it would be correct that the Sheriff should take care of paying their bills as well. Halstead was also in favor of Hendrix' suggestion. Waldron directed Hendrix to draft a letter to Sheriff Perry, suggesting that he take over paying his own bills for the jail. Hendrix stated the Sheriff's budget is close to \$3 million, which presently, the Finance Department is paying about \$1.5 million.

(3/14/89 - 8 - 3.3090)

Maguire reported on a conversation he had with Sargent Stern of the Sheriff's Department with respect to the dog ordinance. Sargent Stern related the Sheriff's department were issuing citations, but they were being kicked back from the State's Attorney, saying they are not enforceable. Stern further stated Sheriff Perry wrote a letter to the State's Attorney asking to be made aware where the ordinances are not enforceable so the problem can be corrected. Stern said the same problem exists with the trash ordinance as well.

(3/14/89 - 8 - 3.3172)

Waldron reported on the Detention Citizens Advisory Committee for the jail which was set up in 1987 to go out for the bond issue. During the time this Committee was formulated, the Legislature formed the official Committee for jails which included the State's Attorney, Public Defender, the Courts, the Chairman of the Board of County Commissioners. Waldron felt the Detention Citizens Advisory Committee is not needed presently, and should be abolished. Brubaker felt there is no need for two committees to work on the same issue. Upon motion by Brubaker, seconded by Herold, carried 5/0, to disband the Detention Citizens Advisory Committee. Bailey suggested a formal thank you should be extended from the Board of County Commissioners to those persons who served on this committee. Waldron instructed Halstead to make certificates or letters thanking those persons for all their hard work on the Detention Citizens Advisory Committee.

(3/14/89 - 8 - 3.3564)

Hearing on Ordinance No. 89-13, R-88-069/Robert L. Southwell, rezoning from OR to RS-2 with conditions, located on SR-13 south of intersection SR-13/CR-16A. Proof of publication of notice of public hearing to rezone from OR to RS-2 with conditions, was received having been published in The St. Augustine Record on February 9, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Karen M. Taylor, representing Mr. and Mrs. Southwell reported on this item. Bailey found difficulty with the basin and ravine as well as the rezoning itself. When property is zoned RS-1 in size, somehow it needs to be kept RS-1 and a statement made as to other conditions or variances. Maguire asked question if property could be zoned PSD to which Napier responded in the affirmative. However, Taylor stated this item would not warrant a PSD zoning. Discussion ensued. John Densmore, 5105 William Bartram Scenic Highway, spoke in favor of

this rezoning. Shirley Kuehne, 5165 SR 13 No., spoke in favor of this rezoning. Upon motion by Brubaker, seconded by Herold, carried 4/1, Bailey dissenting, to approve Ordinance No. 89-13 with conditions.

(3/14/89 - 9 - 4.0577)

Waldron broached the subject of the appointment needed for the Comprehensive Planning Advisory Committee. Napier followed Waldron's lead and referred to the memorandum he submitted with the 6 latest resumes on file of potential candidates. The committee is down to 14 members. When the committee was appointed in December, 1986 there were 21 members; sometime later it dropped to about 17, then it was agreed the committee would not get below 15. There is need of one new member to bring it up to the level of 15. Napier mentioned it's an option of the Board whether they would like to increase the level beyond 15 members. Waldron suggested 3 persons be appointed at this time to this committee which would bring the numbers of the committee up to 17 members. Napier mentioned the by-laws were amended as the membership dropped and the quorum is presently 8 members. Waldron recommended: Dr. Barbara Kaye, Patricia Farrell and Paul G. Merchant, Sr., for appointment to the committee; upon motion by Maguire, seconded by Bailey, carried 5/0, to appoint Dr. Barbara Kay, Patricia Farrell and Paul Merchant, Sr., to the Comprehensive Planning Advisory Committee. (.0806) Waldron directed Napier to write letters to the other individuals who submitted resumes, thanking them for their concern and interest.

(3/14/89 - 9 - 4.0849)

Bailey reported on the Ladies Professional Golf Association; the Association has picked Cimmarone as one of the DRI's they are considering for moving here and they are requesting funds from the TDC. Bailey requested time at the next BCC meeting March 28 for John Daniels and a group to make a presentation pertaining to the Ladies Professional Golf Association along with John Tucker, Dick Prosser and Rick Joyce. Waldron set the time at 3:30 p.m. on March 28 at the Regular Board of County Commissioners Meeting to address this item. Bailey questioned Castle on the status of selecting an assistant administrator. Castle responded that he conducted an interview last week and has another interview scheduled for 5:30 p.m. today with an individual; Castle is certain he will be finished with the interviewing process by the end of this week or middle of next week and expects to have someone on board by the 1st or 15th of April.

(3/14/89 - 9 - 4.0935)

Maguire asked for direction from the Board on the subject of approaching the high schools to provide students on Commission day to act as pages in an effort to get them interested in county government. Bailey is in favor of them as well as Herold. Waldron instructed Maguire to look into this matter further.

(3/14/89 - 9 - 4.1031)

Castle reported on the schedule of meetings and workshops for the remainder of March and early April. Castle referred to the March 29th workshop at 10:00 a.m. which will discuss procedures for implementing a solid waste special assessment program with the Department of Revenue. There will be an individual at this meeting who was instrumental in drafting legislation for this special assessment program to go over this with the BCC. This workshop was originally scheduled for March 23 in the afternoon;

Castle further reported on the requests to each of the three municipalities in the County to adopt a similar resolution in opposition to the Duval County Landfill and be submitted to the Hearing Officer as well as various sundry elected officials within State and Federal Government as well as local government. This has been done and returned by the City of St. Augustine and distributed as requested; however, Castle had not heard anything as of yet from St. Augustine Beach or Hastings in this.

Castle reported on the financial report for the golf course for the month of February. The operating revenues received amounted to \$54,352.29; included in that was some of the pre-paid annual green fees; the operating expenses for the month amounted to \$55,623.13 or a operating loss of \$1,270.84; in February the golf course only operated 9 holes; the report for this past weekend was estimated - Friday approximately 150 rounds played; Saturday there were 175 rounds played; Sunday there were 170 rounds played; Monday there were 150 rounds played. This equates to revenues in the range of about \$10,000 to \$12,000. This does not include construction monies that were budgeted for the completion of the course, the clubhouse; these figures are strictly operating revenues for playing golf and expenditures to keep the golf course maintained and to hire personnel for the course. Castle felt County is well within budget even with the \$1,270.84 loss.

Castle reported on the 8th Street Ramp at the Beach (showing photographs to the Commission). There was sufficient damage done to that ramp. Castle mentioned the County will proceed with their own in-house force to reconstruct a portion of the ramp to gain access to the beach. The ramp will be ready for the official opening of the driving season on the beach. Considerable discussion ensued.

(3/14/89 - 9 - 4.1418)