

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

NAME OF APPLICANT

APPLICATION NUMBER

The Nemours Foundation
c/o E.A. Gabriel, Jr., Trustee
66 Cuna St.
St. Augustine, Fl. 32084

R-88-064

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

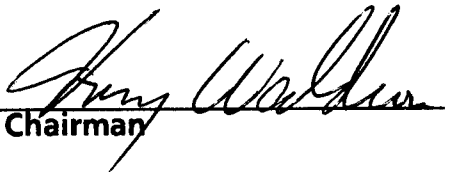
DENIED

CONDITIONAL ORDINANCE NO. 89- 16

*See Attached

DATE OF COMMISSION ACTION: April 25, 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)

Conditions offered by applicant for rezoning R-88-064,
attachment to report to BCC from Planning and Zoning
Agency

1. Minimum lot size 35,000 square feet.
2. Maximum number of lots , 27.
3. Fire protection to be provided by deep well and high service pump and hydrant in compliance with NFPA 24.
4. Final wetlands jurisdictional line to be provided prior to platting.
5. The developer agrees to pave Capo Island Road from Gun Club Road to the furthestest point of subject property, which is approximately 600 -700 feet.

(4/25/89 - 6 - 3.0380)

Hearing on Ordinance No. 89-16 with conditions, R-88-064/The Nemours Foundation, application E. A. Gabriel Jr., Trustee, land located on east side of Capo Island Road 500 feet north of Gunclub Road, rezoning from OR to RS-1 with submitted conditions. Proof of publication on Ordinance No. 89-16 with conditions was received having been published in The St. Augustine Record on March 24, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Edward Gabriel, Jr., Trustee for property for Nemours Foundation requested property be rezoned from OR to RS-1. Maguire stated a problem he foresees with reserving the right to petition for cost sharing. Gabriel responded this is County policy to allow for cost sharing petitions, there are rules and regulations and forms to file on this; however, Gabriel says this does not mean the county will grant the cost sharing and its based on ad valorem taxes added to the property so the net cost to the county is a bondable item which does not cost the county any money, its being bonded out of the increase in the ad valorem taxes for the property. Herold also expressed a problem with the petition for cost sharing. Discussion followed. Gabriel offered to take the comment in item 5 of the conditions out of the ordinance which reads: "...reserving the right to file a cost sharing petition with the Board of County Commissioners." Upon motion by Brubaker, seconded by Bailey, carried 5/0, to approve Ordinance No. 89-16 with conditions.

(4/25/89 - 7 - 3.0595)

Hearing on Ordinance No. 89-17 with conditions, R-89-007/Thomas J. Anderson, property located on Venetian Boulevard 200 feet east of U.S. #1, rezoning from CG to IW with conditions for the location of small aircraft/marine parts manufacturing. Proof of publication was received on Ordinance No. 89-17 with conditions, having been published in The St. Augustine Record on March 24, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Tom Anderson requested rezoning from CG to IW for a small manufacturing company. Napier mentioned the ordinance has 9 conditions and staff has worked with Anderson on the conditions; therefore approval was recommended subject to the conditions. Upon motion by Brubaker, seconded by Bailey, carried 5/0, to approve Ordinance No. 89-17 with conditions.

(4/25/89 - 7 - 0759)

Herold reported on attending the Window on the Future, a meeting with all the county's social services personnel, with Dr. O'Connell's group playing a very important part in this. These services are being continuously cut back on funding both from the state and federal and this is a very real concern about the future capability of these services. Herold stated there were present at the meeting elected officials as well as Tom Cushman of the State Attorney's office. Discussion followed.

Herold asked Halstead if the county administrator had selected an assistant presently. Halstead mentioned interviewing process is still continuing.

(4/25/89 - 7 - 3.0901)

Maguire questioned the status of the Sampson Road Bridge; there was an emergency resolution drawn up on this item one year ago; Maguire has received complaints about the road going into the new county golf course. Holmes responded the county is currently holding a construction bond for the developer of a subdivision surrounding the golf course; that bond does cover road paving expenses and they are planning on coming before the BCC at the next meeting to ask for a reduction on that construction bond and discuss their timetable. Holmes stated she has discussed the 207 connection and the county's responsibilities and how they interact with the developers responsibilities with Neal Poteet, County Construction Manager; Sisco responded he could take a look at the specific language of the agreement, if needed. Sisco stated the agreement may have been modified at some point, so its possible there may be an amendment to it.

(4/25/89 - 7 - 3.1010)

Bud Harriss, Director of Public Works reported on the Sampson Road Bridge. Harriss stated the plans were completed by the engineer some time ago; additionally, there was a series of documents which had to be produced by the engineers, Connelly and Wicker, which he understands from Poteet are completed and the whole package was sent out for bids by the Purchasing Department.

(4/25/89 - 7 - 3.1102)

Maguire questioned the proof of publication which is filed before hearing of ordinances, etc., Maguire would like to have this put on the consent agenda. Sisco responded the proof of publication could be put on an agenda; however, when the county is sued over this matter, to get all documentation together for a lawsuit is a monumental task. Brubaker expressed he saw no problem with having the proof of publication mentioned at each hearing.

(4/25/89 - 7 - 3.1192)

Halstead reported on golf course operations through March, 1989. For the total period, \$24,777.43 in the hole; last month operating revenues over expenditures was \$30,336. The total revenues were \$69,878 and expenditures were \$39,550; out