

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

NAME OF APPLICANT

APPLICATION NUMBER

B. S. Ranch, Inc.
c/o David Bruner
St. Johns Survey Company
P.O. Box 702
St. Augustine, FL 32085

R-89-055

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

DENIED

ORDINANCE

90-15

*See Attached

DATE OF COMMISSION ACTION: March 13, 1990

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Craig A. Maguire
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Suzanne Jones
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)

Deputy Clerk was directed to read conditions into the record and the applicant agreed to the conditions. Mrs. James R. Williams, 236 Menecal commented in opposition to this application. Upon motion by Brubaker, seconded by Herold, carried 4/1, Bailey dissenting, to approve Ordinance No. 90-12 with conditions. However, motion was rescinded to be 5/0, unanimously, approving Ordinance No. 90-12.

ORDINANCE NO. 90-12

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF CG WITH CERTAIN CONDITIONS TO CN WITH CERTAIN CONDITIONS: REQUIRING RECORDATION: AND PROVIDING AN EFFECTIVE DATE.

(3/13/90 - 8 - 3.0462)

Hearing on R-89-056/Thomas Bennett, rezoning from RS-3 to CI with conditions; located 200 Columbus Street, just west of City limits, Ordinance No. 90-13. Proof of publication of notice of hearing on R-89-056 was received, having been published in The St. Augustine Record on February 8, 1990; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Thomas Bennett, applicant was present requesting approval of the application. Deputy Clerk was directed to read the conditions and the applicant agreed to the conditions. Upon motion by Waldron, seconded by Herold, carried 5/0, to approve Ordinance No. 90-13.

ORDINANCE NO. 90-13

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RS-3 TO CI WITH CERTAIN CONDITIONS: REQUIRING RECORDATION: AND PROVIDING AN EFFECTIVE DATE.

(3/13/90 - 8 - 3.0575)

Hearing on R-90-002/Sam and Amine Ajloni, rezoning from OR to CG with conditions; located on U.S. #1 South, Ordinance No. 90-14. Proof of publication of notice of hearing on R-90-002 was received, having been published in The St. Augustine Record on February 12, 1990; upon motion by Bailey, seconded by Brubaker, carried 5/0, was ordered filed. Sam Ajloni, 1820 Old Moultrie Road, applicant for this rezoning requested approval. Upon motion by Herold, seconded by Brubaker, carried 5/0, to approve Ordinance No. 90-14.

ORDINANCE NO. 90-14

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OR TO CG WITH CERTAIN CONDITIONS: REQUIRING RECORDATION: AND PROVIDING AN EFFECTIVE DATE.

(3/13/90 - 8 - 3.0682)

Hearing on R-89-055/B and S Ranch Inc., David Bruner representative, rezoning approx. 7 acres from OR to CG-B with conditions, and exception for feed/seed store and gasoline pumps, Ordinance No. 90-15. Proof of publication of notice of hearing on R-89-055 was received, having been published in The St. Augustine Record on February 12, 1990; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. David Bruner, St. Johns Survey, the preparer of the site plan requested approval of this application. Frank McElroy, Fire Marshall, St. Johns County Fire Service was available with suggestions to items #3 and #12 of the PSD as follows: #3 should have the words "below ground" inserted on the first line between the words "for and fuel". #12 should read as follows: "The Planned Special Development will provide for fire protection in all buildings by providing a sprinkler system that will cover the entire building, such systems to be constructed according to applicable St. Johns County Fire and Building Codes." Upon motion by Herold, seconded by Waldron, carried 5/0, to approve Ordinance No. 90-15.

ORDINANCE NO. 90-15

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN

RURAL TO PLANNED SPECIAL DEVELOPMENT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

(3/13/90 - 9 - 3.1722)

Continued, hearing on Major Modification to R-PUD-83-66/Ordinance No. 84-33/Mallard Landing, extension of time limit for schedule of Development. Proof of publication of notice of hearing on R-PUD-83-66 was received, having been published in The St. Augustine Record on December 13, 1989; upon motion by Waldron, seconded by Herold, carried 5/0, to deny R-PUD-83-66/Ordinance No. 84-33/Mallard Landing.

(3/13/90 - 9 - 3.1751)

Request of Northeast Florida Regional Planning Council to set hearing date for Riverton D.R.I. proposal. This issue was agreed upon by all parties concerned to continue this hearing until March 27, 1990 at 2:15 p.m. Upon motion by Waldron, seconded by Bailey, carried 5/0, to extend the request of Northeast Florida Regional Planning Council to set hearing date for Riverton D.R.I. proposal until March 27, 1990 at 2:15 p.m.

(3/13/90 - 9 - 3.1793)

Maguire reported on the March 8, 1990 letter from the Department of Community Affairs (DCA), regarding the St. Johns County comprehensive plan; further, due to the fact that St. Johns County is late on the comp plan, DCA has notified the Regional Planning Council that they are to write the county's comp plan and send the county a bill for it.

(3/13/90 - 9 - 3.1931)

Maguire reported on the March 12, 1990 letter from Leon Shimer to prepare a bid package to receive proposal on the annual clean up of the county beaches, both the north beach and the south beach, including ramp grading. Upon motion by Herold, seconded by Bailey, carried 5/0, to approve Shimer's request as per Shimer's March 12, 1990 letter.

(3/13/90 - 9 - 3.2218)

Napier reported on the various options that the county has to address height variances in the Cunningham Creek Subdivision. Napier provided a memorandum dated March 5, 1990 that outlined a number of options that address this matter; one of which would be to provide an amendment to the RS-1 District, raising it to the 35 foot height limit consistent with the other residential districts. Another option was to create an additional district or a "B" district that would allow 35 foot height but would only apply to newly-zoned areas. An additional option is to have staff prepare a proposed amendment, advertising it for public hearing before the BCC, and refer it in the interim to the Planning and Zoning Agency for review and recommendation. Upon motion by Waldron, seconded by Herold, carried 5/0, authorizing staff to prepare a proposed amendment, advertising it for public hearing before the BCC, and refer it in the interim to the Planning and Zoning Agency for review and recommendation.

(3/13/90 - 9 - 3.2596)

Castle reported on a previous request by the BCC, authorizing the purchase of two pieces of used equipment, one a D-4 dozier for the Road and Bridge Department and the other a crawler backhoe for the Road and Bridge Department. Further, there is \$160,000 budgeted for the two items; however, the approval was given in such a way that would allow a maximum of \$50,000 be spent for the D-4 dozier and a maximum of \$110,000 to be spent for the crawler backhoe. Upon motion by Waldron, seconded by Herold, carried 5/0, authorizing \$160,000 cap on both pieces of equipment as opposed to line item figures.

(3/13/90 - 9 - 3.2935)

Chief Deputy Clerk Cheryl Kent reported on road paving liens; in particular, two lots that fall into the timeframe whereby they are requesting a waiver of the interest and penalty; the lots are located in Wildwood Estates - Lot #17 and Lot #26. The property changed ownership within the time the lien went on record. Upon motion Waldron, seconded by Herold, carried 5/0, to grant a waiver of the interest and penalty on lots located in Wildwood Estates - Lot #17 and Lot #26.

(3/13/90 - 9 - 3.3003)

Kent requested a hearing date on an ordinance to amend the waiver of interest and penalty for property that changes record ownership. The hearing date was set for April 10, 1990 at 10:00 a.m.

The meeting thereupon recessed and reconvened at 11:30 a.m. on March 16, 1990, with Waldron, Brubaker, Herold, Maguire, Sisco, Castle, Campbell, and Jones present.

Commissioner Bailey was absent.