

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

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NAME OF APPLICANT	APPLICATION NUMBER
Catherine Selhorst 3105 Southside Boulevard Jacksonville, FL 32216	PV-89-001

DECISION OF COUNTY COMMISSION  GRANTED  GRANTED WITH CONDITIONS  DENIED

ORDINANCE

\*See Attached

DATE OF COMMISSION ACTION: July 11, 1989

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BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: *Randy Wilkerson*  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: *Rosemary 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)

(7/11/89 - 8 - 3.0013)

Hearing on PV-89-001/Catherine Selhorst and George Spohrer, rezoning of lands in the Ponte Vedra Zoning District from R-1-C Single Family to R-3 Multiple Family-semi-commercial; to operate a Montessori school on the site, located east side of A1A North-Ponce de Leon Boulevard, north of Corona Road (210). Proof of publication of notice of hearing on PV-89-001 was received, having been published in The St. Augustine Record on June 1, 1989; upon motion by Brubaker, seconded by Bailey, carried 4/0, Waldron was absent, was ordered filed. Catherine Selhorst, 76 Tipton Way North, passed out a brochure and map of the proposed site of the Montessori School, followed by a presentation outlining her reasons for the need of this type of school at this particular location. Bailey asked what is the full area to be fenced in to which Selhorst replied a 1/2 acre with 75 to 100 students. Maguire stated there are two issues this item could be split in: 1) the application being in violation of the Comprehensive Plan; and 2) the rezoning. George Spohrer, commented that the citizens of Ponte Vedra both want and need this type of facility and submitted a map for the record. Considerable discussion followed. Glenda M. Ahern, 9440 Preston Trail West, spoke in favor of the rezoning and submitted to the Clerk's Office approximately 135 petitions in favor of the rezoning as well. Discussion followed. Marie Lang, 4006 Long Pond Place, spoke in favor of the rezoning. Carol Gottio, 2005 Palmetto Point Drive, spoke in favor of the rezoning. I. G. Peters, 233 Pablo Road, gave a presentation in behalf of the Ponte Vedra Zoning Board, to which he is a member, in opposition to the rezoning due to the fact that this type of school should not be located in a residential area as this school is a business for profit - a private school supported by the people who send their children to the school. Peters referred to a map on display during his presentation. Peters emphasized that the Ponte Vedra Zoning Board has nothing against this type of school or any other type of school; however the issue is should this particular piece of property be rezoned. Through presentation, Peters brought to the fore this application is in conflict with the Comprehensive Plan (pages 124, 130, 135 & 136 and 141 of the Comprehensive Plan). Discussion followed. Charles "Jack" Holbrook, 514 Ponte Vedra Boulevard, submitted a drawing which focuses in on the immediate area in question. Holbrook spoke in opposition to the rezoning due to the fact that the property or house values in and around this parcel would depreciate should commercial enterprises intrude into the area. Discussion followed. Bob Cameron, 10 Lake Terrace, President of the Ponte Vedra Community Association commented in opposition to the rezoning. George Estes, 545 LeMaster Drive, submitted a petition with 85 signatures in opposition to the rezoning. As stated in the opening remarks of the petition this rezoning would be a flagrant example of spot zoning, in the unanimous opinion of the County Planning and Zoning Agency, would violate the County's Comprehensive Plan. Mary Kohnke, 29 South Roscoe Drive commented in opposition to the rezoning. H. G. Robinson, 9615 Preston Trail West, spoke in opposition to the rezoning. Discussion followed. Herold stated he has a problem with the application as it is spot zoning and he is totally opposed to rezoning residential to commercial anywhere in the county. Bailey spoke in opposition to the rezoning as the 1/2 acre would be too restrictive to accommodate 75-100 children in a fenced in area. Maguire suggested the BCC address the issue as to whether or not this application conforms to the Comprehensive Plan. Upon motion by Herold, seconded by Brubaker, carried 4/0, Waldron was absent, that the application does not comply with the Comprehensive Plan. Spohrer thanked the BCC for their consideration and requested a waiver of the rule so that the application can be resubmitted when the modifications to the comprehensive land plan have been completed. Upon motion by Herold, seconded by Bailey, recommending denial of the request for the application to be resubmitted when the modifications to the comprehensive land plan have been completed. Spohrer stated that he was advised by Waldron that this was a permissible request and Spohrer said that Waldron said in his absence he would recommend that the applicants request this. Maguire suggested the Commissioners revoke on the issue as the last vote was not stated; upon motion by Herold, seconded by Bailey, carried 4/0, Waldron was absent to deny Spohrer's request for waiver of the one year time limit as the comprehensive plan will not be in place for at least 2 years. (3.2184) Bailey submitted letters in favor of as well as in opposition to the rezoning. (3.2191) Conn stated that Napier suggested for the purposes of the record the BCC has found the proposed zoning is in conflict with the comprehensive plan, therefore the property could not be rezoned to R-3, but for the sake of the record it would be appropriate to make a motion that the rezoning itself be denied. Upon motion by Herold, seconded by Brubaker, carried 4/0, Waldron was absent, to deny the rezoning request based upon incompatibility with the comprehensive plan.

(7/11/89 - 9 - 3.2229)

Hearing on Major Modification to R-PSD-84-27/Ordinance No. 84-52, extension of schedule of development; represented by Hamilton D. Upchurch; located at A1A North and Mickler Road intersection. Court Reporter was Present. Proof of