

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

NAME OF APPLICANT	APPLICATION NUMBER
Frank Welborn, Jr. 499 Lot A Nine Mile Road St. Augustine, Florida 32084	SW-89-009

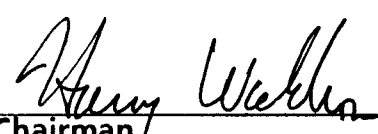
DECISION OF COUNTY COMMISSION GRANTED GRANTED WITH CONDITIONS DENIED

1. There be verification of a valid recorded 30 foot access easement in compliance with the paving and drainage ordinance requirements.
2. No further subdivision of the property.
3. No more than one dwelling unit on the parcel.


*See Attached

DATE OF COMMISSION ACTION: July 11, 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)

Hearing on SW-89-009/Frank B. Welborn, Jr., waive Article V of Subdivision Regulations and Section 90.6 (fire hydrants) due to the division of land with the creation of an easement; location Nine Mile Road. Proof of publication of notice of hearing on SW-89-009 was received having been published in The St. Augustine Record on May 24, 1989; upon motion by Brubaker, seconded by Bailey, carried 4/0, Waldron was absent, was ordered filed. Maguire filed Form 88, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers as he sold the property to Welborn and the property crosses over Maguire's. Conn instructed Maguire to abstain from the vote and from participation in the discussion as well. Frank Welborn requested right-of-way to be able to access his property and construct one house. Napier stated the property is approximately 6-8 acres, one parcel, and required to have a waiver of the subdivision regulations due to the creation of an easement. Napier further stated, the PZA has reviewed this issue and staff recommends approval subject to these conditions: 1) there be verification of a valid recorded 30 foot access easement; 2) compliance with the paving and drainage ordinance requirements; 3) no further subdivision of the property and, 4) no more than one dwelling unit on the parcel. These conditions are consistent with other actions staff has taken on waivers, Napier stated. Herold stated that it seems at every meeting where there is requests of this type, there is continued requests for waiver on fire hydrants and wondered how the Fire Services Department felt about this. Napier stated subdivision regs were amended about 1 or 2 years ago to require fire hydrants in conformance with fire standards. In every case, where there is a request for waiver, the fire marshall reviews those and provides recommendations as to the waiver. In cases where there is a single parcel, fire services normally does not have an objection to waiving that and oftentimes something other than a fire hydrant may be required. Herold expressed concern with policy being the way it is as there are very sparse areas of the county in relation to fire protection. Perhaps an adjustment of policy could be looked into. Discussion followed. Bailey requested this issue be discussed later today. Upon motion by Bailey, seconded by Brubaker, carried 3/0, to approve the subdivision waiver with conditions; Waldron was absent and Maguire abstained from voting on a measure which inures to his special private gain.

(7/11/89 - 7 - 2.2957)

Bailey informed the Commission that the new State resurfacing on SR-13 South of Kentucky Branch Bridge has major problems. Bailey mentioned she has spoken to Joe Stephenson of DOT about the problems and he is working to rectify the situation. Brubaker stated this road should definitely be in a safe manner and mentioned another problem road being 207. This is the most dangerous road in St. Johns County.

(7/11/89 - 7 - 2.3052)

Bailey reported on an invitation that was sent by mail to all the Commissioners from Dano Composting System, to attend a function at the Sheraton on Monday, July 17th. Asked if all the commissioners could avail themselves of a demonstration that the composting system will bring to the BCC if such a demonstration is requested. Campbell stated that the Solid Waste Committee has already reviewed approximately 3 times, other similar companies in this regard. And instead of calling a special meeting of the Solid Waste Committee for this advertisement, staff is seeing if individuals are interested in going to this meeting themselves.

(7/11/89 - 7 - 2.3142)

Bailey asked if a report would be forthcoming regarding recycling, as well as the expense involved and the results from the project. Campbell stated this matter would be mentioned to the County Administrator in an effort to place it on the next agenda for the July 25th BCC meeting. Discussion followed.

(7/11/89 - 7 - 2.3260)

Herold reported on the results of the meeting with the Civic Roundtable on July 10, 1989, stating that there is a multitude of ordinances on the books, the most recent which creates a problem is the noise ordinance; further, there is a tree ordinance that will be coming in and a sign ordinance with numerous others. Most are enforceable by complaint only and sometimes questioned if they are in fact enforceable at all. The point was, through lengthy discussion, adding personnel. This was one problem in the budgetary process this year that the adding of personnel was not included in the line-by-line budget. What needs to be looked at and studied at length is enforcement of ordinances that are on the books. Moreover, Herold felt there may be need of a branch of either the PZA or another existing agency to see that ordinances are enforced.

(7/11/89 - 7 - 2.3404)

Herold reported on the matter of Ray Ashton's discussion of his budget with the BCC and the possible addition of several pieces of fire equipment. There was a discussion on lease buy-back inasmuch as there are counties buying fire equipment on a 5-7 year lease, owning them outright at that time and the equipment has a lifespan of approximately 20 years. Ashton has found a great deal of information that Herold has asked him to bring before the BCC. Discussion followed.