

ST. JOHNS COUNTY, FLORIDA

ORDER

REZONING/EXCEPTION/VARIANCE

NAME OF APPLICANT

APPLICATION NUMBER

Harry & Phyllis Price
c/o Al Millar, P. A.
2721 Park Street
Jacksonville, Fl. 32205

R-89-021

DECISION OF COUNTY COMMISSION GRANTED GRANTED WITH CONDITIONS DENIED

CONDITIONAL ORDINANCE

*See Attached Copy of Minutes

DATE OF COMMISSION ACTION: July 25, 1989

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Henry Walker*
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: *Connie E. McDaniel*
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 Court Facilities Fee Ordinance. Proof of publication of notice of hearing on Court Facilities Fee Ordinance No. 89-34 was received, having been published in The St. Augustine Record on June 30, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Waldron stated the fees will help to pay for the court facilities fees. Upon motion by Herold, seconded by Bailey, carried 5/0, to approve Ordinance No. 89-34.

(7/25/89 - 10 - 3.1720)

Road name changes: (a) Change name from 4th Street to Ocean Course Drive, located off A1A near Duval County line, Resolution No. 89-156. Upon motion by Brubaker, seconded by Maguire, carried 5/0, to approve Resolution No. 89-156.

RESOLUTION NO. 89-156

A RESOLUTION RENAMING A STREET

Road name changes: (b) Change name from Herbie Solano Road to Solano Creek Road, located off Don Manuel Road, Resolution No. 89-157. Upon motion by Herold, seconded by Brubaker, carried 5/0, approving Resolution No. 89-157.

RESOLUTION NO. 89-157

A RESOLUTION RENAMING A STREET

(7/25/89 - 10 - 3.1788)

Waldron alluded to weights and measures with regard to county roads, stating that the county would like to be able to set up through the Sheriff's Department the enforcement of weight restrictions on bridges in and around the county. Discussion followed.

(7/25/89 - 10 - 3.1866)

Continued hearing on R-PSD-89-015/James R. Boyd, III and Benita S. Boyd, owners with applicant, Philip J. Edwards represented by Karen M. Taylor; land located on the east side of A1A in Crescent Beach, just north of the intersection of SR-A1A/SR-206; rezoning from RS-3 to PSD for patio homes, Ordinance No. 89-35. Proof was filed at a previous meeting. John Bailey, 780 No. Ponce de Leon Boulevard reported on this in the absence of Ms. Taylor, who is on vacation. This item was continued at the last BCC meeting to enable the PZA to take a look at the project. John Bailey stated the PZA, at its July 6th meeting, unanimously recommended approval of this application in its current revised form. Staff recommended approval also, stated John Bailey. Discussion followed. Upon motion by Herold, seconded by Maguire, carried 5/0, to approve Ordinance No. 89-35.

(7/25/89 - 10 - 3.2104)

Hearing on R-89-021/Harry and Phyllis Price, rezoning from OR to CG with an exception for automobile service station, located on Wildwood Drive. Proof of publication of notice of the hearing on R-89-021 was received, having been published in The St. Augustine Record on June 23, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Al Milar, Attorney for the Prices' from Jacksonville reported on this matter. Discussion followed. Charles Rogers, Rogers Appraisal Group, Jacksonville reported on the best and highest use of the property, referring to a map in his presentation. Harry Price, 1774 Wildwood Drive, commented to the effect that the intent of developing this parcel of property is to put a convenience store/gas station type operation with possibly some office buildings or whatever would feasibly fit in there with the new development coming to the area. Discussion followed. Price submitted a petition with 244 signatures in favor of the rezoning. The records will show there are 6 letters in opposition to the rezoning. Eugene Weaver, 3593 Red Cloud Trail commented in opposition to the rezoning. Cliff Petitt commented that this is spot zoning. Discussion followed. Conditions were read into the record by deputy clerk. Discussion followed. Maguire stated he was not in favor of rezoning something to have an effective date in the future. Napier stated the BCC should have copies of the PZA minutes of May 4th, along with the staff report which was quite lengthy on this item. Herold was bothered by the rezoning from OR to Commercial. Napier commented as outlined in the staff report that this rezoning is in direct conflict with the Comprehensive Plan and incompatible with other land uses in the area. Discussion followed. Upon motion by Bailey, seconded by Herold, carried 3/2, to deny, Waldron and Brubaker dissenting, R-89-021 as it is not compatible with the Comprehensive Plan. Upon motion by Bailey, seconded by Herold, carried 3/2, to deny, Waldron and Brubaker dissenting, R-89-021 the rezoning with conditions. Milar, the applicant's attorney requested a waiver of the 1 year time period. Waldron stated if there is a significant change in the application it would be appropriate to ask for it. Napier stated the BCC waived this item before and it had substantially the same application.

(7/25/89 - 10 - 4.0661)